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**NEXT CENTURY FUND**

Senator Richard Burr  
 Honorary Chairman

April 4, 2007

Ms. Kristin DeCarmine  
 Campaign Finance Analyst  
 Reports Analysis Division  
 FEDERAL ELECTION COMMISSION  
 Washington, DC 20463

Identification Number: C00343947

Reference: Amended 12 Day Pre-General Report (10/01/06-10/18/06)

Dear Ms. DeCarmine:

I am in receipt of a letter from you dated March 16, 2007 which sites certain contributions from the Next Century Fund to the Mark Kennedy Victory Committee and Mark Kennedy 06 and indicates that these contributions may have exceeded the limits for Federal candidates, which is \$5,000 per election (copy attached)

Although both the Mark Kennedy Victory Committee (FEC C00424259) and the Mark Kennedy 06 (FEC C00409946) are linked to the same candidate (i.e., Mark Kennedy) they are separate and distinct FEC-registered committees and contributions to one do not necessary preclude contributions to the other.

Our contributions to the Mark Kennedy 06 committee do not exceed the legal contribution limits. The Next Century Fund properly contributed \$5,000 to this committee for the primary election which was reported in the April 2006 Quarterly report and \$5,000 for the general election which was reported in the October 2006 Quarterly report.

However, after making the contribution to the Mark Kennedy Victory Committee, it was subsequently determined that it may have exceeded the legal contribution limit because of a previous \$25,000 contribution to the National Republican Senatorial Committee's Special Team 2006 Committee and because one of the 5 joint beneficiaries of this NRSC committee is the state party committee in Minnesota. Therefore, a refund was requested by letter dated November 2, 2006 sent via US mail and via FAX. A second request was sent on April 4, 2007. To date, a refund check has not been received.

Contributions to the Next Century Fund are not tax deductible for federal income tax purposes. Federal law limits contributions to federal PACs to \$5,000 per calendar year from individuals and other federal PACs.

Paid for by the Next Century Fund and not authorized by any candidate or candidate's committee.  
 116 South Royal Street, Alexandria, VA 22314

Not printed at government expense.

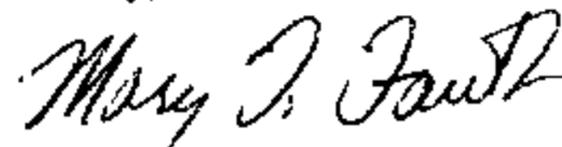
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I have attached copies of these letters as requested in your letter. I have also electronically amended or 12 day Pre-General Report to include a memo entry concerning this contribution

Your letter also indicates that the "totals listed on Lines 7, 29, 31 and 32, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect." The letter also indicates that the "beginning cash balance of this report should equal the ending balance of your October Monthly Period (9/1/06-9/30/06)." I have reviewed our report and did not find any of the referenced problems or discrepancies.

Thank you for your time and attention to this matter. Please contact me if you have any questions.

Sincerely,



Mary T. Fauth

27039414196



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 16, 2007

Ms. Mary Fauth, Treasurer  
Next Century Fund  
116 S. Royal Street  
Alexandria, VA 22314

**Response Due Date:**  
**April 16, 2007**

Identification Number: C00343947

Reference: Amended 12 Day Pre-General Report (10/1/06-10/18/06), received  
11/14/06

Dear Ms. Fauth:

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. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent

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to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

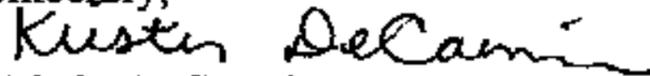
-The totals listed on Lines 7, 29, 31 and 32, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-The beginning cash balance of this report should equal the ending balance of your October Monthly Report (9/1/06-9/30/06). Please clarify this discrepancy and amend any subsequent report(s) that may be affected by this correction.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. 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.

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 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- 1153.

Sincerely,

  
Kristin DeCarmine  
Campaign Finance Analyst  
Reports Analysis Division

NEXT CENTURY FUND

Page 3

Recipient Name	Date	Amount	Election	Report
Mark Kennedy Victory Committee	10/17/06	\$5,000	G2006	2006 Amended 12 Day Pre-General
Kennedy, Mark Raymond	9/22/06	\$5,000	G2006	2006 October Quarterly
Mark Kennedy 06	3/21/06	\$5,000	G2006	2006 April Quarterly

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RECEIVED BY  
 DATE  
 TIME  
 BY  
 FROM

**NEXT CENTURY FUND**

**Senator Richard Burr**  
**Honorary Chairman**

November 2, 2006

**Sent via U.S. Mail and via Fax To: (651) 646-2039**

Anthony Sutton  
 Mark Kennedy Victory Committee  
 P. O. Box 40472  
 St. Paul, MN 55104-9998

Dear Mr. Sutton:

This letter serves as a request for a refund of a recent contribution of \$5,000.00 from the Next Century Fund (see check no. 2611 dated October 17, 2006).

We have subsequently determined that this contribution may result in our exceeding the legal contribution limits. We have previously contributed the maximum amount to the campaign committee (i.e., \$10,000 to Mark Kennedy '06) and we have previously contributed the maximum (\$25,000) to NRSC's Special Teams 2006 Committee. One of the 5 joint beneficiaries of this NRSC committee is the state party committee in Minnesota, which we understand is also a joint beneficiary of the Mark Kennedy Victory Committee. Accordingly, we request a refund of our contribution.

Please contact me if you have any questions. I apologize for any inconvenience. Good luck with your campaign!

Very truly yours,

Mary T. Fauth

Contributions to the Next Century Fund are not tax deductible for federal income tax purposes. Federal law limits contributions to a maximum of \$25,000 per calendar year from individuals and other federal PACs.

Paid for by the Next Century Fund and not authorized by any candidate or candidate committee.  
 116 South Royal Street, Alexandria, VA 22304

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**NEXT CENTURY FUND**

Senator Richard Burr  
Honorary Chairman

**\*\*\* SECOND REQUEST FOR REFUND \*\*\***

April 4, 2007

Anthony Sutton  
Mark Kennedy Victory Committee  
P. O. Box 40472  
St. Paul, MN 55104-9998

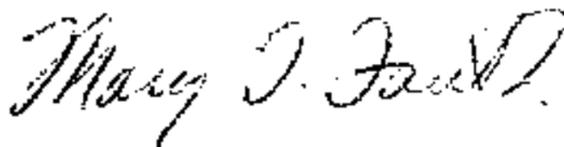
Dear Mr. Sutton:

This letter serves as a second request for a refund of a contribution of \$5,000.00 to the Mark Kennedy Victory Committee from the Next Century Fund (see check no. 2611 dated October 17, 2006).

As I indicated in my previous request, we subsequently determined that this contribution may result in our exceeding the legal contribution limits. We have previously contributed the maximum amount to the campaign committee (i.e., \$10,000 to Mark Kennedy '06) and we have previously contributed the maximum (\$25,000) to NRSC's Special Teams 2006 Committee. One of the 5 joint beneficiaries of this NRSC committee is the state party committee in Minnesota, which we understand is also a joint beneficiary of the Mark Kennedy Victory Committee. Accordingly, we requested a refund of our contribution.

I would appreciate your prompt attention to this matter. Please contact me if you have any questions.

Very truly yours,

  
Mary T. Fauth

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116 South Royal Street, Alexandria, VA 22314

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**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 checked="" type="checkbox"/> USPS First Class Mail	Postmarked 4/4/07
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature 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
Next Business Day Delivery <input type="checkbox"/>	
<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 type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

 PREPARER 4/9/07  
DATE PREPARED

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