



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

October 22, 2014

By Electronic Mail

Adav Noti, Esq.
Acting Associate General Counsel for Policy
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: Advisory Opinion Request 2014-16 (Connecticut Democratic State Central Committee)

Dear Mr. Noti:

We write on behalf of the Connecticut State Elections Enforcement Commission ("SEEC" or "state commission") to request that the Commission postpone final action on Advisory Opinion Request 2014-16 (the "Request") in order allow additional time for review of any draft opinions and submission of comments. The gravity of the issue before the Commission, the late submission of additional materials by the Connecticut Democratic State Central Committee ("state party"), and the fact that a draft advisory opinion has not yet been made available for comment all make additional time necessary.

After 1:00 p.m. on the day prior to the Commission's planned consideration of the Request, the state party submitted supplemental material which included numerous assertions of fact with which the SEEC takes issue. Specifically, the state party makes assertions about the history of the dispute pending before the Commission. While time prohibits the SEEC from addressing every inaccuracy in the supplemental material, we provide the following as a brief correction of the record.

Discussions between SEEC staff and the state party began in 2010. Since then SEEC has been consistent in the position expressed by our commission in SEEC Advisory Opinion 2014-01. Following the issuance of the advisory opinion, the state party attended a meeting with the SEEC on March 25, 2014. At the meeting, the state party proposed the use of "buckets" to separate out "known" state contractor money within the federal account. SEEC staff stated that the state party's proposal, as presented, did not comply with state law. We maintained then, as now, that the state party could comply with both federal and state law if they were willing. They exhibited no such willingness. Following the meeting, Michael Brandi, SEEC Executive Director and General Counsel, requested documentation concerning the proposal and indicated that the agency would continue to work with the state party toward a solution. The requested

information was not provided. Instead, on April 3, 2014, the SEEC received the letter from state party's counsel reiterating the general principles of the federal law shared at the earlier meeting. The letter made no request for the SEEC to take any action, nor did the state party utilize any of the established procedures available to contest the SEEC position as stated in SEEC Advisory Opinion 2014-01 adopted by our commission in February, 2014.

As evidenced by the fact that the Commission has received over 80 comments on the Request, including comments from national advocacy groups, legislators, and the public, this is a matter of vital concern. In light of this fact, the SEEC would like the chance to respond to any draft advisory opinion prior to final action by the Commission. As no draft opinions have been made available prior to the Commission's hearing on the Request, we respectfully request that the Commission delay final action and allow for additional time for submission of comments by the SEEC and the general public.

Sincerely,

/s/Michael J. Brandi
Michael J. Brandi
Executive Director & General Counsel
Connecticut SEEC

/s/Shannon Clark Kief
Shannon Clark Kief
Legal Program Director
Connecticut SEEC

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Copy to: Each Commissioner
Ms. Shawn Woodhead Werth, Secretary & Clerk of the Commission
Ms. Amy L. Rothstein, Assistant General Counsel