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February 20, 2007

Rosa G. Lewis
Campaign Finance Analyst
Reports Analyst Division
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: C00079541 - October Monthly Report (9/1/06 - 9/30/06) & 12 Day Pre-General Report (10/1/06 - 10/18/06)

Dear Ms. Lewis:

The purpose of this letter is to respond to your two letters dated January 19, 2007 regarding the October Monthly Report (9/1/06 - 9/30/06) and the 12 Day Pre-General Report (10/1/06 - 10/18/06) of NARAL Pro-Choice America PAC, identification number C00079541.

October Monthly Report

You inquire about expenditures for "Printing," "Telemarketing Services," and "Postage," and whether these expenses constituted either in-kind contributions or independent expenditures. These expenses were for the Committee's fundraising efforts. They do not constitute in-kind contributions, and they did not contain express advocacy as defined under 11 C.F.R. 100.22 and were therefore not independent expenditures.

You ask about the Committee's use of "best efforts" to obtain the name, mailing address, occupation and name of employer of its donors. The Committee's practice is to ask for the required information on all of the PAC solicitations via a clear and conspicuous request.

If the information is not provided with the initial contribution, the Committee's practice is to ask for the information in a separate written request, within two weeks of the contribution being received. The request clearly asks for the information, without soliciting the contribution; informs the contributor of the requirements of federal law for the reporting of such information; and includes a pre-addressed post card or return envelope. If the information is not received, the Committee's practice is to send a second mailing and to make a telephone call to the donors if their contributions exceed, in the aggregate, \$200 per calendar year. When the Committee receives information after the contribution has been reported, the Committee will file an amended Schedule A with its next regularly scheduled report listing all the contributions for which additional information was received.

12 Day Pre-General Report

You ask about memo entries on Schedule E for independent expenditures that are not reported on Schedule D. The Committee will amend this report to include these entries on Schedule D.

You ask about apparent failures to file 48 hour notices for independent expenditures on October 16 for the payee Mission Control, Inc, regarding the candidates JD Hayworth, Jon Kyle, Kurt Weldon, Mike Fitzpatrick, Randy Graf, and Rick Renzi. These entries were timely reported on 48 hour notices; unfortunately, due to administrative error, they were incorrectly filed as from the connected qualified nonprofit organization, NARAL Pro-Choice America, identification number C90004185.

You ask about 48 hour notices filed regarding independent expenditures on October 17 for the payee LSG Strategies, regarding the candidates Mike Fitzpatrick, Jon Kyle, Bruce Braley, and Mike Whalen. The Committee will amend this

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report to include the Kyle, Braley and Whalen expenditures on Schedule E. The Fitzpatrick expenditure is already included on this report. The 48 hour report included the estimated cost of \$3,700; the exact amount, \$3,311.60, was included on page 43 of the report.

You ask about 48 hour notices and Schedule E entries regarding the payee Mission Control, Inc. The 48 hour notices and Schedule E entries do not exactly correlate due to the fact that the Committee's pre-general 48 hour notices for that payee were mistakenly filed as from the connected organization. All of the 48 hour notices filed by the Committee for that payee correlate to Schedule E entries in the Committee's Post-General Report.

You ask about the treasurer's signature on the supporting schedule. The Committee will amend its report to add electronic signatures on the independent expenditure section of the report.

You inquire about an expenditure for "Direct Mail" and whether it constituted an in-kind contributions or an independent expenditure. This expense was for the Committee's fundraising efforts. It does not constitute an in-kind contribution, and it did not contain express advocacy as defined under 11 C.F.R. 100.22 and was therefore not an independent expenditure.

You ask about the Committee's use of "best efforts" to obtain the name, mailing address, occupation and name of employer of its donors. The Committee's practice is to ask for the required information on all of the PAC solicitations via a clear and conspicuous request.

If the information is not provided with the initial contribution, the Committee's practice is to ask for the information in a separate written request, within two weeks of the contribution being received. The request clearly asks for the information, without soliciting the contribution; informs the contributor of the requirements of federal law for the reporting of such information; and includes a pre-addressed post card or return envelope. If the information is not received, the Committee's practice is to send a second mailing and to make a telephone call to the donors if their contributions exceed, in the aggregate, \$200 per calendar year. When the Committee receives information after the contribution has been reported, the Committee will file an amended Schedule A with its next regularly scheduled report listing all the contributions for which additional information was received.

We hope that this information adequately addresses your questions. If you need any further information, please do not hesitate to contact the Committee.

Very truly yours,

Ezra W. Reese
Counsel to NARAL Pro-Choice America PAC
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