

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
REPUBLICAN NATIONAL COMMITTEE,)	
<i>et al.</i> ,)	
Plaintiffs,)	
)	
v.)	Civ. No. 08-1953 (BMK, RJL, RMC)
)	
FEDERAL ELECTION COMMISSION,)	RESPONSE TO
)	MOTIONS TO INTERVENE
Defendant.)	
_____)	

**DEFENDANT FEDERAL ELECTION COMMISSION’S RESPONSE TO THE
MOTIONS TO INTERVENE OF REPRESENTATIVE CHRISTOPHER VAN HOLLEN
AND THE DEMOCRATIC NATIONAL COMMITTEE**

Defendant Federal Election Commission hereby responds to the motions of Representative Christopher Van Hollen, Jr. and the Democratic National Committee (“DNC”) to intervene as defendants in this action.

The Commission agrees that Section 403(b) of the Bipartisan Campaign Reform Act of 2002 (“BCRA”), 116 Stat. 114, grants Representative Van Hollen a statutory right to intervene here because this is an “action in which the constitutionality of any provision of [BCRA] is raised.” Accordingly, the Commission consents to Representative Van Hollen’s motion under Fed. R. Civ. P. 24(a)(1).

The Commission opposes the DNC’s motion to intervene as of right under Fed. R. Civ. P. 24(a)(2). That motion should be denied because the Commission “adequately represent[s] [the] interest” of the DNC in defending the constitutionality of BCRA Title I. The Commission takes no position on the DNC’s motion for permissive intervention under Fed. R. Civ. P. 24(b)(1).

Should the Court grant any motion to intervene, the Commission respectfully requests that it not be required to file joint briefs or to divide oral argument with any intervenor-defendant. Rather, the Commission requests the Court's permission to file separate briefs with whatever page limitations apply to Plaintiffs, and to be allotted oral argument time equal to the time allotted to Plaintiffs. The Commission also requests that the schedule for the case not be impaired due to the addition of any new parties.

Respectfully submitted,

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Dated: February 3, 2009