

Marilyn Musgrave

United States Congress

March 1, 2007

General Counsel's Office
Federal Election Commission
999 E Street NW
Washington, DC 20463

2007 MAR -6 P 2:38

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

VIA FACSIMILE: 202-219-3923

Re: MUR 5901

To Whom It May Concern:

The complaint MUR 5901 filed against Musgrave for Congress by the group C.R.E.W. concerns allegations regarding certain errors in reports however, those errors have already been addressed by both the FEC and Musgrave for Congress. Musgrave for Congress strives to comply with the FEC and its regulations. We certainly acknowledge that technical errors in our reporting do occur. Never have any errors on our part been calculated or deliberate and those errors have been remedied. Musgrave for Congress reported over 17,500 donations in 2006 alone.

Our reports have been filed in good faith and were, as FEC requires, to the best of our knowledge at the time filed, accurate. In the event initial filings were found not complete or inaccurate, we correct the errors as soon as the correct information became available. Musgrave for Congress has continually corrected any errors found in its reports, not only those errors brought to our attention by the FEC, but also those found by Musgrave for Congress.

Each report in question was amended and additionally, letters of explanation were also sent. In communications with our reports analysts, we believe our actions were sufficient. The afore mentioned letters are attached and a brief summary of each incident follows:

Our July Quarterly 2006 report was amended as requested, further we included a letter of explanation, dated September 8, 2006, of our process of obtaining donor information for our reports analyst. In 2006, we changed to a new data vendor. Some donor information, specifically first names, was changed to only first initials. This error was unnoticed until after the report was filed. This problem was fixed by the vendor and the changes are reflected in the amended report, filed September 8, 2006.

Our October Quarterly 2006 report was amended on February 1, 2007, further we sent letters of explanation, dated January 4 and February 1 respectively. Missing donor information was obtained and is reflected in our amended report. The FEC also questioned our 48 Hour Notice reporting processes. Due to the errors of the past year, our process has been reviewed and will be changed. Although filing an amendment to this report was sufficient we also, in our February 1 letter, offered an explanation of each questioned point regarding these 48 hour notices. Our letter of January 4 was in fact 2 days late we regret that delay.

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Our 12 Day Pre-General report was amended on February 5, 2007 and a letter of explanation was sent to our reports analyst on January 4, 2007.

Our 30 Day Post-General Report was amended on February 7, 2007 and a letter of explanation sent on February 8, 2007. Again, our 48 Hour Notice process was questioned. All errors were explained in our February 8 letter and reflected in our amendment.

Musgrave for Congress believed our efforts to amend reports were sufficient but will communicate more with our reports analyst to ensure that our responses are adequate. Our amendments were filed as soon as the information became available, as required by the FEC

Any errors we made were most certainly not made intentionally and we are in no way attempting to "flout FEC authority" or "mask the identities of large last-minute contributors".

Enclosed you will find copies of our correspondence with our reports analyst which explain further our actions and our amendments.

Thank you for your consideration.

Brent Eskew, Musgrave for Congress

27190272515

Marilyn Musgrave

United States Congress

September 8, 2006

Jennifer E. Pittman
Senior Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street NW #709
Washington, D.C. 20463

VIA FACSIMILE 202-279-3496

Identification #: C00371880

Reference: July Quarterly Report (4/1/06-6/30/06)

Dear Ms. Pittman:

This letter is in response to the letter dated August 8, 2006 and addressed to Musgrave for Congress Treasurer Brent Eskew.

- Regarding the establishment of our "best efforts" to obtain all the required information about contributors who have given an aggregate of \$200 or more in an election cycle, the Musgrave for Congress campaign has used and continues to use the following procedures to obtain the information:
 - 1) Every solicitation for contributions includes a clear and conspicuous request for the contributor information including full name, mailing address, occupation and the name of their employer.
 - 2) If the required information is not provided AND the donor's aggregate contribution(s) per election cycle exceed \$200, we mail the donor a 1st class letter that informs them of the requirements of federal law, clearly asks for the missing information without soliciting another contribution, and includes a pre-addressed stamped envelope to return the requested information.
 - 3) If the required information is still not given to us we follow up the letter with at least one phone call.
 - 4) If the requested information is received after the close of the reporting period, an Amendment will be filed with the FEC.

Do in part to an error in importing our data, several first names were omitted from our report. I have amended the report to reflect those errors on individuals who have given an aggregate amount exceeding \$200.

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The Musgrave for Congress campaign takes seriously the requirements of federal law to report all required information. Our best efforts are made to acquire and report all required information.

Thank you for your efforts to bring any apparent problems, big or small, to our attention and we will use our very best efforts to correct or explain the problems as quickly as possible.

Please feel free to contact me at anytime if you have any questions or comments about our required FEC reports.

Best regards,

Amy Carlson
Musgrave for Congress

27190272517

Marilyn Musgrave

United States Congress

January 4, 2007

Jennifer E. Pittman
Senior Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street NW #709
Washington, D.C. 20463

VIA FACSIMILE 202-219-3496

Identification #: C00371880

Reference: October Quarterly Report (7/20/06-9/30/06)
Reference: 12 Day Pre-General Report (10/01/06-10/18/06)

Dear Ms. Pittman:

This letter is in response to the letters Dated November 30, 2005 and addressed to Musgrave for Congress Treasurer Brent Eskew.

Regarding the establishment of our "best efforts" to obtain all the required information about contributors who have given an aggregate of \$200 or more in an election cycle, the Musgrave for Congress campaign has used and continues to use the following procedures to obtain the information:

- 1) Every solicitation for contributions includes a clear and conspicuous request for the contributor information including full name, mailing address, occupation and the name of their employer.
- 2) If the required information is not provided AND the donor's aggregate contribution(s) per election cycle exceed \$200, we mail the donor a 1st class letter that informs them of the requirements of federal law, clearly asks for the missing information without soliciting another contribution, and includes a pre-addressed stamped envelope to return the requested information.
- 3) If the required information is still not given to us we follow up the letter with at least one phone call.
- 4) If the requested information is received after the close of the reporting period, an Amendment will be filed with the FEC.

257 Johnstown Station Drive #211 ♦ Johnstown, CO 80534 ♦ (970) 587-5732 Fax: 970-587-5918

Paid for and Authorized by Musgrave for Congress

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Our October Quarterly Report will be checked for errors as requested (Schedule A and 48 hour notice issues) and amendments will be filed before our Year End Report is filed if needed.

The Musgrave for Congress campaign takes seriously the requirements of federal law to report all required information. Our best efforts are made to acquire and report all required information.

Thank you for your efforts and your assistance.

Sincerely,

Amy Carlson
Musgrave for Congress

27190272519

Maryn Musgrave

United States Congress

February 1, 2007

Jennifer E. Pittman
Senior Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street NW #709
Washington, D.C. 20463

VIA FACSIMILE 202-219-3496

Identification #: C00371880
Reference: October Quarterly Report (7/20/06-9/30/06)

Dear Ms. Pittman:

Regarding the establishment of our "best efforts" to obtain all the required information about contributors who have given an aggregate of \$200 or more in an election cycle, the Musgrave for Congress campaign has and continues to work to obtain all information required by the FEC for each donation. We will be amending our report to include some missing information, including missing first names that were reported as initials. At times, we are unable to obtain the information but due to a data error, some donors were reported with only a first initial.

You also had questions regarding our 48 Hour notices. Donations made by Time Trumble (7/30/2006) and Andres Fanjul (7/29/2006) were made via our website by credit card. The donations were simply overlooked. We will review our procedures for reporting during the 48 Hour periods to ensure this does not happen again. The donation from Build PAC of the National Association of Home Builders was incorrectly reported to be received on 7/24/2006 however the check, while dated 7/24/2006, was received in our office on 9/06/2006. A check reported from the Growth and Prosperity PAC was actually a check made out to another Committee but received in our office. The check was forwarded to the correct Committee but was entered in error. No donation should have been reported. Lastly, the In-Kind donation form the SBA List Candidates Fund was not known to us until August 30 when the SBA List Candidates Fund notified us of the expenditure.

The Musgrave for Congress campaign takes seriously the requirements of federal law to report all required information. Our best efforts are made to acquire and report all required information. Thank you for your efforts and your assistance.

Sincerely,

Amy Carlson, Musgrave for Congress

257 Johnstown Station Drive #211 ♦ Johnstown, CO 80534 ♦ (970) 587-5732 Fax: 970-587-5918

Paid for and Authorized by Musgrave for Congress

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Marilyn Musgrave

United States Congress

February 8, 2007

Jennifer E. Pittman
Senior Campaign Finance Analyst
Reports Analysis Division
Federal Election Commission
999 E Street NW #709
Washington, D.C. 20463

VIA FACSIMILE 202-219-3496

Identification #: C00371880

Reference: 30 Day Post-General Report (10/19/2006-11/27/2006)

Dear Ms. Pittman:

This letter is in response to the letters dated January 9, 2007 addressed to Musgrave for Congress Treasurer Brent Eskew. An amendment has been filed to address our errors.

Regarding the establishment of our "best efforts" to obtain all the required information about contributors who have given an aggregate of \$200 or more in an election cycle, the Musgrave for Congress campaign has used and continues to use the following procedures to obtain the information:

- 1) Every solicitation for contributions includes a clear and conspicuous request for the contributor information including full name, mailing address, occupation and the name of their employer.
- 2) If the required information is not provided AND the donor's aggregate contribution(s) per election cycle exceed \$200, we mail the donor a 1st class letter that informs them of the requirements of federal law, clearly asks for the missing information without soliciting another contribution, and includes a pre-addressed stamped envelope to return the requested information.
- 3) If the required information is still not given to us we follow up the letter with at least one phone call.
- 4) If the requested information is received after the close of the reporting period, an Amendment will be filed with the FEC.

Some missing information has been obtained and is reflected in our amendment.

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The Hunter for Congress missing donation was also corrected in our amendment

Regarding our 48 hour notice errors, corrections were made in the amended report. Donations from Anschutz, Matthews and Hays were inadvertently omitted from our 48 hour notices. Our process of filing 48 hour notices will be reviewed and corrected as needed. The donation from Robert Andreason was reported in our 48 hour notice and also on the report, however, we mistakenly reported the same donation on 10/25/2006 as well. That error has been corrected in the amended report. The MAPPS PAC check was also reported on our 48 hour notices but the date of the donation was incorrect on our report. The amendment reflects correction.

The Musgrave for Congress campaign takes seriously the requirements of federal law to report all required information. Our best efforts are made to acquire and report all required information.

Thank you for your efforts and your assistance. Please contact me with any questions.

Sincerely,

Amy Carlson
Musgrave for Congress

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