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March 22, 2007

**Via Federal Express**

Corbin T. Jones  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

re: Delaware County Democratic Committee  
FEC Id no.: C00404590

Dear Mr. Jones:

With respect to your letter of February 23, 2007 regarding the Delaware County Democratic Committee's 30-Day Post-General Report (10/19/10-11/27/06), schedule B support line 21(b) disclosing a payment of \$9,490.90 for printing, please note that this expense was for the printing of slate cards for use on Election Day. We believe this to be an exempt activity in that it is our understanding that the law provides:

A state or local party committee may prepare and distribute a slate card, sample ballot, palm card or other printed list naming candidates for any public office. The payments are not considered contributions or expenditures on behalf of any federal candidate listed, as long as the following conditions are met:

- The list names at least three candidates running for election to any public office.
- The list is not distributed through public political advertising (which includes broadcast media, newspapers, magazines and billboards but not direct mail). AO 1978-9.
- The content is limited to the identification of each candidate (pictures may be used), the office or position currently held, the office sought and party affiliation. The list must exclude any additional biographical data on

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candidates and their positions on issues as well as statements on party philosophy. Certain voting information, however, may be given, such as time, place and instructions on voting a straight party ticket. AO 1978-89.

- Costs allocable to federal candidates are paid with permissible funds.

11 C.F.R. 100.80; 100.140. Our production and distribution of these materials complied with these requirements. Additionally, these slate cards were also exempt in that the slate cards also fit the requirements for exemption as Campaign Materials:

A state or local party committee may prepare and distribute campaign materials such as pins, bumper stickers, handbills, brochures, posters and yard signs. The payments are not considered contributions or expenditures if the following conditions are met:

- The activity is conducted on behalf of the party's nominees in the general election (not on behalf of candidates running in primary elections).
- The materials are distributed by volunteers—not through public political advertising such as television, radio, newspapers, magazines, billboards or direct mail (mailings by a commercial vendor or from commercial lists).
- The party committee does not use materials purchased by the national party committee or money transferred from the national committee to purchase materials.
- The party committee does not use funds designated for a particular federal candidate.
- A payment from a nonfederal campaign to help pay for the materials does not exceed its allocated share of the expenses.
- Costs allocable to federal candidates are paid with permissible funds.

11 C.F.R. 100.87; 100.147. Similarly, we believe that our production and distribution of these slate cards complied with these requirements for Campaign Materials.

Moreover, we further believe that we complied with the reporting requirements in the preparation and filing of our 30-Day Post-General Report (10/19/10-11/27/06).

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Following this explanation, should the Commission feel further response or amendment is necessary; please contact me at the above address, or by telephone at 610-941-2760. Thank you for consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "GL" with a stylized flourish.

GERALD LAWRENCE

GL/bms

Enclosure

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

February 23, 2007

Gerald Lawrence, Treasurer  
Delaware County Democratic Committee  
P.O. Box 473  
Media, PA 19063

**Response Due Date:**  
**March 26, 2007**

Identification Number: C00404590

Reference: 30-Day Post-General Report (10/19/06-11/27/06)

Dear Mr. Lawrence:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B supporting Line 21(b) of your report discloses a payment(s) totaling \$9,490.90 for "Printing." Expenditures and disbursements for public communications (as defined under 11 CFR §100.26) that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate, rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for**

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extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations 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 should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1177.

Sincerely,



Corbin T. Jones  
Campaign Finance Analyst  
Reports Analysis Division

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Federal Election Commission  
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 *3/23/07*  
 PREPARER DATE PREPARED

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