

98 Alexandria Pike  
Suite 53  
Warrenton, VA 20186  
p/540-341-8808  
f/540-341-8809

**FACSIMILE COVER SHEET**

TO: Mr. Hilland  
DESTINATION FAX: 202-219-0174  
FROM: Karen Blackstone  
PAGES (INCLUDING COVER): 9  
DATE: 10-6-08  
SUBJECT: Request For Add'l Info.

If all pages are not received, please call (540) 341-8808 immediately.

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98 Alexandria Pike  
Suite 53  
Warrenton, VA 20186  
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October 6, 2008

Christian Hilland  
Federal Election Commission  
Senior Campaign Finance Analyst  
999 E Street, NW  
Washington, DC 20463

Dear Mr. Hilland:

This letter is in response to your Request For Additional Information, dated September 11, 2008, regarding the Form 9 disclosure by Vets for Freedom, Inc dated August 26, 2008. You ask that Vets for Freedom "clarify which state presidential primary election this disbursement was for or whether this expenditure was attributed to one of the national party conventions."

Vets for Freedom has amended the Form 9 disclosure to reflect that the disbursement is attributable to the Democratic National Convention and attached the amended disclosure report to this correspondence. In the future, all Vets for Freedom, disclosures of electioneering communications that are attributable to a national party presidential nominating convention will be filed accordingly.

At the time the communication in question was made, every state and territory had held its primary election or caucus, and the Democratic National Convention was the only "election" event remaining in the primary election period that could trigger the "electioneering communication" disclosure requirements at 11 C.F.R. § 104.20. FEC Form 9 includes "primary" and "general" election boxes, and space to indicate the applicable state and district, but it does not include a specific box to indicate a disbursement made solely in connection with a national party nominating convention.

As you know, the Democratic and Republican National Conventions are regarded as the dividing line between the primary and general election seasons for Presidential candidates. *See generally* 11 C.F.R. § 9032.7(a)(4) ("primary election means . . . a nominating convention . . . to nominate a Presidential candidate"). At the time the advertisement in question was distributed, Senator Obama had not yet accepted his party's nomination, and was therefore still a primary election candidate. Thus, Vets for Freedom, reasonably believed that identifying its communication as a primary election communication was the correct disclosure option.

This specific scenario – in which an electioneering communication is made subsequent to all state/territorial primary elections and caucuses, but prior to a national party nominating convention – is not addressed in Commission regulations, publications, or the Form 9 Instructions. However, now that Vets for Freedom, is aware of the Commission's expectations regarding such disclosures, it will file future reports accordingly.

Vets for Freedom has attached the amended Form 9 to this correspondence. If you have any further questions, please do not hesitate to contact me.

Sincerely,



Karen Blackistone  
Counsel to Vets for Freedom

28039844299

# FEC FORM 9

## 24 HOUR NOTICE OF DISBURSEMENTS/OBLIGATIONS FOR ELECTIONEERING COMMUNICATIONS

### 1. Person Making the Disbursements/Obligations

(a) Name Vets for Freedom, Inc.

(b) Address (number and street) ☐ check if different than previously reported  
1200 Eton Court NW, Suite 300

(c) City, State and ZIP Code  
Washington, DC 20007

(d) Name of Employer or Principal Place of Business

NA

(e) Occupation

### 2. FEC Identification Number

C 30001093

### 3. Is This Statement

☐ New

or

☒ Amended

### 4. Covering Period

08 20 2008

through

08 26 2008

5. (a) Date of Public Distribution(s) 08 26 2008 (b) Communication Title I am the Surge

6. The filer is a(n): (a) ☐ Individual (b) ☐ Unincorporated Organization (c) ☐ Qualified Nonprofit Corporation (11 CFR 114.10)

(d) ☒ Corporation, Labor Organization or Qualified Nonprofit Corporation making communications under 11 CFR 114.15

(e) ☐ Other, specify: \_\_\_\_\_

7. If the filer is an individual, unincorporated organization or qualified nonprofit corporation, were the disbursements made exclusively from donations to a segregated bank account? Yes ☐ No ☐

### 8. Custodian of Records

(a) Name Wade Zirkle

(b) Address (number and street)  
1200 Eton Court, NW Suite 300

(c) City, State and ZIP Code  
Washington, DC 20007

(d) Name of Employer or Principal Place of Business

Lehman Brothers

(e) Occupation

Banking

### 9. Total Donations This Statement

0.00

### 10. Total Disbursements/Obligations This Statement

1 0 8, 0 0 0.00

Under penalty of perjury, I certify that this statement is true, correct and complete.

TYPE OR PRINT NAME OF PERSON COMPLETING FORM

Pete Hegseth

SIGNATURE

Pete Hegseth

DATE 10/6/2008

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this statement to the penalties of 2 U.S.C. §437g.

FEC FORM 9 (REV. 12/2007)

11. Person(s) Sharing/Exercising Control

A. (a) Name	
Pete Hegseth	
(b) Address (number and street)	
1200 Eton Court, NW Suite 300	
(c) City, State and ZIP Code	
Washington, DC 20007	
(d) Name of Employer or Principal Place of Business	(e) Occupation
Vets for Freedom	Chairman
B. (a) Name	
Wade Zirkle	
(b) Address (number and street)	
1200 Eton Court, NW Suite 300	
(c) City, State and ZIP Code	
Washington, DC 20007	
(d) Name of Employer or Principal Place of Business	(e) Occupation
Lehman Brothers	Banking
C. (a) Name	
Joel Arends	
(b) Address (number and street)	
1200 Eton Court, NW Suite 300	
(c) City, State and ZIP Code	
Washington, DC 20007	
(d) Name of Employer or Principal Place of Business	(e) Occupation
Vets for Freedom	Executive Director
D. (a) Name	
David Bellavia	
(b) Address (number and street)	
1200 Eton Court, NW Suite 300	
(c) City, State and ZIP Code	
Washington, DC 20007	
(d) Name of Employer or Principal Place of Business	(e) Occupation
Vets for Freedom	Vice Chairman
E. (a) Name	
Kevin Nunnally	
(b) Address (number and street)	
1200 Eton Court, NW Suite 300	
(c) City, State and ZIP Code	
Washington, DC 20007	
(d) Name of Employer or Principal Place of Business	(e) Occupation
Student	

**SCHEDULE 9-A**  
**Donation(s) Received**

PAGE 3 OF 4

<p><b>A. Full Name of Donor</b></p> <p>None</p> <p><b>Mailing Address of Donor</b></p> <p>City State Zip</p>	<p><b>Date of Receipt</b></p> <p>MM / DD / YYYY</p> <p><b>Amount</b></p> <p>\$</p>
<p><b>B. Full Name of Donor</b></p> <p><b>Mailing Address of Donor</b></p> <p>City State Zip</p>	<p><b>Date of Receipt</b></p> <p>MM / DD / YYYY</p> <p><b>Amount</b></p> <p>\$</p>
<p><b>C. Full Name of Donor</b></p> <p><b>Mailing Address of Donor</b></p> <p>City State Zip</p>	<p><b>Date of Receipt</b></p> <p>MM / DD / YYYY</p> <p><b>Amount</b></p> <p>\$</p>
<p><b>D. Full Name of Donor</b></p> <p><b>Mailing Address of Donor</b></p> <p>City State Zip</p>	<p><b>Date of Receipt</b></p> <p>MM / DD / YYYY</p> <p><b>Amount</b></p> <p>\$</p>
<p><b>E. Full Name of Donor</b></p> <p><b>Mailing Address of Donor</b></p> <p>City State Zip</p>	<p><b>Date of Receipt</b></p> <p>MM / DD / YYYY</p> <p><b>Amount</b></p> <p>\$</p>

**SUBTOTAL of Donations This Page (optional)** ▶

**TOTAL This Period (last page this line number only)** ▶  
(carry total from last page to Line 9)

0.00

28039844302

**SCHEDULE 9-B**

**Disbursement(s) Made or Obligation(s)**

PAGE 4 OF 4

<b>A. Full Name (Last, First, Middle Initial) of Payee</b> The Stevens & Schriefer Group		<b>Date of Disbursement or Obligation</b> 08 20 2008
<b>Mailing Address of Payee</b> 2120 L St. NW, Suite 510		<b>Amount</b> 1 0 8, 0 0 0. 00
<b>City</b> Washington, D.C.	<b>State</b> D.C.	<b>Zip Code</b> 20037
<b>Name of Employer</b> NA		<b>Occupation</b> NA
<b>Purpose of Disbursement (Including title(s) of communication(s))</b> Media placement and ad production		
<b>Name of Federal Candidate</b> Barack Obama	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input checked="" type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) ► Convention
<b>Name of Federal Candidate</b>	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ►
<b>Name of Federal Candidate</b>	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ►
<b>B. Full Name (Last, First, Middle Initial) of Payee</b>		<b>Date of Disbursement or Obligation</b>
<b>Mailing Address of Payee</b>		<b>Amount</b>
<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Name of Employer</b>		<b>Occupation</b>
<b>Purpose of Disbursement (Including title(s) of communication(s))</b>		
<b>Name of Federal Candidate</b>	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ►
<b>Name of Federal Candidate</b>	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ►
<b>Name of Federal Candidate</b>	<b>Office Sought:</b> <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	<b>Disbursement/Obligation For:</b> <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ►
<b>SUBTOTAL of Disbursements/Obligations This Page (optional)</b>		1 0 8, 0 0 0. 00
<b>TOTAL This Period (last page this line number only)</b> (carry total from last page to Line 10)		1 0 8, 0 0 0. 00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-4

September 11, 2008

Wade Zirkle, Custodian of Records  
Vets for Freedom Inc.  
1200 Eton Court NW, Suite 300  
Washington, DC 20007

Response Due Date:  
October 14, 2008

Identification Number: C30001093

Reference: FEC Form 9, dated 8/26/08

Dear Custodian of Records:

This letter is prompted by the Commission's preliminary review of the 24 Hour Notice of Disbursements/Obligations for Electioneering Communications (FEC Form 9) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. An adequate response must be received at the Commission by the response date noted above. Additional information is needed for the following item:

- On Schedule 9-B of your filing, you have disclosed an electioneering communication supporting or opposing Democratic presidential candidate Barack Obama. However, you have designated disbursement(s) for this communication to the 2008 Primary Election. Please amend your filing or submit an FEC Form 99 (Miscellaneous Document) to clarify which state presidential primary election this disbursement was for or whether this expenditure was attributed to one of the national party conventions. When reporting disbursements for electioneering communications, the person, group of persons, or qualified non-profit corporation or organization making the communication must disclose the name, state, office, district (if applicable) of the federal candidate(s) clearly identified in the electioneering communication, and the election for which the disbursement was made. (11 CFR § 104.20(c)(5)) Please amend your filing to clarify this disbursement.

Please note, you will not receive an additional notice from the Commission on this matter. Requests for extensions of time in which to respond will not be considered. Failure to comply with the provisions of the Act may 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.

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 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1395.

Sincerely,

*Christian Hilland*

Christian Hilland  
Senior Campaign Finance Analyst  
Reports Analysis Division

406

28039844305

Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE  
FOR INCOMING DOCUMENTS**

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<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
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28039844306