



September 8, 2010

Jeff S. Jordan, Supervisory Attorney
Complaints Examination and Legal Administration
Federal Election Commission
999 E Street N.W.
Washington, DC 20463

Re: MUR 6296 (Kenneth R. Buck, et al.)

Dear Mr. Jordan:

Colorado Ethics Watch (“Ethics Watch”) is a watchdog group dedicated to strong enforcement of ethics and campaign finance laws in Colorado. We are contacting you in response to the letter dated August 30, 2010 from Charles R. Grice, Jr., the complainant in MUR 6296, advising you that he desires to withdraw the complaint. Ethics Watch urges the Commission to disregard Mr. Grice’s letter and fully investigate his complaint.

Mr. Grice’s complaint alleged with great specificity that Mr. Buck and his United States Senate campaign unlawfully coordinated with three outside groups (Declaration Alliance, The Campaign for Liberty, Inc. and Americans for Job Security) and various individuals as a way to evade federal campaign contribution limits. Among other things, Mr. Grice alleged that when Mr. Buck interviewed potential campaign consultants, he was accompanied by Respondent Jerry L. Morgenson, who allegedly told the consultants that he intended to invest up to \$1 million in “independent” expenditures to support the Buck campaign. Mr. Grice also pointed to an April 13, 2010 story in the *Denver Post* in which Mr. Buck’s campaign manager was identified as the source of information that Respondent Americans for Job Security was about to launch a \$300,000 television ad buy in support of Mr. Buck’s campaign.¹ These are just two examples of the specific factual allegations Mr. Grice made in support of his complaint.

Last Friday, September 3, the *Colorado Independent* quoted Mr. Grice as saying that he wished to withdraw the complaint because “I’d rather have Buck in office. He’s

¹ Allison Sherry, [Virginia-based political group to run pro-Buck ads](http://blogs.denverpost.com/thespot/2010/04/13/virginia-based-political-group-to-run-pro-buck-ads/), *Denver Post*, April 13, 2010, available at <http://blogs.denverpost.com/thespot/2010/04/13/virginia-based-political-group-to-run-pro-buck-ads/> (accessed September 8, 2010).

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the Republican candidate now.”² The Commission’s rules make no provision for withdrawal of a complaint after filing, and for good reason – allowing individuals to withdraw complaints would encourage the filing of meritless complaints for tactical reasons, only to be withdrawn later when the political landscape changed.

Mr. Grice was required to sign his complaint under penalty of perjury.³ Nothing in his August 30 letter suggests that he no longer believes the facts alleged in his complaint were true. Under these circumstances, we urge the Commission to disregard Mr. Grice’s request to withdraw the complaint, fully investigate the matters alleged therein, and promptly issue a reasoned determination whether to proceed.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Luis Toro".

Luis Toro
Director

² John Tomasic, Grice withdraws campaign finance complaint against Buck, *Colorado Independent*, September 3, 2010, available at <http://coloradoindependent.com/61080/grice-withdraws-campaign-finance-complaint-against-buck> (accessed September 8, 2010).

³ 2 U.S.C. § 437g(a)(1)