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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 4, 2009

Helen E. Carlin, Treasurer
Monterey County Democratic Central
Committee Federal
P.O. Box 3024
Monterey, CA 93942

Response Due Date:
April 3, 2009

Identification Number: C00419986

Reference: 30-Day Post-General Report (10/16/08-11/24/08)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 items:

1. Schedule B supporting Line 30(b) of your report discloses a payment(s) for "Advertising for VR drive," "Mailing slate," "Postage slate," "Printing slate mailer" and "Slate mailing cost" which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it

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contains express advocacy and amend your report to properly disclose this activity, if necessary.

2. Your report discloses a payment(s) on Schedule B to "Carter Printing" that has not been recorded on Schedule D. Debt payments must also be reflected on Schedule D. Please amend your report to clarify this discrepancy. 2 U.S.C. §434(b)(4)

3. Schedule D supporting Line 10 of your report discloses a debt(s) owed by your committee to "Carter Printing" with a negative incurred opening balance as well as a negative closing balance(s). You are advised that any debt(s) with a negative closing balance requires further clarification. A negative closing balance suggests that you have either made a mathematical error or overpaid the debt which would result in the vendor incurring a debt owed to your committee and should be reported on Schedule D supporting Line 9 of your report.

Further, a credit from a vendor should be reported as a negative entry in the "amount incurred this period" field of the original debt and not as a separate debt transaction. In addition, credits from vendors require clarifying information to ensure that your committee did not receive a prohibited in-kind contribution per 11 CFR. §100.52 (d)(1). Please amend your report to clarify the nature of this transaction(s).

4. Schedule H6 supporting Line 30(a) of your report discloses a payment(s) for "Advertising for VR drive," "Print copy for VR advertising" and "Design Ads for VR drive". Please be advised that pursuant to 11 CFR §300.33(c)(1), expenditures for public communications (as defined by 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any such candidate for Federal office must not be allocated between or among federal, non-federal and Levin accounts. Only federal funds may be used.

Further, expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under by 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s). However, public communications that meet the definition of Federal Election activity and that also contain express advocacy as defined under by 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as

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appropriate, rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

If this activity was categorized incorrectly, the Commission recommends that you immediately transfer the funds received by your federal account for this activity back to the non-federal or Levin account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1177.

Sincerely,



Corbin T. Jones
Senior Campaign Finance Analyst
Reports Analysis Division

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