



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 30, 2009

James L. Helsel, Jr, Treasurer  
National Association of Realtors Political  
Action Committee  
430 North Michigan Avenue  
Chicago, IL 60611

**Response Due Date:**  
**March 2, 2009**

Identification Number: C00030718

Reference: October Monthly Report (9/1/08 – 9/30/08)

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 2 items:

1. Schedule E of your report indicates that your committee may have failed to timely file one or more of the required 48 hour notices for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20<sup>th</sup> day before an election. The notice must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. 11 CFR §104.3(b)

2. Schedule E for Line 24 of your 12 Day Pre-General Report (10/1/08 – 10/15/08) discloses apparent independent expenditures made on behalf of "Jerry McNerney" and "Ciro Rodriguez." A miscellaneous electronic submission (FEC FORM 99) filed by your committee on 10/21/08 states

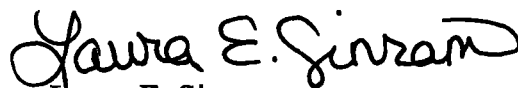
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“the \$591.12 in travel costs attributable to Jerry McNerney were associated with survey costs of \$42,000.00 that were originally reported on the 9/8/08 48 hour expenditure report; the \$656.34 in travel costs attributable to Ciro Rodriguez were associated with survey costs of \$42,000.00 that were originally reported on the 9/12/08 48 hour expenditure report.” However, you have not amended your October Monthly Report (9/1/08 – 9/30/08) to provide MEMO entries on Schedule E to reflect these apparent independent expenditures nor have you provided the corresponding entries on Schedule D supporting Line 10. 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. Subsequently, 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(s) to clarify this apparent discrepancy.

**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) 694-1157.

Sincerely,



Laura E. Sinram

Senior Campaign Finance Analyst  
Reports Analysis Division

NATIONAL ASSOCIATION OF REALTORS POLITICAL ACTION COMMITTEE

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**Late 48 Hour Notice (Schedule E)**

Name of Payee	Date	Amount	Purpose	Candidate
Peter D. Hart Research Associates Inc.	10/15/08 <sup>1</sup>	\$591.12	Travel Costs for Survey Consultant (see	Rep. Jerry McNerney
Amplify Public Affairs LLC	9/22/08	\$1,860.21	Website Design/ Production/ Operation Cost	Rep. Jerry McNerney
National Association of Realtors	9/22/08	\$250.00	Consulting Services	Rep. Jerry McNerney
Peter D. Hart Research Associates Inc.	10/15/08 <sup>2</sup>	\$656.34	Travel Costs for Survey Consultant (see	Rep. Ciro Rodriguez
Amplify Public Affairs LLC	9/22/08	\$2,049.54	Website Design/ Production/ Operation Cost	Rep. Ciro Rodriguez
National Association of Realtors	9/22/08	\$150.00	Consulting Services	Rep. Ciro Rodriguez

<sup>1</sup>A miscellaneous electronic submission (FEC FORM 99) filed by your committee on 10/21/08 discloses a public dissemination date corresponding to the Notice filed on 9/8/08.

<sup>2</sup>A miscellaneous electronic submission (FEC FORM 99) filed by your committee on 10/21/08 discloses a public dissemination date corresponding to the Notice filed on 9/12/08.

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