



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Brian M. F. Kennedy, President
Progress for America
PO Box 19242
Washington, D.C. 20036

JAN 17 2003

RE: MUR 5338

Dear Mr. Kennedy:

On November 29, 2002, Progress for America and its treasurer, were notified that the Federal Election Commission received a complaint from Larry Noble, Executive Director, Center for Responsive Politics; Donald J. Simon, Acting President, Common Cause; Fred Wertheimer, President, Democracy 21; and Trevor Potter, General Counsel, The Campaign and Media Legal Center alleging that Progress for America and its treasurer may have violated certain sections of the Federal Election Campaign Act of 1971, as amended. At that time the treasurer was given a copy of the complaint referred to as MUR 5338 and informed that a response to the complaint should be submitted within 15 days of receipt of the notifications.

On January 7, 2003, the Commission determined to sever the portion of the complaint relating to Progress for America and its treasurer from MUR 5338, and re-designate that portion as MUR 5343. Any response already submitted, or intended to be submitted in response to MUR 5338, will be considered and treated as if received in response to MUR 5343. Thus, please forward all future correspondence to the Commission using the appropriate designation of MUR 5343.

You are advised that this matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the word "Sincerely,".

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket