MISCELLANEOUS TEXT (FEC Form 99)

August 29, 2013

Ms. Sarah Juris
Campaign Finance Analyst
Federal Election Commission
Washington, DC 20463

Committee ID: C00521013
RE: Amended 30 Day Post-General Report (10/18/2012-11/26/2012), Received by the FEC 02/14/2013

Dear Ms. Juris,

I am writing as counsel to Florida Freedom PAC (FFP) in response to the Commission's request for additional information related to items disclosed on the committee's Amended 30 Day Post-General Report which the FEC received on 02/14/2013.

The Commission has asked about a decrease in disbursements on Lines 24 and 29. As noted in the detailed memo text on the report, as well as in your Request for Additional Information, prior Post-General reports filed for FFP reflected estimates of salary and other canvass-related costs, while the report in question reflects the actual amounts spent. We believe that we have already provided the Commission a great deal of clarification on this matter.

The Commission has asked about 48-hour notices disclosed on Schedule E that appear to not have been filed. When the committee originally filed 48-hour notices for independent expenditures to disclose canvassing activity, the notices contained estimates for what the anticipated month's activity would be. Thus, both payment amounts and actual vendors differ between the original estimates reported and the actual activity that has been disclosed on the Post-General report in question. The amended Post-General report reflects a more detailed and accurate itemization of the 48-hour notices that were previously filed. Please note that in both memo entries to FFP reports (see, e.g., amended Post-General Election Report filed February 14, 2013) and in responses to previous Requests for Additional Information (see responses filed on October 11, 2012, February 14, 2013 (two), March 19, 2013 and July 30, 2013) FFP has previously provided essentially this same explanation for the discrepancies between 48-hour notices filed by FFP and subsequently filed reports. In addition, it is my understanding that in response to a question at the recent regional conference the Commission held in Austin, Texas, that Mike Hartsock, a Branch Chief with the Commission's Reports Analysis Division, suggested just the approach FFP has taken: Filing 48-hour notices with estimated expenditures and then filing more accurate information in subsequent reports. While such a statement by Commission staff is certainly not binding on the Commission, it does offer some greater confidence that the approach taken by FFP was reasonable, despite the repeated questions about it in this and earlier RFAIs.

Finally, the Commission asks about other independent expenditures disclosed on Schedule E. Your question is somewhat confusing in suggesting that these expenditures ""appear to have been publicly disseminated or distributed after the general election date"" and offering the suggestion that FFP amend the dates of dissemination. However, all of the dissemination dates are correct as disclosed, and all dissemination dates fall between October 22, 2012, and November 4, 2012, prior to the general election date on November 6, 2012. FFP acknowledges that it should have filed timely 24-hour reports for these expenditures prior to the election and did not do so. As these expenditures were, in fact, reported on post-general-election report, there seems no purpose in correcting this omission at this time, but FFP will do so if the Commission so requires, and FFP stands ready to discuss any other corrective action the Commission believes appropriate.

If you have any further questions regarding this matter, please feel free to contact me at 202-328-3500.

Very truly yours,
John Pomeranz

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