



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

June 14, 2012

Mr. Amar Singh

REDACTED

**Warning Letter Re: FPPC File No. 12/315; Milpitaschools.org; Amar Singh,
Responsible Officer**

Dear Mr. Singh:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires committees supporting or opposing a ballot measure be properly identified on mass mailings and that committees file campaign statements at specified times.

With regard to a committee supporting or opposing a ballot measure committee, the Act requires a committee that sends out a mass mailer be identified by the name of the committee, the committee's street address and city, after the phrase "Paid for by" in no less than 6 point type in a color or print that contrasts with the background. (Gov. Code § 84305; Regulation 18435(d).) This identification is also required on websites that support or oppose ballot measures. (Regulation 18450.1.) (Other sender identification provisions apply if there is a person who contributed \$50,000 or more to the committee. We did not find that to be the case with regard to your committee.)

The Act also requires committees that support or oppose ballot measures to file campaign disclosure statements at specified times disclosing contributions received, or expenditures made, in connection with their activity. (Gov. Code §§ 84204 and 84200.7.)

The complainant in this matter alleged that you failed to properly identify your committee when you sent out a mass mailing in connection with Milpitas School Bond Measure E on the June 5, 2012 primary election, failed to properly identify yourself on your website and that you failed to file campaign statements in connection with your activity.

We reviewed the flyers and website and although the sender identification was not completely accurate in that it did not include the street address and city of the committee, the flyer contained a reference to the committee's website and the website contained an email address to contact you.

On June 4, 2012, we contacted you through that email address concerning your failure to file campaign statements. In response to that conversation, the following day you filed an independent expenditure report with the County of Santa Clara disclosing the expenditures in connection with your activity. Since the recipient of the mailer could easily contact you and since you filed your independent expenditure report within 24 hours of our conversation, we are closing this matter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

Although the Enforcement Division is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Gov. Code § 91013.)

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact Jeanette Turvill at (916) 322-8194 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt

cc: Ms. Marsha Grilli