

ETEXT ATTACHMENT

11/22/2004 14 : 35

Federal Election Commission Inquiry
October 20, 2004

Democratic Party of Wisconsin
Identification Number: C00019331
Reference: September Monthly Report (8/1/04-8/31/04)

Attn: Maureen Benitz, Senior Campaign Finance Analyst, Reports Analysis Division

Calculations corrections, Please see FEC-151364, amended 11/22/04 for various calculation corrections.

Question: Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year...

Response: The Democratic Party of Wisconsin (DPW) in its original solicitations, does include a clear and conspicuous request for the contributor information and informs the contributor of the requirements of federal law for the reporting of such information.

In order to comply with the formal requirements for "best efforts", the DPW:

1. Clearly asks for the missing information, without soliciting a contribution
2. Informs the contributor of the requirements of federal law for the reporting of such information, and
3. When the request is written, includes a pre-addressed return envelope.

Additionally, the DPW has a policy of 1) telephone contact followed by 2) a written request for information, including a pre-addressed return envelope on a two week cycle, every two weeks, for all contribution records lacking full identification, including full name, mailing address, occupation and name of employer.

Question: Schedule A of your report discloses one or more contributions which appear to exceed the limits set forth...

Response: The Democratic Party of Wisconsin agrees and will refund the excess amount, with a copy of the letter and photocopy of the check coming to the Commission by separate cover.

Question: Schedule A supporting Line 17 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee... Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged.

Response: The Democratic Party of Wisconsin (DPW) did assess the usual and normal charge for the goods and/or services provided to the purchasing entities. Consistent with FEC Advisory Opinion Number 2002-14, the DPW mailing list has been developed over a period of time, has a unique nature, and does not constitute merely a list or lists that were purchased from other sources. The DPW ascertains fair market value, consistent with its understanding of similar commercial products, and then enters into a bona fide, contractual, arm's length transaction with the purchaser - with consistent pricing for similar product. The DPW, valuing its list, did not provide the goods and/or services at less than the usual and normal charge, and therefore concludes that no contribution has occurred.