



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Randy J. Goodwin, Treasurer  
Justice-PAC  
2091 E Valley Parkway Suite 1C  
Escondido, CA 92027

FEB 29 2002

Identification Number: C00159319

Reference: Mid-Year Report (1/1/01-6/30/01)

Dear Mr. Goodwin:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

- Schedule A supporting Line 17 of your report discloses a payment from Omega List Company. It appears this receipt was for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, advertising services, membership lists, and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution".

Furthermore, Advisory Opinion 1986-14 states "...to avoid treatment as a contribution, the sale/purchase price paid to the political committee may not exceed the "usual and normal charge". Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution received by

your committee from a corporation and is prohibited subject to the limits set forth at 2 U.S.C. §441b(a)

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments 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 need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Kitchen', with a long, sweeping horizontal flourish extending to the right.

Antoinette Kitchen  
Senior Reports Analyst  
Reports Analysis Division

