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February 15, 2007

The Honorable John D. Dingell
U.S. House of Representatives
2328 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressmen Dingell:

Thank you for your letter concerning pre-recorded calls made to voters during the most recent election.

The Commission's rules require entities initiating prerecorded telephone messages to, at the beginning of the message, clearly identify the entity that initiated the call. While we do not believe that the Commission previously has addressed the applicability of Section 64.1200 to calls such as those you describe, from the descriptions of the reported calls, it appears that the requirements of Section 64.1200(b)(1) of the Commission's rules were not followed. The Commission's Enforcement Bureau has initiated an investigation into these alleged activities.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

Kevin J. Martin
Chairman