

March 25, 2004

FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2004 MAR 30 A 10: 08

Mai T. Dinh  
Acting Assistant General Counsel  
Federal Election Commission  
999 E. Street NW  
Washington, D.C. 20463

Dear Mai T. Dinh,

SUBJECT: PROPOSED NEW REGULATIONS

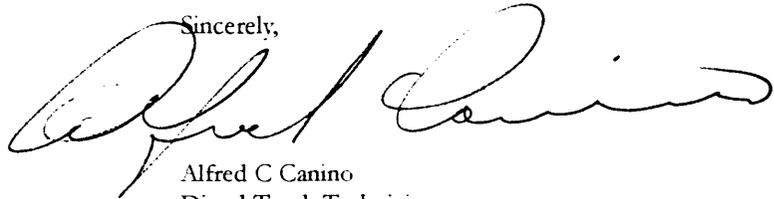
the McCain-Feingold law, doesn't authorize these FEC proposals and these proposals do not advance campaign finance reform.

- It's outrageous that the FEC would try to outlaw groups from speaking out about the policies and records of President Bush and other officeholders who are federal candidates, especially in the middle of an election year.
- These rules would shut down the legitimate activities of unions and other nonprofit organizations.
- Unions in particular have a long history of speaking out about public issues and officeholders, registering voters and boosting civic participation. Union members support these activities but this proposed rule could arbitrarily force unions to sharply reduce or forgo them.
- Obviously, it would be impossible for unions to become federal PACs-register and report to the FEC, accept contributions only from individuals and other federal PACs, accept no contribution more than \$5,000, etc.
- Nothing in the McCain-Feingold law or the Supreme Court's decision upholding it empowers the FEC to adopt these rules. That law is only about banning federal candidates from using unregulated contributions ("soft money"), and banning political parties from doing so, because parties sponsor those candidates.
- It's clear that-with one exception relating to running broadcast ads mentioning candidates close to an election-the new law wasn't supposed to interfere with the advocacy and activities of independent nonprofit groups-including unions that have never been subject to such intrusive regulation by the FEC.
- The FEC can't fix the problems with these proposed rules just by imposing new burdens on non-federal section 527 groups. They do important issue education, public advocacy and voter mobilization. Many of them are sponsored by unions and other groups. In 2000, Congress enacted a public disclosure law that required 527's to fully report their finances to the IRS, but Congress did not restrict their independent speech and activities. Nor did Congress do so in the McCain-Feingold law in 2002. The FEC has no authority to go further now.

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- If the FEC does decide to issue any new regulations, it would be extremely disruptive and unfair to apply them to the 2004 election. Unions and other groups have relied on the current rules and undertaken significant commitments; they would need time to adjust to the new rules. That's how the McCain-Feingold law itself was implemented--it was enacted in March 2002 but went into effect after the November 2002 election.

Sincerely,

A handwritten signature in black ink, appearing to read "Alfred Canino". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

Alfred C Canino  
Diesel Truck Technician  
Mendon Truck Leasing Co.