



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 18, 2009

Wes Boyd, Treasurer  
Moveon.Org Political Action  
P.O. Box 9218  
Berkeley, CA 94709

**Response Due Date:**  
**April 17, 2009**

Identification Number: C00341396

Reference: Year End Report (11/25/08-12/31/08)

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 6 items:

1. Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30

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days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))  
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating “best efforts,” please refer to the Campaign Guide.

2. The identification of each contributor, including an adequate occupation and name of employer for each, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11(a)(i) for each entry inadequately identified (see attached).

3. Schedule A supporting Line 15 of your report discloses an offset to an operating expenditure(s) totaling \$3,987.42 from “FRANKEN RECOUNT FUND,” “HAGAN SENATE COMMITTEE INC” and “MARTIN FOR SENATE INC”; however, your report(s) does not appear to disclose a disbursement to this entity. Please provide clarifying information regarding this activity and amend your report(s) if necessary.

4. Please clarify all expenditures made for “Catering” on Schedule B. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B or E supporting Lines 23 or 24 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

5. Schedule B discloses an expenditure(s) for “GOTV Consulting,” “Media Consulting,” “Media Production,” “Phones” paid to “Telefund,” “Polling,”

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“Postage,” “Printing,” “Web Ads” and “Web Advertising.” If a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) or voter drive activity (under 11 CFR §106.6(b)(2)(i)) containing express advocacy as defined under 11 CFR §100.22, this would constitute an in-kind contribution or an independent expenditure and should be properly disclosed on a Schedule B or E supporting Line 23 or 24 as appropriate. Public communications and voter drive activity that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate should be reported on Schedule B for Line 21(b) of the Detailed Summary Page. Please clarify whether this activity contained express advocacy and amend your report to properly disclose this activity, if necessary.

6. Schedule E supporting Line 24 of your report discloses an independent expenditure(s) on behalf of “Barack Obama” which appears to have been publicly disseminated or distributed after the general election date. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR 104.11. When the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if applicable.

Please amend your report to provide further clarifying information regarding the independent expenditure(s) disclosed after the general election date.

**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.

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Sincerely,



Corbin T. Jones  
Senior Campaign Finance Analyst  
Reports Analysis Division

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Occupation	Employer	Occupation	Employer
Accountant	Ssdi	Manager	Tmsi
Admin	Mtdc	Manager	VTI
Administrator	BCC	Manager Statistical Services	API
Administrator	Tasc	Motel Owner	Self employed
Attorney	Ilrc	Musician Assistant Director	Ccae
Attorney	mta	NA	NA
Attorney	US Govt	Null	Null
Attorney	Usepa	Office Administrator	MPG
Business	ECI	Office Manager	Self employed
Business	Self employed	PAT	Malden Schools
Business Owner	se	PD	Appellate Advocates
Business Owner	Self employed	Physcian	Tpmg
Businessman	air Systems inc	Physician	Aea-Pc
Campaign Director/Usip	Usip	Physician	Eemg
Care Coordinator	Mbhp	Physician	Tpmg
Caregiver	Kids	Physician	Uthsc
cfo	Nrce Inc	Physician/ administrator	Humboldt State University
COB	Sterling Engineering Inc.	Professor	Ipfw
Consultant	SDD Inc.	Program Analyst	US Government
Consultant	Self employed	Program Director	IIE
Counselor	DHH	Program Director	MCN
Digital Imager	jhu/apl	Project Manager	Self employed
E	Simpco	Psychologist	CNS
Economist	MPR Inc	R.N.	ACH
Economist	Nmhc	Researcher	Nccd
Editor	Llnl	RN	CNM
Educator	NA	s	s
Educator	Self employed	Sales	pss
Employee Safety	RRI	Sales	vsp
Engineer	HRL LLC	Scientist	Icsi
Engineer	jpl	Self	Consultant
Entainer	Self employed	Self	Home
Entertainment	Self employed	Self	Self employed
ESL Instructor	Nnlc	Self Employed	Myself
Executive	CLI	SLP	BSD
Finance Manager	JBK Inc	Small Business Owner	Self employed
former special ed teacher	na	Social Worker	Ohsu
Fraud Investigator	UMR	Sociologist	ETS

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MOVEON.ORG POLITICAL ACTION

GC	United Construction	Software Developer	Ipsb
Information Requested	Information Requested	Speech/Language Pathologist	Cciu
Instructor	CNM	Stuff	Grant Design Collaborative
LCSW	Self employed	Teacher	Acps
Legal Assistant	Jg&H	Teacher	Lrccd
LMT	Self employed	Teacher	School
Manager	Self employed		

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