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THOMAS A. McKEEVER

CHIEF OF COUNSEL
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COUNSEL

December 10, 2010

VIA FACSIMILE - (202) 219-3923
and U.S. MAIL

Jeff S. Jordan
Supervisory Attorney
Complaints Examination and Legal Administration
Federal Elections Commission
Washington, DC 20463

Re: *Miller for Senate v. Alaskans Standing Together*
MUR # 6403
Our File No. 4079.23309

Dear Mr. Jordan:

We represent Senator Lisa Murkowski and her principal campaign committee, the Lisa Murkowski for U.S. Senate Committee ("LMUSSC") in connection with the above matter. We are responding to your letters of October 28, 2010, to Senator Murkowski and Joseph M. Schierhorn, Treasurer, LMUSSC. Consistent with the extension that you provided us, we are responding to the complaint filed by Senator Murkowski's general election opponent on October 20, 2010.

In the complaint dated October 20, 2010, Mr. Miller attempted to assert violations by a number of entities and people, but he did not list either Senator Murkowski or the LMUSSC as respondents or as having committed violations of the law.

The respondents named in the complaint were Alaskans Standing Together, Jason Moore, the Arctic Slope Regional Corporation, Ahluna, Inc., Bering Straits Native Corporation, Calista Corporation, Chugach Alaska Corporation, Sealaska Corporation, NANA Regional Corporation, Koniag, Inc. and Doyon Limited.

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Alaskans Standing Together is a non-connected Political Action Committee and when it registered with the FEC on September 23, 2010, made clear it would not make any contribution, either direct or in kind or via coordinated expenditures to any federal candidate or committee.¹

Jason Moore, we understand, was a spokesman for AST.

The remaining respondents are private corporations organized, to our knowledge, in the state of Alaska.

Mr. Miller's complaint is that the named private corporations are federal contractors and they made illegal "campaign" donations in violation of various provisions of federal law and regulations.

It is unclear why Senator Murkowski and her campaign are being asked to respond to the complaint. The complaint does not allege that Senator Murkowski received any political contributions from any of the named respondents. It does not allege that Senator Murkowski's campaign received any contributions from any of the named respondents. Our prior letter asked the commission staff to explain why we were notified of this complaint, and what our clients might have done to justify the inquiry. Therefore, since our clients are not accused of any misconduct by the complaint and the staff has not explained why we have been asked to respond to it, it is difficult to respond to your letter and the complaint.

The named respondents (with the exception of Jason Moore and AST) are corporations. The LMUSSC cannot and has not accepted corporate contributions. The complaint does not assert that LMUSSC received corporation contributions.

AST has properly registered with the Federal Elections Commission. The records of the LMUSSC do not reveal receipt of any contributions from AST. Mr. Moore made a donation of under \$200.00 to the primary election campaign of Senator Murkowski but made no donation after the primary election in August.

The complaint is full of inflammatory allegations obviously designed to attract media attention in the last few days of a hotly contested campaign, but the allegations are not true or overstate the facts.

On page 2, the complaint asserts "AST is a front group supporting Lisa Murkowski." In fact, AST is a political committee registered with the FEC, apparently consistent with federal law. It was in no way a "front group" for Senator Murkowski.

¹ See its Statement of Organization and cover letter received by the FEC on 9/27/2010.

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On page 3, the complaint asserts "...Senator Murkowski, the direct beneficiary of these illegally donated funds...." Senator Murkowski did not receive any of these funds and neither did her campaign. She is not the "direct" beneficiary of any funds donated to AST.

On page 6, the complaint asserts that AST "gave federal money to fund Lisa Murkowski's campaign." This is categorically false. None of the money donated to AST was donated to or received by Senator Murkowski's campaign. There is no evidence in the complaint that AST funds (or treasury funds of the corporate entities) were ever donated to or received by the Lisa Murkowski campaign.

We request the staff determine there is no reason to believe that the complaint asserts or the evidence establishes that either Senator Murkowski or LMUSSC has committed any violation of law or regulations and urge the Commission itself to it come to the same conclusion. Any investigation involving either of our clients should be closed.

Very truly yours,



Timothy A. McKeever

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