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

July 20, 2010

Mr. Long Pham
Long Pham for Assembly 2010
REDACTED

Warning Letter Re: FPPC No. 10/517; Long Pham for Assembly 2010; Long Pham, Respondent(s)

Dear Mr. Pham:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a referral from the Office of the Secretary of State, that alleged that you and your committee failed to file your campaign disclosure statements in electronic format.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that your committee failed to file your semi annual statement file January 29, 2010, and your preelecton statements filed March 22, 2010 and June 1, 2010, respectively, in electronic format. (Section 84065.)

The Act provides that once a state candidate is required to file online or electronically, that person shall be required to file all subsequent reports online or electronically. (Section 84605(g).) You qualified as an electronic filer during the March 18, 2006 through May 20, 2006 reporting period in connection with the June 6, 2006 State Primary Election and continue to have an electronic filing obligation even if for a different election.

Your actions violated the Act because the Long Pham for Assembly 2010 failed to file electronic statements for the semiannual filed January 29, 2010 and the preelection statements

[1] The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

filed March 22, 2010 and June 1, 2010 respectively. Since you did file those statements in paper format, we are closing this matter with a warning letter.

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.

You must file your statements, electronically, as noted above with the Office of the Secretary of State.

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 me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/jt