

L A W O F F I C E S O F
HOLMES WEDDLE & BARCOTT
A PROFESSIONAL CORPORATION

701 WEST EIGHTH AVENUE, SUITE 700 - ANCHORAGE, ALASKA 99501-3408
 TELEPHONE (907) 274-0666 · FAX (907) 277-4657

STACEY C. STONE
 EMAIL: ssstone@hwb-law.com

February 8, 2017

VIA EMAIL AND U.S. MAIL

Office of Complaints Examination and Legal Administration
 Attn: Mary Beth de Beau, Paralegal
 Federal Election Commission
 999 E Street, NW
 Washington DC 20463
 Email: CELA@fec.gov

Re: MUR 7208
Our File No. 1101-29352

Dear Sir or Madam:

We represent Senator Lisa Murkowski in connection with the above-referenced matter. The complaint alleges that the Alaska Republican Party ("ARP") certain of its officials and Senator Murkowski acted improperly in connection with certain ARP activities during the course of the 2016 Election.

The complaint is completely without foundation and the Commission should determine the complaint does not set forth any reason to believe that any violations of the Federal Election Campaign Act of 1971 as amended has or will occur and close the matter.

1) The transfers of surplus funds by Senator Murkowski's principal campaign committee were consistent with the law and regulations.

It is undisputed that Senator Murkowski's principal campaign committee, Lisa Murkowski for U.S. Senate. ("Murkowski Campaign") transferred surplus campaign funds to the ARP during the 2016 campaign. Those transfers were reported by the Murkowski Campaign and the ARP. Senator Murkowski personally was not involved in those transfers.¹

Pursuant to 52 USC §30114(a)(4) such transfers can be made by a candidate "without limitation" to a State political party. This issue was addressed in FEC Advisory Opinion 2004-22.² In that opinion, the FEC found that the legal provisions of the Act do not limit the ways a State political party can use the surplus funds received from a candidate's committee, nor do they

¹ It must be noted that those transfers are at issue in MUR NO. 7190 which is presently pending before the Commission. The Murkowski campaign has responded to that complaint and its response in that matter should be incorporated in this matter.

² <http://www.fec.gov/pdf/record/2004/sep04.pdf#page=6>

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restrict the amount transferred in any specific period of time. Therefore, the transfers from the Murkowski campaign to the ARP were properly made and reported and this allegation is without merit.

2) Coordinated party expenditures are allowed and contemplated by law.

52 U.S.C. §30116(d) sets forth the pertinent law with regard to expenditures by a state party committee in connection with a general election campaign of a candidate for Federal office. Pursuant to such law, the Alaska Republican Party was able to engage in certain coordinated expenditures with the Murkowski campaign in the 2016 general election, as long as such expenditures did not exceed the limits set forth in 52 U.S.C. §30116(d)(3). The coordinated party expenditures involved the production and mailing of four mailers. As demonstrated in the ARP's and the Murkowski campaign's response in MUR 7190 the total cost of the production and mailing of such flyers was well below the limits set by law. Therefore, any suggestion that the mailings were improper is baseless and should be dismissed.

3) The ARP engaged in get out the vote activities which by law are not contributions to the Murkowski campaign


In addition to the production of the mailers, during the election cycle the ARP engaged in get out the vote activities on behalf of the party's candidates for President, Vice President, U.S. Senate and U. S. House. By law those activities are not contributions to any of the candidates. 52 U.S.C. §30101(8)(B)(v) and 52 U.S.C. §30101(9)(B)(iv). There is no basis to find these activities resulted in any violation of law.

4) The final mailer product was the responsibility of the Alaska Republican Party.

Even if coordination occurs with a coordinated party expenditure, the final product in this matter was produced by the Alaska Republican Party. Furthermore, as the Alaska Republican Party was the entity who expended the funds it was responsible for the disclaimer. There is no basis on which to find a reason to believe that Senator Murkowski was responsible for the disclaimer. Therefore, any allegations against Senator Murkowski with regard to the disclaimer are without merit and should be summarily dismissed.

In summary, the complaint does not provide any evidence to support any reason to believe that any violations have occurred. The complaint is without merit and the matter should be closed.

Sincerely,



Stacey C. Stone