



OCT 04 2019

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Fran Garcia, Treasurer
Democratic Executive Committee of Florida
214 South Bronough Street
Tallahassee, FL 32301

RE: AR 19-11R

Dear Ms. Garcia:

The Federal Election Commission (“Commission”) has ascertained information in the normal course of carrying out its supervisory responsibilities indicating that the Democratic Executive Committee of Florida and you, in your official capacity as treasurer (“Committee”), may have violated the Federal Election Campaign Act of 1971, as amended (the “Act”). Thus, the Committee has been identified by the Commission for possible enforcement action under 52 U.S.C. § 30109.¹ Specifically, the Commission has recognized that the Committee may have violated 52 U.S.C. §§ 30104, 30116 and 30118 among other provisions of the Act, for failing to fully refund or transfer-out the excessive portions of contributions received from there (3) individuals, four (4) corporations, and two (2) multi-candidate political action committees, totaling \$58,750.00 during the 2018 calendar; and for amending the 2018 12 Day Pre-General Report to disclose additional Levin receipts totaling \$230,000.00 and additional Levin disbursements totaling \$233,730.20 and for amending the same report to disclose additional disbursements totaling \$304,851.11. Finally, the Committee has been identified for possibly violating the Act for disclosing disbursements for salary, wages and/or fringe benefits on Schedule H4, resulting in an apparent impermissible transfer-in from the non-federal account of \$278,714.49, as reflected on the Amended 2018 October Monthly Report received on January 6, 2019.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against the Democratic Executive Committee of Florida and you, in your official capacity as treasurer, in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission’s consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel’s Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information

¹ Notification of this referral is being provided to you pursuant to the Commission’s Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, as published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.²

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the referral until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

Any correspondence sent to the Commission, such as a response, must be addressed to **one** of the following (note, if submitting via email this Office will provide an electronic receipt by email):

Mail

Federal Election Commission
 Office of Complaints Examination
 and Legal Administration
 Attn: Christal Dennis, Paralegal
 1050 First Street, NE
 Washington, DC 20463

OR

Email

CELA@fec.gov

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing possible violations discovered by the Commission.

Sincerely,



Jeff S. Jordan
 Assistant General Counsel
 Complaints Examination &
 Legal Administration

²

The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).