

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

Ron Paul, United States Representative from the 14th Congressional District of the State of Texas, a plaintiff in the above-captioned matter, declares pursuant to 28 U.S.C. Section 1746 as follows:

1. I am Ron Paul, the duly-elected United States Representative from the 14th Congressional District of the State of Texas. I have served the people of the 14th Congressional District in the capacity as a member of the United States House of Representatives for nearly six years, having been first elected to that position in November 1996 and twice re-elected, in November 1998 and November 2000. Currently, I am the Republican nominee standing for re-election as a Member of the United States House of Representatives from the recently-redistricted 14th Congressional District of the State of Texas.

2. In 1976, and then from 1978 to 1984, I served as an elected Member of the House of Representatives representing the people of the 22d Congressional District of the State of Texas. In 1984, I chose not to stand for re-election to my House seat. Instead, I sought the Republican nomination for United States Senate from the State of Texas, which I did not win. Four years later, in 1988, I was the Libertarian Party candidate for President of the United States, an office which I did not win.

3. Prior to my entry into politics as a candidate for elective office, I served the community in which I lived as a medical doctor, specializing in obstetrics and gynecology. After my unsuccessful run for the U.S. Senate in 1984, I returned to my medical practice until 1995, when I decided to return to elective politics, seeking the Republican nomination for the 14th District House seat from the State of Texas, which I now hold.

4. Also prior to my entry into politics as a candidate for elective office, I engaged in a careful study of American monetary and foreign policy. After becoming convinced that the United States government was pursuing policies that worked against the free market system and sound money and that disregarded the constitutional limits placed upon it, I sought means by which to communicate effectively my free market views and beliefs concerning constitutionally limited government to more Americans. By the early 1970's, I became convinced that the best platform for communicating my ideas and for getting them implemented as government policy was to stand for election to public office. In my first attempt to win public office, I did not succeed. Since then, as indicated previously, I have won some races and lost others. Throughout my political career, however, I have never wavered from my foremost purpose to serve the people who have elected me by promoting government policies that, if enacted into law, would

facilitate a free market economy backed up by a sound monetary system and a foreign policy protecting the sovereignty and independence of the United States of America consistent with the original vision of America's founders as found in the written text of the United States Constitution. To that end, both before and after my return to the United States Congress in 1996, I have proposed legislation, spoken on the House floor, communicated regularly with my constituents, published articles, sent e-mail and faxes, established web sites, supported and raised money for organizations that share my political principles and goals for America, and provided financial and other support for persons who share my principles and goals and who were seeking election to office, both state and federal.

5. In 1995, prior to my entry into the race for United States Representative from the 14th Congressional District of the State of Texas, I was required by federal law, under pain of civil and criminal penalty and of the threat of the injunctive and contempt powers of the federal judiciary, to file with the Federal Election Commission ("FEC") an official FEC Form 2, namely, my Statement of Candidacy for the United States House of Representatives seat for the 14th Congressional District of Texas, designating therein my principal campaign committee and any other committee authorized to receive and expend funds on behalf of my candidacy. On July 25, 1995, I did so file an FEC Form 2 as my Statement of Candidacy for the 14th Congressional District House seat, designating the Ron Paul for Congress Committee as my principal campaign committee, and the only committee authorized to receive and expend funds on behalf of my candidacy. Additionally, on August 12, 1995, after successfully recruiting a person who was willing to assume personal liability for FEC compliance as treasurer of my principal campaign committee, the Ron Paul for Congress Committee sought from the FEC a license to serve as Ron

Paul's principal campaign committee by filing the FEC Form 1, identifying itself as the principal campaign committee for Ronald E. Paul, Republican candidate for the U.S. House for the 14th Congressional District of Texas, and further identifying by name the committee's custodian of the records, treasurer and bank in which the committee "deposits funds, holds accounts, rents safety deposit boxes or maintains funds." The FEC accepted these application forms and issued my committee a unique FEC Identification Number, C00305342. *See* Paul Declaration Exhibit A, attached hereto.

6. After my election to the 14th Congressional District House seat, and prior to the start of my campaign for re-election to that seat, on May 1, 1997, the treasurer of my principal campaign committee filed with the FEC the official FEC Form 2 to renew my license to campaign for reelection, designating The Committee to Re-Elect Ron Paul as my principal campaign committee and as the only committee authorized to receive and expend funds on my behalf. Approximately one month prior to this filing, on April 2, 1997, the Ron Paul for Congress Committee filed with the FEC an FEC Form 1 amending its FEC license authorizing it to receive and expend funds on behalf of my 1998 candidacy for re-election to the House by changing its name to "The Committee to Re-Elect Ron Paul." *See* Paul Declaration Exhibit A, attached hereto.

7. Thereafter, on March 3, 1999, the treasurer of my principal campaign committee filed with the FEC an FEC Form 2 renewing my license to campaign for re-election to the 14th Congressional District House seat, designating The Committee to Re-Elect Ron Paul as my principal campaign committee as the only committee authorized to receive and expend funds on behalf of my candidacy for re-election to the 14th Congressional District seat in the year 2000

election. Thereafter, on December 6, 1999, The Committee to Re-Elect Ron Paul filed with the FEC an FEC Form 1 amending its amended FEC license by changing the bank designated as the depository of the committee's funds, the holder of the committee's accounts, the renter of the committee's safety deposit boxes, and the maintainer of the committee's funds. *See* Paul Declaration Exhibit A, attached hereto.

8. On September 10, 2001, the treasurer of my principal campaign committee filed with the FEC an FEC Form 2 renewing my license to campaign for reelection to the 14th Congressional District seat, designating The Committee to Re-Elect Ron Paul as my principal campaign committee and the only committee authorized to receive and expend funds on my behalf. *See* Paul Declaration Exhibit A, attached hereto.

9. As a candidate for election and for re-election as the United States Representative from the 14th Congressional District of the State of Texas, the treasurer of my principal campaign committee and I, as well as my committee's agents, have diligently made every effort to comply with all federal laws, rules and regulations of the Federal Election Campaign Act of 1971, as amended ("FECA"), including (a) all laws, rules and regulations governing the FEC licensing and registration of my candidacies and of my authorized campaign committees; (b) all laws, rules and regulations governing the filing with the FEC of periodic reports, open to the public, of receipts and disbursements of my authorized campaign committees; (c) all laws, rules and regulations limiting the amounts and sources of financial contributions to my campaigns; and (d) all laws, rules and regulations limiting the ways in which my campaigns can spend money.

10. During the period from December 1995 through July 2002, as required by law, the treasurer of my principal campaign committees has filed an aggregate total of 32 reports with the

FEC, including year-end reports, quarterly reports, 12-day pre-primary election reports, 12-day pre-general election reports, and 30-day post-general election reports. *See* Paul Declaration Exhibit A, attached hereto.

11. In these reports, which are on file with the FEC and are public information, my authorized campaign committees, as required by federal law, have disclosed the identities, including name, address, occupation, and employer, of all individuals contributing more than \$200 in the aggregate during a calendar year to my campaign committees and the identities, including name and address, of all payees receiving more than \$200 in the aggregate during a calendar year regarding operating expenditures and certain other disbursements made by the committees in support of my campaigns for election and re-election to the 14th Congressional District House seat.

12. In these reports, the treasurer of my authorized committees, as required by federal law under pain of civil and criminal penalties and under the threat of the injunctive and contempt powers of the federal judiciary, has been required to comply with the source and contribution limits placed upon funds received to expressly advocate my election.

13. Prior to my entry into elective politics, and continuing to the present day, I have learned that most of the major newspapers, magazines, broadcast facilities, and other communication media promote government policies directly contrary to those that I hold. From the time that I reentered politics in 1995, campaigning for the Republican nomination for the 14th Congressional District seat which I now hold, and in each subsequent campaign for re-election, the newspapers in the major media markets in and around my District have always supported my campaign opponents and have consistently promoted big government policies

contrary to those that I have devoted a lifetime to support. Consequently, I have been constrained to develop alternative means of communication outside of those available to me as a member of Congress, such as campaign newsletters, direct mail, e-mail, and the Internet, as well as radio and television advertisements designed to promote my candidacies for election and re-election and, in the process, to promote my policies of free market, sound money, independent sovereignty, and constitutionally-limited government. Because of the current campaign finance laws, however, I must advocate my candidacy and promote my ideas in relation to my candidacy under rules, regulations, and burdens backed up by the threat of civil and criminal penalties and judicial injunctive and contempt powers from which the institutional press — my major competition in the marketplace of ideas related to a federal election campaign — is exempt.

14. The combination of the licensing and reporting requirements, together with the contribution limits imposed upon me and my authorized committees by the FECA in order to promote my election to the United States House of Representatives from the 14th Congressional District of the State of Texas in 1996, 1998, 2000, and 2002 has substantially interfered and adversely affect, and in the future will continue to interfere substantially and affect adversely, the communicative activities of myself, and my authorized campaign committee and my supporters during my campaigns, by reducing the quality and quantity of campaign communications designed (a) to promote my election and re-election, and (b) to inform and persuade the people of the 14th Congressional District regarding my positions on the public policy issues relevant to my campaign. I know and attest that, without such requirements and limits, the quality and quantity of such communicative activity would be improved and increased because my authorized campaign committee would then be able: (1) to raise more money from individuals and

organizations which have advised me that they would give more money to my campaign but for the limits placed on them by FECA, even as amended by the Bipartisan Campaign Reform Act of 2002 ("BCRA"); (2) to raise more money from individuals who have limited their giving to \$200 or less to my campaigns because of the public disclosure requirements of the FEC; (3) to expand the range of fundraising events; (4) to receive more assistance from volunteers; and (5) to redirect significant funds otherwise expended to comply with the FEC licensing, recordkeeping and reporting requirements. Such additional fundraising and expansion would enable me and my authorized campaign committee to support additional and higher-quality communications expressly advocating my election and my positions on the issues.

15. The combination of the contributions limitations and the licensing, reporting and expenditure requirements imposed by FECA upon me and my authorized campaign committees in order to promote my election and re-election to the United States House of Representatives from the 14th Congressional District of the State of Texas in the 1996, 1998, 2000, and 2002 election campaigns has substantially interfered with and adversely affected, and in the future will continue to interfere with substantially and affect adversely, my editorial control over the communicative activity promoting my election and re-election, and informing and persuading on the public policy issues related to my campaigns for election and re-election. Such requirements: (a) substantially limit my discretion to raise and expend funds in ways that I believe would more effectively advocate my election and re-election and my positions on public policy issues related to my campaigns for such election and re-election; (b) substantially limit my discretion in the staging of various kinds of campaign events, especially ones designed to raise funds to support my campaigns; (c) substantially limit my discretion to determine the substantive content and

technical quality of my communications advocating my election and re-election and my positions on the public policy issues related to my campaigns; and (d) substantially displace my discretion to decide whether to identify publicly the identities of the financial supporters of my campaigns.

16. The combination of the contribution limitations, soft money limits, campaign coordination policy, and electioneering communication rules and regulations under FECA, as amended by BCRA, that will be imposed upon me and my authorized committee after the November 2002 elections will place me and my authorized committee at further competitive disadvantage with exempt media advocacy, and will impose upon me and my authorized committee additional substantial and adverse interferences with my and my campaign committee's ability to expressly advocate my candidacy for election to federal office in the future and to inform and persuade the voting public on public policy issues related to my campaigns for election to federal office by: (a) adversely impacting on my ability as a federal office holder and candidate for election to federal office to help raise money for organizations that promote my positions on public policy issues; (b) deterring me from promoting my positions on policy issues lest it appear that such promotion is being coordinated with organizations that take like positions on such policy issues; (c) deterring, if not preventing, organizations that promote my positions on public policy issues from broadcasting those positions at the most critical stage of my election campaigns, but at the same time permitting certain exempt entities to promote positions on public policy issues contrary to my own during the same critical stage of my campaigns; and (d) deterring me from working closely with the state and local Republican parties during my campaigns for election to federal office.

17. The increased penalties under FECA, as amended by BCRA, coupled with the existing system of administrative investigations and fines, civil and criminal penalties, and threats of injunctive relief and the exercise of the contempt powers of the courts, will constrain me and my authorized campaign committees (a) with increasingly-burdensome filing and reporting requirements, (b) with an increasingly-complex and confusing set of administrative rules, regulations and procedures, (c) with a likely prospect of an increase in costly and adverse administrative action by the FEC in response to complaints¹ filed by my political opponents and their supporters with respect to the new rules and regulations spawned by BCRA, and (d) with a greater threat of criminal liability for violation of the rules under the enhanced penalties of BCRA.

18. Overall, the federal licensing and regulatory system governing my campaigns for elective office has, in the past, operated as a prior restraint, having an intimidating effect upon my and my campaign committee's communicative activities promoting my candidacies for election to the 14th Congressional District House seat and my principles and policies to the people of the 14th Congressional District, and, as a consequence of the additional restrictions to be imposed upon me and my campaign committee by BCRA after the November 2002 election, will operate in the future as an even greater prior restraint with an even greater intimidating effect on such communicative activities, by adding more regulations, more forms and more restrictions, to an already overly-burdensome system that already is difficult to understand, necessitating the hiring of additional professional staff and the discontinuance of some lawful

¹ For example, such complaints can be based merely on articles from newspapers that oppose my candidacy or my principles.

activities,² just to stay out of trouble with the FEC that can so easily be stirred up by my political opponents.

I declare under penalties of perjury that the above statements are true and correct.

Ron Paul
RON PAUL

Executed on: 10/3/02

² Such as working cooperatively with like-minded issue-oriented organizations for fear that campaign support from those organizations might be viewed as coordinated, and thus, subject to the contribution limits of the FECA/BCRA.