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June 7, 2013

Mr. Jeff S. Gordon
Office of the General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: RR 13L-15

Dear Mr. Gordon:

I serve as counsel for AMERIPAC, which is organized and operates as multi-candidate political committee under the Federal Election Campaign Act. The committee is the subject of a recent referral from the Reports Analysis Division (RAD) to the Office of General Counsel. The subject matter of the referral are seventeen earmarked contributions received in March 2012 by the committee and forwarded to the designated recipient more than ten days after the committee accepted the contributions. For the reasons given below, the committee believes that this matter does not merit further action and that the Office of General Counsel should recommend to the Commission that it not find reason to believe.

The facts as set out in the RAD referral demonstrate the committee's good faith effort to comply with the applicable regulation. The record demonstrates that the reports were corrected as soon as the error was discovered and that the error has not been repeated. The record also shows that the error was of little consequence. As the referral notes, all of the contributions that are the subject of the referral were forwarded in the month received. Nine of the seventeen checks were forwarded only three to five days late. The seventeen contributions represented a very small percentage of the committee's activities and less than one quarter of the committee's pass through contributions for the month of March. The delay also had no appreciable impact on the reports of the recipient candidate committees. Notwithstanding the delay, the contributions were timely reported by recipient committees and the public was not denied any relevant donor information. Consequently the delay in forwarding the contributions, although technically a violation, is not of the magnitude or nature that merits further investigation or action.

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The circumstances leading to the forwarding delay underscore why further investigation of this matter is unnecessary. The person responsible for forwarding the contributions was a recent hire who was not fully acquainted with the ten day rule. Once the mistake was discovered, the staff assistant immediately corrected the procedure for forwarding checks and has since consistently complied with requirement. Many Commission regulations are technical and someone new to the job can easily and unintentionally make a mistake. Pursuing common and understandable mistakes that are acknowledged and corrected does not enhance voluntary compliance and can have the unfortunate consequence of discouraging people from working for political committees in a reporting capacity.

The Commission can be confident that the committee takes seriously the lapse in forwarding the earmarked checks and has taken the necessary steps to prevent a reoccurrence. Fully taking into consideration all the facts recited in the referral, the committee strongly believes that no further action is necessary.

Very truly yours,



Karl J. Sandstrom

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