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May 22, 2001

Andrea Wilkens
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Reference: C00193433
12 Day Pre-General Report (10/1/00-10/18/00)
Your letter of May 16, 2001

Dear Ms. Wilkens:

With reference to the above report, please be advised that Line 15 of our report disclosed payment(s) from a federal candidate committee(s) for goods and/or services provided by EMILY's List at the usual and normal charge for the goods and/or services provided. The method the Committee used to determine the usual and normal charge(s) was fair market value.

All "media" disbursements reported on our H4 schedules were disclosed appropriately on our filed FEC report. All "media" was generic and clearly stated TV/Radio/Mail. None of the Committee's "media" disbursements were made on behalf of specifically identified candidates and thus would not have been reported on either B or E supporting Lines 23 or 24.

If you require further information or clarification, please contact me.

Sincerely,

Caroline C. Fines
Caroline C. Fines
Assistant Treasurer

CF/acg

Ellen R. Muscillo, President

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EMILY's List
800 14th Street, NW, Suite 400
Washington, DC 20005
Telephone: 202-556-1400
Fax: 202-328-1415
www.emilyslist.org

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Ellen Malcolm, Treasurer
EMILY'S LIST
805 15th Street, NW, Suite 400
Washington, DC 20005

MAY 16 2001

Identification Number: C00193433

Reference: 12 Day Pre-General Report (10/1/00-10/18/00)

Dear Ms. Malcolm:

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:

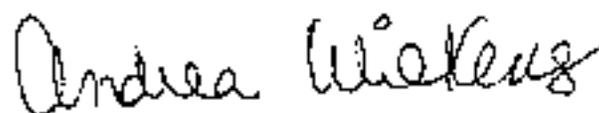
-Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

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. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.7(a)(1)(iii)(A))

-Please clarify all expenditures made for "media" on Schedule(s) H4. If a portion or all of these expenditures were made on behalf of specifically identified federal candidates, this amount should be disclosed on Schedules B or E supporting Lines 23 or 24 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

A written 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. 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,



Andrea Wilkens
Senior Reports Analyst
Reports Analysis Division

Federal Election Commission

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