



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 16, 2007

Kathleen Aterno, Treasurer
Clean Water/Vote Environment
4455 Connecticut Ave NW, Suite A300
Washington, DC 20008

**Response Due Date:
April 16, 2007**

Identification Number: C00251942

Reference: 30 Day Post-General Report (10/19/06-11/27/06)

Dear Ms. Aterno:

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. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B of your report discloses a total of \$3,454 in payments to your connected organization for "In Kind-Non-Member Communication." 2 U.S.C. §441b prohibits a corporation or labor organization from contributing or expending funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser may be permissible for certain fundraising activities only if the corporation or labor organization receives advance payment for the fair market value of such services. 11 CFR §114.2(f)(2)(i)(A), (C) and (E)

Please amend your report to clarify whether the payment to your connected organization was for expenditures which were intended to influence federal elections and provide the dates of the activity conducted

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by your connected organization. In addition, please clarify whether your committee made advance payment for these services to your connected organization. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

-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)

-Itemized independent expenditures must include a brief statement or description of why the expenditures were made. Please amend Schedule E of your report to clarify the following description(s): "In Kind Contribution." For further guidance regarding acceptable purposes, please refer to 11 CFR §104.3(b)(3).

Note, if this is a contribution to a federal candidate, please be advised that the amount of such activity should be subtracted from Line 24 and itemized on Schedule B supporting Line 23. This method of reporting would clarify for the public record the total amount of contributions to federal candidates by reflecting them on Line 23 of the Detailed Summary Page.

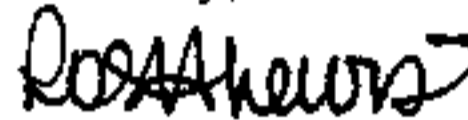
Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the

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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.

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) 694-1152.

Sincerely,



Rosa G. Lewis
Campaign Finance Analyst
Reports Analysis Division

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Missing 24 Hour Notices

Name of Payee	Date	Amount	Purpose	Candidate
KSTN FM107.3	11/02/06	\$1,595.00	Radio Advertising	Jerry McNerney
Pacific Mail and Copy Center	11/03/06	\$1,718.86	Printing	Jerry McNerney
Spotlight Design & Printing	11/02/06	\$1,001.50	Printing	Jerry McNerney

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