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May 28, 1997

By Fax to (202) 219-3923

and By Mail

General Counsel's Office
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attention: F. Andrew Turley, Supervising Attorney
Central Enforcement Docket

Re: Response to Complaint, MUR 4634

Dear Sirs:

This firm represents Citizens United Political Victory Fund, and Kevin Allen, as Treasurer, in the above-referenced matter. By letter dated May 12, 1997, you indicated that the Federal Election Commission ("FEC") had received a complaint indicating that Citizens United Political Victory Fund, and Kevin Allen, as Treasurer, may have violated the Federal Election Campaign Act of 1971 ("FECA"), and you invited our clients' response within 15 days of the receipt of your letter.

Please be advised that our clients wish this matter to remain confidential, in accordance with 2 U.S.C. sections 437g(a)(4)(B) and 437g(a)(12)(A).

Enclosed is the Statement of Designation of Counsel, signed by Kevin Allen as Treasurer of Citizens United Political Victory Fund, designating the undersigned as counsel in this matter, in accordance with your instructions.

This matter was instituted following the filing of a letter of complaint dated April 29, 1997, from one Micheline Z. Burger of Lenexa, Kansas. The complaint alleges violations of the Federal Election Campaign Act ("FECA") and related regulations of the Federal Election Commission ("FEC") by John H. and Ruth Stauffer, and by a political campaign committee known as Brownback for Senate, in supposedly arranging for earmarked contributions to

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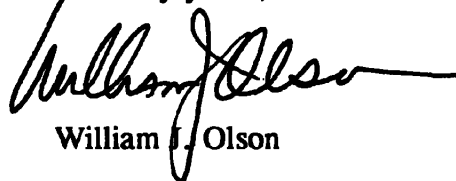
Brownback for Senate. According to the complaint, the Stauffers and Senator Sam Brownback violated the FECA; the Stauffers by contributing funds to certain political action committees "with the knowledge that substantial portions of those contributions would be contributed to the Brownback campaign," and Senator Brownback "by accepting those excessive contributions." No violations of FECA by our clients are alleged in the letter of complaint.

The letter of complaint implies, of course, that the various political action committees were involved in an "earmarked contribution" scheme. We are advised by our clients, whose knowledge regarding this matter runs only to the contributions made by the Stauffers to Citizens United Political Victory Fund and the contribution made by Citizens United Political Victory Fund to the Brownback campaign, that there was no earmarking in the case of the contributions made to Citizens United Political Victory Fund, that the contributions received by Citizens United Political Victory Fund were received and accepted without conditions or "strings" of any kind, and that the contribution made by Citizens United Political Victory Fund to the Brownback campaign was made freely, was not based upon any prior agreement or understanding, and was based upon the independent analysis of responsible persons within Citizens United Political Victory Fund regarding which campaigns should receive support. We are advised further that the persons within Citizens United Political Victory Fund who were responsible for deciding to contribute funds to the Brownback campaign were totally unaware of any relationship between the Stauffers and Senator Brownback, and that the decision to contribute to the Brownback campaign had nothing whatever to do with any such relationship or with any wish or desire of the Stauffers.

In the pending MUR, although the letter of complaint may allege theoretical violations of FECA, it does not allege any actual violations with respect to our clients, and, based upon the foregoing, no action should be taken against Citizens United Political Victory Fund and Kevin Allen, as Treasurer.

The respondents, Citizens United Political Victory Fund and Kevin Allen, as Treasurer, respectfully request the dismissal of the complaint with respect to them. We look forward to hearing from you.

Sincerely yours,



William J. Olson

WJO:mm
Enclosure

cc: Citizens United Political Victory Fund

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