RQ-2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 2009

Elizabeth Bunn, Treasurer
UAW - V - CAP (UAW Voluntary Community Action Program)
8000 East Jefferson
Detroit, MI 48214

**Response Due Date: December 11, 2009**

Identification Number: C00002840

Reference: Mid Year Report (1/1/09-6/30/09)

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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 3 items:

1. Schedule B 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(a) prohibits a committee and its affiliates from making contributions to another political committee and its affiliates in excess of $5,000 per calendar year.

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

If you have made an excessive contribution, you must notify the recipient and request a refund of the amount in excess of $5,000. The refund of the excessive amount must be made within sixty (60) days of receipt of the contribution.

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A

supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund will be taken into consideration.

**2.** Your report discloses a reimbursement(s) for **"LEASED EMPLOYEE COSTS, LEASED RESTRICTED CLASS, LEASED RESTRICTED CLASS EMP, LOST TIME & EXP-GA SENATE ELEC, PMT LEASED RESTRICTED CLASS EM, and REIMB LEASED REST.CLASS EMP"** to UAW LOCAL 1590, UAW LOCAL 524, UAW LOCAL 600, UAW LOCAL 644, UAW LOCAL 652 and UAW LOCAL 723, apparent **labor organizations.** This appears to be an in-kind contribution made on behalf of your committee, as the original payment for the goods and services has been made by an entity other than your committee. Administrative expenses are payments made for the purpose of operating a political committee including, but not limited to, rent, salaries, telephone service, office equipment and supplies.

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Any goods or services provided to your committee by a person, except volunteer activity (i.e., a person's time), unaffiliated political committee, or any other entity would be considered an in-kind contribution from that person, committee or entity, and would be subject to the disclosure requirements of 2 U.S.C. §434(b)(3) and 11 C.F.R. §104.3, and the limitations and prohibitions of 2 U.S.C. §§441a and 441b.

Please clarify the reimbursement(s) for apparent administrative expenses made to the **UAW LOCAL 1590, UAW LOCAL 524, UAW LOCAL 600, UAW LOCAL 644, UAW LOCAL 652, and UAW LOCAL 723,** by your committee and provide the date(s) the goods/services were provided.

**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): **"2009 MEMBERSHIP DUES, INV#150530/150531 COMM POLICY, INV#150532 HIRED/NONOWN AUTO L, LEASED EMPLOYEE COSTS, R1-C INV.#194-FLINT AIRPORT,** R1C PHOTOGRAPH ITEMS/VCAP **FLYR, R1D INV#35975-V-CAP, R1D INV#A07-1725 DIR/VIC PINS, R5 INV#11436,11661,11682,11651, R5 VCAP PROMOTION, R9 VCAP DIAMOND CLUB".** For further guidance

regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule B discloses an expenditure(s) for **"INV#UAW08007 POSTCARD MAILER, LEASED EMP COSTS-GOTV RUNOFF, LEASED EMPLOYEE COSTS-GOTV, LEASED EMPLOYEE COSTS-GOTV, LEASED EMPLOYEE COSTS-GOTV ELE, R1C PHOTOGRAPH ITEMS/VCAP FLYR, R1D INV#A07-1725 DIR/VIC PINS, and R5 VCAP PROMOTION."** If a portion or all of these expenditures were for public communications (as defined by 11 CFR §100.26) or voter drive activity (under 11 CFR §106.6(b)(2)(i)) containing express advocacy as defined under 11 CFR §100.22, this would constitute an in-kind contribution or an independent expenditure and should be properly disclosed on a Schedule B or E supporting Line 23 or 24 as appropriate. Public communications and voter drive activity that refer to a clearly identified Federal candidate, but that do not expressly advocate the election or defeat of that candidate should be reported on Schedule B for Line 21(b) of the Detailed Summary Page. Please clarify whether this activity contained express advocacy and amend your report to properly disclose this activity, if necessary.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong line(s) of the Detailed Summary Page. Contributions to National Party Committees, other federally registered committees, and apparent non-federal organizations (the **DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE,** the **ILLINOIS TENTH CONGRESSIONAL (for Membership Dues),** and the **NAACP)** should be properly disclosed on a separate Schedule(s) B, supporting Line(s) 23 and 29, respectively, (not Line 21(b) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

**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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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) 694-1144.

Sincerely,

Edward D. Ryan

Edward D. Ryan
Senior Campaign Finance Analyst
Reports Analysis Division

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| Recipient Name | Date | Amount | Election | Report |
|---|---|---|---|---|
| MISSOURI STATE DEMOCRATIC PARTY | 4/01/2009 | $10,000.00 | N/A | 2009 Mid Year |

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