

Law Office of

# James C. Thomas III

Briarcliff Village  
4131 N. Mulberry Drive, Suite 200  
Kansas City, Missouri 64116  
Phone: (816) 584-9393; Fax: (816) 584-9394  
James@jct3law.com

RECEIVED

2012 NOV 30 AM 10:28

FEC MAIL CENTER

November 29, 2012

VIA FACSIMILE (202) 219-3496

Federal Election Commission  
Attn: Christopher Morse  
Senior Campaign Finance Analyst  
Reports Analysis Division  
999 E Street, N.W.  
Washington, D.C. 20463

RE: Now or Never PAC (the "Committee")

Dear Mr. Morse:

We are in receipt of your letters dated November 9, 2012 and November 21, 2012 which identified two issues with the respect to the October Quarterly Report and the 12 Day Pre-General Report for the Committee. This letter is our response to those issues.

The first issue is that Schedule E of the October Quarterly Report for the Committee shows a Calendar Year-To-Date Per Election for Office Sought total for Missouri Senate to be \$0.00 and Illinois 8<sup>th</sup> Congressional District to be \$0.00 and Schedule E of the 12 Day Pre-General Report for the Committee discloses the Calendar Year-to-Date Per Election for Office Sought total for the Illinois 8<sup>th</sup> Congressional District to be \$510,544.50. (I have had a similar problem with another committee.) I have again sat down with my assistant (She actually does the initial data entry.) and tried to determine what is causing this. She informs me that when she prepares the 24 Hour/48 Hour Independent Expenditure Report, your software is automatically picking up the cumulative amount expended and she does not actually have the ability to manipulate the cumulative amount. Our 24 Hour/48 Hour Independent Expenditure Reports appear to be correctly picking up the cumulative amounts. When my assistant drafts a regular report, such as a Quarterly Report or a Pre-Election Report, the data from the Independent Expenditure Reports is automatically pulled into the regular report and she has no ability to manipulate this information. So, while we would again be glad to fix this error, we are unable to determine how our data entry is the problem.

We fully understand the need for these issues to be correctly reflected on the October Quarterly Report and the Pre-General Report. We stand ready to make adjustments to the data

12030960238

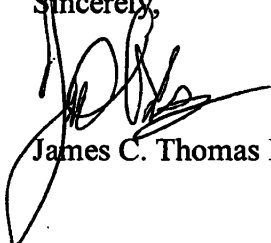
entered on these reports to correct for these errors. However, we are unclear on how our data entry is the problem. We do not understand "0s and 1s" that make computer programs work, but we use a variety of software programs all the time. To address this issue may require someone who can help us with the some unique technical aspect that we simply do not understand. Would it be possible to have a conference call with you and, if necessary, a technical person to help us know what we are doing wrong? Please let me know if this would be possible and we can schedule a time for early next week to have this call.

Your second issue was that items fully paid with federal funds should be reported on Line 21(b) rather than line 21(a). The Committee does not have any activity that is not federal. The Committee does not have a separate account for federal funds versus non-federal funds. Therefore, the Committee will comply with your request to report its operating expenditures on Line 21(b) rather than 21(a). Your letter indicated that it is acceptable if we just make this reporting change prospectively. I have my assistant modifying our current draft of the 30-Day After Election Report to address this request so operating expenditures will be reported on line 21(b) prospectively. Please let us know if you require any retroactive action on this point.

We do sincerely appreciate your helpfulness in dealing with the reporting issues we have with all of our committees. You have always been polite and gracious when we call with a question. If you could possibly spare some time to discuss our data input problem, we would be glad to correct for whatever is going wrong with these Calendar Year-To-Date Per Election for Office Sought issues.

If you need any further information, please contact my office.

Sincerely,



James C. Thomas III

JCT3/pb

12030960239

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.

Hand Delivered Date of Receipt

USPS First Class Mail Postmarked

USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked  
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark

Overnight Delivery Service (Specify): *Fed Ex* Shipping Date  
*11/29/12*  
 Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): Date of Receipt or Postmarked

*[Signature]*

PREPARER

*11/30/12*

DATE PREPARED

12030960240