From:	Russell Swanker
To:	mdove@fec.gov
Subject:	Draft AO 2007-31
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To whom it may concern,

I am writing to ask the Federal Elections Commission (FEC) to reject Draft Advisory Opinion 2007-31, which I believe is in opposition to the spirit intent of the Federal Election Campaign Act of 1971, as amended, and the Presidential Primary Matching Payment Account Act.

I believe campaign finance regulations should make it easier for small donors to participate and have their voices heard via matching funds. Draft Opinion 2007-31, before the FEC on Friday, December 14, 2007, does the opposite.

I oppose Draft Advisory Opinion 2007-31 because it would disqualify millions of dollars from tens of thousands of small donors from the presidential matching system only because they were donated through a website called ActBlue. In doing so, this proposed Advisory Opinion would codify an outdated regulation drafted and implemented before the Internet's political potential was widely understood, let alone what it has become today: a fundraising, organizing, and democratizing force in American politics.

There were good reasons for the regulation when it was first implemented. The intent of this provision was to prevent individuals from evading contribution limits and/or to match additional monies in excess of $250 by donating through different conduits, including corporations. But this regulation was established at a time when the tracking of individual donations was relatively primitive compared to what advancements in technology allow for today. Today, committees like ActBlue and presidential candidates alike have reliable and auditable processes to track and monitor contributions in a far more automated, efficient, and accurate manner than what existed when the regulation was first implemented.

With elections placed increasingly more in the hands of big donors, there are larger issues at stake. One of the clear goals of the presidential public financing system is to encourage citizens to make small and modest donations to candidates, as well as to make outreach to these donors advantageous for presidential candidates. When the presidential public financing system was first adopted no one would have predicted that small donor fundraising would grow significantly through the pioneering utility of the internet. Nor would anyone have guessed that large contributions would come to dominate so much that the public financing system would be rendered mostly ineffective in stemming the tide of big money.

Unfortunately, if the FEC adopts Draft Advisory Opinion 2007-31, it will further solidify the preeminence of big money in the presidential primary.

In closing, it is instructive to note that, under this proposal, a $250 contribution from an individual to a presidential candidate is eligible to be matched based on the sole criteria of what website the contribution was made through. That seems, to us, to be an antiquated application of an outdated regulation.

To help advance citizens' voices in the presidential system, I urge Commissioners to reject the Draft Advisory Opinion 2007-31 and allow donations contributed online through committees like ActBlue to be eligible for matching funds.

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