UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Representative Christopher Shays and
Representative Martin Meehan,

Plaintiffs,

v.

Federal Election Commission,

Defendant,

Civil Action No. 04-1597 (EGS)

DECLARATION OF REPRESENTATIVE MARTIN MEEHAN
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

In accordance with 28 U.S.C. § 1746, Representative Martin Meehan declares as follows:

1. I am a member of the United States House of Representatives from the 5th
Congressional District of the Commonwealth of Massachusetts. I was first elected in 1992, re-
elected every two years thereafter, and next face re-election in November 2006.

2. I was a principal sponsor of the legislation enacted as the Bipartisan Campaign
Reform Act of 2002 (BCRA). I spent many years seeking to promote the enactment of this
reform legislation, which was intended in part to close loopholes created by the Federal Election
Commission’s interpretations of the Federal Election Campaign Act (FECA). With other
sponsors, I submitted written comments on the Federal Election Commission’s proposed rules on
the definition of the term “political committee,” which addressed the problem of section 527
organizations operating as new vehicles for the spending of soft money in federal campaigns.
The Commission rejected the concerns and proposals set forth in my rulemaking comments.
3. I am a citizen of the United States, a member of Congress, a candidate, a voter, a recipient of campaign contributions, a fundraiser, and a political party member. In those capacities I am subject to regulation under FECA, BCRA, and the Commission's implementing rules, and my activities are also directly affected by the fact that others, including my potential contributors and supporters, my potential election opponents, contributors to and supporters of my opponents, and contributors to and supporters of both political parties are subject to the same regulation under FECA, BCRA, and the Commission's implementing rules.

4. If any of the campaign finance laws embodied in FECA and BCRA are subverted, eroded, or circumvented by the Commission's implementing regulations, including its regulation defining the term "political committee," I will be forced once again to raise money, campaign, and attempt to discharge my important public responsibilities in a system that is widely perceived to be, and I believe in many respects will be, significantly corrupted by the influence of special-interest money.

5. The FEC regulations that implement the statutory definition of "political committee" directly affect me. If those regulations do not faithfully implement the requirement for groups, including 527 organizations, to register as "political committees" and abide by the contribution limits, source prohibitions and reporting requirements that apply to "political committees," I face the strong risk that 527 organizations that are not required to register as "political committees" will use unregulated and undisclosed soft money contributions to influence federal elections in which I am a candidate. The rules implementing the statutory definition of "political committee" also will affect the perception the public will form of me, my fellow office-holders, and fellow party members.
6. Provisions of FECA require the comprehensive and timely disclosure of campaign finance information by "political committees." Such "political committees" are required by FECA to disclose all contributions raised, and to itemize all contributions received in excess of $200. FECA also requires the disclosure of all disbursements made by "political committees." If the FEC regulations do not faithfully implement the statutory definition of "political committee," groups, including 527 organizations, that should be required to register and disclose as such will avoid doing so. The reporting requirements under section 527 of the Internal Revenue Code are an inadequate substitute for the disclosure required by FECA, because, among other reasons, section 527 disclosure may be avoided altogether if the recipient 527 organization chooses to pay income tax on its donations rather than reveal the source of the donations.

7. As a voter and as a candidate, I will be deprived of information to which I am entitled under FECA about the funds raised and spent by 527 groups which do not register as political committees and disclose under FECA. As a candidate, such information is valuable in order to inform myself about which donors are supporting my opponents and to educate the public about that support in order to differentiate myself from my opponents, and to alert voters to the interests to which my opponents are most likely to be responsive. In my experience in politics, I am aware that candidates sometimes use information reported to the FEC to discuss the contributions made to their opponents. For the same reasons, this information will assist me in formulating my campaign strategies, activities and message. As a voter, such information is valuable in order to inform myself and other voters as to the source of money spent to influence the election in order to evaluate the candidates seeking federal office and where those candidates are positioned on the political spectrum, and as a means to deter corruption and the appearance of corruption by exposing large contributions and expenditures to the light of publicity.
I declare under penalty of perjury that the foregoing is true and correct.

Executed this ___ day of April, 2004.

Martin Meehan
United States House of Representatives

District of Columbia: SS
Subscribed and Sworn to before me
this 27th day of April, 2005

Michael J. Orrick, Notary Public, D.C
My commission expires March 14, 2008
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Representative Christopher Shays and
Representative Martin Meehan,

Plaintiffs,

v. Civil Action No. 04-1597 (EGS)
Federal Election Commission,
Defendant.

Bush-Cheney '04, Inc.

Plaintiff,

v. Civil Action No. 04-1612 (EGS)
Federal Election Commission,
Defendant.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK

COUNTY OF NEW YORK

Casey B. McGovern, being duly sworn, deposes and says:

1. I am over 18 years of age and am employed by Wilmer Cutler Pickering
Hale and Dorr LLP and am not a party to this action.

2. On April 29, 2005, I caused a true and correct copy of the Declaration of
Representative Martin Meehan in Support of Plaintiffs’ Motion for Summary Judgment to
be served by Federal Express, next business day delivery on the following party:
Lawrence H. Norton, Esq.
General Counsel
Federal Election Commission
999 Eye Street, N.W.
Washington, D.C. 20463
(202) 694-1650

Sworn to before me this
29th day of April 2005

Notary Public

MATTIE E. HOWARD
Notary Public, State of New York
No. 01OP502659
Qualified in New York County
Certificate Filed in New York County
Commission Expires February 3, 2007