

We received a notice, dated August 18, 2010, from the FEC alerting us to the possibility of an excess 2010 contribution from the MassMutual PAC to the American Benefits Council's PAC (ID# C00153171). This was caused by MassMutual's 2009 \$5,000 contribution having been mistakenly sent to our former address. The letter and check were apparently returned to MassMutual and were not ultimately delivered to us and deposited until January of this year. Then in May of this year we received and deposited a second \$5,000 contribution (for 2010) from the MassMutual PAC. Thus, to the FEC it appeared that an improper second annual contribution had been made.

These circumstances are very similar to those cited in the Federal Election Commission's Advisory Opinion AO1999-23, issued on October 22, 1999, which references contributions which were to have been issued, delivered and deposited in one calendar period, but due to an unavoidable delay, these actions were not done until a subsequent period, one in which an additional contribution had been made..
