PATTON BOGGS LLP
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FEDERAL ELECTION
COMMISSION
SECRETARIAT
2003 MAR -4 A 11: 12
2003 APR -9 A 11: 23

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March 3, 2003

Benjamin L. Ginsberg
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Federal Election Commission
Office of the General Counsel
999 E Street, N.W.
Washington, D.C. 20463

AOR 2003-12

Re: Request for Advisory Opinion

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2003 MAR -4 P 3:57

Dear Commissioners:

On behalf of the Stop Taxpayer Money for Politicians Committee ("Committee") and United States Representative Jeff Flake of Arizona's 6th Congressional District, this letter seeks an Advisory Opinion pursuant to 2 U.S.C. 437f concerning various activities that the Committee and Mr. Flake plan to undertake pursuant to a ballot referendum for the November 2004 election in Arizona.

The Committee and Mr. Flake seek this guidance in light of the amendment of the Federal Election Campaign Act of 1976 by the Bipartisan Campaign Reform Act of 2002 ("Act").

The Committee is an organization of individuals that wishes to qualify a referendum under Arizona Revised Statute 19-101 et seq. to repeal portions of the State's current campaign finance statute, ARS 16-901 et seq. The Committee will undertake the standard activities of ballot initiatives – hiring and retaining personnel; drafting a ballot measure; educating the public about the issue generally and the measure specifically; gathering sufficient signatures to qualify the measure for the ballot under state law; seeking voters who will support the measure through voter identification, and voter registration programs; conducting an advertising campaign if the measure does qualify through public broadcast communications and mail, phone and internet programs, and get-out-the-vote programs designed to bring the measure's supporters to the polls. In addition, the Committee wishes to engage in an aggressive fundraising program as permitted by Arizona law for these activities.

Representative Flake is currently a Member of the United States House of Representatives and a candidate for re-election in the September 2004 primary and, if successful, the November 2004 general election. He plans to assist the Committee in its efforts to the extent permitted by law.

To place a measure on the November 2004 ballot, Arizona requires that a sufficient number of signatures be turned in by June 2004, which is 90 days before the primary election in which Mr. Flake will be a candidate.

Ballot referendum committees may, under Arizona law, raise unlimited funds from corporations, unions and individuals to pay for their activities. ARS 16-920(A)(5). All contributions must be reported to the Arizona Secretary of State.

The Committee and Mr. Flake each seek guidance on the application of the Act, as amended, to a series of specific transactions and activities they wish to undertake. Under Arizona law, the Committee may organize as either a political committee under Section 527 of the Internal Revenue Code or as an organization established under Section 501(c)(4) of the Code. The Committee seeks guidance from the Commission as to the permissibility of its activities under the Act for each organizational structure.

Mr. Flake seeks guidance concerning various activities he wishes to undertake as an individual citizen of Arizona who is also a Federal officeholder and a 2004 federal candidate to support the qualification and passage of this measure.

The Committee intends to raise contributions as permitted by Arizona law to fund its activities, as described below.

Ballot Qualification Stage

The Committee intends to hire fulltime employees and part-time consultants. Their duties will be in either the fundraising or political organizing areas. As an initial matter, the Committee plans to hire consultants to draft a ballot measure.

The political organizing will center on gathering signatures through June 2004 by hiring staff and recruiting volunteers to gather signatures and maintain a web site. These personnel will also be responsible for the copying and administrative requirements of qualifying a measure.

In terms of fundraising, the Committee plans to raise funds permitted by Arizona law to qualify for the Arizona ballot. This will include raising funds outside of the Federal limit and source restrictions, and therefore, not permitted by the Act.

In the signature gathering phase through June 2004, the Committee will not engage in any "federal election activity", as that term is defined in 11 CFR part 300, nor in any "electioneering communications" as defined in 11 CFR 100.29.

Questions: As such, the Committee seeks specific guidance from the Commission as to whether the Act, as amended, permits it to engage in these ballot qualification activities if it is constituted as a Section 527 committee? May it engage in the same activities if it is constituted as a 501(c)(4) committee? Are there any restrictions imposed by the Act on any of the described activities? Does the Act impact any of the activities the Committee wishes to undertake if it is a Section 527 committee or a 501(c)(4)?

If the Committee is organized under either section 501(c)(4) or Section 527, may Representative Flake serve as Chair of the Committee? May he be an Officer or Director? May he serve as Honorary Chair of the Committee if he has no legal responsibilities? May he publicly urge his fellow Arizona voters to sign the petition?

If the Committee is organized under either section 501(c)(4) or Section 527, may he raise money for the Committee by attending events for the Committee? By appearing as a featured guest and speaking at events? By making telephone calls? Signing letters? May he be a host for fundraising events to raise money that will be used to gather signatures?

If the Committee is organized under either section 501(c)(4) or Section 527, may Mr. Flake, as a Federal Officeholder and 2004 Federal candidate, raise money for the Committee generally? May he raise funds for the limited purpose of signature gathering and ballot qualification activities?

Ballot Initiative Campaign

The Committee and Mr. Flake plan to qualify the ballot measure for the November 2004 election, an election in which Federal candidates appear on the ballot. In order to know how to structure the Committee and run both the qualification and campaign stages of the referendum, the Committee and Mr. Flake need guidance now on a series of activities they now plan to undertake in the period of June through November 2004. While none of the activities will be geared toward the September 2004 primary, the Committee and Mr. Flake acknowledge that members of the electorate will be paying increased attention to issues, politics and elections generally during this period.

The activities in which the Committee plans to engage once the measure has qualified are all designed to win passage of the measure repealing the Arizona's campaign finance statute for state and local elections. Funds for this ballot initiative campaign will be raised and spent pursuant to the Arizona statute, which permits the use of non-federal funds in any amount from any source except foreign nationals and national banks. Staff will be hired with these funds to conduct the following specific activities:

- Voter registration programs designed to identify voters who agree with the initiative and to register them to vote if they are not already. This will include contacting voters by telephone, in-person, by mail or over the Internet to assist them in registering to vote for the November 2004 general election.

- A broad-based advertising campaign pointing out the folly of the current Arizona statute through public broadcast communications and mail, phone and internet messages.

- Get-out-the-vote programs designed to get the measure's supporters to the polls in November 2004 by means of telephone, in person door-to-door activity and other individualized means. This will include providing voters in the three days before the election with information about when and where polling places are open and offering transportation to the polls.

- An aggressive program to raise the funds permitted by Arizona law to fund these activities. This will include funds not permitted by the Act.

Questions: The Committee and Mr. Flake seek guidance on the following questions, especially in light of the fact that there will be federal candidates on the November 2004 Arizona ballot:

May a Section 527 committee conduct these activities? May a 501(c)(4) conduct these activities?

May Mr. Flake, as a Federal candidate and officeholder, raise funds for the Committee if it is a Section 527 committee? If it is constituted as a Section 501(c)(4) organization?

May the Committee's messages – either its public broadcast communications urging support for the measure or GOTV messages -- include the fact that Sen. John McCain, a 2004 Federal candidate, was a principle sponsor of the state law the Committee wants repealed? May these messages mention Sen. McCain if they do not include the fact that he is a candidate for reelection on the November 2004 ballot?

May Rep. Flake exercise his constitutional rights by publicly advocating his support for the ballot repeal measure (he will be a candidate for reelection on the November 2004 ballot)? May he raise funds legal under Arizona law to help the Committee with the activities described above if it is a Section 527 committee? May he raise similar funds if it is a 501(c)(4) organization? Is there any effect if the fact that he is a candidate on the ballot is or is not mentioned?

May Rep. Flake appear at fundraising events paid for by the Committee with non-federal funds as a speaker or honored guest? May he attend such events if he is not on the invitation and is not introduced? May he be introduced at such an event if he is not on the invitation? Is there any effect if the fact that he is a candidate on the ballot is or is not mentioned? Please answer for both a Section 527 committee and a Section 501(c)(4) organization.

May staff hired by the Committee and paid for with money legal under state ballot initiative law, but not the Act, engage in voter registration activities for the Committee paid for with non-federal funds for the November 2004 election which has federal candidates on the ballot? May they engage in get-out-the-vote activities paid for with non-federal funds for that election? May a message that says: "Support Ballot Measure X" be paid for exclusively with funds legal under Arizona law but not permissible under the Act? May a message that says: "Support Ballot Measure X. Go vote on November 2" be paid for exclusively with funds legal under Arizona law but not permissible under the Act? May a message that says: "Support Ballot Measure X and State Senator Jones and State Representative Smith by voting on November 2" be paid for exclusively with funds legal under Arizona law but not permissible under the Act? May a combination of State funds and Levin Account funds pay for these messages? Please answer for both a Section 527 committee and Section 501(c)(4) organization.

May the Committee's staff have any conversations about their activities with Federal candidates or their agents? May the Committee's staff communicate about the Committee's activities and plans with the Republican and Democratic state parties, county parties or local parties?

We appreciate the Commission's review of these pressing issues.

Sincerely,

Benjamin L. Ginsberg

FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 14, 2003

Benjamin L. Ginsberg
Patton Boggs LLP
2550 M Street, N.W.
Washington, D.C. 20037-1350

Dear Mr. Ginsberg:

This refers to your letter dated March 3, 2003, where you asked for guidance on behalf of the Stop Taxpayer Money for Politicians Committee ("the Committee") and Rep. Jeff Flake concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to a ballot referendum for the November 2004 general election in Arizona. We understand that Rep. Flake is a candidate for re-election in the September 2004 primary election in Arizona.

As you know, the Act authorizes the Commission to issue an advisory opinion in response to a "complete written request" from any person with respect to a specific transaction or activity by the requesting person. 2 U.S.C. 437f(a). Under the Commission's regulations, the Office of General Counsel is charged with reviewing requests for advisory opinions for completeness. 11 CFR 112.1(c), (d).

After reviewing your request, further information will be needed for your request to include a complete description of the relevant facts. Please answer the following questions:

1) Please explain in detail what role, if any, Rep. Flake has played in the formation of the Committee.

2) Please explain to what extent, if any, Rep. Flake, his agents, or the employees of any authorized committee of Rep. Flake, may direct or participate in the governance of the Committee, whether formally or informally.

3) Please state whether any present or former officers or employees of any authorized committee of Rep. Flake have been, are now, or are expected to be, employees or officers of the Committee. For any such individual, please describe his or her duties or roles with each entity, and the time periods during which he or she performed those duties or roles. (Any such individuals need not be identified by name.)

4) Please state whether an authorized committee of Rep. Flake, or an employee or agent or such an authorized committee, has provided significant or ongoing support to the Committee, including but not limited to, paying, directly or indirectly, administrative, fundraising, or other costs of the Committee.

5) Please state whether the Committee anticipates engaging in the following specific activities, and, if so, please specify the time periods in which it anticipates doing so: (a) Voter registration programs, as defined in 11 CFR 100.24(a)(2); (b) Get-out-the-vote activity, as defined in 11 CFR 100.24(a)(3); and (c) Voter identification activities, as defined in 11 CFR 100.24(a)(4).

6) Please state whether, in regards to the "broad-based advertising campaign ... through public broadcast communications and mail, phone and internet messages" to which your request refers, the Committee anticipates that a Federal candidate or officeholder, such as Rep. Flake or Sen. McCain, will be clearly identified in communications made as part of the campaign. If so, please specify when those particular communications will be publicly distributed or otherwise publicly disseminated, and whether the Committee anticipates that the communications will be "public communications," as defined in 11 CFR 100.26.

7) Please describe in detail the role, if any, that Rep. Flake or his agents will play in the creation, production, or distribution of public communications, as defined in 11 CFR 100.26, that the Committee intends to make as part of the "broad-based advertising campaign" or for any other purpose; including but not limited to, their involvement in decisions regarding the content of the communications, the means or mode of communication, specific media outlets used, timing or frequency of the communications, and the size or prominence of a printed communication or duration of a broadcast, cablecast, or satellite-delivered communication.

8) Please state whether any Committee communication will be directed to voters in Rep. Flake's congressional district, or to Arizona voters in general. Whether or not a communication is so directed, state whether any broadcast television or radio, cable or satellite communication will be receivable by 50,000 or more people in either Rep. Flake's congressional district, or to Arizona voters in general.

Please send your responses to the questions presented above to the Commission's Office of General Counsel. Upon receipt of your responses and the documents, this Office will give further consideration to your inquiry. If you have any questions about the advisory opinion process or this letter, please contact Albert J. Kiss at 202-694-1650.

Sincerely,

Rosemary C. Smith
Acting Associate General Counsel

PATTON BOGGS LLP
ATTORNEYS AT LAW

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2003 MAR 24 A 10: 04

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March 24, 2003

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2003 MAR 24 A 11: 58

RE: Advisory Opinion Request of Stop Taxpayer Money for Politicians Committee and Representative Jeff Flake

Dear Ms. Smith :

We appreciate your letter of March 14, 2003, which we received on March 18, seeking additional information concerning the Stop Taxpayer Money for Politicians Committee ("Committee") and The Honorable Jeff Flake. Here are the answers to your questions.

1) **Please explain in detail what role, if any, Rep. Flake has played in the formation of the Committee.**

As explained in the original Advisory Opinion Request of March 3, 2003, the Committee is an organization of individuals that seeks to qualify a referendum to repeal an Arizona statute providing taxpayer funding to political candidates. Representative Flake is among the individuals who formed the Committee, he acted as its chairman and he signed the filing with the Arizona Secretary of State's Office that formed the Committee. Rep. Flake is no longer Chairman of the Committee. The original AOR sought guidance from the Federal Election Commission on precisely what role a federal officeholder or federal candidate can play on a state ballot initiative committee that is established as either a Section 527 political committee or a 501(c)(4) organization under the Internal Revenue Code. Rep. Flake would like to resume his role as Chairman if permitted to do so by the Commission. The Committee is now a Section 527 committee but will reconstitute itself as a 501(c)(4) organization depending on the Commission's response. Should a section 501(c)(4) organization become desirable, Rep. Flake wishes to be involved in its formation if permitted by law.

2) **Please explain to what extent, if any, Rep. Flake, his agents, or the employees of any authorized committee of Rep. Flake may direct or participate in the governance of the Committee, whether formally or informally.**

As stated in the original AOR, Rep. Flake plans to assist the state ballot referendum Committee to the extent permitted under the law as interpreted by the Commission in its Advisory Opinion. He, and those who are his agents and employees of his authorized campaign committee, have been asked to be involved in all aspects of the Committee, including its governance, if permitted by the Commission. Rep. Flake and his agents would like to be able to direct and participate in the governance of the Committee, as well as formulating its strategy and tactics for the ballot referendum. Individuals in Rep. Flake's congressional office also seek to participate on their own time in accordance with the guidance of the U.S. House of Representatives' Committee on Standards of Official Conduct.

In the alternative, if the Commission finds that this is not permissible, then the Committee seeks the guidelines under which Rep. Flake and his agents may participate in the ballot referendum campaign, as described in the March 3 letter, including the possible formation of an IRC section 501(c)(4) organization.

3) **Please state whether any present or former officers or employees of any authorized committee of Rep. Flake have been, are now, or are expected to be, employees or officers of the Committee. For any such individual, please describe his or her duties or roles with each entity, and the time periods during which he or she performed those duties or roles. (Any such individuals need not be identified by name).**

Yes, if permitted by the Commission, the Committee wishes to employee both present and former employees of Rep. Flake's authorized committee and congressional office. (None are, at present). As such, the Committee seeks guidance so that its activities comply with the Act, as amended. The Committee also contemplates hiring individuals who are, or have been, consultants to Mr. Flake's authorized committee, some in this cycle and some in previous cycles. None of these individuals has yet been hired by the referendum committee. We would reiterate the request in our original AOR that the Commission answer for both a section 527 committee and a 501(c)(4) organization.

The specific functions contemplated for these individuals would include: organizing volunteers, gathering signatures, providing strategy, registering voters, conducting get-out-the-vote programs, and drafting scripts, publications and messages, some of which will fall under the definition of "public communications". As described in the original AOR, most of these functions would be performed through the November 2004 election (organizing volunteers, gathering signatures, providing strategy, registering voters and preparing public communications). Signature gathering would only be performed through June 2004. Get-out-the-vote would only be performed in the run-up to the November 2004 election, probably beginning about October 1, 2004.

If permitted, an individual or individuals would engage in recruiting volunteers, gathering signatures, providing strategic advice, registering voters, get-out-the-vote activity and public communications preparations for both the authorized committee and the referendum Committee. If permitted, these activities would be performed simultaneously for both entities, with each paying a proportionate share of the individual's costs. If not permitted, the individual or individuals would work for the authorized committee on certain days and the referendum Committee on other days. If that is not permitted then each entity would hire different individuals to perform the same functions.

4) **Please state whether an authorized committee of Rep. Flake, or an employee or agent or such an authorized committee, has provided significant or ongoing support to the Committee, including but not limited to, paying, directly or indirectly, administrative, fundraising, or other costs of the Committee.**

Neither Rep. Flake's authorized committee, or any employee or agent of that committee, has provided financial support for the referendum Committee. An individual who also served as Rep. Flake's part-time campaign consultant aided the referendum Committee with its state filings and establishing its bank account.

5) **Please state whether the Committee anticipates engaging in the following activities, and, if so, please specify the time periods in which it anticipates doing so: (a) Voter registration programs, as defined in 11 CFR 100.24(a)(2); (b) Get-out-the-vote activity, as defined in 11 CFR 100.24(a)(3); and (c) Voter identification activities, as defined in 11 CFR 100.24(a)(4).**

If permitted, the Committee anticipates engaging in voter registration programs from the beginning of its activities.

If permitted, the Committee anticipates engaging in get-out-the-vote activities beginning about 30 days before the November 2004 election.

If permitted, the Committee anticipates engaging in voter identification from the beginning of its activities.

6) **Please state whether, in regards to the "broad-based advertising campaign...through public broadcast communications and mail, phone and internet messages" to which your request refers, the Committee anticipates that a Federal candidate or officeholder, such as Rep. Flake or Sen. McCain, will be clearly identified in communications made as part of the campaign. If so, please specify when those particular communications will be publicly distributed or otherwise publicly disseminated, and whether the Committee anticipates that the communications will be "public communications," as defined in 11 CFR 100.26.**

If permitted, the Committee does wish to clearly identify a Federal officeholder and/or Federal candidate in its messages, which will likely meet the definition of "public communications". The statute that the Committee wishes to repeal is closely identified with Sen. McCain among Arizona residents and Rep. Flake is one of the statute's most visible and vocal critics. These communications will be distributed from the beginning of the Committee's activities, which will be more than 120 days before the election, through election day in November 2004. None of the communications will advocate the election or defeat of a Federal candidate or refer to anyone in his or her role as a Federal candidate; the communications will refer only to the state referendum.

7) **Please describe in detail the role, if any, that Rep. Flake or his agents will play in the creation, production, or distribution of public communications, as defined in 11 CFR 100.26, that the Committee intends to make as part of the "broad-based advertising campaign" or for any other purpose, including but not limited to, their involvement in decisions regarding the content of the communications, the means or mode of communication, specific media outlets used, timing or frequency of the communications, and the size or prominence of a printed communication or duration of a broadcast, cablecast, or satellite-delivered communication.**

If permitted, the Committee wishes Rep. Flake and his agents to bring their expertise to bear on all the Committee's public communications, including all those listed in the question. The Committee would also like Rep. Flake to play a role in selecting the media firm used to create

the Committee's public communications and to receive his and his agents ideas for specific scripts and copy.

Should the Commission decide that Rep. Flake may not play this role, may an independent consultant who has been hired by the Committee for its referendum ads also assist in making ads advocating Rep. Flake's election for his authorized committee? Each committee would independently pay the consultant the fair market value of his services. And may an independent consultant who has been hired by Rep. Flake's authorized committee also assist the referendum Committee with its public communications? May an independent consultant to the referendum Committee discuss the Committee's public communications with any consultant in Arizona who is working for any Federal candidate's authorized committee? May the consultant discuss the Committee's communications and plans with another independent consultant whose clients include a 2004 presidential campaign or the Arizona Republican or Democratic Party?

8) **Please state whether any Committee communication will be directed to voters in Rep. Flake's congressional district, or to Arizona voters in general. Whether or not a communication is so directed, state whether any broadcast television or radio, cable or satellite communication will be receivable by 50,000 or more people in either Rep. Flake's congressional district, or to Arizona voters in general.**

Any communications by the Committee will be directed to all voters in Arizona, including those in Rep. Flake's district. There will not be special messages directed to voters in Rep. Flake's district. The Committee anticipates that any broadcast communications will be receivable by more than 50,000 people in the state as a whole and Rep. Flake's district in particular.

Please do not hesitate to contact us if you have any additional questions.

Respectfully submitted,

Benjamin L. Ginsberg

Albert Kiss
03/31/2003 06:15 PM

To: bginsberg@pattonboggs.com
cc: John Vergelli/FEC/US@FEC, Rosie Smith/FEC/US@FEC

Subject: Phone call at 4 pm

As you requested this afternoon, below are the questions we currently need factual development on:

1. When was the Stop Taxpayer Money for Politicians Committee established?

2. Who established the Committee?

3. Was Rep. Flake the Chairman of the Committee at the time of the Committee's establishment? Did he hold any other office in the Committee from that time?

4. When did Rep. Flake resign from the position as Chairman? Did he ever hold or does he currently hold any other position with the Committee?

5. Does Rep. Flake or an employee or agent of Rep. Flake or his authorized committee intend to provide significant or ongoing future support to the Committee (whether it be financial support or nonfinancial support)?

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April 7, 2003

Benjamin L. Ginsberg
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Rosemary C. Smith, Esquire
Acting Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: Advisory Opinion Request of Stop Taxpayer Money for Politicians Committee And Representative Jeff Flake

Dear Ms. Smith:

This will respond to the additional questions presented by Albert Kiss of your staff concerning the above captioned Advisory Opinion Request.

As an initial matter, the requesters wish to clear up any misperception that this Advisory Opinion Request is hypothetical in nature, and therefore not subject to Commission response at this time. This request seeks guidance concerning the parameters around two major specific activities the requesters plan to undertake, as permitted after the passage of the Bipartisan Campaign Reform Act:

(1) To what extent may a Federal officeholder be involved with a ballot initiative or referendum committee under current law, and do those activities differ if the present section 527 committee reconstitutes itself as a 501(c)(4) organization, and

(2) Irregardless of whether or not a Federal officeholder is involved, what limits are there on what a ballot initiative committee may do in terms of a variety of federal election activities, electioneering communications, and other voter mobilization programs.

The Stop Taxpayer Money for Politicians Committee, as the responses below indicate, is an existing section 527 committee. Representative Flake is no longer affiliated with the Committee in any way, but he wishes to re-engage if permitted by the Commission. In addition, all funds raised while Rep. Flake was affiliated with the Committee have been returned.

In other words, the Committee is an ongoing political committee not affiliated with any Federal officeholder, candidate or his agents. It plans on putting forward an initiative on the 2004 ballot and wishes to know the rules under which it must operate in light of BCRA.

Here are the responses to the questions put forward by Mr. Kiss:

1. When was the Stop Taxpayer Money for Politicians Committee established?

The Committee was established on January 17, 2003.

2. Who established the Committee?

The Committee's original officers were Jeff Flake (Chairman) and Roy Miller (Treasurer)

3. Was Rep. Flake the Chairman of the Committee at the time of the Committee's establishment? Did he hold any other office in the Committee from that time?

Rep. Flake was the Committee's original Chairman. He did not hold any other office in the Committee. He is no longer affiliated with the Committee.

4. When did Rep. Flake resign from the position as Chairman? Did he ever hold or does he currently hold any other position with the Committee?

Rep. Flake resigned from the Committee on March 21, 2003. He had no other, and has no other, position with the Committee.

5. Does Rep. Flake or an employee or agent of Rep. Flake or his authorized committee intend to provide significant or ongoing future support to the Committee (whether it be financial support or nonfinancial support)?

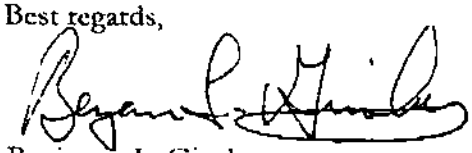
Rep. Flake and/or agents of his authorized committee wish to provide significant support to the Committee, if permitted by the Commission in response to this Advisory Opinion Request. The Committee is an ongoing entity that will proceed with or without Rep. Flake to the extent permitted by the Commission.

In addition, the Committee has submitted this AOR in order to receive guidance from the Commission on the activities it plans to undertake in regard to the voter mobilization activities and other electioneering communications described in its March 3 original request and its March 24 supplemental response.

The questions raised in both the Requesters' submissions are not hypothetical questions. They are very real questions to which Federal officeholders, candidates and ballot initiative and referendum committees across the country deserve answers so they can know the parameters of what they may do under BCRA in the 2003-2004 election cycle.

The requesters appreciate the Commission's and its staff's diligence in this matter and look forward to receiving the Commission's guidance.

Best regards,



Benjamin L. Ginsberg