



The Fertilizer Institute

Nourish, Replenish, Grow

January 21, 2005

Brad C. Deutsch
Assistant General Counsel
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: The Federal Election Commission's (FEC) Notice of Proposed Rulemaking on amendments to 11 CFR 114.8 (e), concerning payroll deductions by member corporations for contributions to trade association's separate segregated fund, published in the *Federal Register* on Dec. 22, 2005, (Volume 69, Number 245).

To Whom It May Concern:

The Fertilizer Institute (TFI) appreciates the opportunity to comment on the FEC's proposed rulemaking regarding amendments to its rules on contributions to the separate segregated fund (SSF) of a trade association by employee-stockholders and executive and administrative personnel (collectively, "restricted class employees") of corporations that are members of a trade association.

TFI understands that the Commission proposes amending 11 CFR 114.8 (e) to remove the prohibition on a corporation's use of a payroll deduction or check-off system for contributions by restricted class employees to the SSF of a trade association of which the corporation is a member.

TFI represents the nation's fertilizer industry. Producers, manufacturers, retailers, trading firms and equipment manufacturers which comprise its membership are served by a full-time Washington, D.C., staff in various legislative, educational and technical areas, as well as with information and public relations programs.

General Comments

TFI supports the Commission's proposed amendments to its regulations, which would permit a corporate member of a trade association to provide incidental services to collect and forward contributions from its restricted class employees to the SSF of a trade association, including payroll deduction or check-off system, upon written request of the trade association.

TFI believes the current regulation disadvantages SSFs sponsored by small trade associations that try to compete in the same political arena against SSFs sponsored by larger trade associations. Larger trade associations and their SSFs have greater resources to devote to SSF

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fundraising efforts. We believe that if the FEC removes the regulatory prohibition on payroll deductions, it would promote fairness and could help the SSF of smaller trade associations to raise funds and compete with larger trade associations' SSFs in representing their members' political interests.

TFI believes that currently, SSFs sponsored by trade associations are at a disadvantage compared to SSFs sponsored by corporations and labor organizations, not only because the regulations permit payroll deductions of contributions to corporate and labor organization SSFs, but also because they require trade association SSFs to obtain prior approval before soliciting restricted class employees, without imposing any analogous prior approval requirement on corporate and labor organization SSFs.

TFI believes that FEC needs to recognize that not all corporate members of trade associations have their own SSFs, and that these companies may rely on their trade association's SSF to serve as their political voice.

TFI agrees with FEC's proposed changes to Section 114.8 (e)(3) which state, "There is no limitation on the method of soliciting voluntary contributions or the method of facilitating the making of voluntary contributions which a trade association may use."

Benefits of Proposed Amendments

TFI believes that contributing employees would find it more convenient and affordable to have smaller, regular contributions automatically deducted from their paychecks than to write a single check for a larger sum. Member corporations would find it more efficient and less costly to collect employee contributions through automatic payroll deductions, and those that did not would be free to use other methods of collecting contributions. TFI believes trade associations would be able to reduce their SSF fundraising expenses, and their SSFs would find it easier to track and document both contributing individuals and individual contributions. TFI believes the end result would be increase participation by individuals in the political process and enhance reporting of their contributions.

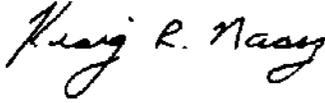
Conclusion

TFI strongly supports the Commission's proposed amendments to 11 CFR 114.8 (e), which would remove the prohibition on a corporation's use of a payroll deduction or check-off system for contributions by restricted class employees to the SSF of a trade association of which the corporation is a member.

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TFI appreciates the opportunity to submit these comments. Should you have any questions, please contact TFI Director of Government Relations Everett Zillinger via phone at (202) 515-2705 or by e-mail at ezillinger@tfi.org.

Sincerely yours,

A handwritten signature in cursive script that reads "Kraig R. Naasz".

Kraig R. Naasz
President