



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OFFICE OF THE CHAIRMAN

August 18, 2005

**MEMEORADUM**

**TO:** Mary W. Dove  
Commission Secretary

**FROM:** Scott E. Thomas   
Chairman

**SUBJECT:** *Ex parte* contact re Advisory Opinion Request 2005-10

On August 16, 2005 I returned the call of Congressman Howard Berman. He indicated that he and Congressman Doolittle would be submitting a written comment regarding the draft advisory opinion in the above-referenced item. He said that the Governor in California would be raising enormous contributions in connection with the upcoming ballot measures, and that the California congressional delegation would be constrained by the OGC draft. He indicated that the FEC had legal authority to take the approach recommended by the requestors. He also indicated his view that Congress would not have intended the result suggested in the OGC draft.