



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 24, 2009

Scott B Mackenzie, Treasurer
Freedom's Defense Fund
P.O. Box 96396
Washington, DC 20090-6396

Response Due Date:
May 26, 2009

Identification Number: C00401786

Reference: Amended 30 Day Post-General Report (10/16/08-11/24/08), received
1/28/09

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 4 items:

1. Schedule A of your report discloses an aggregate year-to-date total(s) for contributions received from numerous individuals which appear to be incorrect. Please amend your report to provide the correct aggregate year-to-date total(s).
2. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11

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CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

3. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule B supporting Line(s) 21(b) of your report to clarify the following description(s): Production. For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

4. On 10/30/08 your committee filed a Miscellaneous Electronic Submission (Form 99) which was titled "FEC FORM 9 24 Hour Notice of Disbursements/Obligations for Electioneering Communication" and listed two apparent disbursements dated 10/29/09 and totaling \$19,001.17 with the purpose "ANTI-MURTHA CABLE TV BUY (PA-12)." Please be advised that Electioneering Communications are not reported by political action committees. Rather, any independent expenditures made by your Committee should be disclosed on Schedule E supporting Line 24 (with corresponding 24-Hour or 48-Hour Notices, as appropriate).

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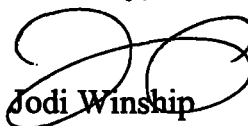
Therefore, please provide clarifying information regarding Schedule E of your report which discloses two independent expenditures disseminated on 10/27/09 totaling \$19,001.17 and made in opposition of John Murtha. It appears a 24-Hour Notice of Independent Expenditure was not filed for these expenditures. Please be advised that 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. Furthermore, the 24-hour report must be filed on a Schedule E 11 CFR §104.4(c) and 104.5(g)

If the Miscellaneous Electronic Submission received on 10/30/08 was intended to be a 24-Hour Notice of independent expenditure, please properly file a 24-Hour Notice on a Schedule E, or provide clarifying information regarding this activity.

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) 694-1136.

Sincerely,



Jodi Winship
Senior Campaign Finance Analyst
Reports Analysis Division

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FREEDOM'S DEFENSE FUND

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Contributor Name	Date	Amount	Report
Schafer 921, Elizabeth J Mrs	01/25/2008	\$563.00	2008 April Quarterly
Schafer 921, Elizabeth J Mrs	02/01/2008	\$1,000.00	2008 April Quarterly
Schafer 921, Elizabeth J Mrs	05/14/2008	\$2,000.00	2008 July Quarterly
Schafer 921, Elizabeth J Mrs	07/21/2008	\$1,500.00	2008 October Quarterly
Schafer 921, Elizabeth Mrs	10/31/2008	\$2,000.00	2008 30 Day Post-General
Scifres 940, Donald R Mr	09/24/2008	\$1,000.00	2008 October Quarterly
Scifres 940, Donald R Mr	10/03/2008	\$5,000.00	2008 12-Day Pre-General
Scifres 940, Donald R Mr	10/23/2008	\$5,000.00	2008 30 Day Post-General

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