

March 14, 2009

Mr. Brian Bennett  
Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Dear Mr. Bennett:

Huck PAC, Inc. (FEC ID# C00448373) is in receipt of your Request for Additional Information dated February 13, 2009, referencing our Amended 30 Day Post General Report (10/16/08 - 11/24/08).

- With respect to the contributions identified in Item 1 of your letter, the Committee responds as follows:

The Committee took appropriate action to cure the excessive contributions within the time frame permitted by Commission regulations and reattributed the contributions prior to receiving the Commission's inquiry. Specifically, the following actions were taken with respect to each of the contributors identified in your letter:

Max Story - On October 27, 2008, the Committee sent Mr. Story a letter notifying him of the excessive contribution and requesting a reattribution of the excess to his spouse, and on the 30 Day Post General Report indicated that reattribution had been requested on the memo line. He responded to this notice on December 4, 2008, and both he and his spouse signed the reattribution form to allocate the entire \$5,000 contribution made on October 24, 2008 to Debbie Story. The reattribution is reflected on the Committee's Amended 30 Day Post General Report (FEC Filing #407479). Copies of the Committee's original correspondence and the signed reattribution form are attached.

Dennis Weinberg - On November 17, 2008, the Committee sent Mr. Weinberg a letter notifying him of the excessive contribution and requesting a reattribution of the excess to his spouse. He responded to this notice within the allowed time limit of 60 days, and both he and his spouse signed the reattribution form to allocate the entire \$2,500 contribution made on October 29, 2008 to Allyson Weinberg. The reattribution is reflected on the Committee's Amended 30 Day Post General Report (FEC Filing #407479). Copies of the Committee's original correspondence and the signed reattribution form are attached.

- With respect to the expenditures identified in Item 2 of your letter, the Committee responds as follows:

The expenditures identified as "Fundraising Materials" and "Event Venue Rental" were not made on behalf of a specific federal candidate. The expense for "Fundraising Materials" was payment for printing 500 copies of Governor Huckabee's book - 'Do the Right Thing,' which was used as part of a fundraising effort for Huck PAC. The "Event Venue Rental" expense is related to an event Huck PAC sponsored with Take '08 to encourage attendance at the Republican National Convention. Therefore, no amendments are required with respect to lines 23 or 24 of the Amended 30 Day Post General Report.

- With respect to the expenditures identified in Item 3 of your letter, the Committee responds as follows:

Payments labeled as "Direct Mail," "Direct Mail List Purchase," and "Printing Expense," were all related to the Committee's activities and were not undertaken on behalf of any specifically identified federal candidates. These expenditures did not contain express advocacy and did not constitute voter drive activity and therefore do not qualify

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## **ETEXT ATTACHMENT**

as either an in-kind contribution or an independent expenditure. Therefore, no amendments are required with respect to lines 23 or 24 of the Amended 30 Day Post General Report. Any public communications that, while not constituting express advocacy, referred to a federal candidate, were reported on line 21b of the Amended 30 Day Post General Report filed on December 4, 2008.

We note that on at least three prior occasions, the Commission has requested additional information related to "Fundraising Materials," "Direct Mail," and "Printing Expenses." On each of these occasions we have responded that these expenses related directly to the Committee's own activities, did not mention or refer to a federal candidate, and did not require amendment.

If the Commission has recommendations on a better way to report such expenses, we look forward to receiving your guidance. Huck PAC will gladly amend past reports to conform to these norms and will ensure that future reports are drafted in such a way as to avoid causing confusion within RAD.

As you know, the reporting community expressed its frustration at the January 14th hearing on agency procedures that Requests for Additional Information seem to be routinely issued to committees asking them to confirm that a report means what it says. We share these frustrations. Huck PAC formally requests that the portion of the RFAI to which this letter responds regarding fundraising expenses, printing and direct mail be redacted from the public record. Furthermore, we request in writing your confirmation that no so-called "audit points" have been assessed with respect to this issue.

If you have any further questions or need further clarification, please do not hesitate to contact me at (501) 978-8331.

Sincerely,  
Bryan S. Jeffrey, Treasurer  
Huck PAC, Inc.

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