

FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

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

Dear Ms. Dinh,

I would like to submit an official comment on the Federal Elections Commission's proposed rulemaking on Political Committee Status. I am very concerned that this proposed rule change would seriously infringe on non-profit groups' free speech rights. In addition, the proposed change would create a policy that is clearly outside the intentions of Congress in passing the McCain-Feingold campaign finance law. If lawmakers had intended to include non-profit groups as Political Committees under campaign finance limits, they would have done so. However, they did not.


This proposed rule changes will impair the ability of groups to speak out about the performance of elected officials with regards to issues of importance to their membership. Criticism of an elected official during an election year is not necessarily a campaign activity, and does not imply that the group is trying to defeat the official in the election. For example, Senators who face no strong opposition are frequently publicly criticized by non-profit groups hoping for changes in the lawmaker's position. As I understand it, during an election year, this kind of activity could be subjected to the fundraising restrictions that are applied to campaign activities under the McCain-Feingold law. The potential for a politically-appointed body to deem any non-profit groups' criticism of elected officials in an election year to be political campaigning is a serious assault on our political freedoms. If public officials cannot be held accountable for their actions during an election year, we cannot consider ourselves to be living in a true democracy. However, highlighting an official's record can be a means of trying to affect change in those policies through many mechanisms. It does not necessarily imply support to the official's opponent/s or a desire for a specific outcome of an election.

I was also very disturbed to learn that the proposed rule change could affect non-partisan voter registration drives. These drives are often quite expensive, and are a critical means of raising political participation by disenfranchised groups. I have participated in voter-registration drives at my local university, and they were conducted in a completely non-partisan manner. I fail to understand how limiting funding options for voter registration activities supports active participation in our democracy or reduces the influence of special interests in our elections. It would seem to do the opposite.

I believe the proposed rulemaking on Political Committee Status by the FEC is deeply flawed, and outside the mandate of Congress in passing the McCain-Feingold legislation and of the Supreme Court in upholding it. I urge you to drop the proposed rule changes.

Thank you for including my comments.

Sincerely,

  
Camille McNeely