

environmental action PAC



2004 OCT 21 A 7:18

VIA FACSIMILE and First Class Mail

October 18, 2004

Adam Reagan
Federal Election Commission
999 E Street, NW
Washington, DC 20005

RE: FEC ID # C00405951

Mr. Reagan:

This morning, our attorney called your offices on behalf of Environmental Action PAC, Inc. to clarify two matters. In your absence, he spoke with Madeline Lane, Assistant Branch Chief of Reports and Analysis. I am writing to summarize Ms. Lane's guidance on these two matters.

First, although our committee was originally intending to itemize all contributions (regardless of size), we are seeking to revise that plan in light of the number of small contributors and upcoming reporting deadlines this week. Ms. Lane confirmed for us that our committee only needs to report contributions from individuals that are greater than \$200; under 11 CFR 104.3, Environmental Action PAC is permitted to report all contributions from individuals under \$200 as unitemized contributions. Ms. Lane clarified that it was acceptable for our committee to report several of these smaller contributions from different individuals together as one unitemized anonymous contribution. (We understand that Environmental Action PAC still has a separate obligation to track aggregate contributions from a single individual, and report when such aggregate contributions exceed \$200.) We are relying on this guidance in filing our September monthly report (due October 20th) and our 12-day pre-General Election report (due October 21st).

Second, technical difficulties with FEC's on-line system for filing 24-hour notices prevented us from filing these on time on both Saturday, October 16th and Sunday, October 17th. For October 16th, we were unable to access the system until approximately 12:20 AM on October 17th, whereupon we did file our 24-hour notice for Independent Expenditures on October 15, 2004. For October 17th, we tried repeatedly to open the link on the FEC's Electronic Filing webpage <http://www.fec.gov/electfil/online.shtml> to

Paid for by Environmental Action PAC, Inc., P.O. Box 470551, Brookline, MA 02447, www.environmentalactionpac.org. Contributions to Environmental Action PAC will be used in connection with federal elections and are not tax deductible. This communication is not authorized by any candidate or candidate's committee.

environmental action PAC

"Logon to Online Filing System," but we were never able to get through to the "log-in" page. After conferring with Ken Lally, Ms. Lane confirmed that FEC's on-line system for 24-hour notices had been experiencing technical difficulties on both of these dates and that she would notify you of the same. After technical staff resolved these problems, we were finally able to file our 24-hour notice of Independent Expenditures from October 16th this afternoon. I trust that Environmental Action PAC will not be penalized for problems with the FEC's on-line reporting service.

If you have any further questions on this matter, please contact John Runnler at 617 542-2214. Otherwise, you can contact me at 617 529-1099.

I represent that I am the duly appointed Treasurer of Environmental Action PAC and have authority as such to sign FEC reports for this Committee.

Sincerely,



Carolyn M. Whipple,
Treasurer

Paid for by Environmental Action PAC, Inc., P.O. Box 470551, Brookline, MA 02447, www.environmentalactionpac.org. Contributions to Environmental Action PAC will be used in connection with federal elections and are not tax deductible. This communication is not authorized by any candidate or candidate's committee.

2

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
 FOR INCOMING DOCUMENTS**

The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input checked="" type="checkbox"/> Other (Specify): <i>RECEIVED FROM RAD</i>	Date of Receipt or Postmarked <i>10-21-04</i>
<i>PREPARED</i>	<i>10-21-04</i> DATE PREPARED