



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

November 21, 2008

James V. Lacy, Treasurer  
The Legacy Committee Political  
Action Committee  
30011 Ivy Glenn Drive, Ste. 223  
Laguna Niguel, CA 92677

Response Due Date:  
December 22, 2008

Identification Number: C00429084

Reference: Amended April Quarterly Report (1/1/08 – 3/31/08), received 7/15/08

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 E of your report discloses the Calendar Year-To-Date Per Election for Office Sought total for 2008 Presidential General Election to be \$18,701.03 and \$71,828.27. However, FEC calculations disclose this amount(s) to be \$90,529.30. Please amend your report to clarify this discrepancy.
2. Schedule E of your report indicates that your committee may have failed to file one or more of the required 48 hour notices 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 20<sup>th</sup> day before an election. The notice 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

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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)

3. 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 providing the mailing address of the payee. 11 CFR §104.3(b)(3)(vii)

4. Schedule B discloses an expenditure(s) for "Advertising," "Lists," "Mailings" and "Postage." 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.

**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


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THE LEGACY COMMITTEE POLITICAL ACTION COMMITTEE

Page 3

Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,

A handwritten signature in cursive script that reads "Laura E. Sinram".

Laura E. Sinram

Senior Campaign Finance Analyst

Reports Analysis Division

221

28039923443

THE LEGACY COMMITTEE POLITICAL ACTION COMMITTEE

Page 4

Missing 48 Hour Notice (Schedule E)

Name of Payee	Date	Amount	Purpose	Candidate
Response Dynamics, Inc.	1/2/08	\$20,047.93	Postage Account	Hillary Clinton
Response Dynamics, Inc.	1/2/08	\$5,219.64	Postage Account	Barack Obama
Response Dynamics, Inc.	1/7/08	\$4,378.80	Mailing Services	Hillary Clinton
Response Dynamics, Inc.	1/7/08	\$1,140.05	Mailing Services	Barack Obama
Fulfillment Management	1/14/08	\$3,699.29	Mailings	Hillary Clinton
Fulfillment Management	1/14/08	\$963.14	Mailings	Barack Obama
Direct Response Data	1/21/08	\$6,276.11	Data Entry	Hillary Clinton
Direct Response Data	1/21/08	\$1,634.04	Data Entry	Barack Obama
Direct Response Data	1/22/08	\$1,317.20	Data Entry	Hillary Clinton
Direct Response Data	1/22/08	\$342.94	Data Entry	Barack Obama
Response Dynamics, Inc.	1/28/08	\$2,380.28	Mailing Services	Hillary Clinton
Response Dynamics, Inc.	1/28/08	\$619.72	Mailing Services	Barack Obama
Response Dynamics, Inc.	1/29/08	\$3,279.51	Mailing Services	Hillary Clinton
Response Dynamics, Inc.	1/29/08	\$853.84	Mailing Services	Barack Obama
Postmaster	2/1/08	\$793.43	Postage	Hillary Clinton
Postmaster	2/1/08	\$206.57	Postage	Barack Obama
Fulfillment Management	2/4/08	\$3,171.19	Mailings	Hillary Clinton
Fulfillment Management	2/4/08	\$825.65	Mailings	Barack Obama
The Best List, Inc.	2/6/08	\$1,511.94	Lists	Hillary Clinton
The Best List, Inc.	2/6/08	\$393.64	Lists	Barack Obama
Fulfillment Management	2/11/08	\$3,496.54	Mailings	Hillary Clinton
Fulfillment Management	2/11/08	\$910.35	Mailings	Barack Obama
Response Dynamics, Inc.	2/21/08	\$1,315.78	Mailing Services	Hillary Clinton
Response Dynamics, Inc.	2/21/08	\$342.57	Mailing Services	Barack Obama
Fulfillment Management	3/3/08	\$3,014.52	Mailings	Hillary Clinton
Fulfillment Management	3/3/08	\$784.85	Mailings	Barack Obama
Postmaster	3/4/08	\$575.23	Postage	Hillary Clinton
Postmaster	3/4/08	\$149.77	Postage	Barack Obama
Direct Response Data	3/12/08	\$1,928.95	Data Entry	Hillary Clinton
Direct Response Data	3/12/08	\$502.22	Data Entry	Barack Obama
Postmaster	3/14/08	\$793.43	Postage	Hillary Clinton
Postmaster	3/14/08	\$206.57	Postage	Barack Obama
Direct Response Data	3/24/08	\$7,186.31	Data Entry	Hillary Clinton
Direct Response Data	3/24/08	\$1,871.01	Data Entry	Barack Obama
Response Dynamics, Inc.	3/26/08	\$6,157.62	Mailing Services	Hillary Clinton
Response Dynamics, Inc.	3/26/08	\$1,603.18	Mailing Services	Barack Obama
The Best List, Inc.	3/26/08	\$504.21	Lists	Hillary Clinton
The Best List, Inc.	3/26/08	\$131.28	Lists	Barack Obama

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