



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

October 29, 2013

THOMAS STEYER, TREASURER  
CE ACTION COMMITTEE  
555 CAPITOL MALL, SUITE 1425  
SACRAMENTO, CA 95814

**Response Due Date**  
**12/03/2013**

IDENTIFICATION NUMBER: C00542779

REFERENCE: AMENDED 12 DAY PRE-SPECIAL REPORT (04/11/2013 -  
06/05/2013), RECEIVED 07/25/2013

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report 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 7 item(s):

1. Your amended report discloses an increase in debts owed to one or more vendors totaling \$40,200 from the amounts disclosed on your original report. Please amend your report or provide clarifying information as to why this activity was not disclosed on your original report. (11 CFR § 104.3)
2. Your committee has filed a 24 hour report for an independent expenditure opposing Stephen F. Lynch which has not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 24 hour reports must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction. (11 CFR §104.4)
3. Schedule E of your report indicates that your committee may have failed to timely file one or more of the required 24 hour report(s) 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

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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 report 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))

**4.** Schedule E of your report indicates that your committee may have failed to timely file one or more of the required 48 hour report(s) 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 20th day before an election. The report 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))

**5.** Itemized independent expenditures must include a brief statement or description of why the expenditures were made. Please amend Schedule E of your report to clarify the following description(s): "Consulting," "Consulting Services," "Consulting Services; 3/22 - 4/24," and "Open Letter." For further guidance regarding acceptable purposes, please refer to 11 CFR §104.3(b)(3).

**6.** Your committee filed 48 hour reports informing the Commission of independent expenditures made in support or opposition of federal candidates with "Markham Group, LLC," "Sadler Strategic Media, Inc.," "Social Stream Media," and "Tigercomm" as the payee(s). However, the amounts and dates of public dissemination disclosed on these reports do not appear to correlate with the entries on Schedule E, supporting Line 24 for the reporting period. If your committee has filed 48 hour reports supporting independent expenditures not reflected on your reports, you must file Schedule E during the appropriate

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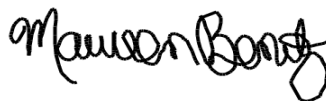
reporting period to disclose these payments. Please amend your report to clarify this discrepancy and provide further information concerning these reports. (11 CFR §104.4)

7. The independent expenditure schedule (Schedule E) should disclose the following information: the name and mailing address of the payee, the purpose of the expenditure, the date of payment, the amount of payment, the name and office sought, state and district (if applicable) of the federal candidate, the calendar year-to-date, per election, for office sought total, the election designation, an indication of whether the candidate was supported or opposed and the signature of the treasurer. Please amend Schedule E by clarifying the election designation. (11 CFR §104.3(b)(3)(vii))

**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) 694-1147.

Sincerely,



Maureen Benitz  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

**Missing Schedule E (24 Hour Report)**  
**CE ACTION COMMITTEE (C00542779)**

Name of Payee	Date	Amount	Candidate	Election
Erin Lehane	4/17/13	\$2,500.00	Stephen F. Lynch	O2013
Erin Lehane	4/17/13	\$492.00	Stephen F. Lynch	O2013

**Late 24 Hour Report (Schedule E)**  
**CE ACTION COMMITTEE (C00542779)**

Name of Payee	Date	Amount	Candidate	Election	Report Received
Tigercomm	4/15/13	\$8,000.00	Stephen F. Lynch	O2013	6/24/13
Barnes Mosher Whitehurst Lauter & Partners, Inc.	4/16/13	\$3,125.00	Stephen F. Lynch	O2013	6/24/13
HSC, Inc.	4/16/13	\$11,501.51	Stephen F. Lynch	O2013	6/24/13

**Late 48 Hour Report (Schedule E)**  
**CE ACTION COMMITTEE (C00542779)**

<b>Name of Payee</b>	<b>Date</b>	<b>Amount</b>	<b>Candidate</b>	<b>Election</b>	<b>Report Received</b>
Tigercomm	6/4/13	\$7,608.90	Gabriel Gomez	O2013	6/24/13
Tigercomm	6/4/13	\$951.10	Edward Markey	O2013	6/24/13