

# FEDERAL ELECTION COMMISSION



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AS SIGNAL TO PUBLIC, FEC RATIFIES EXISTING REGULATIONS, OPINIONS

WASHINGTON -- The Federal Election Commission Thursday ratified existing federal campaign finance regulations and forms, and adopted a policy statement which reaffirmed the validity of advisory opinions in existence prior to the recent U.S. Court of Appeals opinion in FEC v. NRA Political Victory Fund.

"While a ratification may not be legally required or necessary, it would serve to notify candidates, political committees and the general public that they should expect to operate under the same regulations that were in effect before the NRA decision was issued," the FEC's General Counsel stated in an agenda document presented prior to the Commission vote.

An explanation of the ratification of the regulations and forms, and the Commission's policy statement on the continuing effect of advisory opinions will be published in the Federal Register.

On November 2, the FEC voted to petition the Supreme Court for a writ of certiorari following the court of appeals opinion that the presence of two officers of Congress, as non-voting Ex Officio members, at the Commission violated the constitution's separation of powers clause.

Following the court of appeals opinion, the FEC took numerous steps to ensure that the agency's ability to administer and enforce federal election law would not be interrupted.

The court of appeals reversed a judgment by the district court which agreed with the FEC by finding that NRA had violated federal election law by using \$415,000 in prohibited corporate funds in connection with a federal election. In its ruling, the court of appeals did not address the legality of NRA's action, because it held that the FEC's enforcement action had been taken by an unconstitutionally composed Commission.

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