



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

August 10, 2020

Dan Backer, Esq.  
political.law  
441 North Lee Street  
Suite 300  
Alexandria, VA 22314

RE: Advisory Opinion Request 2020-03

Dear Mr. Backer:

This letter responds to your letter received on May 29, 2020 and email received on June 9, 2020, requesting an advisory opinion on behalf of Shaun McCutcheon and McCutcheon for Freedom. The purpose of this letter is to inform you that the Commission was unable to render an advisory opinion in this matter.

The affirmative vote of four members of the Commission is required to render an advisory opinion under the Federal Election Campaign Act. *See* 52 U.S.C §§ 30106(c), 30107(a)(7); *see also* 11 C.F.R. § 112.4(a). The Commission currently lacks a quorum of four Commissioners to take action on advisory opinion requests.

Within 60 calendar days after receiving a complete advisory opinion request, the Commission must either issue an advisory opinion or a written response stating that the Commission was unable to approve an advisory opinion by the required affirmative vote of four Commissioners. *See* 52 U.S.C. § 30108(a)(1); 11 C.F.R. § 112.4(a), (c). The request you submitted qualified as a complete advisory opinion request on June 9, 2020, and August 10, 2020 is the 60-day deadline. On July 20, 2020, you informed this office that your client elected not to grant the Commission an extension of the 60-day deadline. Accordingly, because the Commission currently lacks a quorum of Commissioners, the Commission was unable to render an opinion in this matter.

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If you have any questions, please contact Robert Knop or Heather Filemyr, attorneys in this Office, at 202/694-1650.

Sincerely,

*N. Stipanovic*

Neven F. Stipanovic  
Associate General Counsel