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VIA HAND DELIVERY

Rosemary C. Smith
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Additional Information
AOR 2006-08

Re: Advisory Opinion 2006-8

Dear Ms. Smith:

This letter responds to yours of April 20, 2006, requesting additional information regarding Advisory Opinion Request 2006-8. The questions are insightful and will facilitate a greater understanding of our proposal and, I believe, lead to a redraft more in line with the comments I recently submitted. I will address each question in turn.

"1) Please provide further details regarding precisely what information will be sought from subscribers and what information will be provided in response. For example, on the issue of taxes will the subscriber be asked to identify themselves as "in favor of tax cuts" or "against tax cuts" and the Corporation would then determine what information or analysis to send to the subscriber? Alternatively, would the subscriber be able to request specific information or analysis from a list of organizations provided by the corporation?"

Answer: The answer to part one of your question is: no, the Corporation will not solicit statements about the subscriber's *stance* on a particular issue. Rather, the subscribers will be informing the Corporation of their general *interest* in particular issues. In other words, information distributed by the Corporation will be done at the request of its subscribers on an issue-basis rather than a value-basis. Over time, subscribers may want to customize the information they receive. And like any other service business, the Corporation wants to be responsive to its customers' requests.¹

The answer to part two of your question is: yes, a subscriber will be able to request specific information or analysis from a list of organizations provided by the Corporation.

¹ An example of general information the Corporation may provide all subscribers (without then having to make a specific request) is similar to what Congressional Quarterly and National Journal publish in their biographies of Members of Congress.

Rosemary C. Smith
April 24, 2006
Page 2

"2) You indicate that the Corporation will provide data on the "strength of the candidate's party loyalty." How will this data be compiled?"

Answer: Party loyalty ratings are a measure of how frequently a Member of Congress votes with his or her leadership. These percentages are compiled by several sources and are similar to the ratings issue-groups give elected officials. The Corporation does not intend to author this, or any other, data itself.

"3) Please provide more information regarding which media articles the Corporation will forward to subscribers. You state that the Corporation will forward "relevant" media articles. How will the Corporation determine which media articles are relevant? Will the subscriber or the Corporation determine which news articles the subscriber will receive?"

Answer: The subscriber *and* the Corporation will determine which news articles the subscriber will receive.

Given the vast amount of information available in print and on the internet on any particular issue, it would be impossible to discern at this time which media articles will be "relevant" to the Corporation's future subscribers. The Corporation wants to be responsive to its subscriber's needs when disseminating information. The Corporation also realizes there are copyright limitations on what can be reprinted and distributed to subscribers for a fee. For these reasons, and absent any specific request from a particular subscriber, the Corporation intends to provide news and information its customers will find relevant.

As the answers indicate, the Corporation will provide information to its subscribers in the way its subscribers want, and not in a manner where the Corporation exercises direction or control *over the choice of the recipient candidate*, which is what your regulations disallow. And in every case, the Corporation will always forward any lawful contribution a subscriber requests, regardless of the information the Corporation provides.

I appreciate the opportunity to address the Commission's questions regarding the planned Corporation and the methods it will use to disseminate information. Should you need any further information, please do not hesitate to contact me.

Best regards,



Craig Engle