



Shannon <squeedle@a.mac.com> on 04/07/2004 02:06:49 PM

To: politicalcommitteeestatus@fec.gov
cc:

Subject: Comments on proposed rules regarding political committee status

Dear Ms. Mai T. Dinh,

My comments are attached.

Best regards,
Shannon E. Wells
10090 Pasadena Ave, B3
Cupertino, CA 95014



FEC comments.doc

April 7, 2004

Shannon E. Wells
10090 Pasadena Ave
B3
Cupertino, CA 95014

Ms. Mai T. Dinh,
Acting Assistant General Counsel
Federal Election Committee

Re: Comments for Proposed Rules Regarding Political Committee Status

Dear Ms. Dinh,

I am writing to you to urge the FEC not to adopt the proposed rules. Campaign finance reform is needed, however, the rules as proposed are attacks from behind on possibly the most important types of free speech, political speech. The effect will be to bankrupt or severely starve important, independent activist organizations and interest groups.

- It is impossible to take a stand on a candidate's views or policies without appearing to "promote, support, oppose, or attack" the candidate. Therefore, this is not a reasonable way to distinguish between organizations that would justifiably be categorized as "political committees" trying to sidestep campaign contribution limits, and ones which are issues-oriented interest groups.
- Including voter registration and identification activities in the factors for consideration is against state interest. Regardless of what group registers or identifies voters, it is in the state's interest to encourage every citizen to register and vote. Since the US has a private voting system, no one can guarantee how a citizen will vote. The voter activism rules are therefore not only unnecessary, but counterproductive.
- The rules are too broad; the effect will be to stifle criticism of the government by forcing advocacy groups to choose between speaking out and losing their funding or even tax-exempt status.
- The rules should not be retroactive. This could bankrupt many of the groups in question and violates due process.
- Public radio and television stations could be subject to these restrictions, if the cost of a program is over the stated dollar limits and a program is construed to be critical or supportive of a candidate.
- The dollar limits on advertisement and spending are too small, due to the high cost of ads and other communications; the effect will be to stifle criticism of the government through an inability to communicate to a significant number of people without risking future and current solvency.
- Activist organizations traditionally endorse and independently campaign for and against federal candidates. The public needs as many sources of information on the candidates and issues as possible; these rules would eliminate many of these

sources. It is not enough to rely upon the candidates' campaigns, which are clearly biased and limited in scope, nor on the news media, which may itself be unduly and unfairly influenced by the interests of potentially politically motivated corporate parent organizations.

- The time limit restrictions should not be adopted. If a critical issue is uncovered just before an election, the public ought to know. If other sources will not adequately cover such an issue, then under these rules activist organizations are severely limited in their ability to inform the public. For example, eleventh-hour discovery of illegal activity on the part of a candidate or his campaign organization ought to influence an election.
- All a current member of Congress or other federal elected official would need to do to stifle criticism is declare their intention to run for office at any time during their term.

To quote MoveOn.Org:

These changes would impoverish political debate and could act as a de facto "gag rule" on public policy advocacy. They would insulate public officials from substantive criticism for their positions on policy issues. They would actually diminish civic participation in government rather than strengthen it. This would be exactly the opposite result intended by most supporters of campaign finance reform.

The Supreme Court and Congress have already made decisions on these same issues. I urge the FEC to leave the rules as they are.

Yours sincerely

Shannon E. Wells