



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
CHIEF COMMUNICATIONS OFFICER
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE

FROM: COMMISSION SECRETARY *MWD*

DATE: DECEMBER 13, 2007

SUBJECT: COMMENT ON DRAFT AO 2007-31
John Edwards for President

Transmitted herewith is a timely submitted comment from Michael W. Lee, Esq. regarding the above-captioned matter.

Proposed Advisory Opinion 2007-31 is on the agenda for Friday, December 14, 2007.

Attachment

MICHAEL W. LEE
ATTORNEY AT LAW
BOARD CERTIFIED IN CIVIL TRIAL LAW
BY THE TEXAS BOARD OF LEGAL SPECIALIZATION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2007 DEC 13 A 11:41

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December 13, 2007

COMMISSION SECRETARY.
FEDERAL ELECTION COMMISSION

VIA FAX: 202-208-3333

OFFICE OF THE GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

VIA FAX: 202-219-3923

Dear Federal Election Commission:

It is my understanding that you have asked for public comment regarding your draft advisory opinion 2007-31.

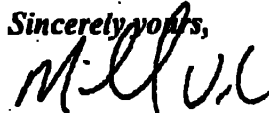
After reviewing your opinion I would like to register my strong disapproval of both the result of the reasoning embodied in that opinion.

It is my understanding that your opinion prohibits matching funds to campaigns that obtain individual contributions through internet conduits such as "ACT BLUE". It is my further understanding, based on my review of your factual recitation, that the opinion in no way disputes or contravenes the basic conduit characterization of ACT BLUE. That is, ACT BLUE merely serves as a clearinghouse for credit card contributions to campaigns from grassroots in small dollar individual donors so that they can then be sent to political campaigns.

The kind of grassroots small dollar donation systems seems in perfect harmony with the Federal Elections Campaign Act of 1971. The ruling by the commission that would bar matching funds for precisely the type of contribution which the act sought to encourage seems to be the most egregious representation of exalting form over substance and using a law to achieve precisely the opposite purpose for which it was enacted.

I cannot more strongly urge the FEC to rescind its current advisory opinion to specifically embrace the ACT BLUE donation system. To do otherwise would be to further setback the ability of citizens to participate in their own democracy and undermine to an even greater degree the rapidly diminishing trust American's have in their governmental institutions.

Sincerely yours,



Michael W. Lee