

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SENATOR MITCH McCONNELL, et al.,

Plaintiffs,

v.

FEDERAL ELECTION COMMISSION, et al.,

Defendants.

Civil Action No. 02-0582 (CKK, KLH, RJL)

CONSOLIDATED ACTIONS

DECLARATION OF CHARLES M. GESCHKE

1. My name is Charles M. Geschke.
2. I am Chairman of the Board of Adobe Systems Inc. ("Adobe"), which I co-founded in 1982. Adobe is based in San Jose, California, and has annual revenues in excess of \$1 billion. Adobe makes computer software that enables customers to create and manage a wide variety of information in useful digital forms. Since the mid-1990's, I have also served on the board of Rambus Inc., an intellectual property company based in Los Altos, California, that designs signal processing for electronics, primarily in the area of computer memory and chip-to-chip interfaces.
3. I am involved in many other professional, civic and philanthropic activities. I am a member of the National Academy of Engineering, the Board of Governors of the San Francisco Symphony, and the Board of Governors of the Commonwealth Club of California. My family has two charitable foundations: a stand-alone 501(c)(3) non-profit organization called the Charles M. Geschke and Nancy A. Geschke Foundation, and a fund within the Community Foundation Silicon Valley, which is also a 501(c)(3) non-profit organization. Both of our

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foundations focus on education, the arts and assisting the disadvantaged. They do not engage in political activity.

4. Over the last decade, I have made donations to political committees and candidates. I estimate that, from the 1994 election cycle through the 2002 cycle, I have given over \$150,000 in federal funds ("hard money") to federal political committees, principally national party committees and federal candidates. From the 1996 election cycle through the 2002 cycle, I estimate that I have also donated over \$18,000 in non-federal funds ("soft money") to national party committees. In general, these donations have been solicited by Members of Congress or national party committee officials. All of the donations have come from personal funds. Adobe has no federal political action committee, and to my knowledge it has made no soft money donations to national party committees.

5. At one point prior to President Clinton's second Inauguration, probably in late 1996, my wife and I made substantial donations to the Democratic National Committee ("DNC"). As I recall, these donations totaled about \$50,000, I believe about \$37,000 in hard money and almost \$15,000 in soft money. In connection with these donations, I attended a private dinner with President Clinton in Northern California. In addition to the President, this dinner was attended by about 10-12 others, who I believe were also major donors to the Democratic Party. The dinner lasted two or three hours, and consisted primarily of a conversation about issues of importance to the nation and the President's program.

6. In early 2000, I made a hard money contribution of \$5,000 to New York Senate 2000, the joint fundraising committee of then-Senate candidate Hillary Clinton. This contribution was made in connection with a dinner party held for Mrs. Clinton in Northern California which my wife and I attended, along with roughly 50 other people. The dinner was a

fundraising event for Mrs. Clinton's Senate campaign. Mrs. Clinton gave a 10-15 minute talk, and there was an opportunity for everyone to have a few minutes to meet and speak with her.

7. In the late 1990's, I served on the board of a non-profit corporation called the Technology Network, also known as TechNet. TechNet was a network of senior executives of the nation's leading high-technology companies formed to provide those companies with a voice in Washington that would reflect the important role they play in the economy. TechNet's activities included sponsoring lobbying efforts, making political donations, and holding fundraisers for federal candidates. In its interactions with federal office holders and candidates, TechNet focused on issues such as intellectual property, the Internet, shareholder liability suits, and immigration policies that would allow us to find sufficient talent to grow our companies. TechNet took a bipartisan approach, in order to gain more support in the technology community for its work on these issues, and also to help maintain the credibility required to deal effectively with the federal government. Adobe and I were involved in TechNet pretty much from its inception in the mid-1990's. In late 1997, I made a \$5,000 federal contribution to TechNet's political action committee. TechNet is still active, though I have not been very involved in the organization for several years.

8. I have also engaged in political activity at the state level. I estimate that I have given a total of roughly \$20,000 to candidates for California state office. I also donated money to support a California ballot initiative related to education in the 2000 election cycle.

9. I give primarily hard money, because I believe strongly in certain federal candidates and I want to support their campaigns. Although I have given a limited amount of soft money, in general I oppose the role of soft money in the nation's political system. Corporations and individuals can use soft money donations to get special access to federal office holders and at

least the appearance of influence on issues that are important to them financially or politically.

~~Hard money contributions do not provide the same opportunities for influence on federal policy~~ as soft money donations do. My own intention in giving soft money was not to get the ear of anyone in Washington; to the extent I wanted that, the TechNet forum was the best way to get it. Instead, I gave soft money in an effort to counterbalance what I felt were powerful financial forces arrayed against the Clinton Administration and its policies, which I generally supported.

10. In my view, donors who give large amounts of soft money to both major parties are probably hedging their bets in trying to get influence. They may feel that influence with one party is not sufficient to achieve their financial or policy goals, especially now that power in Congress is pretty evenly balanced.

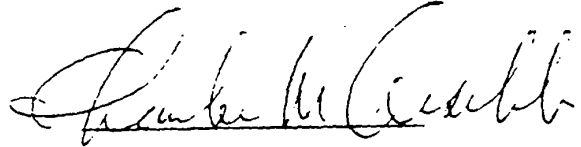
11. I think average citizens feel excluded by the special access that soft money buys, and it is hurting our political system. My father was a blue collar man, with an eighth-grade education, who was very committed to a particular political party. He and my mother never had the opportunity for access to politicians that I have, nor would they have expected it. But they believed in our nation's political process, and I believe in it. I think that the infusion of large amounts of money from few sources subverts that process.

12. I was delighted that the McCain-Feingold legislation passed in Congress, and I strongly support the limits it places on the use of soft money by national and state parties to affect federal elections. I think federal elections should be financed through a system that includes meaningful contribution limits, so that a broader segment of the population feels that it has some say in its own government. By and large, the business leaders I talk to oppose the current role of soft money at the federal level and think it's time to stop it. I also support the new law's limits on the use of corporate and union treasury funds for electioneering ads. I feel that

allowing that kind of access by deep pockets to the minds of the general electorate is a bad idea.

I also support the law's disclosure requirements for such electioneering. In my view, open books
are a good idea.

13. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is
true and correct.



Charles M. Geschke

Executed on this 24 day of July, 2002