



FEDERAL ELECTION COMMISSION  
WASHINGTON, D. C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

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**SENSITIVE**

**MEMORANDUM**

October 20, 2009

TO: The Commission

THROUGH: Robert A. Hickey *R. Sc. R. H.*  
Staff Director

FROM: John D. Gibson *J. D. G.*  
Chief Compliance Officer

Lynn M. Fraser *L. M. F.*  
Director, ADR Office

SUBJECT: ADR 518 Harris County Democratic Party and Gerald M. Birnberg,  
Treasurer, Informational Memo on Assignment

The Reports Analysis Division referred RAD 09L-37 for processing on October 14, 2009, and the ADR Office designated the referral ADR 518. We included a summary and discussion of the referral for your information. We anticipate initiating communication with Respondents in ADR 518 on October 26, 2009. Please contact Lynn Fraser if you have any questions or concerns before then.

**Summary of Case:** The Reports Analysis Division referred the Harris County Democratic Party and Gerald M. Birnberg, Treasurer, (Respondents or the Committee) for a series of reporting errors and other FECA violations during the 2008 election cycle. A political committee may be referred if, after an internal review of reports filed by the committee, the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. The Committee's errors included, among other things: mathematical discrepancies, Federal Election Activity/Levin funds, and allocated federal and non-federal activity.

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