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December 20, 2011

Mr. Thomas Hintermister
Audit Division
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: National Right to Life PAC

VIA FAX: 202-219-3483

Dear Mr. Hintermister:

As you know, this firm represents the National Right to Life PAC (NRL PAC) in regard to the audit of the 2007-08 election cycle. Statements of Designation of Counsel were previously provided. This will acknowledge receipt of your Draft Final Audit Report, dated December 2, 2011. This is NRL PAC's response and request for a hearing.

Response to the Draft Final Audit Report

The basis for Finding 1 is a bookkeeping error on the part of NRL PAC. Because of this internal error, certain expenditures were reported as both expenditures and advances. As a result, NRL PAC overstated expenditures and understated its cash-on-hand. This error has been corrected internally and NRL PAC has filed corrected reports with the FEC.

With respect to Finding 2, NRL PAC has complied with all legal requirements concerning the exercise of best efforts to obtain and provide contributor occupation and/or name of employer information. NRL PAC has filed amended Schedules A that materially correct the missing contributor information. Furthermore, the procedures used by NRL PAC to obtain this information from contributors satisfy the best efforts requirements. The recommendations by the Audit staff require further documentation that is not required by law.

Finally, the scope limitation in the report is incorrect. Invoices and broadcast station affidavits for the expenditures in question were provided to the Audit staff for review.

Request for Hearing

Respondent NRL PAC requests a hearing before the Commission to present legal arguments concerning the findings in the Draft Final Audit Report. 11 CFR Part 111.

A hearing is being requested because (1) the misstatements of financial activity have been corrected; (2) the committee complied with all best efforts requirements in obtaining contributor occupation and/or name of employer information, yet the audit process now requires them to produce documentation above and beyond what is required to show best efforts; and (3) the creation and maintenance of invoices and broadcast affidavits are not required by law when making independent expenditures, and yet the audit process is now requiring them.

The issues that NRL PAC will address at the hearing are: (1) whether the correction of reports should be satisfactory in an audit proceeding; (2) whether the Commission's requirements for showing best efforts in obtaining contributor information provide a clear standard for what is required; and (3) whether invoices and broadcast affidavits are required by law so that a committee under audit can be made to produce them in response.

Sincerely,

THE BOPP LAW FIRM



James Bopp, Jr.
Joseph A. Vanderhulst