

SANDLER, REIFF & YOUNG, P.C.

December 19, 2008

Via Facsimile and First Class Mail

**Frankie D. Hampton, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463**

Re: MUR 6132**Dear Ms. Hampton:**

We are writing on behalf of our client, the Queen Anne's County (Maryland) Democratic Central Committee, respondent in the above-captioned MUR, in response to the Complaint filed in this matter. A Statement of Designation of Counsel is attached.

The Complaint alleges that the Queen Anne's County (Maryland) Democratic Central Committee (the "County Party") sponsored three newspaper advertisements "without the proper authority line." The reference to "authority line" is to the disclaimer requirements applicable under Maryland state law, see Annotated Code of Md. §13-401, the enforcement of which clearly falls outside the Commission's jurisdiction. Thus the Complaint itself does not state any violation of the Federal Election Campaign Act of 1971 as amended, 2 U.S.C. §§431 et seq. (the "Act") or the Commission's regulations.

The County Party is not a federal political committee and accordingly is not registered with the Commission. We are advised that the total cost of the three advertisements was approximately \$3,000, and the County Party did not, during calendar year 2008, make any disbursements for exempt activities, within the meaning of 2 USC §431(4)(C). The question that arises is whether the County Party was a "political committee" within the meaning of the Act.

As a review of the advertisements (attached to the Complaint) will confirm, most of the content of each advertisement promotes the election of Democratic candidates generally, with the remainder of the content of each advertisement arguably expressly advocating the election of then-Sen. Barack Obama, the Democratic Party nominee for President. In these circumstances, it is likely that approximately only one-third to one-half the costs of the advertisements would count as "contributions" or "expenditures" under the Act. See Advisory Opinion 2006-11 (April 25, 2006). Thus, the County Party exceeded the \$1,000 threshold of section 431(4)(C) by only a

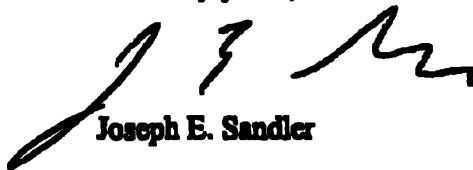
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de minimus amount, if at all. For this reason, also, the Commission should find no reason to believe that the County Party violated the Act or the Commission's regulations.

If OGC decides to recommend proceeding with this case, we request that it be referred to the Commission's Alternative Dispute Resolution Program.

If the Commission has any questions or needs additional information, please contact the undersigned.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'J E Sandler', written over the typed name.

Joseph E. Sandler

Attorneys for Respondent
Queen Anne's County Democratic
Central Committee

29044250874



FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Client.
FAX (202) 419-5002

MURR 6132

NAME OF COUNSEL: Joseph E Sandler Neil P. Reiff

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The above-named individual and/or firm is hereby designated as my
counsel and is authorized to receive any notifications and other communications
from the Commission and to act on my behalf before the Commission.

12/17/08 Nancy W. Hyman Treasurer
Date Respondent/Client Signature Title

Nancy Hyman

RESPONDENT/CLIENT Queen Anne's County Dem Cent Comm
(Please Print) & Nancy Hyman as Treasurer

MAILING ADDRESS: P.O. Box 101

Centreville, MD 21617

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BUSINESS (410) 490-0307

Information is being sought as part of an investigation being conducted by the Federal Election
Commission and the confidentiality provisions of 2 U.S.C. § 435 (b)(7)(D) apply. This section
prohibits making public any investigation conducted by the Federal Election Commission without
the express written consent of the person under investigation.

Rev. 2/03

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