

Regarding receipt of Leving Funds from California Republican party:

- 1.The county committee is affiliated with the CRP, its state party. The county party and the CRP have operated under this FEC rule for many years. In fact, the FEC undertook an effort in the last cycle to ensure that all federal filing California Republican county parties listed CRP as an affiliate.
- 2.The county committee also has operated as an agent of the state party for voter registration activities for many years.
- 3.The county party obtained voter registrations both within and outside the FEA Type II period. The state party provided the county party with funds as its agent and in consideration of receiving voter registrations.
- 4.The county party was advised by the CRP in 2010 that when the FEC had sent RFAIs to several county parties, including ours, that CRP inquired about whether or not to cease paying Levin funds for voter registrations (which the CRP paid to other non-party vendors as well as county parties), and the FEC staff told the CRP it could continue making such payments. The CRP so advised us. The CRP's questions to the FEC concerned specifically whether it should continue to make Levin payments for voter registrations obtained by the county parties and continue to use the two check method for paying allocable expenses to county parties the FEC had authorized the CRP to use in the early 2000s. Clearly, the FEC told them to continue in spite of the outstanding RFAI letters to the county party.
- 5.The CRP is of the view that the FEC is precluded from now requiring county parties to transfer funds from their federal to Levin accounts after advising the CRP and the county parties to continue to use Levin funds as described in 4.
- 6.The CRP is of the view that using county parties as agents to pay for voter registrations it could properly expend Levin funds to pay is not a transfer or contribution, and if so, there is no basis for applying the prohibition of FECA or FEC regulations to that activity.
- 7.The CRP also is of the view that, to the extent party committees can use unlimited, non-federal funds for voter registration outside the Type II FEA period and can accept transfers of such funds for any purpose including payment for voter registration affidavits, contributions or even transfers of Levin funds, but are limited to using only federal funds or home grown Levin funds for such purposes within the Type II FEA period, the regulation unconstitutionally violated their freedom of association rights in these circumstances.
