

DLA PAC

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2003 APR 22 A 9:21
FEC ID NUMBER:
C00346189

April 21, 2003

Via Messenger

Brandy Phillips
Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: DLA PAC, identification number C00346189

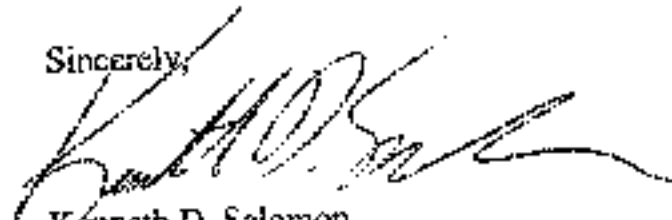
Dear Ms. Phillips:

I am writing in response to your letter dated April 16, 2003. Your letter regarded a contribution that our political action committee, DLA PAC, made on June 28, 2002 to Stevens for Senate Committee, the principal campaign committee of U.S. Senator Ted Stevens of Alaska. As noted in our FEC 3X report covering the month of June 2002, this disbursement was for Senator Stevens' primary campaign.

You stated in your letter that our disbursement to the Stevens primary campaign was impermissible because it was made after Alaska's May 21, 2002 primary had occurred. This is inaccurate and appears to be the result of confusion regarding the postal abbreviations for the states of Arkansas (AR) and Alaska (AK). As noted in the attached document from the Federal Election Commission RECORD of March 2002, the Alaska 2002 primary was held on August 27, 2002, two months *after* we made our contribution. The Arkansas primary was held on May 21, 2002. Accordingly, our contribution was permissible, and no corrective action is required.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Kenneth D. Salomon
Treasurer, DLA PAC

Enclosure

Record

March 2002

Federal Election Commission

Volume 28, Number 3

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Regulations

Public Hearing on Use of Internet

The FEC will hold a public hearing on March 20 to receive testimony and additional comments about its proposed regulations concerning the use of the Internet for campaign-related activities. The proposed rules address:

- Campaign-related Internet activity conducted by individuals;
- Hyperlinks placed on web sites established by corporations and labor organizations; and
- Press releases that announce candidate endorsements and are placed on web sites established by corporations and labor organizations and made available to the general public.

The hearing will be held at the Federal Election Commission, 999 E St. NW., Washington D.C. It will begin at 10:00 a.m. in the FEC's 9th floor hearing room.

The Notice of Proposed Rulemaking (NPRM) was published in the October 3, 2001, *Federal Register* (66 FR 50358), and was summarized in the November 2002 *Record*, page 1. The full text of the

(continued on page 2)

Court Cases

Miles for Senate v. FEC

On January 9, 2002, the U.S. District Court for the District of Minnesota granted judgment in favor of the Commission in this case. The Miles for Senate Committee, Steven H. Miles and Barbara Steinberg (the plaintiffs) filed suit against the Commission on January 18, 2001, appealing a civil money penalty the Commission assessed against Miles for Senate (the Committee) and its treasurer, Barbara Steinberg, LTD. The plaintiffs had argued, among other things, that Commission regulations that distinguish between certified or registered mail and regular mail for the purpose of determining when a report is filed are arbitrary and capricious and in excess of the Commission's rulemaking authority. 11 CFR 104.5(e).

The court found that Mr. Miles and Ms. Steinberg lacked standing to request judicial review, and that the plaintiffs' arguments were untimely because they did not raise them during the Commission's administrative process. Moreover, the court found that, even if the plaintiffs had raised their arguments in a timely manner, the arguments

(continued on page 3)

Reports

Reporting Last-Minute Contributions: 48-Hour Notices

Campaign committees must file special notices, called 48-hour notices, disclosing contributions of \$1,000 or more received less than 20 days, but more than 48 hours, before any election in which the candidate is running.

The FEC or the Secretary of the Senate must receive the notice within 48 hours of the committee's receipt of the contribution. This rule applies to all types of contributions to any authorized committee, including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee.

Committees are required to file 48-hour notices even if the candidate is unopposed in the election. Moreover, these reporting requirements still apply even if a primary or general election is not held because the candidate is unopposed or received a majority of votes in the previous election. However, no filing is required for a primary election that is not held because the candidate was nominated by a caucus or convention, for which a pre-election report was filed. See 11 CFR 110.1(g). Also, a candidate who withdraws from the election before participating in the primary would not have to file 48-hour notices unless the candidate's name remained on the ballot.

Filing Methods

Committees that file electronically with the Commission must file 48-hour notices electronically. Committees other than Senate committees may also file their 48-hour notices online. For more information concerning online filing, visit the FEC web site at

Primary Election 48-Hour Notice Periods


State/Session	Year	48-Hour Notice Period
Alabama	2002	5/24 - 6/1/02
Alaska	2002	6/6 - 6/23/02
Arizona	2002	8/28 - 9/14/02
Arkansas	2002	10/17 - 11/2/02
California	2002	10/31 - 11/16/02
Colorado	2002	8/27 - 9/13/02
Connecticut	2002	11/1 - 11/18/02
Delaware	2002	11/1 - 11/18/02
District of Columbia	2002	11/28 - 12/15/02
Florida	2002	8/28 - 9/14/02
Georgia	2002	12/1 - 12/18/02
Hawaii	2002	5/18 - 6/4/02
Idaho	2002	11/28 - 12/15/02
Illinois	2002	11/1 - 11/18/02
Indiana	2002	11/1 - 11/18/02
Iowa	2002	11/1 - 11/18/02
Kansas	2002	11/1 - 11/18/02
Kentucky	2002	11/1 - 11/18/02
Louisiana	2002	11/1 - 11/18/02
Maine	2002	11/1 - 11/18/02
Maryland	2002	11/1 - 11/18/02
Massachusetts	2002	11/1 - 11/18/02
Michigan	2002	11/1 - 11/18/02
Minnesota	2002	11/1 - 11/18/02

Section 2054.25, the Commission determined that the last day of notice for contributions for general election districts in Louisiana—in the case of any 2002 election—must be considered the primary election date for Louisiana candidates. See 11 CFR 101.11(c)(4). Additionally, under the law of the candidate or the Governor, if a general election is held over 30 percent of the vote, a runoff election will be held on October 8, 2002. If the runoff is held, all-hour notices will be required between November 13 and December 1, 2002.

Federal Election Commission

**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

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