



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

May 29, 2009

Anna Burger, Treasurer  
Service Employees International Union  
Committee on Political Education (SEIU COPE)  
1800 Massachusetts Ave NW  
Washington, DC 20036

Response Due Date:  
June 29, 2009

Identification Number: C00004036

Reference: Amended 30 Day Post General Report (10/16/08-11/24/08), received  
12/22/08

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 6 items:

1. Schedule A of your report discloses the receipt of funds from your connected organization totaling \$100,000. 2 U.S.C. §441b prohibits the receipt of funds from national banks, corporations, and labor organizations. Under 11 CFR §114.5(b)(3), however, a separate segregated fund may be reimbursed for any solicitation or other administrative expense provided that the reimbursement is made no later than thirty days after the expense was paid by the separate segregated fund.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. Please provide further clarifying information regarding the date(s) on which the committee made payments for any solicitation or other administrative expenses.

To the extent that the reimbursement was made beyond thirty days after the expense was paid, you may have to make a refund. If within 30 days

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of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to your connected organization of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from your connected organization for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a copy of your check for any transfer-out or refund. In addition, any transfer-out or refund made should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the date on which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to refund or transfer-out the amount will be taken into consideration.

2. Your amended report discloses additional disbursements totaling \$1,601,075.68 on Line(s) 21(b), 23 and 29 of the Detailed Summary Page that were not disclosed on your original report. Please provide clarifying information as to why this activity was not disclosed on your original report. 11 CFR §104.3

3. Your committee has filed a 24 hour notice for an independent expenditure supporting various candidates (see attached) which have not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 24 hour notices must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction.

4. 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): "canvass

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Materials” and “canvass staff & expense.” For further guidance regarding acceptable purposes, please refer to 11 CFR §104.3(b)(3).

5. Your committee filed 24 hour notices informing the Commission of independent expenditures made in support or opposition of federal candidates with various vendors as the payee(s). However, the amounts and dates of public dissemination disclosed on these notices do not appear to correlate with the entries on Schedule E, supporting Line 24 for the reporting period. If your committee has filed 24 hour notices supporting independent expenditures not reflected on your reports, you must file Schedule E during the appropriate reporting period to disclose these payments. Please amend your report to clarify this discrepancy and provide further information concerning these notices.

6. Schedule B discloses an expenditure(s) for “background Research and Polling” “DVD production,” “newswire service,” “production for web video” and “video production.” 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

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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  
Senior Campaign Finance Analyst  
Reports Analysis Division

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**Independent Expenditures on Notice Not on Schedule E**

Name of Payee	Date Disseminated	Amount	24-hour Notice Date	Candidate
SEIU Phone LLC	10/16/08	\$4,000.00	10/17/08	Barack Obama
Center Inc.	10/20/08	\$4,000.00	10/21/08	Barack Obama
Compass Media Group Inc	10/20/08	\$28,920.00	10/21/08	Barack Obama
Center Inc.	10/22/08	\$1,404.16	10/23/08	Barack Obama
Compass Media Group Inc	10/24/08	\$26,415.00	10/25/08	Barack Obama
Center Inc.	10/24/08	\$4,000.00	10/25/08	Barack Obama
SEIU (General Fund)	10/26/08	\$1,000,000.00	10/27/08	Barack Obama
Compass Media Group Inc	10/27/08	\$28,460.00	10/28/08	Barack Obama
Image Pointe	10/29/08	\$3,080.00	10/30/08	Barack Obama
SEIU (General Fund)	10/29/08	\$500.00	10/30/08	Barack Obama
SEIU Communications Center Inc.	10/29/08	\$1,404.16	10/30/08	Barack Obama
SEIU Communications Center Inc.	10/31/08	\$4,000.00	11/1/08	Barack Obama
SEIU (General Fund)	10/31/08	\$50,000.00	11/1/08	Barack Obama
SEIU (General Fund)	10/31/08	\$1,300,000.00	11/1/08	Barack Obama
SEIU Communications Center Inc.	11/2/08	\$4,500.00	11/3/08	Barack Obama
SEIU Communications	10/16/08	\$3,090.00	10/17/08	Bob Schaeffer
SEIU Communications Center Inc.	10/31/08	\$38,020.00	11/1/08	Bruce Lunsford

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Independent Expenditures on Notice Not on Schedule E continued

Name of Payee	Date Disseminated	Amount	24-hour Notice Date	Candidate
MNP Partners Inc.	10/16/08	\$14,495.00	10/17/08	Erik Paulsen
SEIU Communications Center Inc.	10/31/08	\$4,000.00	11/1/08	Gary Peters
SEIU Communications Center Inc.	10/31/08	\$58,149.00	11/1/08	James Martin
SEIU Communications Center Inc.	11/19/08	\$50,000.00	11/20/08	James Martin
Google	11/19/08	\$2,000.00	11/20/08	James Martin
SEIU Communications Center Inc.	10/16/08	\$1,939.00	10/17/08	Joe Knollenberg
MNP Partners Inc.	10/16/08	\$16,751.00	10/17/08	John Sununu
SEIU Communications Center Inc.	10/31/08	\$13,099.00	11/1/08	Mark Begich
Compass Media Group Inc	10/24/08	\$4,365.00	10/25/08	Martin Heinrich
SEIU Communications Center Inc.	10/31/08	\$25,560.00	11/1/08	Ronnie Musgrove
SEIU Phone LLC	10/16/08	\$1,280.66	10/17/08	Steve Chabot
SEIU Phone LLC	10/16/08	\$4,000.00	10/17/08	Steve Driehaus
Compass Media Group Inc	10/24/08	\$2,100.00	10/25/08	Teague Harry

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