



September 27, 2024

Mike Schmuhl
Chairman
Indiana Democratic Party
101 W. Washington Street, Suite 1110E
Indianapolis, IN 46204

RE: REG 2024-07 Political Party Rules II

To Whom It May Concern:

I write to comment on REG 2024-07, the Federal Election Commission's Rulemaking Petition for Political Party Rules.

The entirety of my political career has been based in my home state of Indiana. This includes management of a mayoral campaign, Congressional campaigns, and a U.S. presidential campaign. Further, I have served in leadership positions or led efforts on a hybrid PAC as well as a presidential exploratory committee.

Despite this rather significant experience with federal campaign finance regulations and operations, I must say that becoming chairman of the Indiana Democratic Party in March 2021 was eye-opening – and honestly frustrating – from a campaign finance perspective. While state parties can accept both federal and state donations into their coffers, the rules and regulations around the tracking, implementation, and use of these dollars is down right hairbrained.

I'd like to share three examples on how these federal rules are burdensome and diminish the spirit of their intent: overall regulation of state parties, staffing operations, and encouraging people to "get-out-the-vote" and cast a ballot on Election Day.

First off, the compliance overhead involved in overseeing federal election activity (FEA) is onerous. Due to the specialized nature of the work, we retain a specialized compliance firm at significant expense each month and also retain an attorney for federal election guidance. Additionally, two staff members (our finance coordinator and our executive director) spend a good portion of their work weeks devoted to tracking federal donations and ensuring that certain expenditures are lined up with a workable "split" between federal and state dollars. Even if the party may have a strong cash on hand one day, under the hood our efforts could be hamstrung

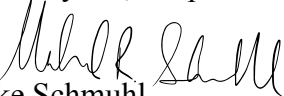
because raising federal dollars is harder than raising state dollars. While we would like to be nimble and build our programming smoothly to reach voters and assist candidates, oftentimes our work is delayed or has to be planned out months or even cycles in advance.

Secondly, these federal rules make staffing a state party and assigning duties more difficult. For example, Indiana is not a presidential battleground state this cycle, but we have an increasingly competitive gubernatorial race. If we design mail or send staffers or organizers out to register voters or knock on doors to talk to voters, we are hindered by FEA and need to limit the mention of who is running for president, change duties or the amount of time doing it, or devote to paying for all of the activity with federal funds – even when our main goal is to campaign for a non-federal state candidate.

Thirdly, and perhaps the rule I am most passionate about, is FEA as it relates to get-out-the-vote (GOTV) activity. I remember in 2022 we were working on a mail piece for a state house legislative candidate and we had to substantially alter the content of the piece because it mentioned too much about voting, like how to vote, where to vote, and the date of election day. With 2022 being a federal election mid-term year, we had to adhere to FEA even though the candidate was running for state house and not Congress or U.S. Senate. While there is the “incidental” rule, it is unclear what that means and I believe clarity there would be very beneficial to state parties. At the end of the day, we should be encouraging more people to vote and also sharing more information on how to cast a ballot – not jumping through hoops to vaguely mention voting or spending considerable resources on something so simple.

Thank you for allowing me to submit this rulemaking comment. While these regulations and rules were established with proper intent more than two decades ago, I believe they are in need of reform or further guidance from the FEC. Ideally we could all get to a place where state parties can function more effectively, we can promote our great candidates without major roadblocks, and ultimately, we can get more Americans involved in the election process.

Sincerely and Respectfully,



Mike Schmuhl
Chairman