

Speaker McCutcheon

As Steve Marshall's campaign finance issue drags on, the embarrassment to Alabama government and the Alabama Republican Party (ALGOP) is growing. Just as the Alabama Republican Party acted quickly and decisively on the issue of PSC candidate James Bonner's decorum, now is the time to act decisively on the much more serious issue of lawbreaking by our attorney general.

Contributions to Alabama campaigns by 527 nonprofit organizations are prohibited by Alabama law.

The Republican Attorneys General Association (RAGA) is a 527 organization which gave \$735,000 to Marshall's campaign in defiance of Alabama law. It does not matter whether RAGA may have laundered the money through an affiliated PAC, the RAGA Action Fund which has registered as a federal PAC and which has not registered as an Alabama PAC, perhaps because doing so would make a violation of the Alabama ban on PAC to PAC transfers more obvious.

Marshall has violated Alabama law by not returning the unlawful RAGA contributions.

The question of federal jurisdiction raised by Marshall is a red herring. When it comes to campaign finance, those who play in federal elections have to comply with federal law and those who play in Alabama elections have to comply with Alabama law. Those who play in both have to comply with both. RAGA and Marshall are required to comply with Alabama law. And to stay right with the law, Luther Strange returned \$50,000 of RAGA contributions in 2014. Since then RAGA has registered as a Virginia PAC to stay right with Virginia law.

Marshall is embarrassing the Alabama Republican Party by violating both the spirit and letter of Alabama law. Transparency in campaign finance is a signature issue of the Alabama Republican Party. The promise to reform campaign finance was an important reason for the GOP landslide in 2010. Acting on that promise has helped maintain the Republican supermajority. And now that they control Alabama government, Republicans are responsible for pressing for enforcement of the law, enforcement which includes impeaching Attorney General Marshall if necessary. Ignoring the issue will create a major

controversy Democrats will exploit in the coming general election to the detriment of every Republican on the ballot.

As a scofflaw Marshall has compromised confidence in his ability to do his job as attorney general and he has compromised confidence in his ability to co-chair the ongoing ethics reform commission.

Even with a preliminary review by the Alabama Ethics Commission, this controversy cannot be adjudicated through the office of the Alabama Attorney General for obvious reasons – Marshall is the incumbent attorney general. With his nomination by the ALGOP pending, we are out of time for legal quibbles, alibis, and antics.

Continued processing of the RAGA issue by the Secretary of State, the Alabama Ethics Commission, and the office of a recused attorney general does not mitigate the need for prompt action by our governor, the Alabama House, and the ALGOP.

I call upon you to ask Steve Marshall to resign as attorney general and to give up his campaign for election.

If he does not promptly resign, I call upon

you to ask Governor Ivey to promptly call a special session of the legislature to consider the impeachment of Attorney General Marshall.

I call upon you to ask Chairman Terry Lathan and the ALGOP to refuse to certify Steve Marshall as the nominee of the Republican Party for attorney general.

Let us not make the mistake of clinging too closely and too long to criminals as we did with Mike Hubbard and Robert Bentley. The eyes of the nation are upon you and now is the time to act for the people of Alabama and for the Alabama Republican Party.

Sincerely,

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Bcc:

ALGOP steering committee

Republican legislators

Selected media