



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 27, 2009

William P. Hite, Treasurer
United Association Political Education
Committee
901 Massachusetts Avenue, NW
Washington, DC 20001-4307

**Response Due Date:
March 27, 2009**

Identification Number: C00012476

Reference: 30-Day Post-General Report (10/16/08-11/24/08)

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 5 items:

1. The totals listed on Lines 21(b), 21(c) and 24, Column B of the Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.
2. Line 11(a)(ii) of the Detailed Summary Page discloses \$151,630.01 in unitemized receipts from individuals/persons other than political committees during the reporting period. Please clarify whether this figure includes any receipts from a single source that aggregate greater than \$200 in the calendar year. If this is the case, please amend your report(s) by itemizing the receipts on Schedule A supporting Line 11(a)(i). 2 U.S.C. §434(b)(2)(A) and (3)(A)
3. 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 multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

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

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation 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. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

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

4. Schedule B supporting Line 29 of your report discloses a payment(s) to "Philadelphia Building Trades PAC Fund" for apparent goods and/or services provided by that committee(s). 11 CFR §100.52(d)(1) 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, 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". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.52(d)(2)

Please clarify whether your committee was assessed the usual and normal charge for the goods and/or services you received and explain the steps the political committee(s) took in determining the amount(s) charged to you. If your committee was provided the goods and/or services at less than the

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usual and normal charge, the difference between the two is considered to be an in-kind contribution by the political committee(s) to your committee and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.52(d)(1))

5. Schedule E of your report indicates that your committee may have failed to file one or more of the required 24 hour notices 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 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. 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)

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. Transfers from affiliated committees should be properly disclosed on a separate Schedule(s) A, supporting Line(s) 12 of the Detailed Summary Page. In addition, contributions to federal political action committees should be properly disclosed on a separate Schedule(s) B, supporting Line(s) 23 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.**

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) 694-1141.

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Sincerely,

A handwritten signature in black ink, appearing to read 'D. Buckley', written over a vertical line.

Daniel T. Buckley
Senior Campaign Finance Analyst
Reports Analysis Division

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UNITED ASSOCIATION POLITICAL EDUCATION COMMITTEE

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Excessive Contribution To a Candidate

Recipient Name	Date	Amount	Election	Report
JAMES FRANCIS MARTIN	11/10/2008	\$5,000.00	Runoff	2008 30-Day Post-General
JAMES FRANCIS MARTIN	11/12/2008	\$10,000.00	Runoff	2008 30-Day Post-General
HARRY TEAGUE	07/25/2008	\$5,000.00	G-2008	2008 August Monthly
HARRY TEAGUE	11/20/2008	\$5,000.00	G-2008	2008 30-Day Post-General

Missing 24-Hour Notice

Name of Payee	Date	Amount	Purpose	Candidate
Clear Images, Inc	10/27/2008	\$31,704.75	billboards, Signs	BARACK OBAMA

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