



Brian G Svoboda
PHONE (202) 434-1654
FAX (202) 434-1690
EMAIL BSvoboda@perkinscoie.com

607 Fourteenth Street N.W.
Washington, D.C. 20005-2011
PHONE 202 628 6600
FAX 202 434 1690
www.perkinscoie.com

BY ELECTRONIC AND U.S. MAIL

January 23, 2007

Lynn M. Fraser
Alternative Dispute Resolution Office
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: **ADR 352 (RAD 06L-25)**
EMILY's List and Judy Lichtman, as treasurer

Dear Ms. Fraser:

On behalf of EMILY's List and Judy Lichtman, as treasurer, I write in response to your letter dated January 3, 2007. I appreciate the opportunity to provide some additional information about this matter.

EMILY's List is one of the nation's largest federal political committees. For more than twenty-two years, it has supported women candidates for federal office by collecting and forwarding small contributions from more than 100,000 members across the country. The core bundling program of EMILY's List has never resulted in any credible suggestion of noncompliance, and the Commission has never resolved a matter adversely to EMILY's List through the enforcement process.

During the 2005-2006 election cycle, EMILY's List served as a conduit for more than 77,000 contributions, totaling approximately \$6.96 million. Using detailed procedures that it has developed over time, EMILY's List has performed these transactions in compliance with Commission regulations, disclosing all of them in the detail required on Commission reports.

13376-0001/LEGAL12977884.1

13376-0001/LEGAL12978665.1

27190271212

This matter involves the forwarding of 363 contributions that were received over eight days in 2005. These contributions totaled \$35,698.44, or one-half of one percent of EMILY's List's overall 2005-2006 cycle bundling activity. Almost all of them were received in response to EMILY's List's first major solicitation to members during the 2005-2006 cycle. They were forwarded to the benefiting candidates over periods spanning eleven to fourteen days, except for a group of 61 contributions received on April 6, which were forwarded on April 26.

When EMILY's List received a Request for Additional Information from the Commission about the first of these contributions, it reviewed the facts, and determined the following. First, it had experienced staff turnover during the beginning of the 2005-2006 cycle in the position principally responsible for issuing and delivering earmarked contributions to candidates. Second, its procedures for processing earmarked contributions changed significantly at the beginning of the cycle. Formerly, a caging company received the checks and sent all of them to EMILY's List for deposit and review. At the beginning of 2005, the caging company began depositing checks directly into an EMILY's List account. While this change resulted in a more efficient process, and helped assure compliance with Commission rules, it required other alterations in EMILY's List's procedures that required adaptation by staff.

EMILY's List responded by strengthening its procedures for forwarding candidate contributions. First, it developed and implemented a practice by which contributions were forwarded more frequently. By surpassing the 10-day forwarding requirement of Commission rules, EMILY's List minimized the likelihood that any group of contributions would wait until the close of the ten-day window for forwarding. Second, EMILY's List implemented personnel practices to ensure additional senior staff level supervision of the forwarding process. These new practices have worked as intended. When EMILY's List received its first letter from RAD, there already had been no further instances of untimely forwarding, and none has since occurred.

EMILY's List views seriously its responsibility to forward timely the contributions it receives for candidates. It values its record of compliance with the law, and it wants candidates to enjoy swiftly the benefit of its members' support. This is why this matter involves such a tiny level of activity relative to the total number of transactions handled by EMILY's List. It is why EMILY's List has already implemented effective, responsive action.

13376-0001/LEGAL12977884.1

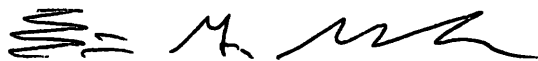
13376-0001/LEGAL12978665.1

27190271213

Lynn M. Fraser
January 23, 2007
Page 3

I look forward to discussing this matter at your convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Brian G. Svoboda', with a stylized, cursive script.

Brian G. Svoboda

13376-0001/LEGAL12977884.1

13376-0001/LEGAL12978665 1

27190271214