



**Republican  
National  
Committee**

**Counsel's Office**

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FEDERAL ELECTION  
COMMISSION  
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February 4, 2004

Lawrence Norton, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

VIA FACSIMILE: (202) 219-3923

RE: AOR 2003-37  
Americans for a Better Country

Dear Mr. Norton:

As the Commission is aware, the Republican National Committee actively opposed the regulation of free speech contained in the Bipartisan Campaign Reform Act ("BCRA"), and fought its constitutionality in the courts. In commenting on the General Counsel's draft in Advisory Opinion Request 2003-37, the RNC recognizes that the Supreme Court upheld BCRA's regulation on political speech and, whatever our objections on principle to the statute, it is now the law of the land.

Within that context, the approach of the General Counsel's opinion is reflective of the law and how it must be enforced to comport with the statute.

The RNC remains committed to the principle that the political parties be able to raise and spend funds legal under state law to support its candidate tickets. However, as long as BCRA is the law, it is imperative that outside groups not be able to circumvent that law by using the very same soft money that the parties now cannot raise to conduct the very same activities for which the political parties must now use only federal dollars.

We do not believe there is any "principle" involved in allowing unfettered and unlimited spending by 527 groups of funds from wealthy individuals, corporations, unions or trade associations when the parties are banned from using such funds. We concur with the General Counsel that under BCRA these so-called "527 organizations"

are political committees that should be required to use federal funds if their activities are geared to electing or defeating federal candidates.

Respectfully submitted,

  
Charles R. Spies  
Election Law Counsel

CC: The Commissioners  
VIA FACSIMILE: (202) 208-3333