

BEFORE THE  
FEDERAL ELECTION COMMISSION

Democracy 21  
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Washington, DC 20006  
202-429-2008

Campaign Legal Center  
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Washington, DC 20036  
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Center for Responsive Politics  
1101 14<sup>th</sup> Street, NW, Suite 1030  
Washington, DC 20005  
202-857-0044

v.

MUR No. \_\_\_\_\_

Progress for America Voter Fund  
P.O. Box 57167  
Washington, D.C. 20037  
877-792-3800

**COMPLAINT**

1. In March, 2002, Congress enacted the Bipartisan Campaign Reform Act of 2002 (BCRA) in order to stop the raising and spending of soft money to influence federal elections. The relevant provisions of BCRA were upheld by the Supreme Court in *McConnell v. FEC*, 540 U.S. \_\_\_, 124 S.Ct. 619 (2003).
2. Since the enactment of the BCRA, a number of political and party operatives have been engaged in illegal new schemes to use soft money to influence the 2004 presidential and congressional elections. These schemes, for the most part, involve the use of so-called “section 527 groups” – entities registered as “political organizations” under section 527 of the

Internal Revenue Code, 26 U.S.C. § 527 – as vehicles to raise and spend soft money to influence the 2004 federal elections.

3. These schemes to inject soft money into the 2004 federal elections are illegal. The Supreme Court in *McConnell* took specific note of “the hard lesson of circumvention” that is taught “by the entire history of campaign finance regulation.” 124 S.Ct. at 673. The deployment of “section 527 groups” as the new vehicle for using soft money to conduct partisan activities to influence federal elections is simply the latest chapter in the long history of efforts to violate the federal campaign finance laws.

4. Progress for America Voter Fund (PFA-VF) is registered with the IRS as a section 527 group but is not registered with the Commission as a political committee. However, PFA-VF is, in fact, a federal political committee. PFA-VF is an entity which, as a 527 group, has a “major purpose,” indeed an overriding purpose, to influence candidate elections, and more specifically, federal candidate elections, and which has spent, or is planning to spend, millions of dollars for the announced purpose of influencing the 2004 federal elections. This “political committee” is therefore required to register with the Commission under the federal campaign finance laws, and is subject to the federal contribution limits and source prohibitions on the funds it receives. As a political committee, PFA-VF may not receive more than \$5,000 per year from an individual donor, and may not receive any union or corporate treasury funds whatsoever. 2 U.S.C. § § 441a(a)(1)(C), 441b(a). These limits and prohibitions apply to all “political committees,” including those that engage in independent spending. 11 C.F.R. § 110.1(n).

5. The Supreme Court in *McConnell* took specific – and repeated – note of the central role of the Federal Election Commission in improperly creating the soft money

loophole that was used to circumvent the federal campaign finance laws. The massive flow of soft money through the political parties into federal elections was made possible by the Commission's allocation rules, which the Court described as "FEC regulations [that] permitted more than Congress, in enacting FECA, had ever intended." 124 S.Ct. at 660, n.44. Indeed, the Court noted that the existing Federal Election Campaign Act (FECA), which had been upheld in *Buckley*, "was subverted by the creation of the FEC's allocation regime" which allowed the parties "to use vast amounts of soft money in their efforts to elect federal candidates." *Id.* at 660 (emphasis added). The Court flatly stated that the Commission's rules "invited widespread circumvention" of the law. *Id.* at 661.

6. It is critically important that the Commission not repeat this history here. The Commission must take steps to ensure that it does not once again invite "widespread circumvention" of the law by licensing the injection of massive amounts of soft money into federal campaigns, this time through section 527 groups whose major, indeed overriding, purpose is to influence federal elections.

7. The Commission has the authority to take enforcement action based on a complaint where it finds reason to believe that a person "has committed, or is about to commit," a violation of the law. 2 U.S.C. §§ 437g(a)(2), 437g(a)(4)(A)(i), 437g(a)(6)(A); *see also* 11 C.F.R. 111.4(a) ("Any person who believes that a violation...has occurred or is about to occur may file a complaint...") (emphasis added). Based on published reports, the PFA-VF has either committed or is "about to commit" massive violations of the law by raising and spending millions of dollars of soft money – including corporate treasury funds and large individual contributions – to influence the 2004 presidential and congressional elections. The respondent is doing so without registering as a federal political committee and without

complying with the rules applicable to such political committees. Because the 2004 presidential and congressional campaigns are fully underway, it is vitally important that the Commission act effectively and expeditiously to prevent the massive violations of the law threatened by the widely publicized activities of this section 527 group.

Progress for America Voter Fund

8. Progress for America Voter Fund was established on May 27, 2004 as a “political organization” under section 527 of the Internal Revenue Code, 26 U.S.C. § 527.<sup>1</sup> It seeks to “become the main conduit for soft money contributions from GOP donors.”<sup>2</sup>

9. PFA-VF has made clear that its major, indeed overriding, purpose is to support the re-election of President George W. Bush in the 2004 election and to defeat the Democratic nominee, Senator John Kerry.

10. An article in *The Washington Post* reported on the formation of PFA-VF. It said that “top Republican operatives” formed PFA-VF as “an effort to compete with Democratic groups for large sums of unregulated presidential campaign funds,” and that PFA-VF has been designated as “a group with close ties to the Bush administration to serve as the main conduit.”<sup>3</sup> According to this article, PFA-VF officials “are actively considering major purchases of television ads in roughly 18 key battleground states that praise Bush administration policies.” The *National Journal* reports that PFA-VF “is aiming to raise \$40

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<sup>1</sup> A copy of its Form 8871, Notice of Section 527 Status, filed with the IRS, is attached as Exhibit A.

<sup>2</sup> A. Bolton, “Leaders back Republican 527,” *The Hill* (May 26, 2004) (Exhibit B).

<sup>3</sup> T. Edsall, “GOP Creating Own ‘527’ Groups,” *The Washington Post* (May 25, 2004) (Exhibit C).

million to \$60 million to fund grassroots work, issue advertising and ‘truth squads’ to burnish the Bush record on tax cuts, the economy, energy and other issues.”<sup>4</sup>

11. On its website, PFA-VF, which describes itself as a group that educates voters on the positions of candidates, states that it “is currently producing issue advocacy TV ads on President Bush’s plan to revitalize the American economy and wage a world wide war on terror.”<sup>5</sup> It further says that “Future PFA-VF television ads will expose John Kerry’s record as the most liberal member of the United States Senate – even more liberal than Teddy Kennedy or Hillary Clinton!” *Id.*

12. A press release issued by PFA-VF to announce its formation describes its intent to spend money for the purpose of influencing the 2004 presidential election. The release quotes PFA-VF president Bruce McCabe as saying:

Although PFA has worked since 2001 to advance the conservative issue agenda, the establishment of the PFA Voter Fund will give us the additional flexibility we need *to affect the political process*. For too long, liberal 527 committees, bankrolled by extremists like George Soros, have been able to say scurrilous things about President Bush and other conservative leaders with impunity. Now, with the PFA Voter Fund, we will have the ability *to promote President Bush’s record on key issues and expose the real John Kerry’s ultra-liberal agenda, as well as the record of other liberal candidates*.

(emphasis added)<sup>6</sup>

13. On June 24, 2004, PFA-VF announced the launch of its first network and cable television ad campaign “in key media markets in Nevada and New Mexico.”<sup>7</sup> The ad refers to

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<sup>4</sup> P. Stone, “Republican 527’s: Full Steam Ahead,” *The National Journal* (May 29, 2004) (Exhibit D).

<sup>5</sup> See <http://www.pfavoterfund.com> (A copy of this webpage is attached as Exhibit E).

<sup>6</sup> See <http://www.pfavoterfund.com/1151-15.1151-061104B.html> (A copy of this webpage is attached as Exhibit F).

both President Bush and Senator Kerry, and promotes President Bush's reelection campaign and attacks Senator Kerry. The script of the ad is:

Announcer: "9/11. A leader showed strength and compassion. President Bush. He held us together and began to hunt down terrorist killers. But what if Bush wasn't there? Could John Kerry have shown this leadership? The Kerry who voted against billions for America's intelligence even after the first World Trade Center bombing. The Kerry who voted against 13 weapons systems our troops depend on. President Bush will win this war on terror. Progress for America Voter Fund is responsible for the content of this ad."<sup>8</sup>

The press release issued by PFA-VF announcing this ad described it as a "\$1 million ad buy..." The press release further quotes PFA-VF president Bruce McCabe as explaining the purpose of the ad: "Our ad asks people to think about what would have happened if the War on Terror had been waged by the likes of a liberal like John Kerry – a man who voted to cut billions from our intelligence gathering efforts, even after the first World Trade Center attack." According to one news account, PFA-VF said "the ads are the first step in a multimillion dollar advertising campaign to counter the pro-Democratic groups that have spent more than \$40 million on ads criticizing [President] Bush."<sup>9</sup>

14. PFA-VF is funding its TV ad campaign with donations that do not comply with federal contribution limits applicable to political committees. For instance, PFA-VF has collected \$2.1 million from just four contributors, according to its most recent disclosure report filed with the Internal Revenue Service, including a contribution of \$1 million from Jerry

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<sup>7</sup> See <http://www.pfavoterfund.com/1151-15.1151-062804B.html> (A copy of this webpage is attached as Exhibit G).

<sup>8</sup> N. Anderson, "The Race to the White House; Ad Watch; Progress for America Voter Fund," *The Los Angeles Times* (June 27, 2004) (Exhibit H).

<sup>9</sup> L. Romano and J. Krim, "Kerry Touts His Plans for High Tech Industry," *The Washington Post* (June 25, 2004) (Exhibit I).

Perenchio, and contributions of \$500,000 each from Paul Singer and Carl Lindner.<sup>10</sup>

According to *Roll Call*, these three Republican businessmen “were among the top [soft money] contributors to the Republican Party, giving a total of \$2.1 million to GOP causes in the 2001-02 election cycle. Now that such soft-money contributions to the national political parties are illegal, the three have shifted their financial support to Progress for America.”<sup>11</sup>

15. PFA-VF was established by Progress for America (PFA), a non-profit corporation organized under section 501(c)(4) of the tax code. Organizers and officers of PFA have close ties to the Republican Party and to the Bush campaign. According to the *National Journal*, Tony Feather, who was the political director of President Bush’s 2000 campaign, “started PFA in 2001 to help build grassroots support for President Bush’s agenda. But last fall, Feather went to work for the Bush re-election campaign as a consultant on voter mobilization and fundraising. Now Feather’s partner at the firm FLS-DCI, Tom Synhorst, is deeply involved in developing advertising and grassroots strategies for Progress for America.”<sup>12</sup> When Feather left PFA, according to the *National Journal*, he “turned over the reins to Chris LaCivita, a former issue-advocacy director at the National Republican Senatorial Committee.”<sup>13</sup> According to the *Post*, Feather’s firm “has major contracts with both the Bush-Cheney ’04 campaign and the Republican National Committee.”<sup>14</sup> As of May, 2004, that

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<sup>10</sup> A copy of the Form 8872 for PFA-VF posted on July 13, 2004 is attached as Exhibit J.

<sup>11</sup> B. Mullins, “Big Money in Hand, GOP 527 Mounts Ad Blitz,” *Roll Call* (July 14, 2004) (Exhibit K).

<sup>12</sup> P. Stone, Exhibit D, *supra*.

<sup>13</sup> P. Stone, “A Catalog of Key Groups,” *The National Journal* (Dec. 19, 2003) (Exhibit L).

<sup>14</sup> Edsall, Exhibit C, *supra*.

company had been paid \$1.6 million by the Bush-Cheney campaign. *Id.* Tom Synhorst, a direct mail and phone bank specialist and a partner in Feather’s firm “is a key strategic adviser to PFA.”<sup>15</sup> Benjamin Ginsberg, outside counsel to the Bush-Cheney reelection campaign and to the Republican National Committee, also serves as counsel to PFA.<sup>16</sup>

Violation of Law  
(Political Committee Status)<sup>17</sup>

16. PFA-VF is a “political committee” under the federal campaign finance law. It is an entity which (1) has a “major purpose” to influence candidate elections, and in particular, federal candidate elections, and (2) has received contributions or made expenditures of more than \$1,000 in a calendar year. Because PFA-VF meets both parts of this test, it is a federal “political committee,” and is accordingly subject to the contribution limits, source prohibitions and reporting requirements that apply to all federal political committees. Because it has not complied with these rules applicable to federal political committees, it has been, and continues to be, in violation of the law.

17. Section 431(4) of Title 2 defines the term “political committee” to mean “any committee, club, association or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes expenditures aggregating in excess of \$1,000 during a calendar year.” 2 U.S.C. § 431(4); *see also* 11 C.F.R. § 100.5(a). A “contribution,” in turn, is defined as “any gift, subscription, loan, advance, or

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<sup>15</sup> Edsall, Exhibit C, *supra*.

<sup>16</sup> L. Getter, “GOP Can’t Beat ‘3<sup>rd</sup> Party’ Groups, so It Forms Them,” *The Los Angeles Times* (June 6, 2004) (Exhibit M).

<sup>17</sup> This count sets forth a violation that is substantively identical as a matter of law to an allegation made against the Media Fund, a similarly situated section 527 group, in a complaint filed with the Commission by the same complainants dated January 15, 2004.

deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office....” 2 U.S.C. § 431(8)(A). Similarly, an “expenditure” is defined as “any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office...” 2 U.S.C. § 431(9)(A).

18. Any entity which meets the definition of a “political committee” must file a “statement of organization” with the Federal Election Commission, 2 U.S.C. § 433, and periodic disclosure reports of its receipts and disbursements. 2 U.S.C. § 434. In addition, a “political committee” is subject to contribution limits, 2 U.S.C. § 441a(a)(1), §441a(a)(2), and source prohibitions, 2 U.S.C. § 441b(a), on the contributions it may receive and make. 2 U.S.C. § 441a(f). These rules apply even if the political committee is engaged only in independent spending. 11 C.F.R. § 110.1(n).

19. In *Buckley v. Valeo*, 424 U.S. 1 (1976), the Supreme Court construed the term “political committee” to “only encompass organizations that are under the control of a candidate or the major purpose of which is the nomination or election of a candidate.” 424 U.S. at 79 (emphasis added). Again, in *FEC v. Massachusetts Citizens for Life*, 479 U.S. 238 (1986), the Court invoked the “major purpose” test and noted that if a group’s independent spending activities “become so extensive that the organization’s major purpose may be regarded as campaign activity, the corporation would be classified as a political committee.” 479 U.S. at 262 (emphasis added). In that instance, the Court continued, it would become subject to the “obligations and restrictions applicable to those groups whose primary objective is to influence political campaigns.” *Id.* (emphasis added). The Court in *McConnell* restated

the “major purpose” test for political committee status as iterated in *Buckley*. 124 S.Ct. at 675, n.64.

20. In *FEC v. GOPAC*, 917 F.Supp. 851 (D.D.C. 1996), a single federal district court further narrowed the “major purpose” test to encompass not just the nomination or election of any candidate, but only “the nomination or election of a particular candidate or candidates for federal office.” 917 F.Supp. at 859. Thus, the court said that “an organization is a ‘political committee’ under the Act if it received and/or expended \$1,000 or more and had as its major purpose the election of a particular candidate or candidates for federal office.” *Id.* at 862. The court further said that an organization’s purpose “may be evidenced by its public statements of its purpose or by other means, such as its expenditures in cash or in kind to or for the benefit of a particular candidate or candidates.” *Id.*

21. It is the view of complainants that the district court in *GOPAC* misinterpreted the law and incorrectly narrowed the test for a “political committee” as set forth by the Supreme Court in *Buckley*, and that the Commission should have appealed the district court decision in *GOPAC*. Nonetheless, even under the approach adopted in *GOPAC*, the respondent here is a “political committee” and is required to file as such under federal law.

22. There is a two prong test for “political committee” status under the federal campaign finance laws: (1) whether an entity or other group of persons has a “major purpose” of influencing the “nomination or election of a candidate,” as stated by *Buckley*, or of influencing the “election of a particular candidate or candidates for federal office,” as stated by *GOPAC*, and if so, (2) whether the entity or other group of persons receives “contributions” or makes “expenditures” of at least \$1,000 or more in a calendar year.

23. Prong 1: The “major purpose” test. PFA-VF has a “major purpose” of influencing the election of a candidate, under *Buckley*, or of a “particular candidate or candidates for federal office,” under *GOPAC*. PFA-VF thus meets the first prong of the test for “political committee” status, under either *Buckley* or *GOPAC*.

24. First, PFA-VF is organized under section 527 of the Internal Revenue Code, 26 U.S.C. § 527, and is thus by definition a “political organization” that is operated “primarily” for the purpose of influencing candidate elections. Section 527 of the IRC provides tax exempt treatment for “exempt function” income received by any “political organization.” The statute defines “political organization” to mean a “party, committee, association, fund, or other organization (whether or not incorporated) organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function.” 26 U.S.C. § 527(e)(1) (emphasis added). An “exempt function” is defined to mean the “function of influencing or attempting to influence the selection, nomination, election, or appointment of any individual to any Federal, State, or local public office or office in a political organization, or the election of Presidential or Vice Presidential electors...” 26 U.S.C. § 527(e)(2) (emphasis added). The Supreme Court said in *McConnell*, “Section 527 ‘political organizations’ are, unlike § 501(c) groups, organized for the express purpose of engaging in partisan political activity.” 124 S.Ct. at 678, n.67. The Court noted that 527 groups “by definition engage in partisan political activity.” *Id.* at 679. A “political organization” as defined in section 527 must register as such with the Secretary of the Treasury, and must file periodic disclosure reports with the Secretary as required by section 527(j). PFA-VF has registered as a “political organization” under section 527.

25. Thus, by definition, any entity that registers with the Secretary as a “political organization” under section 527 is “organized and operated primarily” for the purpose of “influencing or attempting to influence the selection, nomination, election or appointment of” an individual to public office. The Commission has frequently cited the section 527 standard as identical to the “major purpose” prong of the test for “political committee” status. *See e.g.*, Advisory Opinions 1996-13, 1996-3, 1995-11. Accordingly, any group that chooses to register as a “section 527 group” – including PFA-VF -- is by definition an entity “the major purpose of which is the nomination or election of a candidate...”<sup>18</sup> Under the “major purpose” standard set forth in *Buckley*, this is sufficient to meet the first prong of the “political committee” test.

26. But even if that standard is further narrowed by *GOPAC*, the respondent here, PFA-VF, has a “major purpose” of influencing the nomination or election of a “particular candidate or candidates for federal office...” 917 F.Supp. at 859. PFA-VF has made clear that it intends to spend millions of dollars on broadcast ads that will expressly refer to President Bush and promote or support his reelection, or will refer to Senator Kerry and attack or oppose his election. Thus, PFA-VF has a “major purpose” to support or oppose particular federal candidates, thus meeting even the most rigorous definition under *GOPAC* of the first prong of the test for “political committee.”

27. Prong 2: “Expenditures” of \$1,000. The second prong of the definition of “political committee” is met if an entity which meets the “major purpose” test also receives “contributions” or makes “expenditures” aggregating in excess of \$1,000 in a calendar year.

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<sup>18</sup> This would be true in all instances other than a 527 organization which is devoted to influencing the nomination or appointment of individuals to appointive office such as, *e.g.*, a judicial appointment, but this exception does not apply to PFA-VF.

Both “contributions” and “expenditures” are defined to mean funds received or disbursements made “for the purpose of influencing” any federal election. 2 U.S.C. § 431(8), (9).

28. This second prong test of whether a group has made \$1,000 in “expenditures” is not limited by the “express advocacy” standard when applied to a section 527 group, such as PFA-VF. Rather, the test for “expenditure” in this case is the statutory standard of whether disbursements have been made “for the purpose of influencing” any federal election, regardless of whether the disbursements were for any “express advocacy” communication. The Supreme Court made clear in *Buckley* that the “express advocacy” standard does not apply to an entity, like a section 527 group, which has a major purpose to influence candidate elections and is thus not subject to concerns of vagueness in drawing a line between issue discussion and electioneering activities. Groups such as section 527 “political organizations” are formed for the principal purpose of influencing candidate elections and, as explained by the Court in *Buckley*, their expenditures “can be assumed to fall within the core area sought to be addressed by Congress. They are, by definition, campaign related.” 424 U.S. at 79. The Court affirmed this position in *McConnell*. 124 S.Ct. at 675, n.64. Thus, the “express advocacy” test, which the Supreme Court deemed to be “functionally meaningless,” 124 S.Ct. at 703, is not relevant to the question of whether a section 527 organization is spending money to influence the election of federal candidates.

29. PFA-VF has made “expenditures” in amounts far in excess of the \$1,000 threshold of the second prong of the test for “political committee” status. These expenditures have been made for broadcast advertisements that promote or support President Bush and/or attack or oppose Senator Kerry. These disbursements have been “for the purpose of influencing” federal elections, and thus constitute “expenditures” under the law.

30. Ads run by a section 527 “political organization” that promote, support, attack or oppose federal candidates are clearly for the purpose of influencing a federal election, even if such ads do not contain “express advocacy” or are not “electioneering communications,” as defined in 2 U.S.C. § 434(f)(3)(A)(i). Because the “express advocacy” test does not apply to section 527 groups, and thus does not limit the statutory definition of “expenditures” made by such groups, the funds spent by PFA-VF to promote or support President Bush, or to attack or oppose Senator Kerry, are “expenditures.” They are being made “for the purpose of influencing” the 2004 presidential elections.

31. Alternatively, even if the Commission incorrectly decides that the “express advocacy” test does apply to section 527 groups, the ads run by PFA-VF meet that test as well. The Commission’s existing regulations define “express advocacy” to include a communication that “when taken as a whole and with limited reference to external events...could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more candidates because the electoral portion of the communication is unmistakable, unambiguous and suggestive of only one meaning and reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidates or encourages some other kind of action.” 11 C.F.R. § 100.21(b). The ads run by PFA-VF, when taken as a whole, can only be interpreted by a reasonable person as advocating the re-election of President Bush and thus meet the Commission’s existing regulatory definition of “express advocacy.” Thus, the ads by PFA-VF contain “express advocacy” and therefore constitute “expenditures.”

32. PFA-VF to date has not registered with the Commission as a federal political committee. It is presumably intending to make all of its disbursements regarding federal

candidates from an account which does not comply with federal contribution limits, source prohibitions and reporting requirements.

33. In sum, PFA-VF has a “major purpose” to support or oppose the election of one or more particular federal candidates, and it has spent far in excess of the statutory \$1,000 threshold amount on “expenditures” for this purpose. The Commission accordingly should find that PFA-VF is a “political committee” under the Act. PFA-VF has not filed a statement of organization as a political committee, as required by 2 U.S.C. § 432, and has not complied or does not intend to comply with reporting requirements of 2 U.S.C. § 434, and has not complied with, and does not intend to comply with, the contribution limits and source prohibitions of 2 U.S.C. §§ 441a and 441b. The Commission should accordingly find PFA-VF in violation of all of these provisions of law.

#### Disclosure

34. Because of the violations of law set forth above, the Commission and the public, including the complainants, are not receiving full and accurate public disclosure of the funds raised and spent by PFA-VF, as required by FECA. Because it is a political committee, the funds received by PFA-VF are “contributions” subject to the mandatory federal reporting requirements of FECA and are required to be fully disclosed to the Commission and to the public, 2 U.S.C. § 434, including complainants. The donations received by PFA-VF as a section 527 group which is not reporting to the Commission as a federal political committee are subject only to reporting to the Internal Revenue Service under 26 U.S.C. § 527 and such disclosure may be avoided altogether if the recipient chooses to pay income tax on the donation. Further, section 527, unlike the FECA requirements applicable to political committees, does not require the reporting of the aggregate amount of unitemized contributions

received by the group, so there is no basis to determine the total aggregate amount raised by such a section 527 group. Thus, to the extent that PFA-VF is wrongly treating contributions required to be reported under FECA instead as donations to a section 527 account, the public, including complainants, and the Commission have no assurance that all contributions required to be disclosed under FECA are properly being disclosed, or that the total amount of contributions to PFA-VF is being disclosed.

Prayer for Relief

35. Wherefore, the Commission should conduct an immediate investigation under 2 U.S.C. §437g, should determine that PFA-VF has violated or is about to violate 2 U.S.C. §§ 432, 434, 441a and 441b(a), and 11 C.F.R. § 114.4, should impose appropriate sanctions for such violations, should enjoin the PFA-VF from all such violations in the future, and should impose such additional remedies as are necessary and appropriate to ensure compliance with FECA and BCRA.

Respectfully submitted,

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Counsel for Democracy 21

Verification

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

Sworn to pursuant to 18 U.S.C. § 1001.

**For Complainant Democracy 21**

\_\_\_\_\_  
Fred Wertheimer

Sworn to and subscribed before me this \_\_\_\_ day of July, 2004

\_\_\_\_\_  
Notary Public

**For Complainant Campaign Legal Center**

\_\_\_\_\_  
Trevor Potter

Sworn to and subscribed before me this \_\_\_\_ day of July, 2004

\_\_\_\_\_  
Notary Public

**For Complainant Center for Responsive Politics**

\_\_\_\_\_  
Lawrence M. Noble.

Sworn to and subscribed before me this \_\_\_\_ day of July, 2004

\_\_\_\_\_  
Notary Public