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July 15, 2009

## VIA OVERNIGHT MAIL

Mr. Robert Hickey, Staff Director  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: Los Angeles County Democratic Central Committee's Comments to Website and Internet Communications Improvement Initiative

Dear Mr. Hickey:

This law firm is counsel to the Los Angeles County Democratic Central Committee, also known as the Los Angeles County Democratic Party (LACDP).

The LACDP is the official governing body of the Democratic Party in the County of Los Angeles. It is the largest local Democratic Party entity in the United States. The LACDP represents over 2.2 million registered Democrats in the 88 cities and the unincorporated areas of Los Angeles County, a population larger than 42 states. The LACDP conducts Democratic Party campaigns in Los Angeles County under the general direction of the California Democratic State Central Committee. The essence of LACDP's mission is to encourage the fullest possible participation of all voters registered with the Democratic Party and to disseminate the Democratic Party message, platform and philosophy to the voting public and to public officials at all levels of government. The LACDP also works to assist local grassroots Democratic organizations, such as Democratic Clubs, many of which, although small, grassroots organizations, are committees regulated by the Federal Election Campaign Act, as amended (Act).

The LACDP submits these comments to the Website and Internet Improvement Initiative, published June 19, 2009.

### **Introduction**

As do all members of the regulated community, local political party committees, like the LACDP, and local grassroots Democratic organizations heavily rely upon the Commission's public education and information efforts to assure their compliance with applicable law. To the extent the Initiative seeks to ease the burdens of compliance through enhanced public education and a more "user-friendly" website, the LACDP applauds the Commission on undertaking this Initiative.

While the Commission's website and guidebooks are a good source of information, some information on the website is not as easily accessed as it might be. In light of this, the LACDP makes the following comments and suggestions.

### **Creation of an Advisory Opinion Tagging and Indexing System**

Section VII of the Request for Public Comments seeks input on the Commission website's search functions, including the Advisory Opinion Search Engine. Advisory opinions (AOs) can be located in any one of four ways: by using the search function with keywords, providing the AO number, providing the requestor name, or browsing by year. Each of these options has its limitations. The keyword search function returns many irrelevant AOs. Browsing by year is inefficient and time-consuming; a search by AO number or requestor is rarely helpful except when the requester knows of the existence of a specific AO. The search function could be greatly improved by introducing a "tagging" system for AOs.<sup>1</sup> If coupled with an indexing system, particularly an indexing system using the same terms as are used in the index to the Code of Federal Regulations (which the LACDP also recommends the Commission consider installing on its website), the AO search engine would become a more effective research tool.

### **Accessibility of Committee Data**

In Section IX of the Request for Public Comments, the Commission asks for input on how the webpage allows access to, and presents, data. The campaign Finance Reports and Data section should have function which enables the user to compile income and expense data to determine whether a committee has qualified to become a multi-candidate committee.

### **A Comprehensive Guidebook**

In Section X of the Request for Public Comments, Commissioner Walther indicated that the Commission seeks input on the educational materials the Commission posts on its website. As it currently stands, much of the "hands-on" guidance on any one topic is peppered throughout the Commission's website in the PDF version of various printed documents, including the campaign guides, brochures, and the Record's BCRA supplement. One of the advantages of a webpage is that publications do not need to be re-printed every time there is an update. The structure of the Commission's website loses some of this advantage by providing access only to PDF versions of the written publications. If the data accessible on the website were not simply PDF copies of "hard documents," but also included an integrated or amalgamated guide

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<sup>1</sup> Tagging is a recent phenomenon in which internet stories or pieces of information are tagged with several labels to identify that information for later retrieval. See generally [http://en.wikipedia.org/wiki/Tag\\_\(metadata\)](http://en.wikipedia.org/wiki/Tag_(metadata)). The tag differs from a key word in that the person placing the tag can include concepts or words not actually appearing in the item, but which may be useful for purposes of locating the document or placing it in context. Thus, for example, an AO discussing electioneering communications could have the tag "issue advocacy" even though that precise phrase was not in the AO.

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combining in a single document the advice and guidance currently contained in a number of distinct documents, the website would be an even more helpful resource.

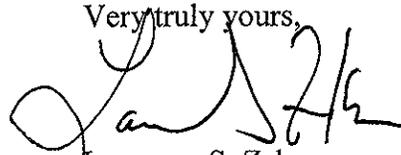
### **Yearly Educational Conferences**

Section XI of the Request for Public Comments proposes the idea of making video or audio recordings of various educational conferences available through the Commission's website and providing CLE and CPE credit for those who access the proposed recordings. One of the advantages of the Commission's educational conferences is the ability for participants to ask hard questions and to engage in a frank discussion about their compliance problems. If attendees know, or believe, their remarks will (or could) be made publicly available, such frank discussion will be chilled. However, the Commission's proposal to ensure CLE and CPE credit is awarded for participation in Commission educational efforts is a very constructive suggestion. In California, for example, in order to receive continuing legal education credit for attending the annual Commission educational conferences, each attendee must collect programs and conference materials and mail them to the State Bar to apply for an individualized determination whether credit should be granted. If the Commission were to undertake this effort on a uniform basis for all participants, it would encourage greater participation in the Commission's programs and, thereby, improve compliance.

### **Conclusion**

The LACDP thanks the Commission for the opportunity to comment on the Commission's webpage and other public information efforts, and trusts that its input is of assistance to the Commission as the Commission strives to improve compliance through public education and a user-friendly website.

Very truly yours,



Laurence S. Zakson  
of Reich, Adell & Cvitan  
Attorneys for the Los Angeles County  
Democratic Central Committee

LSZ:caw

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Adam Seiden

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@gmail.com>

07/17/2009  
09:15 AM

Toimprovefecinternet@fec.gov

cc

SubjFirst and last time I will ever donate to a  
ectCongressional/Presidential campaign

After more than a decade of teaching friends and family to not publicly post private information on the Internet, I was flabbergasted to be given a link to the FEC campaign contribution website, where the full name and address of all individual donors were publicly posted online!

Pick any individual donor name/state posted on the FEC site (not John Smith!) and try a search on [www.pipl.com](http://www.pipl.com) by name/state.

For my name, each of my property addresses is listed, including phone numbers and e-mail addresses.

Even my exact birthdate is displayed!

That is halfway to identity theft.

Recent research reports have proven that exact Social Security Numbers can be guessed with 40-60% accuracy based on publicly posted information.

And any site owners that solicited contributions had access to all of my bank routing/account number information.

Even my private e-mail addresses from those donations appear to have been transferred (sold?) for other purposes, as well.

I understand the need for determining the legality of donors.

However, my need for privacy is incompatible with donor disclosure.

As a result, the 2008-2009 election season was the first and the last time that I will ever donate to a Congressional/Presidential campaign.

It was pure luck that I was unemployed, so my token contributions did not meet the public reporting amount.