

**Thomas J. Lehner
8810 Stockton Parkway
Alexandria, Virginia 22308**

December 16, 2003

Ms. Kathleen Dutt
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 5158

Dear Ms. Dutt:

I'm writing to respond to the Federal Election Commission's (FEC) letter dated November 20, 2003, sent to Marc Elias of the law firm Perkins Coie. For the past few years, the Robb For Senate Committee has been defunct; it has no assets or depository accounts, and accordingly cannot afford to retain counsel. In my capacity as volunteer Treasurer, I 'm willing to respond although I am not an attorney.

After reviewing the original complaint and the FEC's factual analysis, I take exception to your conclusions. The FEC believes that Mrs. Brady's participation in a press conference constituted an in-kind contribution, because a portion of her salary should have been reported as a contribution to the Robb For Senate Committee.

If that standard were universally applied, every employed person who attended a political event would be prohibited from doing so unless they reported their time as contributions. Candidates, staff, and members of the media would all be required to report portions of their salaries as contributions. Common sense dictates otherwise. Clearly, the complaint filed by the American Conservative Union was politically motivated and has no merit.

Also, how do you know that Mrs. Brady didn't attend the event on her personal time? And why are you asking us to justify their time?

Essentially the FEC has concluded that even though Jim Brady was shot in the brain while working for the President of the United States, he and his wife don't have the right to freely endorse candidates.

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For over three years, we have worked towards filing a termination report and dissolving the Robb For Senate Committee. All debts have been paid, and the FEC has approved the debt resolution plan. Terminating the committee would save us, you, and the taxpayer time and money better spent elsewhere.

Yet we are required to continue filing financial reports (showing zero activity) while this one matter is examined. With all due respect, given the nature of the complaint, it is without merit and should be dropped.

Sincerely,

A handwritten signature in black ink, appearing to read "Th. J. Lehner", with a long horizontal flourish extending to the left.

Thomas J. Lehner

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