



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Carol A. Laham, Esq.
Wiley, Rein & Fielding LLP
1776 K Street, N.W.
Washington, D.C. 20006

MAR 06 2003

RE: MUR 5181
Precision Marketing, Inc.

Dear Ms. Laham:

This Office is in receipt of the request by Precision Marketing, Inc. ("PMI") that the Commission's reason-to-believe finding regarding PMI be vacated and this matter be dismissed. In support of this request PMI stated that the Commission's Factual and Legal Analysis is "incorrect" in its "presumption that 'Ashcroft 2000 rented a mailing list to Precision Marketing, Inc.'" and that PMI "never rented a mailing list from Ashcroft 2000."

The Commission's reason-to-believe finding is the statutory predicate to its investigation of possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). See 2 U.S.C. § 437g(a)(2) and 11 C.F.R. § 111.9.

The Commission authorized this Office to inform PMI that there is no basis for the Commission to consider PMI's request at this time. Neither the Act nor the Commission's regulations provide for such requests to be made during an ongoing investigation. See 2 U.S.C. § 437g and 11 C.F.R. part 111. After an investigation is concluded, the probable cause to believe briefing process provides a respondent with the opportunity to reply to a brief that the General Counsel may prepare setting forth his position on the factual and legal issues of the case and containing a recommendation on whether or not the Commission should find probable cause to believe that a violation has occurred or is about to occur. See 2 U.S.C. § 437g(a)(3) and 11 C.F.R. § 111.16(a)-(c). We also note that the Commission may take no further action and close the file as to a respondent before or after the briefing process. See 11 C.F.R. § 111.17(b).

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If you have any questions, please contact the undersigned at (202) 694-1650.

Sincerely,

Mary L. Taksar

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