



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

July 11, 2005

**MEMORANDUM**

TO: ALLAN D. SILBERMAN  
DIRECTOR  
ALTERNATIVE DISPUTE RESOLUTION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR *AS for JAP*

*[Signature]*  
ROBERT J. COSTA  
DEPUTY STAFF DIRECTOR

FROM: *[Signature]* JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: ADR REFERRAL OF NO VOTE LEFT BEHIND

No Vote Left Behind ("the Committee") is being referred to the Office of Alternative Dispute Resolution (ADR) for failure to timely file four (4) 48-Hour Notices, totaling \$47,791.96, to support independent expenditures disclosed on the 2004 October Quarterly Report for the 2003-2004 election cycle. Please note that the Committee also failed to file one (1) 48-Hour Notice, totaling \$10,081.64, to support independent expenditures disclosed on the 2004 July Quarterly Report. However, this amount failed to meet the ADR referral threshold for all omitted schedules on a given report and, as such, is not included within this referral. In accordance with the 2003-2004 *RAD Review and Referral Procedures for Unauthorized Committees* (Standard 7), this matter requires further examination by your office.

Copies of any reports or letters either filed by the Committee or sent by the Reports Analysis Division and referenced in this referral, are available for your review on the FEC web site.

If you have any questions regarding this referral, please contact Andy Dodson at 694-1134.

Attachments

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REPORTS ANALYSIS REFERRAL  
TO  
OFFICE OF ALTERNATIVE DISPUTE RESOLUTION

DATE: July 11, 2005

ANALYST: Andy Dodson

- I. COMMITTEE: No Vote Left Behind  
(C00400101)  
Natasha George, Treasurer  
230 11<sup>th</sup> Ave, #6  
Seattle, WA 98102
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(6)(B)(iii)  
2 U.S.C. § 434(g)(2)  
11 CFR §104.4(b)(2)
- III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to File 48-Hour Notice)**

No Vote Left Behind ("the Committee") failed to timely file, four (4) 48-Hour Notices for one hundred and thirteen (113) independent expenditures, totaling \$47,791.96<sup>1</sup>. These independent expenditures were made in the third quarter of 2004, at least 20 days prior to the 2004 General Election (See Attachment 2 for a complete independent expenditure aggregate overview).

A Prior Notice listing the official filing dates for the 2004 July Quarterly and October Quarterly Report were sent to the Committee on June 21, 2004 and September 20, 2004. Both notices included a section titled *48- and 24-Hour Reports on Independent Expenditures*. This section read as follows: "Any PAC or Party Committee that makes independent expenditures in connection with an election may also have to file 48-hour or 24-hour reports. The 48-hour reporting requirement will be triggered each time the committee makes independent expenditures aggregating \$10,000 or more between January 1st and the 20th day before the election. The 24-hour reporting requirement will

<sup>1</sup> Please note, that due to the \$10,000 calendar aggregate requirement for 48-Hour Notices, 5 (five) independent expenditures initially disclosed on the 2004 July Quarterly Report, are also included in this total dollar amount.

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be triggered each time the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election. These reports are *not* required when a Party Committee or PAC makes a contribution directly to a candidate." (Attachment 3)

On October 16, 2004, the Committee filed the 2004 October Quarterly report which included a Schedule E (Itemized Independent Expenditures) disclosing one hundred and fifty seven (157) independent expenditures, totaling \$55,774.72 (Images 24962544534 through 24962544611).

On November 10, 2004, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2004 October Quarterly Report filed on October 16, 2004. The RFAI noted, among other issues, that the Committee was required to provide the name and office sought, state and district (if applicable) of the federal candidate for which the independent expenditures were supporting (Image 24038614162).

On December 10, 2004, the Committee filed an Amended 2004 October Quarterly report which included a Schedule E (Itemized Independent Expenditures) disclosing one hundred and fifty seven (157) independent expenditures, totaling \$55,774.72, made on behalf of one (1) federal candidate<sup>2</sup> (Images 24981773586 through 24981773664).

On January 5, 2005, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2004 October Quarterly Report. The RFAI noted, among other issues, that the Committee may have failed to file one or more of the required 48-Hour Notices regarding independent expenditures in support of federal candidates. Additionally, the RFAI stated that although the Commission may take further legal action, the Committee's prompt response concerning the matter would be taken into consideration (Image 25038682260).

On January 30, 2005, the Committee filed an Amended 2004 October Quarterly Report. This report disclosed \$53,576.42 in independent expenditures on Line 24 (Independent Expenditures) of the Detailed Summary Page. The Committee moved \$1,792.30 in activity from Line 24 (Independent Expenditures) to Line 21(b) (Other Federal Operating Expenditures), and eliminated another \$406.00 in activity from the report (Image 25970064618).

On February 11, 2005, a Reports Analysis Division ("RAD") analyst called the Committee and left a voicemail message stating that the issue of failure to file 48-Hour Notices for independent expenditures might be referred to the Office of General Counsel ("OGC") and that the Committee should call back to discuss the issue in detail (Attachment 4).

Natasha George, the Committee's treasurer, returned the RAD analyst's phone call on the same day and, among other items of discussion, indicated that she would file the required notices (Attachment 5).

On February 22, 2005, the RAD analyst called the Committee and left a voicemail message stating that the Commission had not yet received a response to the RFAI regarding the missing 48-Hour Notices (Attachment 6).

<sup>2</sup> All independent expenditures were in support of John F. Kerry, 2004 Presidential Candidate.

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On February 23, 2005, Ms. George returned the RAD analyst's call and indicated that she was having computer issues but that she would file the required notices by Thursday, February 24, 2005 (Attachment 7).

Also on February 23, 2005, the Committee filed the required 48-Hour Notices. Please note that the itemized independent expenditures were incorrectly designated by the Committee as 24-Hour Notices and, as such, are reflected incorrectly on the FEC web site (Image 25990098502).

On February 24, 2005, Ms. George called the RAD analyst to inform that she had correctly uploaded the 48-Hour Notices (Attachment 8).

On April 4, 2005, the Committee filed a fifth amendment to its 2004 October Quarterly Report. This report again disclosed \$53,576.42 in independent expenditures on Line 24 (Independent Expenditures) of the Detailed Summary Page (Image 25990413641).<sup>3</sup> However, given the fact that the requirement to file 48-Hour Notices is based upon a calendar aggregate of \$10,000, only one hundred thirteen (113) independent expenditures totaling \$47,791.96 are referable to ADR.

To date, no additional information has been provided by the Committee regarding this matter.

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<sup>3</sup> The independent expenditure of \$5,466.66 for Vandenberg Communications, LLC on 9/25/2004, was originally disclosed on the 2004 July Quarterly Report on 5/3/2004. As such, a 48-Hour Notice for this expenditure, among others, was triggered during the July Quarterly reporting period. An overview of the 48-Hour Notice required for independent expenditures within the July Quarterly reporting period is provided within Attachment 2.

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NO VOTE LEFT BEHIND  
 George, Natasha  
 FILING FREQUENCY: QUARTERLY

230 11TH AVE #6

SEATTLE

NON PARTY QUALIFIED  
 WA 98102

ID #C00400101

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1			N	4/23/2004	5	24038393661						
1			A	6/09/2004	4	24038423984						
1			A	7/21/2004	3	24038473223						
1			M	11/08/2004	2	24038612913						
1			M	12/10/2004	1	24981773770						
MS			N	11/24/2004	2	24038630646						
RQ		1		5/05/2004	3	24038402836	5/05/2004					
RQ		9		12/22/2004	2	24038671052	12/22/2004					
RQ	Q2	2		12/01/2004	4	24038641079	4/01/2004 6/30/2004					
RQ	Q2	2		1/12/2005	4	25038690923	4/01/2004 6/30/2004					
RQ	Q2	2		3/04/2005	4	25038744997	4/01/2004 6/30/2004					
RQ	Q3	2		11/10/2004	3	24038614162	7/01/2004 9/30/2004					
RQ	Q3	2		1/05/2005	9	25038682260	7/01/2004 9/30/2004					
RQ	12G	2		11/24/2004	4	24038630675	10/01/2004 10/13/2004					
RQ	30G	2		1/19/2005	4	25038700082	10/14/2004 11/22/2004					
RQ	YE	2		3/04/2005	4	25038744963	11/23/2004 12/31/2004					
3	Q2	N	P	7/21/2004	46	24038473226	4/01/2004 6/30/2004	0	11940	8652	209	5466
3	Q2	N	P	12/07/2004	24	24981750063	4/01/2004 6/30/2004	0	12640	8116	4523	5466
3	Q2	A	P	12/10/2004	24	24981773531	4/01/2004 6/30/2004	0	12640	8116	4523	5466
3	Q2	A	P	2/10/2005	22	25990044649	4/01/2004 6/30/2004	0	12678	7695	4983	5466
3	Q2	A	P	2/23/2005	22	25990098359	4/01/2004 6/30/2004	0	12678	7695	4983	5466
3	Q2	A	P	4/04/2005	23	25990413615	4/01/2004 6/30/2004	0	12678	7695	4983	5466
3	Q3	N	P	10/16/2004	108	24962544504	7/01/2004 9/30/2004	209	127373	55774	71807	0
3	Q3	A	P	12/10/2004	110	24981773555	7/01/2004 9/30/2004	4523	127253	55774	76002	0
3	Q3	A	P	1/30/2005	92	25970064615	7/01/2004 9/30/2004	4523	127253	55368	76408	0
3	Q3	A	P	2/10/2005	92	25990044671	7/01/2004 9/30/2004	4983	127253	55368	76867	0
3	Q3	A	P	2/23/2005	92	25990098381	7/01/2004 9/30/2004	4983	127253	55368	76867	0

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