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April 8, 2015

Jill Sugarman  
Senior Campaign Finance & Review Analyst  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Ms. Sugarman:

I write in response to your March 4, 2015 letter to the U.S. Chamber of Commerce (C90013145) regarding its year-end report of independent expenditures for 2014. Your letter raises three issues, which I address below.

## Item #1

Your letter notes that "no contributions are disclosed on Line 6, "Total Contributions," and that "[e]ach contributor who made a donation in excess of \$200 to further the independent expenditure(s) must be itemized on Schedule 5-A, including their identification information." You request that the organization amend its report to include this information.

Per the FEC's regulations, filers are required to provide "the identification of each person who made a contribution in excess of \$200 to the person filing such report, which contribution was made for the purpose of furthering the reported independent expenditure." 11 CFR 109.10(e)(1)(vi) (emphasis added); see also Final Rules on Coordinated and Independent Expenditures, 68 Fed. Reg. 404, 413 (Jan. 3, 2003) ("reporting of independent expenditure contributors is limited to those who contributed specifically for independent expenditures"); Statement of Reasons of Chairman Petersen and Commissioners Hunter and McGahn in MUR 6002 (Freedom's Watch, Inc.) at 5 ("a donation must be itemized on a non-political committee's independent expenditure report only if such donation is made for the purpose of paying for the communication that is the subject of the report"). The U.S. Chamber received no such contributions "made for the purpose of furthering" the reported independent expenditures, therefore the absence of contributors on Line 6 was intentional and consistent with the FEC's regulations.

## Item #2

Your letter notes that the Chamber's 24 hour reports show payments to Integrated Web Strategies for one or more independent expenditures, but that the "amounts and/or dates of public dissemination disclosed on these report(s) do not appear to correlate with the entries on Schedule 5-E of your quarterly report."

Although your letter does not identify any specific independent expenditure, our review of the relevant filings found a 24 hour report for an expenditure supporting Mitch McConnell in the amount of \$3320.12 with a public dissemination date of 10/23/2014. On the year-end report, that same expenditure was reported with a public dissemination date of 10/24/14. Accordingly, we are amending the year-end report to reflect the public dissemination date of 10/23/2014 from the 24 hour report.

## Item #3

Your letter asks about an expenditure of \$70,000 made on 10/2/14 for internet advertising supporting Thom Tillis. Your letter notes that the 48-hour notice appears to have been filed late.

Around the time that this expenditure occurred, the employee who was responsible for initiating the payment and

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reporting of independent expenditures was in the process of winding down his employment with the Chamber. For reasons that are unknown to the Chamber, he initiated payment of this particular expenditure but may not have initiated a corresponding 48-hour report per the Chamber's protocol. When the Chamber discovered the potential oversight after the employee's departure, it amended its 48-hour notice dated 10/3/14 to include the expenditure.

The Chamber has taken steps to ensure that the new employee responsible for FEC reporting understands that expenditures such as the one involving Thom Tillis must be reported to the FEC within the designated time periods.

If the Commission has any questions about these items or needs additional information, please let me know.

Very truly yours,

Abby Majlak

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