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FEC MAIL CENTER

45 North Hill Drive  
Suite 100  
Warrenton, VA 20186  
p/540-341-8808  
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March 7, 2011

Quy Vuong  
Federal Election Commission  
Reports Analysis Division  
999 E Street, NW  
Washington, DC 20463

**Re: RFAI; Conservatives For Truth; Amended October 2010 Quarterly Report**

Dear Mr. Vuong,

This letter is submitted by the undersigned counsel in response to your Request For Additional Information (RFAI) dated February 4, 2011, regarding the Amended October Quarterly Report of Conservatives For Truth (C00487280).

Your RFAI notes that Conservatives For Truth “may have failed to file one or more of the required 24 hour notices regarding ‘last minute’ independent expenditures.” Your inquiry appears to be based on a date discrepancy between a Form 5 report and a subsequently filed Form 3X.

On July 30, 2010, Conservatives For Truth filed FEC Form 5 to report a \$100,000 independent expenditure. This Form 5 was filed for a television advertisement that was first aired on July 30, 2010, as indicated on the Form 5. Federal Election Commission regulations require 24-hour independent expenditure reports to be filed “on the day following the date on which a communication is publicly distributed or otherwise publicly disseminated.” 11 C.F.R. § 104.4(c). The independent expenditure in question was publicly distributed on July 30, 2010. Conservatives For Truth filed Form 5 on the same day, and therefore complied fully with the relevant requirements.

On the subsequently filed Form 3X quarterly report, Conservatives For Truth reported the payment date for this same independent expenditure as July 27, 2010. This is the date that payment was initiated via wire transfer. Federal Election Commission regulations require that independent expenditures be reported again on a quarterly basis on Schedule E of Form 3x “in

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accordance with 11 CFR 104.3(b)(3)(vii).” Under this section, the disbursement is reported “with the date, amount, and purpose of any such independent expenditure(s).” As you know, the date of an expenditure is the date the payment is made (or otherwise first obligated). In this case, Conservatives For Truth made the payment for this independent expenditure on July 27, 2010, when it initiated a wire transfer to the payee.

To the extent there is a discrepancy in the reporting dates, it is because the two reports at issue are triggered by different events. The filing of Form 5 is linked to the public distribution of an independent expenditure. Schedule E of Form 3X, on the other hand, requires the actual date of the expenditure to be reported. Payment dates and public distribution dates can, and often do, vary.

Finally, we note that the Form 5 and Form 3X were filed within the same quarterly reporting period, so there was no need to report any debt or include any explanatory memo entry.

In conclusion, Conservatives For Truth maintains that it filed both required reports correctly and in accordance with FEC regulations.

Please feel free to contact us if you have any further questions about this matter.

Sincerely,



Thomas J. Josefiak  
Michael Bayes

cc: Debbie Chacona

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

February 4, 2011

ADRIAN EDDLEMAN, TREASURER  
CONSERVATIVES FOR TRUTH  
121 STONEBRIDGE BLVD, SUITE D  
JACKSON, TN 38305

**Response Due Date**  
**03/11/2011**

IDENTIFICATION NUMBER: C00487280

REFERENCE: AMENDED OCTOBER QUARTERLY REPORT (07/01/2010 - 09/30/2010),  
RECEIVED 01/10/2011

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 1 item(s):

- Schedule E of your report indicates that your committee may have failed to file one or more of the required 24 hour notices regarding "last minute" independent expenditures (see attached). A political committee must file a 24 hour report with the Federal Election Commission as specified in 11 CFR §104.4(c), within 24 hours of any independent expenditures of \$1,000 or more with respect to a given election, made between two and twenty days before an election. The notice must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures that aggregate \$1,000 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)

**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.**

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CONSERVATIVES FOR TRUTH

Page 2 of 2

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) 694-1148.

Sincerely,



Quy Vuong  
Senior Campaign Finance Analyst  
Reports Analysis Division

232

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Missing 24 Hour Notice (Schedule E):

Name of Payee	Date	Amount	Purpose	Candidate
Atomic Films	7/27/10	\$100,000	Media-TV Ad	Steve Fincher

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Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

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<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
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<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <i>Fed Ex</i>	Shipping Date <i>3/8/11</i>
Next Business Day Delivery <input checked="" type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>AMP</i> PREPARER	<i>3/9/11</i> DATE PREPARED