

WILLIAMS & JENSEN, PLLC
Attorneys at Law

RECEIVED
FEC MAIL
OPERATIONS CENTER

2005 AUG -8 P 3:48

August 8, 2005

Jeff S. Jordan
Supervisory Attorney
Complaints Examination &
Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 5671
Democracy Believers Political Action Committee

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2005 AUG -8 P 4:08

Dear Mr. Jordan:

I am in receipt of the complaint filed against both Democracy Believers Political Action Committee and me as treasurer, regarding the committee's receipt of a contribution from Bacardi U.S.A., Inc. Political Action Committee (hereinafter Bacardi PAC). As you are aware, the Commission's regulations do not define the receipt of a contribution by the date that appears on the face of the check. Receipt is defined as the date the campaign or its agent takes possession of the contribution.

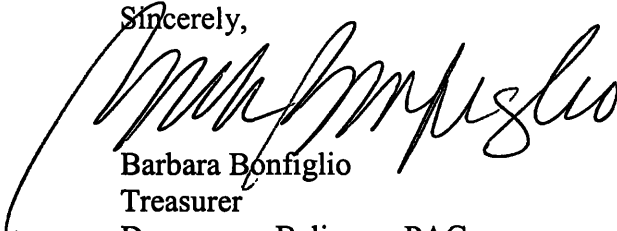
As a treasurer of several committees that frequently write checks to candidates and other non-connected committees, I can assure the Commission that the date that appears on the check will be the date I report the contribution, but that nine times out of ten it will not be the same date that the recipient reports having received the check. There are many explanations for the difference, especially since not all checks are mailed. The check may sit on someone's desk for several days or even weeks before it actually gets delivered to the recipient. It may be for a particular event that is not taking place for a few days or a few weeks and is being delivered by hand. It may pass through several hands before it eventually reaches the committee or an agent of the committee, which often takes time. Or it may simply just get misplaced and eventually turn up several weeks or even months later.

The complaint alleges that because the receipt from Bacardi's PAC was not reported until six weeks after it was made that somehow we violated the regulation requiring us to deposit contributions within 10 days of receipt. This is simply not the case as I can assure the Commission that it is the policy of Democracy Believers PAC to report all contributions when they are received in the period they are received, and to deposit checks within 10 days of receipt.

26190264082

Therefore, the complaint having no merit, I respectfully request the Commission dismiss MUR 5671 and take no further action. I appreciate the opportunity to respond. If you have any questions regarding this response, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Bonfiglio', written over the typed name and title.

Barbara Bonfiglio
Treasurer
Democracy Believers PAC

26190264083