

**U.S. House of Representatives**  
**Committee on the Judiciary**  
Washington, DC 20515-6216  
One Hundred Ninth Congress

March 11, 2005

The Honorable Scott E. Thomas, Chairman  
The Honorable Michael E. Toner, Vice Chairman  
The Honorable David M. Mason, Commissioner  
The Honorable Bradley A. Smith, Commissioner  
The Honorable Danny L. McDonald, Commissioner  
The Honorable Ellen L. Weintraub, Commissioner  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

Dear Mr. Chairman and Commissioners:

We write to express our concern over the possible implications of U.S. District Court Judge Colleen Kollar-Kotelly's decision in *Christopher Shays & Martin Meehan v. Federal Election Commission*, 337 F.Supp.2d 28 (D.D.C. 2004), to overturn the Federal Election Commission's (FEC) blanket exemption of the Internet from the Bipartisan Campaign Reform Act of 2002 (BCRA). Specifically, we are concerned about the impact this decision could have on internet weblogs ("blogs").

We have been advised the FEC will soon open a rulemaking in this area. Many of us were strong supporters of campaign finance reform generally, and of the BCRA. While the impact of the *Shays* decision on blogs remains subject to debate, we urge you to remove any ambiguity and make explicit in this rule that a blog would not be subject to disclosure requirements, campaign finance limitations or other regulations simply because it contains political commentary or includes links to a candidate or political party's website, provided that the candidate or political party did not compensate the blog for such linking. We believe such an interpretation is entirely consistent with the BCRA, which has helped to mitigate the impact of soft money on politics. We also believe such an interpretation would easily pass judicial muster as well.

Throughout our nation's history, Americans have turned to the press for information and analysis in order to make a more informed decision concerning politics. The past decade has witnessed exponential growth of the Internet, as well as in the number of Americans accessing the World Wide Web. Along with this growth has been the emergence of Web reporters who play a critical role in commenting on American

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political affairs and who seek to inform the debate in an environment that is generally accessible by all.

In our view, this "democratization" of the media is a welcome development in this era of media consolidation and a corresponding lack of diversity of views in traditional media outlets. Given the emergence of this new method of reporting and Americans' increasing reliance on it for their political information, it is critical that BCRA's press exemption should be clarified to apply to those who are reporting on the Internet.

Thank you for your attention to this important matter.

Sincerely,

John Conyers Jr.  
Burl Sand  
Luis V. Guterrey  
Jim McDermott  
Maxine Waters  
Jim Cooper  
Diana Smith

Rick Rouche  
Zoe Lofgren  
Chuck Farnik  
Lynn C. Woolsey  
Paul M. Grijalva  
Steve Largent  
Ron Paul