



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 28, 2009

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

Response Due Date:  
March 2, 2009

Identification Number: C00429084

Reference: 12 Day Pre-General Report (10/1/08 – 10/15/08)

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 3 items:

1. Schedule B discloses one or more contributions totaling \$5,000 towards the general election campaign of a Presidential candidate(s). Please note that contributions to Presidential candidates are governed by specific regulations. Please refer to the following explanation of Presidential election financing.

All Presidential primary elections held during an election year are considered one election for the purpose of the contribution limits. A multicandidate committee, therefore may give only \$5,000 to a Presidential candidate's primary campaign, regardless of how many separate state Presidential primaries the candidate participates in, while a non-multicandidate may give only \$2,300. 11 CFR §§110.1(j)(1) and 110.2(i)(1)

In the general election, contributions to Presidential campaigns are not permitted if the candidate receives public funds. (An exception: Political committees may contribute to a publicly funded Presidential nominee's "compliance fund." A compliance fund is used solely for legal and accounting expenses incurred in complying with the election law. Gifts to

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compliance funds are considered contributions and are subject to usual per-candidate, per-election limits.) 11 CFR §9003.3(a)

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an impermissible contribution, you must request a refund within 60 days of the treasurer's receipt.

Please inform the Commission of your corrective action immediately 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 this impermissible activity, your prompt action in obtaining a refund of the contribution(s) will be taken into consideration.

2. Schedule E of your report discloses the Calendar Year-To-Date Per Election for Office Sought total for 2008 Presidential General Election to be \$597,122.11. However, FEC calculations disclose this amount(s) to be \$687,651.41. Please amend your report to clarify this discrepancy.

3. 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 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)

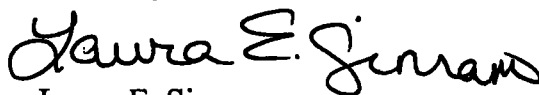
**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an

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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) 694-1157.

Sincerely,



Laura E. Sinram  
Senior Campaign Finance Analyst  
Reports Analysis Division

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**Missing 48 Hour Notice (Schedule E)**

<b>Name of Payee</b>	<b>Date</b>	<b>Amount</b>	<b>Purpose</b>	<b>Candidate</b>
OC Rep. Leadership Voter Guide	10/11/08	\$5,000	Advertising	John McCain
Save Proposition 13	10/11/08	\$15,000	Advertising	John McCain

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