



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Theodore A. Lattanzio, Treasurer
Philip Morris Companies Inc. Political Action
Committee (AKA Phil-PAC)
120 Park Avenue
New York, NY 10017

NOV 9 0 2002

Identification Number: C00089136

Reference: 12 Day Pre-General Report (10/1/02-10/16/02)

Dear Mr. Lattanzio:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up,

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stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the primary election; however, the funds were disbursed after the election date(s) (pertinent portion(s) attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

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

If you have made an impermissible contribution, you must request a refund 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

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of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent 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 this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. Electronic filers must file amendments (to include statements, designation 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 need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Maureen Benitz
 Campaign Finance Analyst
 Reports Analysis Division

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s) for each category of the Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE: 33 / 48

<input type="checkbox"/> 21a	<input type="checkbox"/> 22	<input checked="" type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25
<input type="checkbox"/> 26	<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c
<input type="checkbox"/> 29				

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
Philip Morris Companies Inc. Political Action Committee

Full Name (Last, First, Middle Initial) A. Committee to Elect Frank W. Ballance,		Date of Disbursement 10 / 10 / 2002
Mailing Address P.O. Box 880 City: Warrenton, State: NC, Zip Code: 27588		Amount of Each Disbursement this Period 2000.00
Purpose of Disbursement FRANK BALLANCE JR., US HOUSE, NC-01		Category/Type FRANK BALLANCE JR., US HO- USE, NC-01
Candidate Name FRANKWJR BALLANCE		
Office Sought: <input checked="" type="checkbox"/> House Senate President	Disbursement For: 2002 Primary General <input checked="" type="checkbox"/> Other (specify) General 2002	Transaction ID: 1010200257E12817
State: NC	District: 01	

Full Name (Last, First, Middle Initial) B. Barrett For Congress		Date of Disbursement 10 / 10 / 2002
Mailing Address P.O. Box 859 City: Westminster, State: SC, Zip Code: 29693		Amount of Each Disbursement this Period 3000.00
Purpose of Disbursement JAMES GRESHAM BARRETT, US HOUSE, SC-03		Category/Type JAMES GRESHAM BARRETT, US HOUSE, SC-03
Candidate Name JAMESGRESHAM BARRETT		
Office Sought: <input checked="" type="checkbox"/> House Senate President	Disbursement For: 2002 Primary General <input checked="" type="checkbox"/> Other (specify) Primary 2002 SC House	Transaction ID: 1010200257E12839
State: SC	District: 03	

Full Name (Last, First, Middle Initial) C. Bob Beauprez For Congress Committee		Date of Disbursement 10 / 10 / 2002
Mailing Address 14142 Denver West Parkway Ste. 270 City: Golden, State: CO, Zip Code: 80401		Amount of Each Disbursement this Period 8000.00
Purpose of Disbursement BOB BEAUPREZ, US HOUSE, CO-07		Category/Type BOB BEAUPREZ, US HOUSE, CO-07
Candidate Name BOB BEAUPREZ		
Office Sought: <input checked="" type="checkbox"/> House Senate President	Disbursement For: 2002 Primary General <input checked="" type="checkbox"/> Other (specify) General 2002	Transaction ID: 1010200257E12840
State: CO	District: 07	

SUBTOTAL of Disbursements This Page (optional)	8000.00
TOTAL This Period (last page this line number only)	

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