



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
2005 AUG 16 P 4: 33

To: The Commission
General Counsel
Staff Director
Secretary of the Commission

From: Commissioner Bradley A. Smith *BSM*

Date: August 16, 2005

Re: Ex parte communication in AO 2005-10 Berman/Doolittle

Today I received a call from Rep. John Doolittle. He stated that he was opposed to the published blue draft in Advisory Opinion 2005-10 because the result would lead to an unequal participation between federal and state and local candidates in advocating or opposing a state ballot initiative. He, and other California federal officeholders, would not be allowed to participate fully in advocating or opposing a California state ballot initiative. But any California state or local candidate would be able to raise money and spend freely to speak about those issues.