

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CONGRESSMAN RON PAUL, <i>et al.</i>,	)	CIVIL ACTION NO. 02-CV-781
Plaintiffs,	)	(CKK, KLH, RJL)
)	
v.	)	Consolidated with
	)	CIVIL ACTION NOS.
	)	02-CV-582 (CKK, KLH, RJL) (Lead)
FEDERAL ELECTION COMMISSION, <i>et al.</i>,	)	02-CV-581 (CKK, KLH, RJL)
Defendants.	)	02-CV-633 (CKK, KLH, RJL)
	)	02-CV-751 (CKK, KLH, RJL)
	)	02-CV-753 (CKK, KLH, RJL)
	)	02-CV-754 (CKK, KLH, RJL)
	)	02-CV-874 (CKK, KLH, RJL)
	)	02-CV-875 (CKK, KLH, RJL)
	)	02-CV-877 (CKK, KLH, RJL)
	)	02-CV-881 (CKK, KLH, RJL)

**DECLARATION OF MICHAEL BOOS,
ON BEHALF OF PLAINTIFFS CITIZENS UNITED
AND CITIZENS UNITED POLITICAL VICTORY FUND**

Michael Boos, Vice President of Citizens United, a plaintiff in the above-captioned matter, declares pursuant to 28 U.S.C. Section 1746 as follows:

1. My name is Michael Boos. I serve as Vice President of Citizens United, a nonprofit corporation organized under the laws of Virginia and tax-exempt under section 501(c)(4) of the Internal Revenue Code. I have served Citizens United in that capacity since February 1996. Prior thereto, during the years 1995 and 1996, I was employed by Citizens United as its General Counsel, and I continue to serve in that capacity as well. *See* Declaration of David G. Bossie on Behalf of Citizens United and Citizens United Political Victory Fund herein, ¶ 4.
2. In my capacity as Vice President of Citizens United, I assist the chief executive officer of Citizens United, with responsibility, *inter alia*, for helping to carry out the day-to-day operations of the organization.

3. Through accomplishment of my duties as an employee of Citizens United, I am personally familiar with virtually all of the activities of Citizens United during the time I have been employed there, and I am familiar with the books and records of Citizens United, whose maintenance I oversee. I confirm that the documents attached to the Declaration of David N. Bossie on Behalf of Citizens United and Citizens United Political Victory Fund herein are true copies of those documents that are maintained by Citizens United in the regular and ordinary course of its operations, and are part of the business records of Citizens United. It should be noted, however, that the written advertising scripts contained in Exhibit C to that Declaration — which are scripts of actual video and audio communications of Citizens United that were broadcast during the period 1991 through 1999 — were prepared from the actual records (*i.e.*, videotapes) that were furnished to the defendants during the course of this proceeding and are accurate renditions of those taped advertising scripts, as noted in the written scripts.

4. My duties as Vice President of Citizens United also include assisting in the management and operations of Citizens United's separate segregated fund, known as Citizens United Political Victory Fund (hereinafter referred to as "CUPVF"), which is also a plaintiff in the above-captioned action, as well as overseeing/managing CUPVF's records. CUPVF is a federally-registered political action committee that has been in existence since 1994, and has been active since that time. Under regulations of the Federal Election Commission ("FEC"), it is known technically as a separate segregated fund (or "SSF") of Citizens United. CUPVF also is a "multicandidate political committee," as that term is used in the Bipartisan Campaign Reform Act of 2002 ("BCRA") and the Federal Election Campaign Act of 1971, as amended ("FECA"). CUPVF is independent of any political party. It has supported federal candidates

in each federal election cycle since the creation of CUPVF in 1994, intends to support one or more candidates for federal office in the 2002 and 2004 federal election cycles, as well as further in the future, and desires to receive contributions from individuals in excess of \$5,000 per calendar year, and to make contributions to many such candidates in excess of \$5,000 per election, in furtherance of CUPVF's positions on public policy issues. Attached hereto as Boos CU/CUPVF Declaration Exhibit A are true copies of CUPVF's initial and amended Statements of Organization (FEC Form 1) filed by CUPVF with the Federal Election Commission in 1994 and 1999, respectively.

5. CUPVF was established because of the inability of its connected organization, Citizens United, under FECA, to support or oppose candidates, to make contributions, or otherwise to engage in "express advocacy" with respect to federal elections — a discriminatory licensing scheme that burdens and restricts organizations like Citizens United and effectively exempts the news media from its restrictions — except through a separate segregated fund such as CUPVF. CUPVF, in turn, is also restricted by the FECA, including the BCRA that amended the FECA, in a number of ways — including, but not limited to, the restriction on the maximum contribution that may be donated to CUPVF, as well as the maximum contribution that CUPVF may make to the candidate(s) of its choice — that CUPVF believes are discriminatory and deprive CUPVF of its rights under the First Amendment to the U.S. Constitution. *See* 2 U.S.C. § 441a(a)(1)(C) (limiting maximum contribution of individuals to political committees such as CUPVF to \$5,000 per calendar year) and (a)(2)(A), (C) (limiting maximum contribution of multicandidate political committee to candidate and candidate's committee, and to other, non-party political committees, to \$5,000 per calendar year).

6. CUPVF has filed various reports with the Federal Election Commission from the inception of CUPVF in 1994 to the present. All of CUPVF's reports are on file with the Federal Election Commission, and copies of those reports were furnished to the defendants during the course of discovery in this action. Attached hereto as Boos CU/CUPVF Declaration Exhibit B are true copies of CUPVF's year-end reports (FEC Forms 3X) filed by CUPVF with the Federal Election Commission each year, from 1994 through 2001. These January 31 Year-End Reports (FEC Forms 3X) are only some of the reports that CUPVF has been required to file with the FEC, but they are demonstrative of the record-keeping detail that is required by the FECA/BCRA, and they help to illustrate the burdens and restrictions imposed upon political committees under those laws, as indicated with more specificity in paragraph 8, below.

7. As pointed out by Walter J. Olson, one of the plaintiffs' expert witnesses in this action (Declaration of Walter J. Olson, ¶¶ 7-15, 17-60, 116), and as further confirmed in paragraph 8 of this Declaration below, these FEC filing and reporting requirements with respect to SSFs are quite burdensome, and I can confirm that these burdens have been, and continue to be, extraordinary, unduly harmful burdens for CUPVF.

8. As evidence of the licensing scheme established and perpetuated by the FECA/BCRA, prior to engaging in any "federal election" activities, and as a government-imposed condition for engaging in such activities, CUPVF was required to file with the FEC its initial Statement of Organization referenced above. In addition, CUPVF has been required by the government to maintain its records in such a way that it is able to prepare and file with the FEC a number of reports in each year of its existence, as well as to spend the time, effort,

and money to actually prepare and file those reports. The filing and reporting requirements, which I have undertaken and supervised on behalf of CUPVF, include — together with numerous other FECA-mandated requirements and restrictions — the following:

- CUPVF was required to include in its name the full name of its connected organization. (11 CFR 100.6(a) and 102.14(c).)
- CUPVF was required to appoint a treasurer of the SSF before accepting contributions or makes expenditures. (11 CFR 102.7(a) and (b).)
- The treasurer of CUPVF was required to prepare and file the initial FEC Form 1 (Statement of Organization) for the CUPVF, which includes the following information (11 CFR 102.2):
 - (i) name and address of the SSF;
 - (ii) electronic mail address if such an address exists and if the committee is required to file electronically;
 - (iii) Internet address of the committee's official web site, if such a web site exists;
 - (iv) name and address of the connected organization;
 - (v) type of connected organization;
 - (vi) name and address of the custodian of records;
 - (vii) name and address of the treasurer; and
 - (viii) name and mailing address of banks or other depositories.
- The initial FEC Form 1 was filed with the FEC, as required. (11 CFR 105.4.)\
- A copy of the FEC Form 1 for CUPVF was filed, as required, with the designated State officer of Virginia. (11 CFR 108.1.)
- After the original, executed FEC Form 1 was filed with the FEC, the FEC assigned an Identification Number (C00295527) to CUPVF. (11 CFR 102.2(c).)
- CUPVF was required to prepare and file an amendment to its registration statement (FEC Form 1) with the FEC within 10 days after there any change or correction to the information contained in the registration statement, which it did on July 27, 1999, to reflect a new address and depository. (11 CFR 102.2(a)(2).)
- CUPVF was required to designate as its campaign depository or depositories only state banks, federally chartered depository institutions (including national

banks), or depositories insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Administration. (11 CFR 103.2.)

- CUPVF has been required to maintain at least one checking account or transaction account at one of its depositories. (11 CFR 103.2.)
- CUPVF has had to engage and retain a treasurer responsible for ensuring that all receipts are deposited in a designated depository account identified in CUPVF's registration statement within 10 days of receipt, or are returned to the contributor without being deposited within 10 days of receipt. (11 CFR 103.3(a).)
- CUPVF has been prohibited from receiving contributions or making expenditures when there is a vacancy in the office of treasurer if the committee does not have an assistant treasurer. (11 CFR 102.7.)
- CUPVF has been required to make all disbursements by check or similar draft drawn on accounts established at its designated depository or depositories, except for expenditures of \$100 or less made from a petty cash fund maintained pursuant to 11 CFR 102.11. (11 CFR 102.10.)
- CUPVF has been required to maintain a treasurer responsible for ensuring that excessive contributions are not deposited in an account depository of CUPVF (11 CFR 103.3(b).)
- Before qualifying as a multicandidate committee, CUPVF was permitted to make contributions only up to \$1,000 per election to a candidate for federal office, including a candidate for the office of Representative, Senator, or President of the United States. (2 U.S.C. §441a(a).)
- After qualifying as a multicandidate committee (*i.e.*, when it (i) received contributions from more than 50 persons, (ii) had been registered with the FEC for at least six months, and (iii) had made contributions to at least five federal candidates), CUPVF's treasurer filed a completed, executed FEC Form 1M (Notification of Multicandidate Status) with the FEC. (2 U.S.C. §441a(a) and 11 CFR 100.5(e)(3) and 102.2(a)(3).)
- After qualifying as a multicandidate committee and filing its FEC Form 1M with the FEC, CUPVF was prohibited from giving more than \$5,000 per election to a candidate for federal office. (2 U.S.C. §441a(a) and 11 CFR 110.2(b).) It is my understanding that the BCRA did not increase that limit, as it did for individual contributors.

- As a qualified multicandidate committee, CUPVF has been required to give each recipient federal candidate or campaign committee written notification that CUPVF has qualified as a multicandidate committee when it has made a contribution to such federal candidate or campaign committee. (11 CFR 110.2(a)(2).)
- CUPVF has been limited in soliciting contributions to CUPVF at any time from Citizens United's restricted class, which includes (i) its noncorporate members (such as individuals or partnerships), (ii) its executive and administrative personnel, and (iii) the families of both groups. (11 CFR 114.7.)
- CUPVF has been able to solicit contributions to the SSF no more than twice a year from employees of Citizens United who are nonexecutive and nonadministrative personnel and their families. (11 CFR 114.6.)
- CUPVF has been able to accept contributions of no more than \$5,000 in the aggregate per calendar year from a contributor. (11 CFR 110.1(d).)
- If any contribution received by CUPVF exceeded the limit, the treasurer was required to return or refund the excessive amount unless the following procedure were followed within 60 days of receipt of the excessive contribution by the treasurer: the excessive amount of the contribution may be retained by the SSF, if, within 60 days of receipt by the treasurer, (i) the excessive amount was reattributed to another individual, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (ii) the treasurer informs the individual making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. (11 CFR 110.1(k)(3).)
- CUPVF may not accept contributions made from the general treasury funds of corporations, labor organizations, or national banks. (11 CFR 114.2(a) and 114.2(b).)
- CUPVF may not accept contributions made by federal government contractors. (11 CFR 115.)
- CUPVF may not accept contributions by foreign nationals as defined in 11 CFR 110.4(a)(4). (11 CFR 110.4(a).)
- CUPVF may not accept contributions made by one person in the name of another. (11 CFR 110.4(b).)

- CUPVF may accept neither cash contributions of more than \$100, nor anonymous cash contributions of more than \$50. (11 CFR 110.4(c)(1), 110.4(c)(2) and 110.4(c)(3).)
- The treasurer of CUPVF is responsible for making his best efforts in determining the legality of a contribution. (11 CFR 103.3(b)(1).)
- An SSF registered with the FEC, such as CUPVF, must file periodic FEC Form 3X reports with the FEC until it has terminated its registration and reporting obligations by filing a termination report. (11 CFR 104.5(c).)
- As an SSF registered with the FEC, CUPVF must file FEC Form 3X reports on either a quarterly or monthly schedule. During a nonelection year, in which there are no regularly scheduled federal elections, a quarterly filer is required to file two semiannual FEC Form 3X reports: (i) a mid-year report (January 1 through June 30); and (ii) a year-end report (July 1 through December 31). During an election year, an SSF which is a quarterly filer is required to file the following FEC Form 3X reports (11 CFR 104.5(c)):
 - (i) April 15 Quarterly;
 - (ii) July 15 Quarterly;
 - (iii) October 15 Quarterly;
 - (iv) 12-Day Pre-General (if appropriate);
 - (v) 30-Day Post-General;
 - (vi) January 31 Year End; and
 - (vii) 12-Day Pre-Election (*e.g.*, primary, runoff) reports (if appropriate).
- As a monthly filer, CUPVF has been, and is, required to file the following FEC Form 3X reports each year (11 CFR 104.5(c)):
 - (i) February 20 Monthly;
 - (ii) March 20 Monthly;
 - (iii) April 20 Monthly;
 - (iv) May 20 Monthly;
 - (v) June 20 Monthly;
 - (vi) July 20 Monthly;
 - (vii) August 20 Monthly;
 - (viii) September 20 Monthly;
 - (ix) October 20 Monthly;
 - (x) 12-Day Pre-General (election years only, if appropriate);
 - (xi) 30-Day Post-General (election years only);
 - (xii) November 20 Monthly (nonelection years only);
 - (xiii) December 20 Monthly (nonelection years only); and
 - (xiv) January 31 Year End.

- As an SSF which is a multicandidate committee, CUPVF has been required to indicate that it has qualified as a multicandidate committee on the summary page of each FEC Form 3X (Report of Receipts and Disbursements) report filed with the FEC.
- When CUPVF files its FEC Form 3X reports with the FEC, it is required to simultaneously file copies of the summary page, detailed summary page and the appropriate Schedule B (Itemized Disbursements) pages of the FEC Form 3X report with the designated State officer of the State in which CUPVF supported or opposed federal candidates during the reporting period, unless that State has received a waiver from the requirement to maintain copies of FEC statements and reports. (11 CFR 108.1.)
- An SSF may change its filing schedule (*e.g.*, monthly to quarterly) only once per calendar year. (11 CFR 104.5(c).)
- As an SSF, CUPVF must file a 24-hour report, signed by the treasurer under penalty of perjury, when it makes independent expenditures aggregating \$1,000 or more after the 20th day but more than 24 hours before the day of an election. The notice must be received by the FEC within 24 hours after the expenditure is made. The notice must include all the information required on the Schedule E (Itemized Independent Expenditures) of FEC Form 3X, including CUPVF's name and FEC Identification Number. Each independent expenditure which, by itself or when added to other independent expenditures made to the same payee during the same calendar year, exceeds \$200 must be itemized, including the following information (11 CFR 104.3(b)(3)(vii)(B), 104.4(b) and 104.5(g)):
 - (i) name and address of the payee;
 - (ii) date of expenditure;
 - (iii) amount of expenditure;
 - (iv) purpose of expenditure;
 - (v) name of the federal candidate who is supported or opposed; and
 - (vi) office sought by the federal candidate.
- An SSF may file a termination report at any time, provided that (i) it no longer intends to receive contributions or make expenditures, and (ii) it does not have any outstanding debts or obligations. (11 CFR 102.3)
- As an SSF, CUPVF is required to file hard copy reports and other documents, such as FEC Form 3X and amendments to FEC Form 1, with the FEC, unless it receives contributions or makes expenditures in excess of \$50,000 in a calendar year, or has "reason to expect to exceed" \$50,000 in contributions or expenditures in a calendar year. (11 CFR 104.18(a).)

- Beginning with the reporting periods that start on or after January 1, 2001, CUPVF is required to file reports, such as FEC Form 3X and amendments to FEC Form 1, electronically with the FEC, if its combined total contributions or combined total expenditures exceed, or “have reason to expect to exceed,” \$50,000 in a calendar year. An SSF that is not required to file electronically may choose to file its reports in an electronic format. (11 CFR 104.18.)
- CUPVF’s treasurer is required to keep copies of each registration statement (FEC Form 1), FEC Form 3X report and other documents (*e.g.*, 24-hour report of independent expenditures) for three years after they are filed. (11 CFR 102.9(c) and 104.14(b).)
- CUPVF’s treasurer is required to keep records and accounts of all contributions received by or on behalf of CUPVF, and of all disbursements made by or on behalf of CUPVF, for three years after the report to which such records and accounts relate is filed. (11 CFR 102.9.)
- CUPVF’s treasurer is required to ensure that the contribution records identify each contribution: (i) of more than \$50 by amount, date of receipt, and donor’s name and address; and (ii) of more than \$200 by amount, date of receipt, and donor’s name, address, occupation, and employer. (11 CFR 102.9(a).)
- According to the FEC, CUPVF’s treasurer is personally responsible for carrying out the following (11 CFR 103.3 and 104.14(d)):
 - (i) filing complete and accurate reports and statements with the FEC on time;
 - (ii) signing all reports and statements filed with the FEC;
 - (iii) depositing receipts in the committee’s designated bank within 10 days;
 - (iv) authorizing expenditures or appointing an agent (either orally or in writing) to authorize expenditures;
 - (v) monitoring contributions to ensure compliance with the law’s limits and prohibitions; and
 - (vi) keeping the required records of receipts and disbursements.

These and other FEC-related requirements are extremely burdensome — I estimate that normal FEC-related functions, such as complying with the FEC filing and reporting requirements, alone have required at least three hours of my time per month, year round, and this does not include the time necessary for CUPVF’s treasurer to review and sign the reports, nor does it

include the time of Citizens United's or CUPVF's bookkeepers or any other individual. Nor does it include the time involved in less regular FEC-related matters, including my own continuing study of FEC requirements, or counseling Citizens United and CUPVF with respect to election law matters, or FEC proceedings such as Matters Under Review ("MURS"), which are discussed in the following paragraph.

9. In the past six years, CUPVF and its treasurer have been involved as respondents in several MURS, even where no complaint alleged illegal activity of CUPVF or its treasurer, and CUPVF and its treasurer were called upon to justify conduct that I believe any reasonable person would deem legal and in compliance with FEC regulations and the law. Defending CUPVF (and CUPVF's treasurer) in these MURS — all of which were dismissed (without apology) against CUPVF and its treasurer — was time-consuming and expensive.

Furthermore, during the course of these MURS, I became aware of a number of policies and/or practices of the FEC in conducting its MURS, including the following:

- The FEC does not permit either respondents or counsel for respondents in MURS to appear before the FEC at any stage of the proceeding.
- The FEC General Counsel's office presents its own views as well as the views of respondents in MURS to the FEC in closed hearings which the respondent, respondent's counsel and the public may not attend.
- When the deposition of a respondent in a MUR is taken by the FEC, the FEC policy is to require the respondent to sign the deposition at the offices of the FEC, or at the offices of a reporting company, and in neither case is the respondent allowed to take with him a copy of the deposition, or to copy the deposition.
- The FEC will not permit a respondent to take possession of a copy of his own deposition even if the respondent is the only respondent and he waives his right to confidentiality under FECA.

It has been my experience, on behalf of Citizens United and CUPVF, that the policies and procedures of the FEC, including those in MURS as set forth above, has worked to the tremendous, unfair disadvantage of the citizenry, including CUPVF and its treasurer, and has resulted consistently in an extremely unnecessary waste of time, effort, and expense, in litigating MURS against the FEC. The MURS referenced above involving CUPVF and its treasurer consumed, conservatively, more than 100 hours of time of CUPVF and its staff, and cost CUPVF or Citizens United many thousands of dollars in attorney's fees. These are but examples of the tremendous burden felt by organizations and individuals involved in the morass of needless, counter-productive, and I believe unconstitutional regulation spawned by the FECA, and now the FECA as amended by the BCRA.

10. The FECA/BCRA regulatory scheme is daunting, from a compliance standpoint. Without constant vigilance and careful recordkeeping and bookkeeping, for example, it would not be difficult to run afoul of the recordkeeping and reporting requirements in any given year, particularly during active periods, such as just prior to an election. As Citizens United's FEC reports indicate (see paragraph 7, below, and Exhibit B hereto), its gross contributions have not exceeded \$50,000 per year, and they are normally substantially less (*e.g.*, \$36,970 in 2000, \$41,489.25 in 1999, \$16,633 in 1998). Yet I would estimate the actual cost of maintaining and operating CUPVF with respect to FEC compliance matters at between \$5,000 to \$12,000 per year. Again, this is relative to regular compliance matters, and does not include extraordinary matters such as MURs. For the activities of an SSF that raises and expends substantially less than \$50,000 for year, the FECA requirements and FEC regulations

implementing them, costing a small SSF like CUPVF up to a twenty percent or more of its yearly receipts, are unconscionably and unconstitutionally burdensome and overbearing.

11. The burdens and restrictions imposed upon CUPVF by the FECA/BCRA, which Citizens United and Citizens United Political Victory Fund contend are unconstitutional, include the following: as a political committee, CUPVF is required to comply with statutorily-imposed licensing regulations, editorial control, and discriminatory economic burdens, to wit: (i) registration with the FEC as a political committee, as required by 2 U.S.C. Section 433, in order to be permitted to engage in any communicative activity expressly advocating the election or defeat of a candidate for federal office; (ii) the filing of periodic reports, open to the public, of receipts and disbursements, as required by 2 U.S.C. Section 434, in order to be permitted to continue to engage in such communicative activity; and (iii) compliance with limits upon individual financial contributions, as specified by 2 U.S.C. Sections 441a, 441d, 441f, and 441g, and reporting to the FEC the names, addresses, employers, and occupations of contributors, as required by 2 U.S.C. Section 434, in order to convey CUPVF's candidate preferences in a federal election. These are substantial burdens, in terms of time and effort expended, out-of-pocket expense and employee salaries, and distraction from the substantive activities of CUPVF (as well as Citizens United itself), that greatly interfere with the free exercise of the First Amendment rights of Citizens United and CUPVF, and inhibit the ability of CUPVF to carry out its activities with respect to federal elections.

12. As indicated in paragraph 43 of its Amended Complaint herein, CUPVF has been, currently is, and will continue to be, injured by the BCRA/FECA's system of prior restraints

and discriminatory regulations, including: (a) registration with, reporting to and disclosure of the names, addresses and occupations of certain contributors, to the FEC; and (b) compliance with contribution limits imposed upon political committees independent of a candidate and a political party, having been neither raised nor indexed by BCRA. Such prior restraints and regulations currently impose, and will continue to impose, discriminatory economic burdens and penalties upon CUPVF's communicative activity expressly advocating or opposing the election of candidates to federal office, thereby preventing CUPVF, by threat of injunctive, and other restraining, action and civil and criminal penalties, as enhanced by BCRA, from engaging in the quality and quantity of political communications that CUPVF would choose in its editorial discretion, but for the licensing power, editorial control and economic burdens and penalties placed upon them by BCRA/FECA.

13. Among CUPVF's complaints in this litigation is the restriction on the maximum annual contribution — \$5,000 — that it can receive from any one individual or other non-party political committee, which is also the maximum amount that CUPVF can itself contribute to any candidate or candidate's committee. These restrictions have injured CUPVF in the past — both with respect to amounts it could have received from individuals but for the restriction as well as with respect to amounts that it would have contributed to certain candidates but for the restriction — and they threaten to do so in the future as well unless they are removed. In addition to the fact that such restrictions arbitrarily limit CUPVF's activities in supporting or opposing federal candidates, they unfairly discriminate against CUPVF and other non-party political committees, whose annual contribution limits were not raised or indexed by BCRA, as

opposed to the raising and indexing of contribution limits for individuals and party committees as set forth in section 301 of the BCRA.

14. I believe that the contribution limits imposed by BCRA/FECA on political committees such as CUPVF, including restricting the maximum contribution that may be donated to CUPVF, as well as the maximum contribution that CUPVF may make to the candidate(s) of its choice — which limits are not imposed upon the news media — are discriminatory and deprive CUPVF of its rights under the First Amendment to the U.S. Constitution, including impeding CUPVF from freely and effectively engaging in its First Amendment activities. I believe that individuals who in the past donated the maximum \$5,000 contribution to CUPVF would have donated more to CUPVF if they had not been restricted by the FECA as to how much they could have contributed. Similarly, as CUPVF's FEC reports clearly reveal, in the past CUPVF has donated the maximum \$5,000 contribution to certain candidates, and I can attest that CUPVF, in the past, would have contributed more than the \$5,000 limit imposed by 2 U.S.C. § 441a.(a)(2) if such contribution limits did not exist, and I believe that CUPVF would function more effectively if such contribution limits did not exist.

I declare, under penalty of perjury, that the foregoing is true and correct.



MICHAEL BOOS

Executed on:

10/3/2002