

James Madison

JAMES MADISON CENTER FOR FREE SPEECH

GENERAL COUNSEL
James Bopp, Jr., Esq.

October 2, 2002

John C. Vergelli
Assistant General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: Comments on Notice of
Proposed Rulemaking
2002-15: Disclaimers,
Fraudulent Solicitation,
Civil Penalties, and
Personal Use of
Campaign Funds

Dear Mr. Vergelli:

Please accept these comments, though late, on the FEC's Proposed Rulemaking 2002-15: Disclaimers, Fraudulent Solicitation, Civil Penalties, and Personal Use of Campaign Funds.

The James Madison Center for Free Speech joins in the comments by Alliance for Justice and the American Federation of Labor and Congress of Industrial Organizations regarding their opposition to the proposed rule prohibiting, as "personal use" of campaign funds, "salary payments to a candidate or any other compensation for income lost as a result of the campaign for federal office."

The Madison Center agrees that this provision exceeds the Congressional mandate and Congressional intent. In addition, the Madison Center believes that this provision exacerbates, without justification or legal warrant, the already substantially enhanced advantages conferred upon the wealthy, including incumbent federal office holders, by the changes made in the Federal Election Campaign Act by the Bipartisan Campaign Reform Act.

The ability of persons of average means to participate generally in our political process has already been dramatically undermined by the draconian limits imposed on non-profit corporations and labor unions by the BCRA. Incumbent politicians get their salary from the federal taxpayers while running for office and the wealthy don't need a salary. However, persons of average means need an income to pay everyday living expenses. Without a compelling reason, therefore, the FEC

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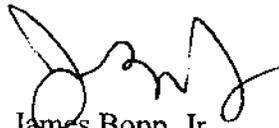
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should not, through its rulemaking, pile on.

Sincerely,

JAMES MADISON CENTER FOR
FREE SPEECH

A handwritten signature in black ink, appearing to read "James Bopp, Jr.", with a stylized flourish at the end.

James Bopp, Jr.
General Counsel