From:	Phil Bailey
To:	mdove@fec.gov
Subject:	Draft AO 2007-31
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Regarding ActBlue's desire to solicit contributions for restricted SSFs, I urge the Commission to adopt Draft A, the more permissive version. Under Program 1, grassroots donors should be able to contribute to PACs whose objectives they support, and allowing ActBlue to serve as a conduit for such contributions does not implicate any of the policy concerns underlying the restrictions regarding SSFs. The same source prohibitions and contribution amount limitations will be enforced, and no SSF funds will be expended outside the class.

Small donors are essential to a healthy democratic process. Both in 2004 and today, small donors are a significant and important component. Here in Maine, we have 'celan elections' for our state legislators and over 70% of all candidates for the legislature run on clean elections (from both parties). To qualify as a clean election candidate, the candidate must gather X number of $5.00 checks from registered voters in their district. Again, it's small donors that make a big difference.

I agree with the following comment already submitted:

ActBlue is a conduit for individual contributor preferences, to track and aggregate small-dollar contributors. It asserts no control over the recipients of its funds; the site's only criteria is that the recipient be a Democrat. It fulfills FECA's anticorruption goals by reporting contributors' names, addresses, employers, and occupations to campaign, which in turn provide that information to the Commission as is legally required.
This is a clear a case as any of reformers accomplishing via technology what law alone cannot do: leveling the playing field between moneyed interests and small-dollar contributors by allowing anyone to become a "bundler", and to allow such contributors to have visual, real-time confirmation of their impact upon the process. In the same way that the public financing system itself is designed to encourage and magnify the impact of small-dollar contributions, ActBlue facilitates those contributions occurring in the first place.
The regulation in question, 11 CFR 9034.3(f), was implemented at a time when tracking of individual contribution was much more difficult than it is today, and there is no danger of ActBlue becoming a conduit for above-

limit contributions given the technological advances which allow for heightened transparency and scrutiny of all contributions.
There is no conceivable purpose for campaign finance law that would be served by treating the ActBlue contributions as not-matchable under the law, as ActBlue presents none of the concerns articulated by the groups otherwise covered by 11 CFR 9034.3(f), and for these purposes is more akin to a credit card processor than any other entity. This is technology being used to encourage small-dollar contributions which are at the heart of reforming our campaign system, and to treat it as "dirty money" seems ludicrous. Nothing distinguishes these from any other small-dollar contributions other than the website through which they were sent. The Commission should reject the draft opinion and allow the Edwards campaign to seek matching funds for contributions transmitted by ActBlue.

I am an undecided voter and not an Edwards supporter. I do support a well informed and involved citizenry and this case speaks to that issue.
Thank you,
Phil Bailey

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