

---

**Depo of Christopher Shays (Senator Mitch McConnell vs. FEC) 9-27-2002**

**ACE-FEDERAL REPORTERS, INC.**

**Page 1 to Page 286**

---

**CONDENSED TRANSCRIPT AND CONCORDANCE  
PREPARED BY:**

**ACE-FEDERAL REPORTERS, INC.  
1120 G Street, N.W.  
Suite 500  
Washington, DC 20005  
Phone: 800-336-6646  
FAX: 202-737-3638**

## Page 1

[1] IN THE UNITED STATES DISTRICT COURT  
 [2] FOR THE DISTRICT OF COLUMBIA  
 [3]  
 [4] ----- x  
 [5] SENATOR MITCH MC CONNELL, :  
 [6] et. al., :  
 [7] : Civil Action  
 [8] Plaintiffs, : 02-CV-582  
 [9] : (CKK, KLH,  
 [10] v. : RJL)  
 [11] :  
 [12] FEDERAL ELECTION COMMISSION :  
 Consolidated  
 [13] AND FEDERAL COMMUNICATIONS : Action  
 [14] COMMISSION, :  
 [15] Defendants, :  
 [16] and :  
 [17] SENATOR JOHN MC CAIN, SENATOR :  
 [18] RUSSELL FEINGOLD, REPRESENTATIVE :  
 [19] CHRISTOPHER SHAYS,  
 REPRESENTATIVE :  
 [20] MARTIN MEEHAN, SENATOR OLYMPIA :  
 [21] SNOWE, SENATOR JAMES JEFFORDS, :  
 [22] Intervenors. :

## Page 2

[1] Deposition of CHRISTOPHER SHAYS, held at the  
 [2] offices of Wilmer, Cutler, and Pickering,  
 [3] 2445 M Street, Northwest, Washington, D.C.,  
 [4] commenced at 8:53 a.m., on Friday, September 27,  
 [5] 2002, before Elizabeth Hudson Telson, a Notary  
 [6] Public in and for the District of Columbia.  
 [7]  
 [8] A P P E A R A N C E S O F C O U N S E L :  
 [9] FOR THE PLAINTIFFS, RNC:  
 [10] COVINGTON AND BURLING  
 [11] BY: BOBBY R. BURCHFIELD, ESQUIRE  
 [12] RICHARD W. SMITH, ESQUIRE  
 [13] NICOLE JO MOSS, ESQUIRE  
 [14] 1201 Pennsylvania Avenue, Northwest  
 [15] Washington, D.C. 20004-2401  
 [16] (202) 662-5350  
 [17]  
 [18]  
 [19]  
 [20]  
 [21]  
 [22]

## Page 3

[1] FOR THE PLAINTIFFS, NRA AND THE  
 POLITICAL  
 [2] VICTORY FUND:  
 [3] COOPER AND KIRK  
 [4] BY: CHARLES J. COOPER, ESQUIRE  
 [5] DEREK L. SHAFFER, ESQUIRE  
 [6] 1500 K Street, Northwest  
 [7] Suite 200  
 [8] Washington, D.C. 20005  
 [9] (202) 220-9600

[10]  
 [11] FOR THE INTERVENORS:  
 [12] WILMER, CUTLER, AND PICKERING  
 [13] BY: ROGER M. WITTEN, ESQUIRE  
 [14] KIRSAN PATTERSON, ESQUIRE  
 [15] 2445 M Street, Northwest  
 [16] Washington, D.C. 20037-1420  
 [17] (202) 663-6170  
 [18] ALSO PRESENT:  
 [19] PAUL PIMENTEL.  
 [20]  
 [21] (Counsel for NRA and Political Victory  
 [22] Fund were not present during Afternoon Session.)

## Page 4

[1] C O N T E N T S  
 [2] P A G E  
 [3] Examination by Mr. Cooper 6  
 [4] Examination by Mr. Burchfield 146  
 [5]  
 [6] E X H I B I T S  
 [7] NUMBER IDENTIFIED  
 [8] 1 Intervenors' Responses to  
 [9] Contention Interrogatories 48  
 [10] 2 Letter to Ms. Mai T. Dinh,  
 [11] Federal Election Commission 91  
 [12] 3 CD-ROM 96  
 [13] 4 Article from "National Journal"  
 [14] Entitled "Shriver Outlines What  
 [15] He's Against" 96  
 [16] 5 Story Board No. BRE 001223 108  
 [17] 6 Orrin Hatch Story Board 114  
 [18] 7 Feingold and Kohl Story Board 119  
 [19] 8 Al Gore Story Board 126  
 [20] 9 John McCain Story Board 128  
 [21] 10 Congresswoman Northrup Story Board 131  
 [22] 11 Jim Matheson Story Board 134

## Page 5

[1] E X H I B I T S (Concluded)  
 [2] NUMBER IDENTIFIED.  
 [3] 12 John McCain Story Board 138  
 [4] 13 David Wu Story Board 142  
 [5] 14 Excerpt from United States Statutes  
 [6] At Large dated July 11, 1958 160  
 [7] 15 Responses and Objections of Defendant,  
 [8] Federal Election Commission, to the  
 [9] First and Second Requests for  
 [10] Admission of Plaintiff Republican  
 [11] National Committee 162  
 [12] 16 Article from "The Washington Post"  
 [13] Entitled "After McCain-Feingold,  
 [14] A Bigger Role for PACs" 187  
 [15] 17 Excerpt from the FEC's 20 Year Report 206  
 [16] 18 Letter Written by Thomas H. Kean 216  
 [17] 19 Letter Written by Jack Oliver 236  
 [18] 20 Public Law 107-155 254  
 [19] 21 Article from the "National Journal"  
 [20] Entitled "Beware of Cures that Are  
 [21] Worse than the Disease" 265  
 [22]

Page 6

[1] CHRISTOPHER SHAYS,  
 [2] having been first duly sworn by  
 [3] ELIZABETH HUDSON TELSON, a Notary  
 [4] Public within and for the District of  
 [5] Columbia, was examined and testified as  
 [6] follows:  
 [7] ---  
 [8] EXAMINATION CONDUCTED  
 [9] BY MR. COOPER:  
 [10] Q. Good morning, Congressman.  
 [11] A. Good morning.  
 [12] Q. My name is Chuck Cooper. I am with  
 [13] Cooper and Kirk, and I represent the National  
 [14] Rifle Association and the National Rifle  
 [15] Association Political Victory Fund in this case.  
 [16] My colleague, Derek Shaffer, is here with me. It  
 [17] is a great pleasure to meet you and a privilege to  
 [18] take your deposition.  
 [19] A. Could I ask a question?  
 [20] Q. Sure.  
 [21] A. Is the Political Victory Fund a  
 [22] political action committee?

Page 7

[1] Q. Yes; yes, it is.  
 [2] Before we went on the record, we  
 [3] mentioned that we have seven hours of your time,  
 [4] but we know very well how valuable your time is.  
 [5] We appreciate your being here, and we will try to  
 [6] impose upon it as little as possible.  
 [7] I will begin the questioning, and then  
 [8] my friend and colleague, Mr. Burchfield, will ask  
 [9] some questions later on.  
 [10] Could you state your name for the  
 [11] record, Congressman.  
 [12] A. My name is Christopher Shays, and I  
 [13] live at 37 Beacon Street in Bridgeport,  
 [14] Connecticut, and I have a residence down in  
 [15] Washington when I am here in Washington.  
 [16] Q. You are represented by counsel today, I  
 [17] take it, Mr. Witten.  
 [18] A. Yes.  
 [19] Q. What Congressional District do you  
 [20] represent?  
 [21] A. I represent the Fourth Congressional  
 [22] District --

Page 8

[1] Q. Of Connecticut, obviously.  
 [2] A. -- of Connecticut.  
 [3] Q. When were you elected initially to your  
 [4] position?  
 [5] A. I was elected in a special election  
 [6] August 17, 1986, and I was sworn in, in  
 [7] September of that same year.  
 [8] Q. You have been re-elected consistently  
 [9] since that time?  
 [10] A. Correct.  
 [11] Q. Have all of your elections been  
 [12] contested?

[13] A. All of my elections for Congress have  
 [14] been contested. I was a State Representative  
 [15] before, and I had a number that were not  
 [16] contested.  
 [17] Q. Have you ever run in a primary for your  
 [18] Congressional seat?  
 [19] A. I had a primary in, I believe it was  
 [20] July of 1986 -- correction: I was elected in 1987  
 [21] in a Special, so it was 1987. So, I was elected  
 [22] August 17, 1987. I had a primary in July. Four

Page 9

[1] weeks before the General Election, I had a  
 [2] primary.  
 [3] Q. Have you been challenged for your  
 [4] party's nomination in a primary since that time?  
 [5] A. I had someone who wanted to primary me  
 [6] and needed 15 percent of the delegates. He  
 [7] challenged the delegates in three of the ten  
 [8] towns. So, I participated in a delegate primary  
 [9] in the previous election.  
 [10] Q. Have you ever been deposed?  
 [11] A. Not to my knowledge.  
 [12] Q. Have you ever given testimony in a  
 [13] court?  
 [14] A. I have given testimony in a court.  
 [15] Q. Did it relate, in any way, to the  
 [16] electorate or voting or anything of that kind?  
 [17] A. It related to political corruption in a  
 [18] probate court.  
 [19] Q. How did you prepare for this  
 [20] deposition?  
 [21] A. I met with counsel this week. I think  
 [22] twice in the evening and twice in the afternoon.

Page 10

[1] Q. Did you consult with anyone apart from  
 [2] your counsel?  
 [3] A. I consulted with people I have worked  
 [4] with on the bill for campaign finance reform, the  
 [5] bipartisan bill.  
 [6] Q. Would that be staff members or other  
 [7] intervenors in this case?  
 [8] A. I don't know if they are intervenors or  
 [9] not, but I did consult with staff and I did  
 [10] consult with individuals who I have worked on this  
 [11] legislation with. Let me just say, to be clear,  
 [12] on certain provisions of the bill.  
 [13] Q. Could you identify for me who those  
 [14] individuals were?  
 [15] A. Yes.  
 [16] Fred Wertheimer and Tom Symmons  
 [17] (phonetic).  
 [18] Q. Who is Mr. Symmons?  
 [19] A. Mr. Symmons is someone who worked full  
 [20] time for Common Cause and then I think became  
 [21] counsel for Common Cause and was very helpful on  
 [22] my questions dealing with issues dealing with

Page 11

[1] election reform.  
 [2] Q. In preparing for this deposition, did

[3] you review any documents?  
 [4] A. I reviewed ever so briefly the  
 [5] documents I submitted to the FEC and to The Court,  
 [6] but ever so briefly. I looked at parts of our  
 [7] legislation, but candidly, I did not review it  
 [8] like I would review it preparing for debate on the  
 [9] floor.

[10] Q. This is nowhere near that important.  
 [11] Did you review the transcript of any  
 [12] other depositions taken in this case?

[13] A. When you say review the deposition, I  
 [14] want to be clear what you mean because I don't  
 [15] quite know what a deposition is.

[16] Q. This deposition is being taken down and  
 [17] a transcript will be --

[18] A. I -- I'm sorry; continue.

[19] Q. -- a transcript will be prepared and  
 [20] available very shortly to you and to others. I am  
 [21] wondering if you --

[22] A. Do you mean the previous people?

## Page 12

[1] Q. Of others who have been deposed in this  
 [2] case, yes.

[3] A. I made a point of not looking at any  
 [4] answer that any of my colleagues might have made  
 [5] to any question, and that was my choice.

[6] Q. Did you review any advertisements or  
 [7] the transcript of any advertisements that, for  
 [8] example, might have been introduced as exhibits in  
 [9] other depositions?

[10] A. I looked at examples that were, I  
 [11] understand, presented to others in depositions so  
 [12] I will be able to respond to them a little more  
 [13] quickly. I won't have to take as much time.

[14] Q. As a candidate for Federal office, have  
 [15] you had any experience with sham issue ads?

[16] A. I think so; I am not sure.  
 [17] I believe my opponents in my last  
 [18] race -- so that would have been 2000, and I  
 [19] believe in either 1996 or 1998 -- advertised on  
 [20] TV. I believe those ads may have been paid for by  
 [21] the DNC or the Democratic Congressional Campaign  
 [22] Committee or a particular labor group.

## Page 13

[1] I think the last race, I think my  
 [2] opponent may have had ads paid for by a labor  
 [3] group. Honestly, I never saw any of the ads until  
 [4] I looked at one ad taken this year off of a web  
 [5] site, but I never once saw the ads during the  
 [6] campaigns.

[7] Q. Do you recall, though you didn't see  
 [8] them, do you recall what the subject matter was or  
 [9] what the thrust of the ad was?

[10] A. I remember someone describing on one of  
 [11] them -- I think it might have been in the first  
 [12] election where TV was used against me -- where I  
 [13] was portrayed as a chicken running to the left and  
 [14] running to the right and not being able to make up  
 [15] my mind as to what my position was.

[16] When that was described to me and I  
 [17] knew they were running, I thought I don't need to  
 [18] see it.

[19] Q. Can you recall any others?

[20] A. I think those are the only two  
 [21] candidates who used TV.

[22] I want to be clear: I never saw them.

## Page 14

[1] and I don't really know who paid for them, but we  
 [2] were led to believe they were not paid for  
 [3] directly by the candidate.

[4] Q. You suggested that perhaps one was paid  
 [5] for or by a union?

[6] A. I believe so.

[7] Q. Do you know of any that might have been  
 [8] put on by a group and/or voluntary membership  
 [9] organization such as, say, the NRA, that kind of  
 [10] club, or the Sierra Club?

[11] A. Or what other group?

[12] Q. Or the Sierra Club, and I just used  
 [13] those illustratively.

[14] A. I don't think there were any.  
 [15] If the Sierra Club ran one, it would  
 [16] probably have been for me because I have a pretty  
 [17] good environmental record. If they had ran one  
 [18] against me, I think I would have known it.

[19] So, your question is the Sierra Club,  
 [20] the NRA -- I know the NRA has opposed me on a  
 [21] number of occasions, but I am not certain they  
 [22] have ever done a TV ad against me.

## Page 15

[1] Q. You mentioned this ad that obviously  
 [2] was a negative ad, a sham issue ad with respect to  
 [3] your candidacy. I think your interrogatory  
 [4] answers referenced an ad run by the Sierra Club  
 [5] that, according to your interrogatory answer, you  
 [6] asked the Sierra Club to be removed from the air.  
 [7] Am I remembering that correctly?

[8] A. I don't think there were any TV ads.

[9] So, what would that have been?

[10] Would that have been radio?

[11] Q. I don't know.

[12] A. I don't remember.

[13] Q. You don't recall that?

[14] A. No.

[15] I do remember the NRA got involved in  
 [16] my campaign, excuse me, not the NRA, but the  
 [17] Sierra Club or some environmental group. It may  
 [18] have been the Sierra.

[19] My recollection was that I was being  
 [20] accused of using outside groups to help me. I  
 [21] attempted to contact the group to ask them not to  
 [22] run the advertisement, and they informed me that I

## Page 16

[1] didn't have that privilege; that, that was their  
 [2] decision and not mine.

[3] Q. Did they continue to run this ad?

[4] A. I think, eventually, they stopped, but  
 [5] they made it very clear to me that I could have no

[6] say in whether they ran it or not.  
 [7] Q. Do you agree with that?  
 [8] A. I do, but it was rather awkward because  
 [9] I didn't like the fact that if I think it is wrong  
 [10] for others, that they should do it for me.  
 [11] Q. I take it this ad was an ad favorable  
 [12] to you, that you would regard it as an ad  
 [13] favorable to your candidacy.  
 [14] A. I don't remember what the ad said.  
 [15] I do remember the incident. I remember  
 [16] they were clearly trying to help me, and I didn't  
 [17] think it was very helpful.  
 [18] Q. Do you recall if the ad was a broadcast  
 [19] ad, either radio or television or both?  
 [20] A. Well, I am almost certain it was not  
 [21] TV, so it would have probably had to have been  
 [22] radio. I am making that assumption because I

Page 17

[1] think I would remember a TV ad.  
 [2] Q. Why did you conclude the ad was not  
 [3] helpful?  
 [4] A. I have been so prominent in wanting  
 [5] members of Congress to live by the 1907 law that  
 [6] says no corporate money, the 1947 law that says no  
 [7] union dues money, and the 1974 law that says  
 [8] individual contributions.  
 [9] I felt this was a resource being used  
 [10] for me that was not individual contributions, so I  
 [11] just felt that it kind of conflicted with what my  
 [12] position is on how races should be run.  
 [13] Q. Did the ad mention your name?  
 [14] A. I honestly don't remember, but I would  
 [15] think it would have.  
 [16] I don't remember what the ad said and I  
 [17] cannot even tell you what year it was, but the  
 [18] bottom line is I am sure they were trying to be  
 [19] helpful to me.  
 [20] Q. When you use the term sham issue ad, I  
 [21] want to make sure we are using it in the same way  
 [22] and I suspect we are, but would you please define

Page 18

[1] for me what you mean when you use that term.  
 [2] A. I use that term rarely, but I consider  
 [3] most so-called sham issue ads very good campaign  
 [4] ads, and I believe those ads should be paid for  
 [5] with campaign money.  
 [6] I think that, in many cases, they serve  
 [7] a very valuable purpose. Even if I didn't, I  
 [8] believe those ads have every right to run, but  
 [9] they are really not issue ads; they are campaign  
 [10] ads.  
 [11] That is why the word sham is put in  
 [12] front of them. They are used just before an  
 [13] election. They are used to influence the  
 [14] election, but because they don't use the magic  
 [15] words, vote for or vote against, you are then  
 [16] allowed to use this incredible loophole of money,  
 [17] corporate money and union dues money.  
 [18] So, I view sham issue ads as really

[19] campaign ads that use corporate money and dues  
 [20] money.  
 [21] Q. When you say these campaign ads are  
 [22] posing as issues ads - if you accept that

Page 19

[1] characterization of your thought - and should be  
 [2] paid for with campaign money, what do you mean  
 [3] when you say campaign money?  
 [4] A. Well, let's just kind of review this.  
 [5] We have a 1907 law that says no  
 [6] corporate treasury money in campaigns; a 1947 law  
 [7] that says no union dues money in campaigns; and a  
 [8] 1974 law that was ultimately adjudicated in the  
 [9] Supreme Court, the Buckley case. In there, the  
 [10] Buckley case determined you could limit what  
 [11] individuals contribute, but you cannot limit what  
 [12] they spend.  
 [13] Regrettably, the Federal Elections  
 [14] Commission introduced this concept of issue ads  
 [15] that enabled the political parties to get  
 [16] corporate money and union dues money.  
 [17] During the very short time I have been  
 [18] in Congress, I have seen that loophole eat those  
 [19] three laws - the 1907 law, the 1947 law, and the  
 [20] 1974 law that was adjudicated before the Supreme  
 [21] Court in Buckley - and it has made a mockery of  
 [22] the 1907 law and the 1947 law and the 1974 law.

Page 20

[1] What the FEC allowed basically is -  
 [2] corporate money to come back into campaigns, union  
 [3] dues money to come back into campaigns, and  
 [4] unlimited sums by individuals. That is what the  
 [5] FEC allowed.  
 [6] The primary focus and purpose of our  
 [7] law is to restore that 1907 law, enforce the law  
 [8] that bans corporate money, enforce the law that  
 [9] bans union dues money, and enforce the law that  
 [10] says you can limit what people can contribute, but  
 [11] not what they spend. That is the intent of the  
 [12] law, and I think we achieved it.  
 [13] Q. When you say, in connection with those  
 [14] laws, when you use the term campaign money, are  
 [15] you referring to money contributed to an  
 [16] organization such as here, the NRA, to its PAC,  
 [17] within the limits that are prescribed by law?  
 [18] Is that what you are referring to?  
 [19] A. Let me put it in my own words because I  
 [20] didn't quite understand your explanation.  
 [21] Q. Sure, please.  
 [22] A. Soft money is corporate money, treasury

Page 21

[1] money, unlimited union dues money.  
 [2] I might just say parenthetically that  
 [3] union dues money is money individuals have to  
 [4] contribute to their union, and regrettably, it is  
 [5] used in campaigns even when union members don't  
 [6] necessarily support the candidate. I felt very  
 [7] strongly this was wrong, just as I felt the  
 [8] corporate treasury money is wrong and so did so

[9] many of my colleagues, but that is the law.  
 [10] The 1907 law bans corporate money. The  
 [11] 1947 bans union dues money, and the 1974 law bans  
 [12] unlimited sums from individuals. So, that is soft  
 [13] money – this corporate money, this union dues  
 [14] money, and the unlimited sums from individuals.  
 [15] The hard money is what I refer to as  
 [16] campaign money. It is limited by law, and there  
 [17] are two parts – what individuals can contribute  
 [18] to political parties and what they can contribute  
 [19] to political action committees.  
 [20] I will say to you, at one time, I  
 [21] thought political action committees was where the  
 [22] problem was. I realized that is not where the

Page 22

[1] problem is. That is a constitutional right of any  
 [2] interest group, to be able to contribute and focus  
 [3] their interests and be able to argue their  
 [4] interests. They do that in a voluntary process  
 [5] called a political action committee.  
 [6] Therefore, say, in your organization,  
 [7] the Political Victory Fund – it is a political  
 [8] action committee – individuals can contribute up  
 [9] to \$5,000 to that PAC, and they do it voluntarily.  
 [10] Then the NRA, through its political action  
 [11] committee, can express its view in a very  
 [12] important way as a very important and respected  
 [13] special interest.  
 [14] Q. Have you had any experience as a  
 [15] candidate with genuine issue ads?  
 [16] A. You will have to define genuine.  
 [17] Q. You have defined for me what you  
 [18] consider to be a sham issue ad.  
 [19] Do you believe there is any such thing  
 [20] as a genuine issue ad?  
 [21] A. First off, I just want to make sure  
 [22] that when we use the word genuine, it doesn't mean

Page 23

[1] something to you and something different to  
 [2] someone else.  
 [3] Q. I could not agree more.  
 [4] A. I am not sure how we are going to  
 [5] resolve that.  
 [6] I have made the point that I believe a  
 [7] sham issue ad is an ad that is designed to  
 [8] circumvent the 1907 law banning corporate treasury  
 [9] money and the 1947 law banning union dues money  
 [10] and the 1974 law that requires people to either  
 [11] contribute individually to a limit or contribute  
 [12] to a political action committee.  
 [13] When I use the term sham issue ad and  
 [14] when I see it expressed, it can be a very  
 [15] important message, but it is a message designed to  
 [16] influence the election. It is truly a campaign ad  
 [17] without using the words vote for or vote against.  
 [18] It can be very genuine. It can be very  
 [19] heart felt, and it should be run, but don't  
 [20] circumvent the 1907 law and 1947 law. Use that  
 [21] hard money that is in the 1974 law to express your

[22] very genuinely heart felt feelings.

Page 24

[1] Q. Have you ever used the term true issue  
 [2] ad?  
 [3] A. I don't know; I don't know if I have or  
 [4] not.  
 [5] Q. Do you believe that any advertisement  
 [6] that is paid for from corporate treasury funds or  
 [7] union treasury funds that relates to an issue of  
 [8] public policy is a sham issue ad?  
 [9] A. Well, if it is not designed to  
 [10] influence the defeat or victory of a candidate;  
 [11] but if its purpose is to defeat a candidate or to  
 [12] elect a candidate, I would call it a campaign ad,  
 [13] and it should be run, but with campaign dollars.  
 [14] Q. Accepting that definition of a true  
 [15] issue ad or what I have called a genuine issue ad,  
 [16] have you had any experience with an issue ad?  
 [17] A. If you are asking this question, if  
 [18] there is an issue –  
 [19] MR. WITTEN: Let him finish.  
 [20] THE WITNESS: I'm sorry; I apologize.  
 [21] Could you repeat your question. I  
 [22] apologize.

Page 25

[1] BY MR. COOPER:  
 [2] Q. I am trying to find out, Congressman,  
 [3] if you have had any experience with an ad that one  
 [4] could call an issue ad that was not a sham, that  
 [5] was a true issue ad; that, in your judgment, did  
 [6] not qualify as a sham issue ad that should be  
 [7] banned by your legislation, by BCRA.  
 [8] A. First off, I need to correct one thing,  
 [9] and I am really happy to have this opportunity.  
 [10] We don't ban any ads.  
 [11] When you introduced yourself as working  
 [12] for the NRA and also representing the Political  
 [13] Victory Fund PAC, I didn't even know the NRA had  
 [14] a  
 [15] PAC which really, to me, is very important because  
 [16] the NRA has gone around saying it has been  
 [17] prevented from expressing its voice and its  
 [18] interest because of our law – and our law, I mean  
 [19] the nearly 250 members of Congress who voted for  
 [20] it in The House; our law meaning the law the  
 [21] President signed into law, my Republican  
 [22] President.  
 [22] We don't ban any ads, and I have found

Page 26

[1] it pretty outrageous the NRA would even suggest  
 [2] that. We have simply said you cannot use  
 [3] corporate treasury money and union dues money.  
 [4] I believe the NRA has over 4 million  
 [5] members. If the NRA got its members to contribute  
 [6] voluntarily – and that is, I think, an important  
 [7] thing to say because that is what it is, you  
 [8] cannot force them to – but to voluntarily  
 [9] contribute to its political action committee, if  
 [10] you had four million members and you raised \$10,

[11] you would have \$40 million to spend 30 days to an  
 [12] election in a primary and 60 days to a general  
 [13] election, 40 million.  
 [14] If your membership is nearly five  
 [15] million, as some think it is, then you would have  
 [16] \$50 million. So, we don't ban any ads. We don't  
 [17] prevent anyone's voice from being heard, but if it  
 [18] is a campaign ad, we simply say it has to be paid  
 [19] for with campaign money, hard dollar money.  
 [20] Q. I take it you don't think there is  
 [21] anything wrong at all with the ads, including ads  
 [22] that otherwise could be characterized as sham

Page 27

[1] issue ads, run and paid for by a political action  
 [2] committee?  
 [3] A. I think a political action committee,  
 [4] first off, I don't think there is anything wrong  
 [5] with any ads being run at any time, but if it is a  
 [6] campaign ad, it needs to be paid for with campaign  
 [7] dollars.  
 [8] So, 60 days to an election or 30 days  
 [9] to a primary, any ads the NRA would run, would be  
 [10] run, I would think, out of its Political Victory  
 [11] Fund if that is its PAC.

[12] Q. You would have no objection to that?

[13] A. Absolutely not.

[14] I need to emphasize this point: I  
 [15] believe every interest has a right to be heard,  
 [16] and I believe it is important they make sure their  
 [17] voice is heard. I just object to, as I think  
 [18] other members do, corporate treasury money and  
 [19] union dues money being introduced into campaign  
 [20] ads when they were illegal since 1907 and 1947.  
 [21] That is really what we tried to clarify  
 [22] to enforce those laws that I think have been

Page 28

[1] upheld constitutionally.

[2] Q. I think in June of this year, you  
 [3] called for the Federal Election Commission, the  
 [4] Commissioners of the Federal Election Commission  
 [5] to resign.

[6] Do you recall that?

[7] A. Yes.

[8] Q. Why did you call for their resignation?

[9] A. Because I believe commissioners who  
 [10] work for the government have an obligation to  
 [11] enforce the law.  
 [12] I am a Republican. I was at a  
 [13] Republican conference. Let me also say these  
 [14] commissioners have a responsibility to, in some  
 [15] measure, adjudicate - I am using that term as a  
 [16] nonlawyer - but they can decide the fate of  
 [17] political candidates by their decisions.  
 [18] They actively, two of those members  
 [19] actively involved themselves in the defeat of  
 [20] legislation before the House of Representatives.  
 [21] I thought that was a misuse of their power, and I  
 [22] thought they were being used by one party, my own

Page 29

[1] party, and so I did think they should.  
 [2] I also believe the members of the  
 [3] Federal Election Commission have gone out of their  
 [4] way to make the law not work instead of do what I  
 [5] think they should do, and that is to make it work.  
 [6] It is only confirmed by how I have seen them start  
 [7] to take our law and implement it.  
 [8] Having said that, I think they should  
 [9] have resigned. That is just my opinion, and I  
 [10] express my opinion. I don't know if I am right  
 [11] about it, but that is what I thought.

[12] Q. Your co-intervenor in this case,  
 [13] Senator McCain, recently characterized the members  
 [14] of the FEC as corrupt or perhaps he characterized  
 [15] the institution itself as corrupt. I don't want  
 [16] to mischaracterize what he said. I, frankly,  
 [17] don't recall. He used the word corrupt to  
 [18] describe the -

[19] A. What would you like to know - how I  
 [20] feel?

[21] Q. Yes. You have asked my question.

[22] Do you agree with that opinion?

Page 30

[1] A. First off, I don't know what he said,  
 [2] so I am not going to comment on anything Senator  
 [3] McCain said.

[4] I believe the FEC's decision to allow  
 [5] corporate treasury money to be used in campaigns  
 [6] and union dues money to be used in campaigns has  
 [7] corrupted the process. I think we all get tainted  
 [8] by it, and I have tremendous regrets of what I  
 [9] have seen over the last few years.

[10] Corporate treasury money is just  
 [11] doubling every few years - in my own time in  
 [12] Congress, I saw it where it was hardly a factor -  
 [13] and I think the corporate treasury money and the  
 [14] union dues money have weakened the parties.  
 [15] I think they have weakened the parties.  
 [16] I think they have helped to corrupt the system,  
 [17] and I think it is to the detriment of our  
 [18] democracy. That is what I believe. That is what  
 [19] motivated me.

[20] I want to make this point to you: I am  
 [21] a Member of Congress. I have constituents. In a  
 [22] 1997 questionnaire, I asked this question. The

Page 31

[1] question was whether they strongly agreed, agreed,  
 [2] no opinion, disagreed, or strongly disagreed.  
 [3] In my 1997 questionnaire, I made this  
 [4] statement: Our democracy is threatened by the  
 [5] influence of unlimited campaign contributions by  
 [6] individuals, corporations, labor unions, other  
 [7] interest groups?  
 [8] Strongly agree, 51.7; agreed,  
 [9] 32.5 percent; 84.2 percent of my constituents who  
 [10] responded to this questionnaire - and I think  
 [11] there were about 13,000 who responded - they  
 [12] strongly agreed or agree that our democracy is  
 [13] threatened by the influence of unlimited campaign

[14] contributions by individuals, corporations, labor  
 [15] unions, and other interest groups.  
 [16] In my 1999 questionnaire, we asked the  
 [17] same question: Strongly agree, 55.3 percent;  
 [18] agreed, 27.5 percent. If my math is correct,  
 [19] 82.8 percent of my constituents who responded to  
 [20] my questionnaire said our democracy is threatened  
 [21] by the influence of unlimited campaign  
 [22] contributions by individuals, corporations, labor

Page 32

[1] unions, and other interest groups.  
 [2] That is what 82 percent of my  
 [3] constituents agree, and I agree with them. I  
 [4] agree with my constituents.  
 [5] Q. Congressman Shays, do you believe the  
 [6] Members of the Commission, the Federal Election  
 [7] Commission you have earlier referenced are  
 [8] corrupt?  
 [9] A. I believe the members of this  
 [10] commission are good people, well-meaning people  
 [11] who disagree with the position of the majority of  
 [12] the Members of Congress.  
 [13] I believe, sadly, their disagreement  
 [14] with the majority of the Members of Congress has  
 [15] resulted in their taking the law we passed and not  
 [16] abiding by it faithfully. I would not call that  
 [17] corruption. I would call it such a heart felt  
 [18] opposition to the law they are entrusted to  
 [19] enforce.  
 [20] I believe the previous commissions have  
 [21] allowed the loophole of soft money to swallow up  
 [22] the 1907 law banning corporate treasury money and

Page 33

[1] the 1947 law banning union dues money and the 1974  
 [2] law that limited campaign contributions and  
 [3] established political action committees so people  
 [4] could express their will. This soft money has  
 [5] eaten up the law.  
 [6] Are they corrupt? I don't think they  
 [7] are corrupt. Do I sometimes feel they are and  
 [8] want to say it? Yes, probably in a weaker moment,  
 [9] but in fact, I don't think they are corrupt.  
 [10] Q. In intervening in this case, you filed  
 [11] a declaration.  
 [12] Do you recall that?  
 [13] A. Let me say I filed a number of  
 [14] declarations.  
 [15] They are very technical. When I read  
 [16] them through, I knew what our intent was; but I  
 [17] would have a hard time taking the words and  
 [18] telling you how they get translated. I am a  
 [19] legislator, and I think I am a darn good one, but  
 [20] I am not a lawyer.  
 [21] Q. With that caveat, and I have got the  
 [22] declaration here if you would like to look at it,

Page 34

[1] but -  
 [2] A. I am not sure it would do me much good.  
 [3] Q. If at any point it would, just let me

[4] know.  
 [5] A. Sure.  
 [6] Q. By the way, I guess I didn't make this  
 [7] clear at the beginning, obviously, any time you  
 [8] want to take a break, just let me know. I think  
 [9] it would typically be my practice to try do that,  
 [10] a short break every hour or so.  
 [11] A. Mr. Cooper, you didn't have to do that.  
 [12] You are a very gracious man. You have given me  
 [13] time to respond to the questions, and I appreciate  
 [14] your thoughtfulness. Let me just say I consider  
 [15] this a very important process and one that I am  
 [16] proud that my country has, and I am proud that  
 [17] both sides respect this process.  
 [18] Q. I think that is something we all agree  
 [19] on even if the specifics of this case, or some of  
 [20] them anyway, divide us.  
 [21] In paragraph four of your initial  
 [22] declaration that I referenced, you make the

Page 35

[1] following statement:  
 [2] (Reading) If any of the campaign  
 [3] finance reforms embodied in the Act are struck  
 [4] down, I will be forced once again to raise money,  
 [5] campaign, and attempt to discharge any  
 [6] responsibilities in a system that is widely  
 [7] perceived to be and I believe, in many respects,  
 [8] is significantly corrupted by the influence of  
 [9] special interest money (end reading).  
 [10] Do you recall that statement?  
 [11] A. I don't recall those particular words,  
 [12] but if it is in it, then I certainly recognize  
 [13] that it is part of the statement we submitted, but  
 [14] I agree with it.  
 [15] Q. Let me ask this: If you prevail, you  
 [16] and your colleagues and the government prevail in  
 [17] defending all of the provisions of BCRA, all the  
 [18] reforms embodied in the Act, would it be true to  
 [19] say that you won't be forced to raise money,  
 [20] campaign, and attempt to discharge your  
 [21] responsibilities in a system that is widely  
 [22] perceived to be, and in many respects is,

Page 36

[1] significantly corrupted by the influence of  
 [2] special interest money?  
 [3] A. I guess I need to make the point now  
 [4] that we dealt with the worst of what we saw. I am  
 [5] not suggesting we dealt with everything that some  
 [6] felt we should have dealt with, so I am sure there  
 [7] will be some people who feel special interests  
 [8] have an undue influence. I think that will always  
 [9] be the case.  
 [10] I want you to know that I believe  
 [11] special interests not just give the appearance of  
 [12] having an undue influence, I believe they have, in  
 [13] fact, drowned out the voices of individual  
 [14] Americans. I believe that based on my own  
 [15] experience.  
 [16] You said if our bill is, in fact,



[17] deemed to be constitutional in every respect and  
 [18] it is implemented in every respect; I will say we  
 [19] will still have some challenge with the FEC  
 [20] because we think they are writing law instead of  
 [21] writing regulation.  
 [22] I would just make reference to the fact

Page 37

[1] of how much the loophole has resulted in a  
 [2] distortion, the loophole of soft money, in the  
 [3] political process. At one time, corporate  
 [4] treasury money and union dues money were  
 [5] insignificant. It has become so significant that  
 [6] both political parties have become addicted to it,  
 [7] and they don't know how to give it up.  
 [8] So, I think the real question is: What  
 [9] happens if our law doesn't take effect? The  
 [10] amount of money in soft money in this last race,  
 [11] in the presidential cycle, of nearly \$500 million,  
 [12] I think four years from now, it could be a  
 [13] billion. I think four years from then, it could  
 [14] maybe double that.  
 [15] To a corporation that is looking to  
 [16] influence the legislative process, a million  
 [17] dollars is a small amount of investment for  
 [18] something that potentially could be worth  
 [19] billions.  
 [20] Now having said that, I have had some  
 [21] businessmen say to me the public thinks that  
 [22] corporations are buying off the legislative

Page 38

[1] process, but frankly, some of us in the private  
 [2] sector think we are being shaken down for money.  
 [3] I have had some members of the business  
 [4] community say do you know what it is like when the  
 [5] Speaker of the House or the Minority Leader or any  
 [6] other leader is calling up asking for a large  
 [7] corporate contribution? They say it is very  
 [8] awkward at least, whoever is the leadership.  
 [9] So, my fear is that this won't become  
 [10] law, and that years from now, you will see just  
 [11] unbelievable amounts of money. I think it is  
 [12] embarrassing that Enron gave a million dollars to  
 [13] the Democrats for 1995 and 2001 and that they gave  
 [14] 2.9 million to Republicans.  
 [15] My fear is that the next decade, that  
 [16] could be 10 million. It is corporate treasury  
 [17] money and union dues money, not monies that have  
 [18] been decided by individuals. So, I fear this  
 [19] corrupting process.  
 [20] Let me make another point to you. When  
 [21] I was first elected, I was not asked to raise this  
 [22] money. Now, I am asked to raise it. I am asked

Page 39

[1] to call CEOs of companies or their representatives  
 [2] in Washington and say will you give us a corporate  
 [3] check or will you give us a union dues check. I  
 [4] had personal experience this last time around.  
 [5] Having helped pass this law, there was  
 [6] the Senate House fundraiser that I think raised

[7] about \$30 million. I was asked to raise money. I  
 [8] said I would be happy to, but I cannot raise soft  
 [9] money. I said give me a list of people you would  
 [10] like me to call; I would be happy to call them and  
 [11] ask for a hard money contribution.  
 [12] When I got there, I opened the folder,  
 [13] and to the best of my recollection, it was all  
 [14] soft money. I thought well, if I make these phone  
 [15] calls, I will have become part of problem; but if  
 [16] I don't make these phone calls, I won't have done  
 [17] my part to help my party, which I care about.  
 [18] So, I sat in the room for about a half  
 [19] an hour thinking what the heck do I do. Then I  
 [20] got out, and I said I am going raise for you  
 [21] 25,000, but it is going to be individual  
 [22] contributions or contributions through a political

Page 40

[1] action committee, hard money.  
 [2] I knew I would have to do it that way  
 [3] because I think that way is far more preferable  
 [4] than the corporate money or the union dues money.  
 [5] Q. In what ways would raising the soft  
 [6] money as you have just described, if you had  
 [7] actually appealed for the soft money, in what ways  
 [8] would that have corrupted you?  
 [9] A. In what ways do I think it corrupts all  
 [10] of us?  
 [11] Q. Yes.  
 [12] A. Because the money is large and it is  
 [13] unlimited and it is, in my judgment, against the  
 [14] law.  
 [15] It has been against the law since 1907,  
 [16] and I believe that, even though the FEC has  
 [17] allowed this, I believe the intent has become so  
 [18] distorted. It was for educational purposes. It  
 [19] was not to help defeat or elect a candidate.  
 [20] There is no one in Congress that I know  
 [21] of who will tell you that when we raise this  
 [22] money, it is for educational purposes. We all

Page 41

[1] know it is to be used to help our colleagues who  
 [2] are in trouble to defeat a person who is running  
 [3] against a Republican, in my case, or to help elect  
 [4] them. We all know it. There is not a person in  
 [5] Congress who doesn't know it. Yet, it has been  
 [6] against the law since 1907.  
 [7] Now, I am using corporate treasury  
 [8] money because that is mostly what Republicans seem  
 [9] to do. The Democrats get corporate money and they  
 [10] get union dues money.  
 [11] I am outraged that my wife, when she  
 [12] was in Connecticut, was a member the CEA, and her  
 [13] money that she gave -  
 [14] Q. What is that?  
 [15] A. The Connecticut Education Association,  
 [16] and she was a member of the New Canaan Education  
 [17] Association.  
 [18] She paid dues, and some of her union  
 [19] dues were used to help the Democratic candidate

[20] for Governor. It was not a Federal election. I  
 [21] was up for election at the same time as the State  
 [22] Representative.

## Page 42

[1] Her money was used to help a Democrat  
 [2] who she opposed. She supported a candidate named  
 [3] Leroe (phonetic). What she had to do was go to  
 [4] her union and basically tell them she didn't want  
 [5] her union dues money. What happened, because of  
 [6] the law, was she had to leave the union, her union  
 [7] dues money, and she had to pay an agency fee.  
 [8] It has always been eating at me that  
 [9] her union dues money was used to help an opponent  
 [10] who she opposed, who I opposed, and who, in the  
 [11] process of using her money, was helping the  
 [12] candidate who was on the same election cycle.  
 [13] So, I have always thought about this  
 [14] and thought if I had a chance, I would want dearly  
 [15] to make sure we enforce the 1907 law and the 1947  
 [16] law and make sure no union member has to see his  
 [17] union dues money go to a candidate they oppose.  
 [18] Now, if that union wants to help a  
 [19] particular candidate, have a political action  
 [20] committee and ask the members to voluntarily give.  
 [21] My wife would not have objected if they had done  
 [22] that in Connecticut. She would not have given to

## Page 43

[1] that political action committee.  
 [2] I am going to just say to you one of  
 [3] the things that has astounded me about my own  
 [4] Republican Party. They say they want union dues  
 [5] money to be voluntary, but they voted against a  
 [6] law, excuse me, union dues money not to be  
 [7] voluntarily; I want to say it correctly.  
 [8] They said no one should be forced to  
 [9] give to a candidate through union dues they  
 [10] oppose, but when they had a chance to vote for a  
 [11] bill - some of my colleagues, particularly my  
 [12] leadership - that would have carried out that  
 [13] wish and enforced the 1907 law, amazingly, some of  
 [14] my Republicans voted against it. It is just  
 [15] something I have a hard time wrestling with.  
 [16] Q. Congressman, I take it from your answer  
 [17] that the corrupting influence of corporate or  
 [18] union treasury money is that it is unlike PAC  
 [19] money because it is not contributed to the  
 [20] corporate treasury or the union treasury by the  
 [21] donor for the specific purpose of political  
 [22] activity.

## Page 44

[1] Is that a fair -  
 [2] A. And it is unlimited.  
 [3] Q. And it is unlimited?  
 [4] A. And it is unlimited.  
 [5] So, for people in a corporation, it was  
 [6] not voluntarily. For people in unions, it was not  
 [7] voluntary. They were forced to have their money  
 [8] used, and it was unlimited. The unlimited part is  
 [9] the most alarming because the million dollar

[10] contribution from a corporation, if our law  
 [11] doesn't pass, could be 20 million in the time to  
 [12] come. I will say one more thing: The larger the  
 [13] amount is, the more impact it has.  
 [14] Q. The more impact on what?  
 [15] A. On the legislative process.  
 [16] That is why we passed the Campaign Act  
 [17] of 1974. We believed, and that happened before I  
 [18] was elected, there was a general recognition that  
 [19] individual limited contribution would be less  
 [20] likely to corrupt the process, but unlimited  
 [21] amounts would begin to corrupt the process, both  
 [22] in appearance and in actual fact.

## Page 45

[1] Q. How do the restrictions with respect to  
 [2] Electioneering Communications in the BCRA -  
 [3] A. May I give the full title?  
 [4] Q. Sure.  
 [5] A. It is the Bipartisan Campaign Reform  
 [6] Act; is that correct?  
 [7] Q. Yes.  
 [8] A. It is the Bipartisan Campaign Reform  
 [9] Act that was passed in the House of  
 [10] Representatives on a bipartisan basis, in the  
 [11] Senate on a bipartisan basis, and signed by the  
 [12] President and became law.  
 [13] Q. How do the restrictions in BCRA on  
 [14] Electioneering Communications eliminate actual or  
 [15] perceived corruption?  
 [16] A. First off, you call them restrictions,  
 [17] and I would define them differently.  
 [18] What we did is say if you ran an ad  
 [19] 60 days to an election and 30 days before a  
 [20] primary, you needed to use campaign money and you  
 [21] could not use corporate treasury money and union  
 [22] dues money. That is what we said.

## Page 46

[1] Q. How do those provisions eliminate  
 [2] actual or perceived corruption?  
 [3] A. First off, I am sure you are always  
 [4] going to have some perceived corruption and you  
 [5] may even have actual corruption in politics. I  
 [6] think that is always a possibility.  
 [7] What we did is we took out the worst  
 [8] abuse. The worst abuses were the unlimited sums  
 [9] from corporations and unions. So, we introduced  
 [10] the fact that this would have to be voluntary  
 [11] money; if you worked in a corporation, you could  
 [12] give to a political action committee. It was  
 [13] voluntary.  
 [14] If you had stock in a company and you  
 [15] wanted to give to that political action committee,  
 [16] I think you probably could have done that  
 [17] voluntarily, but it was limited. If you were a  
 [18] member of a union, you could give to the political  
 [19] action committee of the union.  
 [20] If you were a member of the NRA, you  
 [21] could give to its Political Victory Fund  
 [22] voluntarily, and whatever they raised, they could

## Page 47

[1] spend in the election.  
 [2] That provision that we did, in my  
 [3] judgment, is merely enforcing the 1907 law and the  
 [4] 1947 law and the 1974 law. So, we are going back  
 [5] to the 1974 law.  
 [6] It gets Members of Congress -- and this  
 [7] was important -- out of the business of asking  
 [8] people who run companies for large corporate  
 [9] treasury money and people who run unions, asking  
 [10] them for large amounts of union dues money in  
 [11] campaigns. It gets us out of that business which  
 [12] is, I think, one of the major efforts of this  
 [13] bipartisan campaign reform bill.  
 [14] Q. Congressman, in connection with this  
 [15] case, you have and your intervenor colleagues have  
 [16] provided some answers to Interrogatories. I want  
 [17] to ask you a few questions about those answers.  
 [18] A. Sure.  
 [19] MR. COOPER: In that connection, I will  
 [20] ask the court reporter to mark this document as an  
 [21] exhibit to the deposition.  
 [22] ---

## Page 48

[1] (Whereupon a document was marked as  
 [2] Shays Deposition Exhibit Number 1.)  
 [3] ---  
 [4] BY MR. COOPER:  
 [5] Q. Do you recognize that document,  
 [6] Congressman?  
 [7] A. No, I don't recognize the document.  
 [8] I mean I would have to read the whole  
 [9] document through, but if you have particular  
 [10] parts, I would be happy to try to answer them.  
 [11] Q. For purposes of the record, the  
 [12] document --  
 [13] A. Let me say I recognize my signature.  
 [14] Q. The Congressman is pointing to his  
 [15] signature on the document marked as Exhibit 1, I  
 [16] take it, to this deposition. The document is  
 [17] entitled Intervenors Responses to Contention  
 [18] Interrogatories.  
 [19] A. You are going to have to explain. Not  
 [20] being an attorney, I looked at and signed a number  
 [21] of documents, but it is somewhat Greek to me. So,  
 [22] you are going to have to walk me through any of

## Page 49

[1] the parts you want to question me on.  
 [2] Q. That is what I will do. Obviously, if  
 [3] you have any questions or need clarification,  
 [4] don't hesitate to ask. I want to direct your  
 [5] attention to page 5 of the document, in  
 [6] particular, the response to the interrogatory that  
 [7] is NAB interrogatory number two.  
 [8] A. I am going to read this whole -- do you  
 [9] want me to read all of two?  
 [10] Q. I would be delighted if you would.  
 [11] A. Now, I am going to read it out loud  
 [12] just to make sure I understand it.

[13] (Reading) NAB Interrogatory Number Two  
 [14] Identify in detail each governmental purpose or  
 [15] interest that Congress sought to advance in  
 [16] enacting, it says, BCRA's restrictions on  
 [17] Electioneering Communication so as to apply to  
 [18] broadcast cable or satellite communication, but  
 [19] not to apply to communications in print such as  
 [20] newspapers or magazines.  
 [21] Response: Subject to the objections  
 [22] above and without waiving any of the them --

## Page 50

[1] Are those legal terms?  
 [2] Q. Yes.  
 [3] A. -- Intervenors state that as an  
 [4] examination of the legislative history  
 [5] demonstrates, there are many governmental  
 [6] interests that justify the BCRA restrictions on  
 [7] Electioneering Communication.  
 [8] These interests include, but are not  
 [9] limited to, preventing the circumvention and  
 [10] evasion of existing campaign finance reform laws  
 [11] including, but not limited to the Federal  
 [12] Elections Campaign Act and the Presidential  
 [13] Election Campaign Fund Act, while ensuring that  
 [14] candidates have ample opportunity to campaign  
 [15] effectively and to communicate their message to  
 [16] the electorate (end reading).  
 [17] Q. May I interrupt for a moment --  
 [18] A. Sure.  
 [19] Q. -- just to alert you I intend to ask  
 [20] you some questions about the next number two  
 [21] response to this interrogatory. I would prefer,  
 [22] but I don't insist, that when you have finished

## Page 51

[1] reading this response, I ask you those questions.  
 [2] Then perhaps we will go on.  
 [3] MR. WITTEN: I would like you to read  
 [4] the whole -- read it to yourself or out loud --  
 [5] response.  
 [6] THE WITNESS: I was going to do that.  
 [7] (Reading) 2. Prevent the actual and  
 [8] apparent corruption that results from the  
 [9] expenditures of large sums of money on broadcast  
 [10] cable and satellite advertisements that have an  
 [11] impact on elections.  
 [12] 3. Providing voters with increased  
 [13] information about who is paying for the broadcast  
 [14] cable and satellite advertisements that have an  
 [15] impact on elections.  
 [16] 4. Restoring America's faith in the  
 [17] electoral process and decreasing public cynicism  
 [18] about our system of government.  
 [19] 5. Preventing the corruption and  
 [20] appearance of corruption that result when  
 [21] corporations and unions spend substantial sums  
 [22] from their treasuries to influence the outcome of

## Page 52

[1] elections.  
 [2] 6. Advancing governmental interest

[3] underlying those restrictions by targeting the  
 [4] most acute problems identified by Congress. See  
 [5] "Buckley versus Valeo" (end reading).  
 [6] Before you ask your question again,  
 [7] just explain to me the italicized. Is that a  
 [8] question that is asked by you to us?  
 [9] MR. COOPER: It was asked by the  
 [10] National Association of Broadcasters of another  
 [11] party in this case.  
 [12] THE WITNESS: Then this is the response  
 [13] that I have signed to?  
 [14] MR. COOPER: Yes, it is.  
 [15] THE WITNESS: I am comfortable with the  
 [16] response that I have signed to.  
 [17] MR. COOPER: Very well.  
 [18] BY MR. COOPER:  
 [19] Q. I want to, again, focus your attention  
 [20] on the response that is number two there and,  
 [21] again, effectively, the answer says (reading)  
 [22] There are many governmental interests that justify

Page 53

[1] the BCRA restrictions on Electioneering  
 [2] Communications.  
 [3] These interests include 2. Preventing  
 [4] the actual or apparent corruption that results  
 [5] from the expenditures of large sums of money on  
 [6] broadcast, cable, and satellite advertisements  
 [7] that have an impact on elections (end reading).  
 [8] What actual corruption results from -  
 [9] A. The first part, when you said  
 [10] restrictions, where do I see the word  
 [11] restrictions?  
 [12] Q. Did I say restrictions instead of  
 [13] expenditures?  
 [14] A. You said restrictions.  
 [15] MR. SHAFFER: The third line down from  
 [16] Response, if you look there -  
 [17] THE WITNESS: I am looking at two.  
 [18] Am I responding to two? I am just  
 [19] trying to understand.  
 [20] MR. COOPER: Yes.  
 [21] THE WITNESS: Could you ask your  
 [22] question again?

Page 54

[1] MR. COOPER: Yes.  
 [2] I am simply reading the response  
 [3] beginning after the first clause -  
 [4] THE WITNESS: I see.  
 [5] MR. COOPER: - (reading) There are  
 [6] many governmental interests that justify BCRA  
 [7] restrictions on Electioneering Communications (end  
 [8] reading).  
 [9] THE WITNESS: Thank you.  
 [10] Your question is?  
 [11] BY MR. COOPER:  
 [12] Q. My question is: What actual corruption  
 [13] results from the expenditures of large sums of  
 [14] money on broadcast, cable, and satellite  
 [15] advertisements that have an impact on elections?

[16] What is the actual corruption?  
 [17] A. I think I have already answered that.  
 [18] My answer was we have a law that was  
 [19] passed in 1907 that sought to take away the  
 [20] corrupting influence of large corporate  
 [21] contributions and the involuntary contributions.  
 [22] We have a law in 1947 that sought to take away the

Page 55

[1] corrupting influence of large union dues money  
 [2] that was not voluntarily given.  
 [3] The decision by the FEC to allow  
 [4] corporate money and union dues money for  
 [5] educational purposes became corrupted because it  
 [6] got into more than just educating. It came into  
 [7] the process of trying to influence elections.  
 [8] They became campaign ads.  
 [9] What I said earlier is Members of  
 [10] Congress, in order to pay for these ads, are  
 [11] having to turn to corporations and unions and ask  
 [12] for large sums of money. I believe the larger the  
 [13] sums of money that are raised from these  
 [14] interests, the more you have both the perception  
 [15] and the actual reality of distorting the  
 [16] legislative process.  
 [17] That is why we passed the 1907 law.  
 [18] That is why we passed the 1947 law, and that is  
 [19] why we passed the 1974 law. All we are trying to  
 [20] do is just get those three laws back in operation  
 [21] and overturn what the FEC did in allowing that  
 [22] loophole of soft money.

Page 56

[1] Q. Do you believe the expenditure of the  
 [2] of large sums of money on broadcast, cable, and  
 [3] satellite advertisements by the candidate  
 [4] himself -  
 [5] A. Are you talking about expenditures or  
 [6] the contributions?  
 [7] Q. I am talking about -  
 [8] A. If you are asking about the  
 [9] expenditures -  
 [10] MR. WITTEN: Let me let him get his  
 [11] question out, please.  
 [12] THE WITNESS: I'm sorry, I get a little  
 [13] eager once in a while.  
 [14] BY MR. COOPER:  
 [15] Q. I am asking about the statement made in  
 [16] the interrogatory which refers to expenditures.  
 [17] Again, my question is: Is there actual  
 [18] corruption that results from expenditures of large  
 [19] sums of money on such ads by the candidate  
 [20] himself?  
 [21] A. If a candidate raised hard money, he  
 [22] would have had to have a lot of people contribute

Page 57

[1] to that advertisement, and therefore, a lot of  
 [2] people are involved. They are basically small  
 [3] amounts of contributions.  
 [4] What the FEC did was allow for one  
 [5] interest potentially to give millions and millions

[6] of dollars to pay for that ad. So really, when I  
 [7] look at expenditure, you also have to then ask how  
 [8] was it paid for? How it is paid for becomes the  
 [9] issue.  
 [10] What we did is not deny any candidate  
 [11] the right to have an advertisement or any special  
 [12] interest from having an advertisement. That is  
 [13] their right; that is their privilege. We just  
 [14] made sure it had to be with campaign money and not  
 [15] unlimited sums from corporations and labor unions.  
 [16] Q. You don't believe any actual corruption  
 [17] results from the expenditure of large sums of  
 [18] money on such ads by the candidate himself?  
 [19] A. I don't think you listened to what I  
 [20] said, and we may not connect in this.  
 [21] The fact is The Court has made a  
 [22] decision in the Buckley case that we can limit

Page 58

[1] contributions for the appearance and the actual  
 [2] fact of corruption, but we cannot limit what is  
 [3] spent. We don't limit what is spent. We limit  
 [4] how the money is raised. We make sure it is not  
 [5] corporate money, not union dues money, and not  
 [6] unlimited sums from individuals.  
 [7] Q. I understand that, Congressman, but my  
 [8] question is: Do you believe there is any actual  
 [9] corruption that results from the expenditure of a  
 [10] large sum of money on campaign ads by the  
 [11] candidate himself?  
 [12] A. What do you mean by the candidate  
 [13] himself? I don't understand what you mean.  
 [14] Q. By the candidate's campaign, either out  
 [15] of personal money or out of campaign money as you  
 [16] put it.  
 [17] A. You are aware, aren't you, that Members  
 [18] of Congress are asked to raise large amounts of  
 [19] money from unions and corporations, as much as  
 [20] they will give us, for other candidates? You are  
 [21] aware of that?  
 [22] So, whether it is spent on yourself or

Page 59

[1] spent for another Republican, in my case, we are  
 [2] raising money for our colleagues to help them win  
 [3] an election and to help make sure we are in the  
 [4] majority.  
 [5] We just want to make sure it is done  
 [6] with campaign money, not corporate money, large  
 [7] corporate money, large union dues money, and/or  
 [8] unlimited sums from individuals.  
 [9] Q. In making sure it is done from campaign  
 [10] money, have you eliminated the actual corruption  
 [11] that would otherwise result if it was not from  
 [12] campaign money?  
 [13] A. I think we have taken care of the worst  
 [14] part of the problem clearly. I mean there is a  
 [15] big difference between the impact of a \$5,000  
 [16] contribution which would be given to a PAC or a  
 [17] \$1,000 contribution that would be given by an  
 [18] individual to a candidate and a \$1 million

[19] contribution.  
 [20] There is not a Member of Congress who  
 [21] would be able to look at you and tell you that the  
 [22] larger the amount of money that is raised, the

Page 60

[1] more they notice it.  
 [2] Q. I think I understand the point you have  
 [3] just made, but this answer we are dealing with  
 [4] references expenditures of large sums of money and  
 [5] the corruption, actual and apparent, that results  
 [6] from the expenditure of large sums of money.  
 [7] A. You have to take it in the context of  
 [8] the whole question. There are one, two, three,  
 [9] four, five, six. They all go together. They are  
 [10] all connected. They are all responding to the  
 [11] question.  
 [12] Q. So, I should understand your answer to  
 [13] this interrogatory as containing the points and  
 [14] qualifications you have made?  
 [15] A. I don't think I made any  
 [16] qualifications. I think I have been very  
 [17] explicit.  
 [18] Q. Should I understand this answer to be  
 [19] in light of how you have explained it explicitly?  
 [20] A. I am satisfied with my answer.  
 [21] Q. What actual or apparent corruption  
 [22] results from the expenditures of large sums of

Page 61

[1] money on such campaign ads by political action  
 [2] committees?  
 [3] A. I need to be clear. Where have I said  
 [4] political action committees? Maybe you could get  
 [5] me focused. Where are you referring to here? Is  
 [6] political action committee mentioned here?  
 [7] Q. There is no limitation on this  
 [8] statement. That is what I am probing actually, is  
 [9] whether or not this statement -  
 [10] A. May I be clear? I want to make sure.  
 [11] Q. Yes.  
 [12] A. Does this refer to the 60 day provision  
 [13] and the 30 day provision on broadcast?  
 [14] Q. It does, yes.  
 [15] A. We don't prohibit what a political  
 [16] action committee can spend on an advertisement.  
 [17] Whatever they raise, they can spend 60 days to an  
 [18] election or 30 days in the primary.  
 [19] In fact, that is one of the strengths  
 [20] of our legislation. It nails directly the NRA's  
 [21] contention that we somehow have taken away  
 [22] people's voice. The NRA can advertise 30 days to

Page 62

[1] an election, 60 days to election. They just have  
 [2] to use voluntary contributions.  
 [3] So, if you didn't have a political  
 [4] action committee to turn to, then you might be  
 [5] able to make that claim, but we are not doing  
 [6] anything to impact what a political action  
 [7] committee can do. They can run an ad, and they  
 [8] will.

[9] Q. By running the ad using large sums of  
[10] money, of hard money, will actual or apparent  
[11] corruption result from that?

[12] A. Well, maybe some who don't like the NRA  
[13] may not be happy about it, and you know, that  
[14] might happen. That will always be, you know,  
[15] people will run ads, and others may not like the  
[16] ads and people will be upset about them; but a  
[17] political action committee is raising small sums  
[18] of money, and therefore, they are being true to  
[19] the 1974 law, which was determined to be very  
[20] constitutional.

[21] Q. Congressman, is it fair for me to  
[22] conclude, from that answer and others, that the

Page 63

[1] principal source of the actual or perceived  
[2] corruption in the expenditure of large sums of  
[3] money on campaign ads is the unlimited nature of  
[4] the money that flows from these soft money  
[5] sources?

[6] MR. WITTEN: Congressman, before you  
[7] answer the question, I object to its form.

[8] THE WITNESS: In my process of trying  
[9] to follow it, I want to make sure I understand  
[10] you. So, I am going to ask you to ask it a again,  
[11] and then I might just ask you a question about  
[12] that. Why don't you ask your question again.

[13] BY MR. COOPER:

[14] Q. My question was infelicitously put.  
[15] It is simply whether the source of  
[16] actual or perceived corruption is in the unlimited  
[17] nature of soft money expenditures for campaign  
[18] ads, so-called sham issue ads.

[19] A. This may be a little longer answer, and  
[20] I hope you find it responsive.  
[21] What is corrupting the political  
[22] process, in my judgment, is that elected officials

Page 64

[1] are being asked to raise large sums of money from  
[2] corporations, labor unions, contrary to the 1907  
[3] law and the 1947 law.  
[4] Those large sums of money show up on  
[5] members' radar screens. They show up particularly  
[6] on our leadership, and I believe those  
[7] corporations that are giving large sums of  
[8] money - I believe in some cases, not in every  
[9] instance - distort the political process.  
[10] I know for a fact that some legislation  
[11] has not reached the floor because a particular  
[12] interest group that has given large sums of money  
[13] to my own party opposed it. I know that rules  
[14] have been written in the Rules Committee to not  
[15] allow some amendments because interests that have  
[16] given large sums of money to us object to that  
[17] amendment being offered.  
[18] I call that a distortion of the  
[19] political process, and I find it corrupting to the  
[20] political process. I happen to believe the health  
[21] care industry has an undue amount of influence

[22] with the Republicans, and I believe, in part, it

Page 65

[1] is because of the good sums of money they give.  
[2] I happen to believe - I could be wrong  
[3] on all these instances - but I happen to believe  
[4] the large sums of money the trial lawyers give to  
[5] the Democratic Party is the reason why we cannot  
[6] get meaningful tort reform through the Senate. I  
[7] believe if we don't change that, it is only going  
[8] to get worse.

[9] I hope that is responsive to your  
[10] question.

[11] Q. I appreciate that, and I want to follow  
[12] up on that response.

[13] Do you believe that anyone in the  
[14] Congress has voted against their conscience on,  
[15] for example, tort reform measures or health care  
[16] measures as a result of the corrupting influence  
[17] of soft money you have described?

[18] A. Let me say this to you: You are going  
[19] down a road that we are not going to go very far  
[20] down. Do I believe that in the history of  
[21] Congress or even in the time I have been there  
[22] members have not always voted their conscience for

Page 66

[1] a variety of reasons? Yes.  
[2] I think that, on a scale of one to ten,  
[3] some of the finest people I have ever met serve in  
[4] Congress, people I have tremendous respect for;  
[5] but I believe even the finest people can get  
[6] corrupted by this process, and I don't exclude  
[7] myself from that as well.

[8] Q. You are not suggesting, I trust, that  
[9] you have voted against your conscience or acted in  
[10] a legislative capacity in a manner that would have  
[11] been otherwise but for the corrupting influence of  
[12] soft money contributions you have described, are  
[13] you?

[14] A. I don't think I have.

[15] Q. Do you believe any of your colleagues  
[16] have in the Congress?

[17] A. Well, it is a little more subtle than  
[18] that. The leadership can spare you a vote on a  
[19] difficult issue by simply not allowing an  
[20] amendment to be offered on the floor.  
[21] The leadership can spare you the  
[22] discomfort of having to confront a large financial

Page 67

[1] interest by not allowing the bill to reach the  
[2] floor. So, a bill not may reach the floor or if  
[3] it reaches the floor, it may just be decided in a  
[4] way that a member never has to confront that  
[5] process of offending a large financial interest.  
[6] If you ask me do I think it distorted the process,  
[7] absolutely.

[8] Q. Do you believe that -

[9] A. I am going to need a break in about  
[10] five minutes.

[11] Q. Whenever you would like.

[12] A. How much time has it been?  
 [13] MR. WITTEN: An hour and 20, almost  
 [14] that.  
 [15] THE WITNESS: If you don't mind, I  
 [16] would like to have a five minute break or do you  
 [17] want to ask your question? I didn't want to  
 [18] interrupt your question.  
 [19] MR. COOPER: I can ask the question  
 [20] just as easily when we come back. Let's take  
 [21] five.  
 [22] (Recess from 10:14 a.m. to 10:27 a.m.)

Page 68

[1] BY MR. COOPER:  
 [2] Q. Congressman, I take it you believe, and  
 [3] correct me if I am wrong obviously, that if BCRA  
 [4] had been enacted some years ago, tort reform  
 [5] legislation and health care legislation such as  
 [6] you referred to earlier would have been enacted by  
 [7] now in your opinion.  
 [8] A. I don't know.  
 [9] I don't know, but it would probably  
 [10] have followed a different process.  
 [11] Q. You believe the distortions in the  
 [12] political process you described earlier will be  
 [13] eliminated if the provisions of BCRA survive our  
 [14] challenge?  
 [15] A. I think we have taken care of the worst  
 [16] problems, but there are always going to be  
 [17] problems. I mean it would be false for me to  
 [18] imply there would not be. There will always be  
 [19] problems.  
 [20] Q. When you say problems, you mean these  
 [21] distortions in the political process you have  
 [22] described. Those won't necessarily be eliminated

Page 69

[1] I take it.  
 [2] A. When you have large sums of money from  
 [3] corporations and unions and from individuals, it  
 [4] would only get worse if our law didn't pass. I  
 [5] think however bad the system is today, it would  
 [6] only get worse without our bill.  
 [7] There is nothing, when you look at the  
 [8] numbers, there is nothing to make you feel like  
 [9] corporations are going to give less. They keep  
 [10] giving more and more and more, and they feel they  
 [11] have to be players in this process.  
 [12] I have had individuals tell me they  
 [13] feel they have to participate and give large  
 [14] corporate money to compete with their competition.  
 [15] Q. If you put the large soft money  
 [16] donations to the side and focus on the sham issue  
 [17] ads for a moment, do you believe the phenomenon of  
 [18] sham issue ads as you have described it also  
 [19] results in the distortions in the political  
 [20] process you have described?  
 [21] A. I need to make sure we are talking  
 [22] about the same thing, so let me ask you this.

Page 70

[1] What we have done in our legislation is to enforce

[2] the 1907 law banning corporate treasury money and  
 [3] the 1947 law banning union dues money and to  
 [4] negate what the Federal Election Commissions did  
 [5] when it introduced soft money.  
 [6] Now, soft money can show itself in two  
 [7] primary ways. One is large contributions to the  
 [8] political parties, and another way is through  
 [9] these large expenditures of money, corporate money  
 [10] and union dues money in advertisements.  
 [11] So, we needed to deal with both what a  
 [12] party raises and what happens with these large  
 [13] expenditures on radio and TV from corporations and  
 [14] unions. So, that is what we did. We took care of  
 [15] those two issues.  
 [16] Q. How is it sham issue ads and the  
 [17] expenditures from corporate and union treasuries  
 [18] on the sham issue ads result in the distortions in  
 [19] the political process you have described?  
 [20] A. First off, Members of Congress have to  
 [21] raise those monies in some instances, and I have  
 [22] already gone through that.

Page 71

[1] The 1907 law was to get corporations  
 [2] out of campaigns and to allow individuals to  
 [3] participate. The 1947 law was to get union dues  
 [4] money out of campaigns and let the individuals  
 [5] contribute. So, that is what our law does. It  
 [6] enforces those two laws.  
 [7] Q. My question though, Congressman, is how  
 [8] is it that the airing of sham issue ads that are  
 [9] paid for with corporate treasury funds or union  
 [10] dues results in the distortions in the political  
 [11] process you have described?  
 [12] A. I guess I am having a hard time  
 [13] understanding how I have not been responsive to  
 [14] that question, so you will have to explain it to  
 [15] me a little better. I feel like I am saying the  
 [16] same thing over and over again, and somehow we are  
 [17] not connecting.  
 [18] Q. Perhaps so, and I apologize to the  
 [19] extent I have not -  
 [20] A. I feel I have given the answer to your  
 [21] question. I don't know how I can say it  
 [22] differently.

Page 72

[1] Q. You described a series of techniques I  
 [2] will call it by which the political process can be  
 [3] distorted. I think your word was distorted. You  
 [4] attributed those distortions to, as I understood  
 [5] your response, large corporate soft money  
 [6] contributions. I didn't understand you to  
 [7] attribute those distortions to the airing of sham  
 [8] issue ads.  
 [9] I am asking if, one, you believe those  
 [10] distortions are brought about in any way by the  
 [11] airing of sham issue ads as well.  
 [12] A. I think I understand your question  
 [13] better. I think I can be a little more responsive  
 [14] to it.

[15] You can ask a union to contribute to  
 [16] the Democratic Party. Let's for the sake of it,  
 [17] no offense to the Democratic Party, but let's take  
 [18] them since they are more likely to get a union  
 [19] dues contribution.  
 [20] A union can give, say, a half a million  
 [21] dollars to the DNC or the Democratic Congressional  
 [22] Campaign Committee solicited by a Member of

Page 73

[1] Congress. That Member of Congress can say you can  
 [2] help our candidate by running an ad for him. You  
 [3] have the same effect and the same relationship.  
 [4] So, the union runs an ad for that candidate.  
 [5] There is really no difference whether  
 [6] it was raised and given to the party or whether it  
 [7] was spent on behalf of the Democratic candidate.  
 [8] It is still the same impact, and you still have  
 [9] the same obligation that exists of recognizing  
 [10] that happened.

[11] Q. Do you think that would also be true if  
 [12] there had been no coordination whatsoever between  
 [13] the candidate and union and the union had -  
 [14] entirely independently of the candidate or of the  
 [15] party in much the way you earlier described the  
 [16] Sierra Club's efforts on your behalf -  
 [17] independently aired sham issue ads?

[18] A. It just gets us back to the 1974 law.  
 [19] When the 1974 law was passed, it was passed to  
 [20] recognize that campaign ads should have not  
 [21] unlimited sums, not unlimited sums of  
 [22] contribution.

Page 74

[1] The Supreme Court has said if a lot of  
 [2] people want to participate in that advertisement,  
 [3] that is fine; you can limit what people  
 [4] contribute, but not what they spend.  
 [5] So, I believe in the 1974 law, and I  
 [6] hope the Supreme Court does as well.

[7] Q. Are you aware of any distortions in the  
 [8] political process you think were the result of the  
 [9] airing of sham issue ads?

[10] A. Candidly, I am more aware of how the  
 [11] process is distorted.

[12] The answer, I would have to say, is  
 [13] this: That whether it is a sham issue ad or money  
 [14] donated to the parties, the parties recognize they  
 [15] are being supported by that interest group and  
 [16] they are well aware of how much is contributed to  
 [17] the party and then how much is spent on the  
 [18] party's behalf for their candidate.

[19] So, I don't really see any difference,  
 [20] and that is partly the point. That is my answer.

[21] Q. You have made a number of references to  
 [22] the laws that preceded the enactment of BCRA, in

Page 75

[1] particular, the 1907 law, the 1947 law, and the  
 [2] 1974 law.  
 [3] None of those laws limited in any way  
 [4] the expenditure on advertising, political

[5] advertising of any kind, individuals, did they?

[6] A. You know, I don't know.

[7] Q. Well, your testimony has been confined  
 [8] thus far to expenditures of money on sham issue  
 [9] ads, campaign ads, as you have called them, by  
 [10] corporations through corporate funds and union  
 [11] dues.

[12] Do you believe there is actual or  
 [13] perceived corruption that results when an  
 [14] individual spends substantial sums of money,  
 [15] personal money, to influence the outcome of an  
 [16] election?

[17] A. We have to live within the confines of  
 [18] the Buckley case. I might have disagreed with  
 [19] some aspects of the Buckley case, but we wanted to  
 [20] make sure that what we did was constitutional.  
 [21] If you are asking me does an individual  
 [22] have a right under present law to spend their

Page 76

[1] money any way they want for themselves or someone  
 [2] else, they absolutely have that right. We have  
 [3] tried to work within the requirements of The  
 [4] Court's decision.

[5] Q. I am actually asking you a related  
 [6] question. I agree with your characterization of  
 [7] the right of the individual to do so.  
 [8] Do you believe an individual that  
 [9] exercises that right and spends substantial sums  
 [10] on campaign ads to influence the outcome of an  
 [11] election, that, that personal individual  
 [12] expenditure results in the reality or the  
 [13] appearance of corruption?

[14] A. I would have to say you would have to  
 [15] tell me more information.  
 [16] If that individual coordinated it with  
 [17] a candidate or with the political parties, which  
 [18] would be wrong, but if they did that, I would say  
 [19] under that circumstance, it could not just have  
 [20] the appearance of corruption, it could be very  
 [21] corrupt.

[22] Q. Assume there was no such coordination.

Page 77

[1] A. No such coordination, an individual was  
 [2] just spending their money as they saw fit?

[3] Q. Yes.

[4] A. They have the legal right to do that.  
 [5] If they were not coordinating it with  
 [6] anyone else and they were not working with anyone  
 [7] else, that is their ad.

[8] Q. That, what you have just described,  
 [9] would be free from the concern that it would  
 [10] result in actual or perceived corruption.  
 [11] Is that correct?

[12] A. Let me say this to you: I cannot make  
 [13] that statement. I cannot say yes or no to it.  
 [14] There would be so many particulars  
 [15] involved with it - who it was. There would just  
 [16] be so much more that you would have to fill in for  
 [17] me to judge. It is too abstract for me to answer



[18] that question.

[19] Q. What else do you think you would need  
[20] to know, Congressman, to answer that question?

[21] A. Well, you are asking me to now try to  
[22] think it through. If you want to be more

Page 78

[1] specific, I will answer it.

[2] Q. Your previous responses have not  
[3] required contextual information when we were  
[4] talking about ads purchased with unlimited  
[5] corporate and union treasury funds. Now, I am  
[6] asking if your answer -

[7] A. Let me explain to you why.

[8] Q. Can I finish my question?

[9] A. Sure.

[10] Q. Now, I am asking if your answer is the  
[11] same if we are talking about unlimited individual  
[12] personal funds expended on campaign ads.

[13] A. The challenge that I am having right  
[14] now is making sure I am actually answering the  
[15] question you are asking and not wanting to answer  
[16] the question in a way where I don't understand  
[17] your question, and therefore, my answer could be a  
[18] real distortion. So, that is what I am wrestling  
[19] with right now.

[20] It is getting into the theoretical,

[21] hypothetical. I don't have context to what you  
[22] are asking, so it is a little more difficult for

Page 79

[1] me to respond. That is why you are seeing me  
[2] wrestle with it. If you want to fill it in a  
[3] little bit, I will be happy to try to respond to  
[4] it.

[5] Q. Fair enough, and I certainly don't want  
[6] your answers to be based on a misunderstanding of  
[7] my questions.

[8] A. You have been eminently fair and you  
[9] have allowed me to answer the questions, and I  
[10] thank you for that.

[11] Q. Let me try to frame it in the way I  
[12] just did, which is: Do you hold the same view you  
[13] have previously described with respect to the -

[14] A. Of an independent expenditure done by  
[15] someone all by themselves, not in coordination  
[16] with anyone else?

[17] Q. Yes.

[18] A. Do I hold the same as if it were  
[19] coordinated, raised by a candidate, and so on?  
[20] No, I would not hold it the same.

[21] Q. Do you hold the same view you have  
[22] described with respect to ads purchased with

Page 80

[1] unlimited corporate treasury funds and union dues?

[2] MR. WITTEN: I didn't get that  
[3] question. Could you rephrase it, please?

[4] MR. COOPER: Yes.

[5] The Congressman has outlined in detail  
[6] previously his views with respect to the  
[7] corrupting or distorting influence of corporate

[8] treasury funds and union dues expended on sham  
[9] issue ads.

[10] I am asking if he holds the same views  
[11] with respect to unlimited individual funds spent  
[12] on campaign ads.

[13] THE WITNESS: I will tell you why I am  
[14] having a more difficult time responding to this  
[15] question. This was not part of our Act. It is  
[16] not something we felt we could deal with given the  
[17] decision of the Supreme Court in the Buckley case.  
[18] So, I have not really thought about it all that  
[19] much.

[20] Because it is constitutional, they are  
[21] allowed to do it, it has not, in my experience,  
[22] shown up on my radar screen as being a particular

Page 81

[1] problem, but I have not thought about it.

[2] Let me say this to you: There may be  
[3] aspects of our legislation that we will say why  
[4] didn't we look at this or why didn't we look at  
[5] something else? We tried to take care of what we  
[6] thought were the worst problems.

[7] Q. Can I take that answer as you are  
[8] essentially saying that you have not had an  
[9] opportunity to consider it sufficiently to form an  
[10] opinion on the question?

[11] A. I would say I have not thought about it  
[12] and it has not shown up on my radar screen.

[13] I am saying to you that if, in fact, we  
[14] try to be very faithful to the Buckley case - and  
[15] the Buckley case allows individuals to spend  
[16] whatever they want on themselves or someone else  
[17] as long as they don't coordinate it - that is the  
[18] reality that we deal with. So, I am working  
[19] within that reality.

[20] Q. Do you not have an opinion on my  
[21] question?

[22] A. Well, I can think about it and get back

Page 82

[1] to you, but I don't have an immediate opinion.

[2] Q. I want to ask the same question with  
[3] respect to other entities that might expend  
[4] substantial sums of money on campaign ads or sham  
[5] issue ads.

[6] Do you have an opinion with respect to  
[7] an unincorporated association of individuals  
[8] expending substantial sums on airing campaign ads?  
[9] Again, assume independence from any  
[10] party or any candidate.

[11] A. Our law makes it illegal for  
[12] corporations and labor unions to use corporate  
[13] treasury money or union dues money 60 days to an  
[14] election or 30 days before a primary.  
[15] We did not address the issue of whether  
[16] individuals could do that. In fact,  
[17] individuals - and let me just continue to make  
[18] the point that corporations can advertise 60 days  
[19] to an election or unions or 30 days before a  
[20] primary, but they have to use political action

[21] committee money – we did not, in our legislation,  
[22] deal with unincorporated individuals. That may

Page 83

[1] turn out to be a problem; it may not. Time will  
[2] tell.

[3] Q. Did you not do so because you did not  
[4] believe the expenditure of large sums of money for  
[5] campaign ads by such entities or, let me just say,  
[6] by unincorporated associations result in  
[7] corruption or the appearance of corruption in the  
[8] political process?

[9] A. We tried to take care of the worst  
[10] problems, and we think we have.

[11] I have concern about what individuals  
[12] may do, but it will be something I am going to  
[13] watch very closely. The concern is something I am  
[14] definitely going to watch very closely.  
[15] I want to make the point again we tried  
[16] to take care of the worst problems, and we wanted  
[17] to make sure we lived within the confines of the  
[18] law because we knew it would be challenged. We  
[19] wanted to make sure we met the test of  
[20] constitutionality, and I think we have very  
[21] clearly.

[22] Q. In your answers thus far, you have made

Page 84

[1] references to corporations and to unions.

[2] Does it matter at all what kind of  
[3] organization or what kind of corporate  
[4] organization is making the expenditures for  
[5] campaign ads or sham issue ads as far as your view  
[6] concerning its corrupting potential is concerned?

[7] A. It should not make a difference what I  
[8] think about that.

[9] Q. So, the concern about corrupting or  
[10] distorting the political process through unlimited  
[11] corporate expenditures is the same whether we are  
[12] talking about General Electric, for example, or we  
[13] are talking about a nonprofit 501(c)(4) voluntary  
[14] membership organization in the corporate form?

[15] A. No.  
[16] Let me be clear on this. They would be  
[17] using corporate treasury money?

[18] Q. Yes.

[19] A. We make it illegal for all corporations  
[20] to use corporate treasury money, but they can use  
[21] political action committee money. They can  
[22] establish a political action committee and run an

Page 85

[1] advertisement.

[2] Q. Do you believe all corporations,  
[3] including those I have just described, represent  
[4] the same threat of distortion or corruption in the  
[5] political process when they use treasury funds to  
[6] purchase sham issue ads?

[7] A. Would you repeat the question.

[8] MR. COOPER: Could you do that.

[9] (Question read.)

[10] THE WITNESS: Now, a sham ad, as we

[11] defined it, is corporate treasury ads that are  
[12] being spent for advertisements; correct?  
[13] That is what you are asking about?

[14] MR. COOPER: I am asking about –

[15] THE WITNESS: I think different  
[16] corporations represent different capabilities to  
[17] distort the process, but we didn't get into that.  
[18] We are not going to start to judge one corporation  
[19] or another.

[20] We have to write a law that is easy to  
[21] understand and easy to administer, and we have to  
[22] make sure people are clear as to what they can do

Page 86

[1] and what they cannot do.

[2] You mention a candidate's name 60 days  
[3] to an election, it is a campaign ad. You have to  
[4] use political action committee money. All those  
[5] corporations can do that, every one that you  
[6] mentioned. We felt that was clearly a very  
[7] logical and reasonable way to write the law.

[8] MR. COOPER: Do you believe any  
[9] corporation –

[10] THE WITNESS: I am going to jump in and  
[11] say Mother Theresa could have a wonderful  
[12] corporation – we could agree to that – and, you  
[13] know, my goodness why can't Mother Theresa run an  
[14] ad?

[15] There is a very real reason why. She  
[16] could do a political action committee, and she can  
[17] conform like everyone else. We cannot get into a  
[18] circumstance where courts are having to evaluate  
[19] the quality and character of each corporation.

[20] BY MR. COOPER:

[21] Q. So, you don't believe any corporation  
[22] should be exempted from the restrictions on its

Page 87

[1] ability to engage in Electioneering

[2] Communications?

[3] A. That is a real distortion the way you  
[4] asked.

[5] They have the ability to participate in  
[6] a very real way, and they participate by  
[7] establishing a political action committee. So,  
[8] they are not restricted.

[9] The NRA is not restricted. They have  
[10] every ability to communicate their message. They  
[11] just need to get voluntary money. With your  
[12] membership in particular, you have the ability to  
[13] spend a fortune, but it will be from lots of  
[14] members and it will be voluntary.

[15] So, no restrictions on anyone; it just  
[16] has to have been through a political action  
[17] committee.

[18] Q. Do you believe any corporation should  
[19] be permitted to use treasury funds to air campaign  
[20] ads?

[21] A. Well, they are going to be allowed to  
[22] under our law 60 days before an election, 30 days

Page 88

[1] before a primary.  
 [2] What we did is we tried to take when we  
 [3] see these campaign ads happening the most, when  
 [4] they seem to have the most impact.  
 [5] Q. What about within that time frame?  
 [6] A. Within the time frame of 60 days?  
 [7] Q. Yes.  
 [8] A. Repeat the question.  
 [9] Q. Do you believe any corporation should  
 [10] be permitted to use treasury funds -  
 [11] A. It is on treasury funds?  
 [12] Q. - to air campaign ads within the  
 [13] period of time that BCRA prescribed?  
 [14] MR. WITTEN: You are asking about  
 [15] broadcast ads?  
 [16] MR. COOPER: I am asking about  
 [17] broadcast ads and all the other qualifications on  
 [18] or criteria describing or identifying  
 [19] Electioneering Communications.  
 [20] THE WITNESS: The answer to your  
 [21] question is we wrote the law to make it very clear  
 [22] that no corporation could advertise 60 days to an

Page 89

[1] election using corporate treasury money. If you  
 [2] ask me if I believe in the law, yes, absolutely.  
 [3] BY MR. COOPER:  
 [4] Q. You are familiar, are you not,  
 [5] Congressman, with the proposal by the Federal  
 [6] Election Commission to permit certain corporations  
 [7] to use treasury funds to engage in Electioneering  
 [8] Communications within a prescribed period?  
 [9] A. Did this just happen yesterday?  
 [10] Q. I don't know what happened yesterday.  
 [11] Honestly, I tried to find out all day yesterday.  
 [12] A. The answer to your question is I am not  
 [13] familiar.  
 [14] I would become very concerned about  
 [15] what the Federal Elections Commission will do.  
 [16] Don't even to begin to think you can hand me a  
 [17] document. Please, don't even begin to think I am  
 [18] going to take a document from the FEC and analyze  
 [19] it cold because I am not aware of what they have  
 [20] done with regards to broadcast ads.  
 [21] Q. Actually, I am going to hand you a  
 [22] document that reflects your comments to the FEC

Page 90

[1] along with other Members of Congress who are  
 [2] intervenors.  
 [3] A. Did they do what we had asked them to  
 [4] do?  
 [5] Q. Let's take a look at the document.  
 [6] A. Let me just ask you something. When  
 [7] you say take a look at the document - that is a  
 [8] big document - do you want to give me time to  
 [9] study the document? Do you want to let me review  
 [10] it or what?  
 [11] I don't intend to look at such a big  
 [12] document without thoroughly looking at it and  
 [13] being able to ask questions. So, how do you want

[14] to proceed?  
 [15] Q. I am not going to confine your review,  
 [16] Congressman. I think when I focus your attention  
 [17] on it, you will not find the question -  
 [18] A. Let me say that I want to be  
 [19] cooperative, and counsel will have to tell me what  
 [20] I am required to do, but I have not seen this  
 [21] document; correct?  
 [22] Q. No, you have. You have signed it.

Page 91

[1] A. Is this the FEC's decision?  
 [2] Q. This is your comments to the FEC.  
 [3] A. I misunderstood. Let me back up. I  
 [4] thought you were going to hand me a document from  
 [5] the FEC on how they have ruled.  
 [6] Q. No.  
 [7] A. I misunderstood.  
 [8] Q. It is quite all right.  
 [9] A. Has the FEC made a ruling on our  
 [10] document?  
 [11] Q. I don't know the answer to that.  
 [12] A. I thought you asked about the FEC's  
 [13] decision.  
 [14] Q. I said a proposal, an FEC proposal.  
 [15] A. That shows I should have listened to  
 [16] your question better.  
 [17] ---  
 [18] (Whereupon a document was marked as  
 [19] Shays Deposition Exhibit Number 2.)  
 [20] ---  
 [21] THE WITNESS: I want to be clear on  
 [22] something. I had been told earlier today the FEC

Page 92

[1] had made a decision on our request that they  
 [2] consider a very, very narrow exemption.  
 [3] MR. WITTEN: There is no question  
 [4] pending. You don't have to -  
 [5] THE WITNESS: I just want to ask a  
 [6] question. Is that the case or not? Has the FEC  
 [7] made any decision?  
 [8] MR. COOPER: Congressman Shays,  
 [9] unfortunately, I don't know the answer to the  
 [10] question. I would be happy to tell you if I did.  
 [11] THE WITNESS: This document is not  
 [12] anything from the FEC? This is our document? I  
 [13] just want to, before I look through it, I want to  
 [14] make sure that is how you presented it to me.  
 [15] MR. COOPER: That is how I am  
 [16] presenting it to you.  
 [17] THE WITNESS: Thank you.  
 [18] BY MR. COOPER:  
 [19] Q. As you look through the document, do  
 [20] you recognize that document as containing the  
 [21] comments you and other Members of Congress  
 [22] submitted to the FEC with respect to proposed

Page 93

[1] regulations under BCRA?  
 [2] I have a specific page, Congressman,  
 [3] page 14 -

[4] A. Let me just take a look.  
 [5] Q. Can I direct your attention to  
 [6] page 14, the middle of that page?  
 [7] A. Sure.  
 [8] Q. The heading is Proposed 11 CFR Section  
 [9] 114.2, Prohibitions on Contributions and  
 [10] Expenditures. The last sentence - and that is  
 [11] all I want to focus your attention on, but feel  
 [12] free to read the entire paragraph if you would  
 [13] like - the last sentence reads (reading) We also  
 [14] agree that in order for the provision to comply  
 [15] with the Supreme Court's ruling in the MCFL case,  
 [16] the prohibition should not apply to qualified  
 [17] nonprofit corporations as provided in 11 CFR  
 [18] Section 114.10 (end reading).  
 [19] Now, the FEC, as this document  
 [20] reflects, has proposed to exempt from BCRA's  
 [21] provisions on Electioneering Communications  
 [22] certain nonprofit corporations, ones that are

Page 94

[1] described in this sentence and were described as  
 [2] well in this MCFL case, Massachusetts Citizens for  
 [3] Life.  
 [4] Are you familiar with the restrictions  
 [5] on the MCFL qualified nonprofit corporations?  
 [6] A. No, I am not.  
 [7] Q. Is it your opinion that the qualified  
 [8] nonprofit corporations the FEC is proposing, and  
 [9] you are agreeing here in this comment, that the  
 [10] FEC is proposing to exempt from the Electioneering  
 [11] Communications provisions do not, that  
 [12] expenditures by such corporations from treasury  
 [13] funds for campaign ads would not result in  
 [14] corruption or distortion of the political process?  
 [15] A. For campaign ads?  
 [16] Q. Yes, campaign ads, sham issue ads.  
 [17] A. I am not going to be able to respond  
 [18] because I don't know enough about the court case  
 [19] to be able to help you.  
 [20] We wanted to make sure that in the  
 [21] circumstance - let me tell you the general  
 [22] thrust. We wanted to make sure that in the

Page 95

[1] circumstance of 60 days to an election, where you  
 [2] could potentially mention a congressman, but not  
 [3] his name or her name, that it was clearly not  
 [4] intended to influence an election; that there be  
 [5] this exemption. That is the thrust of what we  
 [6] were trying to achieve when I signed this  
 [7] document.  
 [8] So, the particulars of a particular  
 [9] court case or not, we just knew there might be  
 [10] certain circumstances where you needed the  
 [11] flexibility, and we could not write it by law.  
 [12] So, we felt it was important for the FEC to do it.  
 [13] I think, as I recall this document, we  
 [14] wanted to make sure that even though a congressman  
 [15] is referred to, they are not referred to by name  
 [16] and that everyone would clearly agree it was not a

[17] campaign ad, it should be allowed, and we didn't  
 [18] want them caught up in it.  
 [19] That is the extent of how I can help  
 [20] you with this document, I think.  
 [21] Q. May I then take as your response you  
 [22] don't now have an opinion on the question, the

Page 96

[1] precise question that I put?  
 [2] A. I don't feel qualified to answer it.  
 [3] MR. COOPER: Congressman, I would like  
 [4] to now ask you some questions about a series of  
 [5] political advertisements. I would like you to  
 [6] take a look at them and answer some questions  
 [7] relating to them.  
 [8] In fact, my colleague, Mr. Shaffer, is  
 [9] going to show you one of these ads on this laptop.  
 [10] It is on a CD. I want to introduce the CD to make  
 [11] this record complete and mark it as exhibit.  
 [12] There are many other ads on the CD, but I will  
 [13] only be asking you to take a look at one of them.  
 [14] I also will ask the reporter to mark as  
 [15] well a document that contains a transcript of this  
 [16] ad I am going to ask you to take a look at.  
 [17] ---  
 [18] (Whereupon Shays Deposition Exhibits  
 [19] Numbered 3 and 4 were marked for identification.)  
 [20] ---  
 [21] MR. WITTEN: Mr. Cooper, I noticed the  
 [22] CD, the exhibit, has a legend on it written by

Page 97

[1] somebody that says confidential, attorney's eyes  
 [2] only.  
 [3] MR. SHAFFER: We were doing that just  
 [4] to err on the side of caution. We have an  
 [5] agreement that it will be used for purposes of  
 [6] this litigation. It is the same protective  
 [7] agreement that governs materials for use by the  
 [8] Amberg Center.  
 [9] (CD-Rom played.)  
 [10] THE WITNESS: Let me ask a few  
 [11] questions before we start. Set me up a little bit  
 [12] on this. This is Mark Shriver's ad? I would have  
 [13] to see in it a number of times before I am going  
 [14] to fully understand this. I had a hard time  
 [15] hearing the words.  
 [16] BY MR. COOPER:  
 [17] Q. Fair enough, and we will be happy to  
 [18] play it again. I don't think we can increase the  
 [19] volume.  
 [20] A. If you cannot increase the volume, you  
 [21] are going to have to tell me what this ad is.  
 [22] Q. I have, Congressman, as well - and I

Page 98

[1] think it has been placed before you - the  
 [2] transcript or a transcript of this ad.  
 [3] A. Let me read that.  
 [4] Q. It begins on the second page of that  
 [5] document.  
 [6] A. I should not look at first page? This

[7] is an ad. Who paid for this ad?  
 [8] Q. The transcript reflects, at the top of  
 [9] this page, it was paid for by Citizens for Mark K.  
 [10] Shriver. It is, as you say, a Mark Shriver ad.

[11] A. He is in the ad, and his name is  
 [12] mentioned in the ad? When did this ad appear?

[13] Q. It actually has appeared very recently,  
 [14] within 30 days of -

[15] A. This is Mark Shriver (reading) I stood  
 [16] up in the floor of the House of Delegates this  
 [17] year and defeated a piece of legislation backed by  
 [18] the NRA that would have allowed convicted felons  
 [19] to own handguns. That is bad public policy.  
 [20] We should not allow people who are -  
 [21] convicted of domestic violence to own handguns.  
 [22] We need trigger locks on our handguns. We need to

## Page 99

[1] eliminate the gun show loophole. We need to make  
 [2] gun licensing the law of the land.

[3] So, I welcome the fight from the NRA  
 [4] because nothing would give me more pleasure than  
 [5] defeating the NRA. If you believe in something  
 [6] passionately -

[7] Q. That actually is another ad.

[8] A. So, this is that ad.

[9] What is your question?

[10] Q. Well, first, I would like you to assume  
 [11] the NRA believed that the characterization of it  
 [12] and its positions in the ad -

[13] A. Before I make that assumption, could  
 [14] you just explain to me this is an ad paid for by  
 [15] Mark Shriver during the campaign?

[16] Q. It appears to have been paid for by  
 [17] Citizens for Mark Shriver, yes.

[18] A. It is an ad, whether he paid for it or  
 [19] someone else paid for it, this ran during 30 days  
 [20] to -

[21] Q. A primary election.

[22] A. - a primary election?

## Page 100

[1] Q. Assume that was the case.

[2] A. You want me to assume the NRA felt this  
 [3] was a poor characterization of their position?

[4] Q. It is distorted, an inaccurate  
 [5] depiction of the NRA and its positions.

[6] A. You didn't ask me, but I also agree it  
 [7] is a distortion.

[8] Q. Do you think the NRA could effectively  
 [9] respond to this ad -

[10] A. Absolutely.

[11] Q. - with a broadcast ad that did not  
 [12] mention Mr. Shriver's name?

[13] A. I think the NRA has the capacity and  
 [14] should respond to this ad, and they should use  
 [15] their political action committee money to do that.  
 [16] It would be a campaign ad. If you ran it, it  
 [17] would be a campaign ad just as his is a campaign  
 [18] ad. I assume this is a campaign ad.  
 [19] I don't know if it was paid for with

[20] hard money or soft money, so that is another  
 [21] issue, but the bottom line is if our law passed,  
 [22] he would have to use hard money to do this ad and

## Page 101

[1] the NRA would have to use hard money to fight it.

[2] Q. If your law passed, the NRA could not  
 [3] respond to this ad using Mr. Shriver's name.  
 [4] Is that not true?

[5] A. No, I don't think that is true at all.

[6] You would use your political action  
 [7] committee money. You would use hard money. I  
 [8] would go right after him. I think if I were the  
 [9] NRA, I would use my political action committee  
 [10] money and I would confront him head to head.

[11] Q. Could the NRA respond to this ad  
 [12] effectively without using PAC money, by using  
 [13] treasury funds when BCRA becomes effective?

[14] A. When the Bipartisan Campaign Reform Act  
 [15] takes effect and if The Court upholds all the  
 [16] provisions, Mr. Shriver would have to use hard  
 [17] money contributions. He would not be allowed to  
 [18] use soft money, and the NRA would have to use hard  
 [19] money. It would not be allowed to use soft money.

[20] Q. Do you think the NRA's response to this  
 [21] ad would be as effective if it could not use  
 [22] Mr. Shriver's name in their response?

## Page 102

[1] A. You are asking my personal opinion?

[2] Q. Yes.--

[3] A. My personal opinion is if I were part  
 [4] of the NRA membership, I would confront this ad  
 [5] right away and I would use his name and I would  
 [6] use hard money to do it.

[7] Q. You are saying the NRA, after BCRA  
 [8] becomes effective, would have to respond to this  
 [9] ad, effectively anyway, through the NRA Political  
 [10] Victory Fund?

[11] A. I would say or any other fund that it  
 [12] chose to set up, but it would have to use hard  
 [13] money to confront the hard money ad of  
 [14] Mr. Shriver.

[15] Q. Did Mr. Shriver, anywhere in this ad,  
 [16] characterize the NRA Political Victory Fund as  
 [17] opposed to the NRA itself?

[18] A. Well, whatever has paid for it, you can  
 [19] talk about the NRA specifically. You are not  
 [20] restricted. You have used hard money. You can  
 [21] say in that ad whatever you want. You are not  
 [22] restricted on what you can say in the ad. You can

## Page 103

[1] say whatever you want in that ad.

[2] Q. The NRA cannot say whatever it wants,  
 [3] can it, Congressman?

[4] A. The NRA, through its political action  
 [5] committee, can say whatever it wants.

[6] Q. Do you think it would be an adequate  
 [7] response for the NRA to be limited to responding  
 [8] to distortions of the NRA's positions through its  
 [9] political action committee, the Political Victory

[10] Fund?  
 [11] A. Let me be really clear because this is  
 [12] so clear and so obvious.  
 [13] The NRA has no restriction on what it  
 [14] can do. It just has to do it through hard money,  
 [15] and it does that through a political action  
 [16] committee. It is not inhibited in any way  
 [17] whatsoever, and any claim that it is, is a total  
 [18] and complete distortion.  
 [19] The law allows the NRA to respond to  
 [20] this ad immediately through a political action  
 [21] committee. There is no inability for the NRA to  
 [22] respond and no inability for it to say whatever it

Page 104

[1] wants in that ad.  
 [2] I might add you didn't ask me, but if  
 [3] this ad were paid for by non-hard money,  
 [4] Mr. Shriver, in the future, would have to use hard  
 [5] money as well. I don't know how it was paid for.  
 [6] Q. Do you believe the public can tell the  
 [7] difference between a responding ad that is by the  
 [8] NRA versus a responding ad that is by the NRA  
 [9] Political Victory Fund?  
 [10] A. Absolutely.  
 [11] You are not limited to that one name.  
 [12] You can rename it. I mean you could name it a  
 [13] hundred different names. Everything you say in  
 [14] that ad can be just the way you want to say it.  
 [15] You can say the NRA is outraged.  
 [16] I mean I am not going to write your ad  
 [17] for you, but I could write a good ad in response  
 [18] to this that would mention the NRA's name a  
 [19] hundred different times.  
 [20] Q. What I am asking is: Do you believe  
 [21] the public would understand an ad that responded  
 [22] to this Shriver ad by using Mr. Shriver's name

Page 105

[1] that was paid for and bore the legend of the NRA  
 [2] Political Victory Fund, that the public would  
 [3] understand that to be the NRA's response to this  
 [4] ad?  
 [5] A. Absolutely.  
 [6] You could say the NRA is responding to  
 [7] this ad. You could say a whole host of things  
 [8] through your political action committee. You have  
 [9] a hundred different ways you can say this.  
 [10] Mr. Cooper, there are a lot of ways we  
 [11] could have differences of agreement, but on this  
 [12] one, the NRA is dead wrong if it contends it does  
 [13] not have the ability to respond to this ad.  
 [14] It has the ability to respond to it  
 [15] quickly. It has the resources to respond to it  
 [16] quickly through its political action committees,  
 [17] and on this issue, I think you all are off on a  
 [18] really way off base.  
 [19] Q. Congressman, if the NRA Political  
 [20] Victory Fund lacked funds to respond to this ad  
 [21] and the NRA had, itself, to respond to the ad -  
 [22] A. May I ask you how many members are

Page 106

[1] there in the NRA?  
 [2] Q. Congressman, this is my deposition of  
 [3] you.  
 [4] A. I cannot answer your question unless I  
 [5] ask because what you just played out is patently  
 [6] absurd.  
 [7] Q. I am asking you to assume it.  
 [8] A. I could not assume it. I could not  
 [9] assume the NRA would not have the ability to raise  
 [10] these funds. I could not make that assumption.  
 [11] Q. So, you refuse to answer my question on  
 [12] the basis of that assumption?  
 [13] A. No.  
 [14] I think your assumption is absurd, and  
 [15] let me be very clear on this. The Congress  
 [16] established political action committees with the  
 [17] expressed intention that interest groups would  
 [18] have the ability to express their will.  
 [19] The Supreme Court upheld that and made  
 [20] it very clear that special interests - and I  
 [21] think of special interests in a positive way, not  
 [22] in a negative way - have the ability to get their

Page 107

[1] messages out through a political action committee.  
 [2] You have that ability, and I have no  
 [3] doubt whatsoever the NRA could raise millions of  
 [4] dollars to respond to this ad, none whatsoever.  
 [5] Q. If the NRA chose to respond to it using  
 [6] ads funded through treasury funds, it would not be  
 [7] allowed to use Mr. Shriver's name, would it?  
 [8] MR. WITTEN: On a broadcast ad?  
 [9] MR. COOPER: In an Electioneering  
 [10] Communication.  
 [11] THE WITNESS: The answer is the law  
 [12] would make it very clear the NRA would have to  
 [13] respond through a political action committee as  
 [14] determined constitutional by the Supreme Court.  
 [15] That is the way it would have to get its message  
 [16] out.  
 [17] BY MR. COOPER:  
 [18] Q. If the NRA did use Mr. Shriver's name  
 [19] in the ad, how would that result in corruption or  
 [20] perceived corruption in the political process?  
 [21] A. I don't think it would result in any  
 [22] perceived corruption in that instance, but you

Page 108

[1] would have to put it in the context of everything  
 [2] we discussed before that question.  
 [3] The important point to remember is that  
 [4] the NRA has the total freedom and flexibility to  
 [5] respond to this ad through one political action  
 [6] committee - it could have two; it could have  
 [7] three; it could have any number - and it would  
 [8] raise money from whomever would like to contribute  
 [9] to that cause on behalf of the NRA.  
 [10] So, on this level, I have total  
 [11] confidence the Supreme Court will recognize that  
 [12] the political action committee process is a very

[13] fair one and gives you all the voice you need to  
[14] get your message out.

[15] ---

[16] (Whereupon a document was marked as  
[17] Shays Deposition Exhibit Number 5.)

[18] ---

[19] BY MR. COOPER:

[20] Q. For purposes of the record, this  
[21] exhibit is what we have been calling a story board  
[22] of a political advertisement. It is Bates stamped

Page 109

[1] BRE 001223.

[2] Congressman, I would like you to just  
[3] review the exhibit, if you would.

[4] A. Let me say I cannot really see the  
[5] picture, but I assume that is not all that  
[6] important.

[7] Q. It is not particularly important.

[8] A. (Reading) It is almost too much to  
[9] swallow. Year after the year, the Federal  
[10] Government takes a bigger piece of the pie. In  
[11] fact, in 1998, we will pay more in Federal taxes  
[12] than at any time in American history, except for  
[13] World War II.  
[14] Now with the budget surplus, in  
[15] 30 years, all the Washington politicians can talk  
[16] about is getting their hands on more of your  
[17] dough. Call Harry Reid and John Ensign. Tell  
[18] them no matter who goes to Washington, you want  
[19] them to cut your taxes. Otherwise, there will be  
[20] nothing left but the crumbs (end reading).  
[21] Do you want to set up this and tell me  
[22] when it ran and all those things, or do you want

Page 110

[1] me to ask you?

[2] Q. I want you to assume it ran within the  
[3] 60 days of an election.

[4] A. May I assume it ran?  
[5] Harry Reid and John Ensign from Nevada?

[6] Q. Nevada, right.

[7] A. So, this ad ran in Nevada 60 days to an  
[8] election?

[9] Q. Let us assume that for purposes of my  
[10] question, which is simply: In your opinion, is  
[11] this what you have characterized as a sham issue  
[12] ad in your earlier testimony, in your opinion?

[13] A. Let me ask you another question. They  
[14] both are up for election or one of them is up for  
[15] election? They both are?

[16] Q. Would that make a difference to your  
[17] answer?

[18] A. Actually, it probably would not in  
[19] either case, but one of them was up for election?

[20] Q. Let us assume that is true.

[21] A. The issue would be that this would have  
[22] to be - I think it is talking about a particular

Page 111

[1] position. In this case, I have a bit of an  
[2] advantage. I know John Ensign is for cutting

[3] taxes, and I know Harry Reid is not usually. That  
[4] is a bias I have as a Republican, but I believe it  
[5] to be true.

[6] If this ran, it would clearly be under  
[7] our law, and I think it is reasonable. It would  
[8] be under our law because I think it agrees  
[9] probably with one person's position, but not the  
[10] other. I think it is designed to influence the  
[11] election, frankly.

[12] Q. On whose behalf or to whose favor do  
[13] you believe this was designed to influence the  
[14] election?

[15] A. I would not know unless I was in Nevada  
[16] and knew the group, so I am speculating in this  
[17] case. My speculation is this was probably  
[18] designed to help John Ensign. I could be wrong,  
[19] but it was probably designed to help him.  
[20] In either case, even if I am wrong, it  
[21] is designed to impact the outcome of the election.  
[22] So, it would be a campaign ad and should be used

Page 112

[1] with hard money.

[2] MR. COOPER: Would this be a convenient  
[3] moment to take another short break?

[4] THE WITNESS: I am happy to stop, and I  
[5] am happy to go on.

[6] MR. COOPER: Why don't we go off the  
[7] record.

[8] (Recess from 11:33 a.m. to 11:46 a.m.)

[9] BY MR. COOPER:

[10] Q. Congressman, let me return your  
[11] attention to the story board we have marked  
[12] Exhibit 5.

[13] Was this among the political ads you  
[14] reviewed in connection with preparing for this  
[15] deposition?

[16] A. Correct.

[17] Q. I want to ask the same question.

[18] A. I would like to say to you when I was  
[19] shown it, that was exactly what my answer was when  
[20] I was shown it, just for the record.

[21] Q. Had you reviewed the ad we discussed  
[22] previous to this, the Mark Shriver ad?

Page 113

[1] Have you seen that?

[2] A. I don't think I did, but I don't know;  
[3] I don't think I saw that ad.

[4] I would be happy to tell you, in each  
[5] ad, if I have seen it before if you would like.

[6] Q. I would like to also ask you a question  
[7] again referring back to the Shriver ad.

[8] How is it that an ad responding to that  
[9] Shriver ad, if paid for by the Political Victory

[10] Fund out of hard dollars, would not result in  
[11] actual or perceived corruption of the political

[12] process, but an ad responding to the Shriver ad  
[13] paid for by NRA treasury funds would result in

[14] corruption or perceived corruption of the  
[15] political process?

[16] A. I was thinking about this in the  
 [17] context of all my other answers, and I think I  
 [18] have really answered that question. You are  
 [19] really combining two different issues.  
 [20] We could go back over my other answers  
 [21] about the 1907 law and the 1947 law and why those  
 [22] Congresses passed them if you would like, but I

Page 114

[1] don't know if you want to spend the time.

[2] Q. No.

[3] If you want to refer to your earlier  
 [4] answers, then I will accept that.

[5] A. Thank you.

[6] ---

[7] (Whereupon a document was marked as  
 [8] Shays Deposition Exhibit Number 6.)

[9] ---

[10] THE WITNESS: (Reading) America's  
 [11] greatest generation, they gave us peace,  
 [12] prosperity, and a better world. Senator Orrin  
 [13] Hatch knows they sacrificed for us, and he has  
 [14] always supported them time and again. Now  
 [15] Medicare spending for nursing home care is  
 [16] \$15 billion less than Congress budgeted.  
 [17] America's greatest generation needs  
 [18] Orrin Hatch's help again. Senator Hatch is a  
 [19] leader. Call, ask him to support Medicare funding  
 [20] (end reading).  
 [21] Orrin Hatch is in Utah. I will make  
 [22] the assumption, if you are asking me to do, that

Page 115

[1] it was in Utah. You are asking me to make the  
 [2] assumption it was 60 days before an election or  
 [3] 30 days before a primary?

[4] Q. Yes.

[5] A. So this, under our law, would, in fact,  
 [6] be a campaign ad, and therefore, needs to be paid  
 [7] for with hard money, not soft money.

[8] Q. This would be an Electioneering  
 [9] Communication under BCRA; is that correct?

[10] A. This is a campaign ad because it  
 [11] mentions the Senator's name and it is 60 days to  
 [12] an election, so under our definition, it is a  
 [13] campaign ad.

[14] Q. Do you believe this is a sham issue ad?

[15] A. When I look at it, I think it is pretty  
 [16] clear that it is beneficial to Senator Hatch and  
 [17] would be helpful to Senator Hatch. I would love  
 [18] someone to run an ad for me like this in an  
 [19] election. It is designed to influence the  
 [20] election.

[21] Q. Earlier, you indicated you stopped the  
 [22] Sierra Club from running an ad favorable to you.

Page 116

[1] You were being facetious -

[2] A. Let me say I tried to.

[3] Q. You attempted to.

[4] A. I believe they kept running it for a  
 [5] while, and I was lectured that I didn't have any

[6] right to make that request under existing law. I  
 [7] mean not lectured by you, but lectured by the  
 [8] Sierra Club.

[9] Q. In your answer to my questions with  
 [10] respect to Exhibit 5, the previous story board,  
 [11] you asked certain questions about the context. I  
 [12] take it you don't need any contextual information  
 [13] with respect to the ad reflected on Exhibit 6 to  
 [14] come to your judgment that this would constitute a  
 [15] sham issue ad in your opinion.

[16] A. Let me be clear so we are  
 [17] communicating. I can tell you without context as  
 [18] long as you tell me if it was 60 days to an  
 [19] election, mentioned the candidate's name, was in  
 [20] that candidate's jurisdiction of election.  
 [21] I can tell you what the law would say,  
 [22] and then I can respond to what I think about it.

Page 117

[1] I kind of need you to fill it in, so maybe I am  
 [2] giving you more than you want, but I am happy to  
 [3] try to cooperate.

[4] Q. I think there are two different  
 [5] questions here.

[6] A. Okay.

[7] Q. One is whether or not the law as passed  
 [8] and that we have been calling BCRA and its  
 [9] provisions regarding Electioneering Communications  
 [10] would prohibit this ad if paid for with corporate  
 [11] treasury funds.

[12] There is another question, which is the  
 [13] question I actually wanted to focus on, which is  
 [14] whether the ad itself satisfies your view and  
 [15] definition of a sham issue ad or a campaign ad.

[16] A. Okay.

[17] Q. Just so we are clear, let me refer back  
 [18] again then to the ad reflected on Exhibit 5.  
 [19] Do you believe that would be within the  
 [20] prohibition of Electioneering Communications under  
 [21] BCRA if paid for by corporate treasury funds?

[22] A. I believe, under the Bipartisan

Page 118

[1] Campaign Reform Act, this ad would have to be paid  
 [2] for by hard money campaign money as defined in the  
 [3] 1974 Act.

[4] I was adding to that by saying this is  
 [5] a confirmation to me of why our definition works  
 [6] because I think reasonable people would conclude  
 [7] this was designed to influence the election.

[8] Q. Therefore, it is a sham issue ad?

[9] A. Therefore, it is a campaign ad, and it  
 [10] needs to be paid for with hard money donations.

[11] Q. I want to ask and I would like your  
 [12] response to the same question with respect to the  
 [13] ad reflected in Exhibit 6.

[14] A. This was a TV ad. It ran, I am  
 [15] assuming, 60 days to the election. It is about  
 [16] Senator Hatch, who was up for reelection - I am  
 [17] making that assumption - and I think, under the  
 [18] law, it would apply.



[19] Then if you were asking me the  
[20] question, do I view this as trying to influence  
[21] the election and helpful to Senator Hatch, I think  
[22] it does; and therefore, it would need to be paid

Page 119

[1] for with hard money donations campaign money.

[2] Q. Under BCRA, under the Bipartisan  
[3] Campaign Reform Act?

[4] A. Yes.

[5] ---

[6] (Whereupon a document was marked as  
[7] Shays Deposition Exhibit Number 7.)

[8] ---

[9] BY MR. COOPER:

[10] Q. I have another ad story board,  
[11] Congressman.

[12] A. (Reading) Announcer: America was  
[13] outraged when two New Jersey teenagers checked  
[14] into a Delaware hotel and delivered and exposed of  
[15] (sic) their newborn baby in a dumpster.

[16] Most Americans could not believe that  
[17] this defenseless human life could be so coldly  
[18] snuffed out, but incredibly, if a doctor had been  
[19] present that day in Delaware and delivered the  
[20] infant, all but one inch from full birth and then  
[21] killed it, it would have been perfectly legal.

[22] Instead of murder or manslaughter, it

Page 120

[1] would have been called a partial birth abortion.  
[2] Killing late in the third trimester, killing just  
[3] inches away from full birth, partial birth  
[4] abortion puts a violent death on thousands of  
[5] babies every year.

[6] Your Senators, Russ Feingold and Herb  
[7] Kohl, voted to continue this grizzly procedure.  
[8] Contact Senators Feingold and Kohl today and  
[9] insist they change their vote and oppose partial  
[10] birth abortion. Their number in Washington is  
[11] (end reading) da, da, da, da, da.

[12] Do you want me to make some assumptions  
[13] and then you tell me if I am correct?

[14] Q. I want you to continue to assume this  
[15] ad ran within 60 days of an election.

[16] A. It is 60 days to an election. It  
[17] mentions two Senators' names. I am going to  
[18] assume, since they both are Democrats from  
[19] Wisconsin, on one of them was up for reelection.  
[20] Under our law, 60 days to an election,  
[21] mentioning a candidate's name, this would be, in  
[22] fact, be a campaign ad, and therefore, would need

Page 121

[1] hard money.

[2] MR. WITTEN: You are asking him to  
[3] assume it was paid for by a corporation or a union  
[4] I take it.

[5] MR. COOPER: Yes and treasury funds.

[6] BY MR. COOPER:

[7] Q. Do you also believe this is the kind of  
[8] sham issue ad the law was directed to prohibit?

[9] A. No.

[10] This was not designed to prohibit this  
[11] ad. You keep asking that, and I will keep  
[12] responding. I hope I don't forget to. We don't  
[13] want to prohibit this ad.

[14] I am going to say something very  
[15] personal here. I voted to allow partial birth  
[16] abortions, and after this incident, I was one of  
[17] five members to change my vote. I think this is a  
[18] powerful ad.

[19] I think it should be run, but it was  
[20] clearly designed to influence an election, and  
[21] therefore, needed to be paid for with hard money,  
[22] PAC contributions, campaign money, not soft money.

Page 122

[1] Q. You believe this ad was designed to  
[2] benefit the opponent of whichever one of these  
[3] Senators was up for election?

[4] A. Correct, absolutely, that is what I  
[5] believe.

[6] Let me say to you that I believe this  
[7] ad should run - that is my own personal view -  
[8] but it needs to be run in the context of the  
[9] campaign law.

[10] Q. I want to ask you to edit this ad with  
[11] me slightly. Slightly is my characterization, but  
[12] edit this ad.

[13] A. Can you explain to me why you want me  
[14] to edit it?

[15] Q. Yes.  
[16] I am going to ask you if we change this  
[17] ad in certain respects, would your view be changed  
[18] of it; okay?

[19] A. Yes.

[20] Q. Assume it is the same through the first  
[21] eight panels on this front page of Exhibit  
[22] Number 7.

Page 123

[1] A. Right.

[2] Q. Beginning with the eighth panel, where  
[3] it says your Senators Russ Feingold and Herb Kohl  
[4] voted to continue this grizzly procedure, first, I  
[5] want you to assume that sentence read instead the  
[6] U.S. Senate voted to continue this grizzly  
[7] procedure; okay?

[8] The next sentence which says contact  
[9] Senators Feingold and Kohl today and insist that  
[10] they change their vote and oppose partial birth  
[11] abortion, I want you to assume that read contact  
[12] your Senators today and insist they oppose partial  
[13] birth abortion.

[14] The other change I want you to assume  
[15] is that the likeness of the two Senators is  
[16] eliminated - there are pictures here in the last  
[17] five frames - that instead their pictures do not  
[18] show.

[19] If the ad had been run as I have just  
[20] asked you to assume it read and appeared, in your  
[21] opinion, would that also constitute an

[22] Electioneering Communication within the provisions

Page 124

[1] of BCRA?  
 [2] A. Yes, it would.  
 [3] It would not be as powerful and it  
 [4] would not be as effective a campaign ad, but it  
 [5] would still, I think, constitute a campaign ad.  
 [6] It would be marginal in terms of its impact, but  
 [7] it would still have an impact, I think, on the  
 [8] election, and therefore, it would have to be paid  
 [9] for with hard money contributions.  
 [10] Q. If the election communications must  
 [11] name or otherwise refer to a clearly identified  
 [12] Federal candidate, I take it then it is your view  
 [13] that the reference to your Senators would  
 [14] constitute a reference to the Senator who was then  
 [15] standing for election.  
 [16] A. Yes.  
 [17] Q. Would you still be of the view -  
 [18] again, making the assumptions regarding the  
 [19] content of the ad I have asked you to make - that  
 [20] this ad is a sham issue ad?  
 [21] A. I would have to tell you I think it is  
 [22] still designed to impact the election, and

Page 125

[1] therefore, it would have to use hard money  
 [2] contributions.  
 [3] You chose a very personal one because  
 [4] this really hit me hard.  
 [5] Q. Let me ask you, if I could,  
 [6] Congressman, to describe the impact. I take it  
 [7] this very ad -  
 [8] A. No, not the ad, the experience.  
 [9] I remember the story well; I remember  
 [10] the story well.  
 [11] Q. I misunderstood you. I thought you  
 [12] were referring to this very ad.  
 [13] A. No.  
 [14] Thank you for qualifying that. The  
 [15] partial birth was a difficult vote for me, and I  
 [16] ended up changing my vote after that incident.  
 [17] Q. The incident the ad describes?  
 [18] A. Yes.  
 [19] Q. Did the ad, to your recollection, run  
 [20] in your district?  
 [21] A. I didn't see any ads, anything dealing  
 [22] with this issue, but if it did run in my district

Page 126

[1] and there was not anyone up for election, it would  
 [2] not have been a campaign ad.  
 [3] ---  
 [4] (Whereupon a document was marked as  
 [5] Shays Deposition Exhibit Number 8.)  
 [6] ---  
 [7] BY MR. COOPER:  
 [8] Q. Another story board, Congressman.  
 [9] A. (Reading) Announcer: There is a  
 [10] nursing home crisis in America. Despite record  
 [11] budget surpluses, Medicare has been cut by

[12] billions. Seniors' access to quality nursing home  
 [13] is threatened.  
 [14] Caring for the elderly becomes your  
 [15] life, but with Medicare cuts, my job is much  
 [16] harder. Call, tell Al Gore to fight to restore  
 [17] the Medicare cuts. Keep the promise. Help me  
 [18] help those who need it most (end reading).  
 [19] Q. Again, my questions are essentially the  
 [20] same.  
 [21] A. I am going to just say it so we have no  
 [22] doubt: This is 60 days to an election; it

Page 127

[1] involves a presidential candidate, Al Gore.  
 [2] You are asking me what?  
 [3] Q. First, does this constitute an  
 [4] Electioneering Communication within the meaning of  
 [5] BCRA?  
 [6] MR. WITTEN: We are assuming it is paid  
 [7] for by a corporation?  
 [8] MR. COOPER: Yes.  
 [9] I want you to assume that is the case.  
 [10] THE WITNESS: It mentioned the  
 [11] candidate's name, and it runs in the United  
 [12] States. It would, in fact, require, to use this,  
 [13] the ad would have to be paid for with hard money  
 [14] donations or I guess - I don't know what they  
 [15] call the matching funds, but whatever, it would  
 [16] have to be campaign money.  
 [17] BY MR. COOPER:  
 [18] Q. Do you believe this is a sham issue ad,  
 [19] the kind that BCRA was designed to reach?  
 [20] A. First off, this is, under our  
 [21] definition, it is defined as a campaign ad. I  
 [22] would be happy to take a look at it and see how I

Page 128

[1] react to it.  
 [2] No; I bring the context of my somewhat  
 [3] knowledge of the race, and I believe Al Gore was  
 [4] criticizing me and every Republican for making  
 [5] Medicare cuts and that he was the champion of  
 [6] Medicare.  
 [7] So, I am pretty comfortable, I think,  
 [8] telling you this is clearly designed to benefit Al  
 [9] Gore. I could be wrong on that, but it does  
 [10] mention his name and it would be defined as a  
 [11] campaign ad.  
 [12] ---  
 [13] (Whereupon a document was marked as  
 [14] Shays Deposition Exhibit Number 9.)  
 [15] ---  
 [16] BY MR. COOPER:  
 [17] Q. Another story board.  
 [18] A. (Reading) McCain: For years, special  
 [19] interests and big money have had a negative  
 [20] influence on local, state, and national elections.  
 [21] Arizona's Clean Election Law changes that. In  
 [22] 1998, you voted for the Clean Elections Act and

Page 129

[1] restored voter confidence in the electoral

[2] process.  
 [3] Clean elections work well to overcome  
 [4] the influence of special interests. It gives  
 [5] Arizonans the power to create good government.  
 [6] Keep supporting clean elections (end reading).  
 [7] I am going to ask these questions, and  
 [8] I will assume that, yes, it is 60 days to an  
 [9] election; that Senator McCain is up for election  
 [10] as a Senator or a Presidential candidate.

[11] Q. He is a candidate for an election  
 [12] within the period.

[13] A. It is run in a place that he is up for  
 [14] reelection.

[15] Was this run in Arizona?

[16] Q. (Nods.)

[17] A. It is talking about Arizona's clean  
 [18] election laws, and it mentions his - does it  
 [19] mention his name? It has his picture. So defined  
 [20] under the law, this would be defined as an ad that  
 [21] would need hard money contributions.  
 [22] This is a Federal election?

Page 130

[1] Q. Yes.

[2] A. (Reading) For years, special interests  
 [3] and big money have had a negative influence (end  
 [4] reading). What does it say underneath here? What  
 [5] does it say here (indicating)? It has John  
 [6] McCain. It identifies his name in the picture.

[7] Q. Yes, and I don't know. That is  
 [8] illegible on the copies we have. We have given  
 [9] you the best copies we could obtain.

[10] A. I have the same answer for both, but if  
 [11] it is a presidential election, he was clearly  
 [12] championing clean elections. If it ran in  
 [13] Arizona, it was clearly identifying him with those  
 [14] clean elections.  
 [15] If it was against President Bush, he  
 [16] was not identified that way. This would be very  
 [17] helpful to him if he was running against Governor  
 [18] Bush. I think it was designed to influence the  
 [19] election. I don't see any other purpose for it,  
 [20] frankly, other than that.

[21] Q. Thank you.

[22] By the way, had you reviewed the McCain

Page 131

[1] ad, Exhibit 8 (sic), in preparation for the  
 [2] deposition?

[3] MR. WITTEN: I think eight is the  
 [4] nursing ads.

[5] MR. COOPER: I'm sorry, number nine.

[6] THE WITNESS: I honestly don't know.  
 [7] Frankly, I don't recall this one. I do recall  
 [8] this one here (indicating), and I do recall  
 [9] Mr. Hatch's, but I don't recall this one here.

[10] BY MR. COOPER:

[11] Q. When you say this one here, I think you  
 [12] were holding up the abortion ad.

[13] A. I do recall seeing Exhibit 7 and I do  
 [14] recall seeing Exhibit 6. I think my answers were

[15] even better on those when I saw them the first  
 [16] time than the second.

[17] MR. COOPER: I want to hand you another  
 [18] story board, which the reporter will mark as  
 [19] Exhibit 10.

[20] ---

[21] (Whereupon a document was marked as  
 [22] Shays Deposition Exhibit Number 10.)

Page 132

[1] ---

[2] BY MR. COOPER:

[3] Q. Before you read this one, Congressman,  
 [4] have you seen this ad?

[5] A. Let me read it. When I look at the  
 [6] pictures, it does not - I don't think I have.  
 [7] Let me read it.

[8] (Reading) Dear high-tech company, I  
 [9] would like to send you my resume. Dear graduate,  
 [10] sorry, Congress is going to give your job to a  
 [11] foreign worker; but I just finished four hard  
 [12] years of technical studies.

[13] Announcer: Sorry, besides foreign  
 [14] workers will work for a lot less. Is this any way  
 [15] to treat American workers? But based on her  
 [16] record, Congresswoman Northrup is likely to vote  
 [17] in favor of the Foreign Worker bill.

[18] Call Congresswoman Northrup and tell  
 [19] her to save our best jobs for American workers.  
 [20] Ask her to vote no on the Foreign Worker bill.

[21] This message is paid for by the Coalition for  
 [22] Future American Workers (end reading).

Page 133

[1] We will assume this is a TV ad. We  
 [2] will assume it ran in her Congressional district.  
 [3] We will assume it was 60 days before an election  
 [4] under the Bipartisan Campaign Reform Act. It  
 [5] mentions her name, the candidate's name. It  
 [6] shows, I think, a picture of her, but the name  
 [7] would be enough.

[8] This would be required to be used with  
 [9] hard money -

[10] Q. Under the electioneering -

[11] A. - under the new Act.

[12] I don't think there is any doubt this  
 [13] is designed to influence an election.

[14] Q. How do you think it is designed to  
 [15] influence that election?

[16] A. Well, I know the issue and I know the  
 [17] intensity that people feel about this issue. I  
 [18] know the visceral feelings people have.

[19] It is basically saying - I will read  
 [20] it again, but it is pretty evident - they are  
 [21] basically saying but I just finished four years.

[22] So, you are talking about somebody who has had

Page 134

[1] four years, worked hard, sorry, besides, foreign  
 [2] workers will work for a lot less.

[3] Then Northrup is likely to vote in  
 [4] favor of all these what they say are terrible

[5] things. It is making her out to be a, in my  
 [6] judgment, it is trying to influence the election  
 [7] and make you not look too favorably on Ann  
 [8] Northrup.  
 [9] I think it is clearly designed to  
 [10] influence the election, and I think if you  
 [11] contacted these people, they would admit it.  
 [12] I have been in Congress a long time,  
 [13] and I will tell you that I don't know anyone in  
 [14] Congress who doesn't believe that these issue ads  
 [15] are designed to influence elections. It is why we  
 [16] are being told to raise money, so we can help  
 [17] raise money to help these ads happen.  
 [18] ---  
 [19] (Whereupon a document was marked as  
 [20] Shays Deposition Exhibit Number 11.)  
 [21] ---  
 [22] THE WITNESS: (Reading) Jim Matheson

Page 135

[1] cannot decide what position to take on  
 [2] prescription drug coverage (end reading).  
 [3] Excuse me, before I leave, I want to  
 [4] just say this ad could run; it just needs to run  
 [5] with hard money contributions, no corporate money,  
 [6] no union dues money.  
 [7] BY MR. COOPER:  
 [8] Q. Let me ask you this. Since you  
 [9] referred to this ad, is this - among the ads now,  
 [10] is it familiar to you?  
 [11] Did you review this?  
 [12] A. No, I don't think I saw this ad.  
 [13] MR. WITTEN: This reference to this ad  
 [14] is to Exhibit 10.  
 [15] MR. COOPER: Thank you.  
 [16] THE WITNESS: (Reading) Jim Matheson  
 [17] cannot decide what position to take on  
 [18] prescription drug coverage for seniors. He  
 [19] doesn't support the common sense plan passed by  
 [20] the House of Representatives.  
 [21] He doesn't support Bill Clinton's big  
 [22] government plan. Tell Jim Matheson that a big

Page 136

[1] government plan is the wrong way to go. It gives  
 [2] seniors no choice, and it could cause millions of  
 [3] seniors to lose the coverage they already have.  
 [4] Tell Jim Matheson to make a decision.  
 [5] The issue is too important to ignore. U.S.  
 [6] Chamber of Commerce (end reading).  
 [7] I have not seen this ad before, but I  
 [8] have an advantage on this one, Exhibit 11.  
 [9] Assuming it ran on TV, assuming it was  
 [10] 60 days before the election, it mentions the  
 [11] candidate's name, it would, therefore, have to run  
 [12] with hard money contributions. It could not run  
 [13] with soft money contributions. It was clearly  
 [14] designed to influence the election, and that is  
 [15] why it was run. The U.S. Chamber of Commerce was  
 [16] trying to influence the election.  
 [17] BY MR. COOPER:

[18] Q. In what way were they trying to  
 [19] influence the election?  
 [20] A. Read it. He doesn't support the common  
 [21] sense plan passed by the House of Representatives.  
 [22] He doesn't support Bill Clinton's plan. Jim

Page 137

[1] Matheson, excuse me, let me read it.  
 [2] (Reading) Jim Matheson can't decide  
 [3] what position to take on prescription drug  
 [4] coverage. He doesn't support the common sense  
 [5] plan by the House of Representatives - in other  
 [6] words, the Republicans.  
 [7] He doesn't support Bill Clinton's big,  
 [8] government plan - in other words, the Democratic  
 [9] President. Tell Jim Matheson a big government  
 [10] plan is the wrong way to go - in other words,  
 [11] don't go with Bill Clinton.  
 [12] It gives seniors no choice and it could  
 [13] cause millions of seniors to lose coverage they  
 [14] already have. Tell Jim Matheson to make a  
 [15] decision (end reading.)  
 [16] What they are clearly trying to say is  
 [17] this guy got elected to Congress and cannot make  
 [18] up his mind. It is clearly designed to influence  
 [19] the election. It is clearly designed to make  
 [20] people not think very favorably of Jim Matheson.  
 [21] Q. Therefore -  
 [22] A. It needs to be run with hard money

Page 138

[1] contributions.  
 [2] Q. Therefore, this campaign ad, this sham  
 [3] issue ad is designed to provoke voters to vote for  
 [4] Mr. Matheson's opponent I take it.  
 [5] A. I think it is a designed to make sure  
 [6] they don't vote for Mr. Matheson, and whoever he  
 [7] is running against will be the recipient.  
 [8] ---  
 [9] (Whereupon a document was marked as  
 [10] Shays Deposition Exhibit Number 12.)  
 [11] ---  
 [12] BY MR. COOPER:  
 [13] Q. Another story board. This will be  
 [14] Exhibit Number -  
 [15] A. I am going to say something here. I  
 [16] feel it very strongly.  
 [17] Q. Yes, sir?  
 [18] A. If McDonald's spent all of its money  
 [19] telling you why you should not buy Burger King,  
 [20] and Burger King spent all of its time telling you  
 [21] why you should not buy McDonald's, you would not  
 [22] buy either. This is designed to tell you not to

Page 139

[1] vote for this man.  
 [2] Q. Thank you.  
 [3] A. (Reading) McCain: Michigan knows me as  
 [4] a fighter for common sense reform. Education  
 [5] reform that results in improved performance of our  
 [6] children is at the top of my list, which is why I  
 [7] support Proposal One.

[8] Proposal One will initiate regular  
 [9] teacher testing and protect public school funding,  
 [10] and it gives choice to parents of kids trapped in  
 [11] failing schools. Proposal one is vital reform for  
 [12] our kids. You are the one who can put kids first  
 [13] (end reading).  
 [14] I am going to assume Senator McCain was  
 [15] running for President. I am going to assume that  
 [16] Senator McCain was up for a primary election in  
 [17] Michigan, and I am going to assume this ad ran in  
 [18] Michigan.  
 [19] Under our bipartisan campaign reform  
 [20] bill, this ad would be a campaign ad, and I think  
 [21] it was intended to benefit proposition one, which  
 [22] I am assuming Senator McCain supported, and it was

Page 140

[1] intended to benefit Senator McCain.  
 [2] If that is the case, he won both ways  
 [3] because if the proposition gets more support and  
 [4] he supports it, it tends to benefit those  
 [5] candidates. So, I think this is a very clever  
 [6] campaign ad designed to influence the campaign.  
 [7] Q. To favorably -  
 [8] MR. WITTEN: Any pages that go on the  
 [9] transcript? You asked him to assume it was within  
 [10] a certain period before the election, and I think  
 [11] this time, he may not have mentioned that. I just  
 [12] wanted to -  
 [13] THE WITNESS: It is 60 days before an  
 [14] election.  
 [15] MR. COOPER: Actually, I thought the  
 [16] Congressman did stipulate that.  
 [17] MR. WITTEN: If he did, I apologize.  
 [18] THE WITNESS: 60 days to an election,  
 [19] yes.  
 [20] MR. COOPER: The assumed criteria apply  
 [21] in each one. I am obviously not try to trick  
 [22] anyone here.

Page 141

[1] THE WITNESS: Thank you, and in that  
 [2] way, I don't have that sense, but thank you for  
 [3] looking out for my interests.  
 [4] BY MR. COOPER:  
 [5] Q. This was designed to influence the  
 [6] election in a way favorable to Senator McCain?  
 [7] A. I think so.  
 [8] You know, I want to say something in  
 [9] this regard. I may look at these ads, and I may  
 [10] be right on nine out of ten or I may not be.  
 [11] When I look them, I am just trying to  
 [12] get you an honest answer. Some were more obvious  
 [13] than others. If they ran this ad, it would need  
 [14] to be run with hard money campaign dollars.  
 [15] Q. Under the new Act?  
 [16] A. Under the New Act.  
 [17] They would still be allowed to be run,  
 [18] but with campaign dollars.  
 [19] Q. Was this among the ads you reviewed in  
 [20] preparing for the deposition?

[21] A. I don't recall seeing this ad.  
 [22] I saw four or so, and so I have seen a

Page 142

[1] lot more. I could be wrong, but I don't recall  
 [2] seeing this ad.  
 [3] MR. COOPER: I have another story board  
 [4] I would like to have marked as an exhibit.  
 [5] ---  
 [6] (Whereupon a document was marked as  
 [7] Shays Deposition Exhibit Number 13.)  
 [8] ---  
 [9] BY MR. COOPER:  
 [10] Q. This is Exhibit Number 13.  
 [11] Congressman, I apologize for the poor quality.  
 [12] A. Let's take it slow. This is  
 [13] Exhibit 13.  
 [14] (Reading) The people - I can,  
 [15] obviously, not see the pictures - the people of  
 [16] America should be running our government. That is  
 [17] the way it was set up in the first place. The  
 [18] problem is the special interests and the paid  
 [19] lobbyists control the Washington politicians.  
 [20] The answer is term limits. Term limits  
 [21] replace Washington insiders with new people who  
 [22] reflect community interests, not politics as

Page 143

[1] usual. Molly Bordonare has signed the pledge to  
 [2] limit her terms in Congress. David Wu refused.  
 [3] Call David Wu and tell him to sign the U.S. term  
 [4] pledge (end reading).  
 [5] This, again, I will say it quickly, is  
 [6] 60 days before an election in David Wu's district  
 [7] or the district they are running. It is running  
 [8] 60 days before. They are mentioning a candidate's  
 [9] name, both candidates I assume; and this would be  
 [10] defined as a campaign ad.  
 [11] Q. Under the new Act?  
 [12] A. Under the new Act.  
 [13] Q. Would this also be, in your opinion, a  
 [14] sham issue ad designed to influence this election?  
 [15] A. I think clearly the term limits folks  
 [16] were trying to influence elections. I think this  
 [17] is a clearly a campaign ad, and I think they would  
 [18] agree with me.  
 [19] Q. In whose favor were they attempting to  
 [20] influence the election?  
 [21] A. Let's think it through. They are for  
 [22] term limits; correct?

Page 144

[1] Q. I assume that is true.  
 [2] A. They mention one person is for term  
 [3] limits, and then you have this other person who is  
 [4] not for term limits. It strikes me that they were  
 [5] probably trying to influence the election for the  
 [6] person who signed the pledge, which is what they  
 [7] wanted to have happen.  
 [8] Therefore, I think this ad should run.  
 [9] I am not saying it should not run, but it is  
 [10] designed to influence the election. I don't know

[11] anyone who is for term limits who is going, an  
 [12] organization that is going to be looking to  
 [13] support the candidate who is against term limits.

[14] Q. If Mr. Wu was moved to sign the term  
 [15] limits pledge, as this advertisement urges him to  
 [16] do, do you believe the organization that aired  
 [17] this ad would have accomplished its purpose?

[18] A. I am not sure.

[19] I would have to know more about the  
 [20] organization, but I think this was clearly  
 [21] designed to influence an election.

[22] MR. COOPER: Congressman, we are very

Page 145

[1] close to the end of my examination. What I would  
 [2] propose is that we take a short break to allow me  
 [3] to review my own thoughts. I may have a few more  
 [4] questions, but it will be just a few if I do.

[5] THE WITNESS: You have been so gracious  
 [6] with me and I thank you. You take as much time as  
 [7] you want to review them. You have been wonderful.

[8] MR. COOPER: Thank you very much.

[9] (Recess from 12:28 p.m. to 12:34 p.m.)

[10] MR. COOPER: My questions are  
 [11] concluded. I appreciate very much your time  
 [12] today, Congressman Shays. It has been a pleasure.

[13] THE WITNESS: Thank you, and I  
 [14] appreciate your graciousness and your patience  
 [15] with me. Thank you very much.

[16] (Recess from 12:34 p.m. to 1:29 p.m.)

[17] 17

[18] 18

[19] 19

[20] 20

[21] 21

[22] 22

Page 146

[1] A F T E R N O O N S E S S I O N

[2] E X A M I N A T I O N - C O N D U C T E D

[3] B Y M R . B U R C H F I E L D :

[4] Q. Good afternoon, Congressman. I am  
 [5] Bobby Burchfield, and I am one of the attorneys  
 [6] representing the Republican National Committee,  
 [7] three state parties, one local party, and Mike  
 [8] Duncan who, as you may know, is the General  
 [9] Counsel of the Republican National Committee.

[10] I want to cover a little bit of your  
 [11] personal background just to make sure the record  
 [12] is complete here. I take it you were born in  
 [13] Darien, Connecticut on October 18, 1945.

[14] A. Correct.

[15] Q. You graduated from Principia College in  
 [16] Elsau, Illinois with a double major in American  
 [17] History and Political Science?

[18] A. Correct.

[19] Q. You and Mrs. Shays were married shortly  
 [20] thereafter and served together in the Peace Corps  
 [21] in Fiji from 1968 to 1970?

[22] A. Correct.

Page 147

[1] Q. You have an MBA and MPA from NYU?

[2] A. Correct.

[3] Q. You served as an Adjunct Professor of  
 [4] Economics and Political Science at the  
 [5] Universities Bridgeport and New Haven?

[6] A. Correct.

[7] Q. You were first elected to public  
 [8] office, I take it, in 1974 when you won election  
 [9] to the Connecticut State House.

[10] A. Correct.

[11] Q. You were involved, during your service  
 [12] in the Connecticut State House, in the  
 [13] redistricting process for 1980; is that right?

[14] A. Only to the extent that I voted on  
 [15] redistricting on the floor of The House.

[16] I was not one of the committee members.

[17] We had a panel of eight Republicans, excuse me,  
 [18] four Republicans and four Democrats, four  
 [19] Senators, and four House members, I think, so no  
 [20] more than any other member.

[21] Q. That is what I meant. Thank you for  
 [22] the clarification.

Page 148

[1] The redistricting process that occurred  
 [2] in 1980, like every other redistricting process,  
 [3] allocates not only U.S. House seats, but state  
 [4] legislative seats; is that correct?

[5] A. Correct.

[6] Q. So, it is not exclusively a Federal  
 [7] process?

[8] A. We voted on State House seats and, as  
 [9] required by law, on the Federal Congressional  
 [10] districts. We voted on the State Senate seats as  
 [11] well.

[12] Q. Which one, which aspect of that, the  
 [13] state or the Federal, was more time consuming?

[14] A. For me, it was not time consuming at  
 [15] all. As I recall, I just had a vote on the floor.

[16] Q. For the legislature generally, which  
 [17] was more time consuming?

[18] A. I honestly don't know.

[19] I could try to remember this last time  
 [20] around. I think the legislature paid more  
 [21] attention to its state seats, and then after they  
 [22] got a good idea of that, focused on the national.

Page 149

[1] Q. There are certainly more state seats  
 [2] that have to be allocated in Connecticut than  
 [3] there are Federal Congressional seats?

[4] A. Correct.

[5] Q. In 1987, as you testified earlier, you  
 [6] were elected to Congress from Connecticut's Fourth  
 [7] District; correct?

[8] A. Correct.

[9] What was the year again?

[10] Q. 1987, August of 1987.

[11] A. Correct.

[12] Q. You served on the Financial Services  
 [13] and Government Reform Committees?

[14] A. And Science Committee.  
 [15] Q. You are Chairman of the Subcommittee on  
 [16] National Security, International Relations, and  
 [17] Veterans Affairs?  
 [18] A. Correct.  
 [19] Q. Congressman, what brings us here today,  
 [20] as you know, is the Bipartisan Campaign Reform Act  
 [21] of 2002, sometimes known as the Shays Meehan bill.  
 [22] My client is principally concerned with

## Page 150

[1] Title I of that statute which, as you know, is a  
 [2] broad prohibition on national parties soliciting,  
 [3] raising, accepting, spending, or directing any  
 [4] money not regulated by the Federal Election  
 [5] Campaign Act.  
 [6] Is that your understanding of Title I?  
 [7] A. Title I deals with the prohibition on  
 [8] the part of the political parties and other  
 [9] national parties raising corporate treasury money  
 [10] and union dues money and unlimited sums from  
 [11] individuals.  
 [12] Q. There is one portion of Title I that  
 [13] deals with national parties and another portion  
 [14] that deals with state parties; is that right?  
 [15] A. Within Title I?  
 [16] Q. Yes.  
 [17] A. Yes, I think that is correct.  
 [18] Q. You testified earlier that - and I  
 [19] believe I wrote this down correctly - the  
 [20] advertisements, broadcast advertisements that you  
 [21] and Mr. Cooper were talking about this morning  
 [22] have the same, that it is the same effect by a

## Page 151

[1] union running an ad, running one of those ads as  
 [2] giving money to a party.  
 [3] You further said there is the same  
 [4] electoral impact and such an ad creates the same  
 [5] obligations insofar as government officials are  
 [6] concerned.  
 [7] Does that accurately state your view?  
 [8] A. Yes; I mean in part, it does, yes.  
 [9] Q. Am I correct that should be, that in  
 [10] the event corporations, labor unions, and  
 [11] well-heeled individuals were able to continue  
 [12] funding these Electioneering Communications  
 [13] without restriction, that, that could go a long  
 [14] way toward undermining Title I?  
 [15] A. Let me make sure we agree on this  
 [16] issue. We wanted to enforce the 1907 law banning  
 [17] corporate treasury money in campaigns and the 1947  
 [18] law banning union dues money in campaigns and  
 [19] enforce the 1974 law that requires individual  
 [20] contributions to be no more than a thousand.  
 [21] When it came to the provision dealing  
 [22] with so-called issue ads that are really campaign

## Page 152

[1] ads, we require that there be no corporate money  
 [2] or union dues money, but individuals are -  
 [3] 60 days to an election, that would be hard

[4] money - but that individuals will still be able  
 [5] to run those ads.

[6] Q. So long as they are acting singularly  
 [7] rather than in a group?

[8] A. Right, so long as they are not part of  
 [9] a corporation.

[10] Q. With that qualification, am I correct  
 [11] that without Title II, without the requirement  
 [12] that certain of these Electioneering  
 [13] Communications within 60 days of an election be  
 [14] paid for with hard money, you personally would be  
 [15] concerned that the soft money no longer available  
 [16] to the political parties would simply filter out  
 [17] to corporations, unions, and other interest  
 [18] groups?

[19] A. Let me be very clear that I would still  
 [20] have voted for a bill that would have banned  
 [21] corporate treasury money, union dues money, and  
 [22] unlimited sums to the political parties even if

## Page 153

[1] the issue ad provision was not part of the  
 [2] legislation because I think that is the worst of  
 [3] the problem, but that I think that it is a better  
 [4] bill because of the 60 day provision and the 30  
 [5] day provision.

[6] Q. In your view, is there is no  
 [7] inter-relationship between Title I and Title II?

[8] A. I think the bill is strengthened by  
 [9] looking at both the issue of how parties raise  
 [10] money and those issue ads, and I think it was made  
 [11] a better bill by including a prohibition against  
 [12] these ads. So, to that extent, there is that  
 [13] relationship.

[14] Q. Title I has a provision relating to  
 [15] national parties and a provision relating to state  
 [16] parties. If there were no provision restricting  
 [17] national parties from receiving non-Federal money,  
 [18] would the ban on state party activities, certain  
 [19] activities be effective in your view?

[20] A. Give me an example of what you are  
 [21] making reference to. In other words, when you  
 [22] talk about non-Federal dollars, you define

## Page 154

[1] non-Federal dollars as what?

[2] Q. Any money that is not regulated by the  
 [3] Federal Election Campaign Act which is, as you  
 [4] say, the 1907, 1947, and the 1974 Acts.

[5] A. We wanted to make sure, in our law,  
 [6] that Federal elected officials were not in the  
 [7] business of asking corporations to contribute to  
 [8] campaigns; that they were not in the business of  
 [9] asking labor unions to contribute to campaigns.  
 [10] That was a key part of the legislation.

[11] We wanted to make sure that Federal  
 [12] office holders were not asking corporations to  
 [13] contribute to state campaigns or labor unions;  
 [14] that we wanted elected officials to get into the  
 [15] business of making a decision on policy, but not  
 [16] be in this incredible undertaking of asking a

[17] corporation or a labor union to contribute to  
 [18] campaigns, be they Federal, state, or local.  
 [19] We consider this a major part of the  
 [20] bill because we believe the 1907 law made sense  
 [21] and the 1947 law made sense. No corporate money,  
 [22] no union dues money, and Members of Congress get

Page 155

[1] out of this business.

[2] Q. You are aware each of the 50 states has  
 [3] a different campaign finance statute; correct?

[4] A. I am aware all 50 states have their own  
 [5] election laws.

[6] Q. You do understand it is within the  
 [7] province of the state legislatures to determine  
 [8] how races within that state, state races are going  
 [9] to be funded?

[10] A. We wanted very much to respect the  
 [11] responsibilities of the states, and we wanted the  
 [12] states to respect the responsibilities of the  
 [13] Federal Government. We focused on Federal  
 [14] elections, whether they occurred on the Federal  
 [15] level or on the state level.

[16] Q. If it were the case, hypothetically,  
 [17] that national parties were precluded from  
 [18] accepting these, for lack of a better term,  
 [19] non-Federal donations from unions, corporations,  
 [20] and unlimited individual donations, but state  
 [21] parties could, would that be problematical in your  
 [22] view?

Page 156

[1] MR. WITTEN: Maybe I misunderstood the  
 [2] question. I really got lost in the question.  
 [3] Would you have it read back.

[4] MR. BURCHFIELD: Do you understand the  
 [5] question?

[6] THE WITNESS: It would be helpful to  
 [7] have you repeat it.

[8] MR. BURCHFIELD: I will repeat it.

[9] THE WITNESS: I think I did, but I  
 [10] think I had better not go on what I think.

[11] BY MR. BURCHFIELD:

[12] Q. In the event that, hypothetically,  
 [13] national parties were prohibited from receiving  
 [14] donations not regulated by FECA, the Federal  
 [15] Election Campaign Act, but state parties were  
 [16] allowed to receive - let me start over.

[17] In the event that national parties were  
 [18] prohibited from receiving donations not regulated  
 [19] by FECA, but state parties were not prohibited  
 [20] from doing so, is that a prescription for an  
 [21] effective statute?

[22] A. Let me just be clear on a few things.

Page 157

[1] FECA is the 1974 law?

[2] Q. Correct.

[3] A. If you are asking whether, in the  
 [4] process of our prohibiting or enforcing rather the  
 [5] 1907 law banning corporate treasury money and the  
 [6] 1947 law banning union dues money, if that creates

[7] a problem on the state level, I don't know how we  
 [8] are going to answer if that is what you are  
 [9] asking.

[10] Q. That is not exactly what I am asking.

[11] Let me try it again.

[12] A. What would be helpful for me is to talk  
 [13] in terms of what we did which is the, and not  
 [14] being an attorney, I call it corporate treasury  
 [15] money and union dues money. You will have a  
 [16] quicker answer from me because I will be able to  
 [17] understand your question better.

[18] Q. I will try to do that.

[19] If national parties were prohibited  
 [20] from receiving corporate treasury money and union  
 [21] dues money, but state political parties were not  
 [22] prohibited from receiving that money and could use

Page 158

[1] it in connection with Federal elections, would the  
 [2] prohibitions on national parties be effective in  
 [3] your view?

[4] A. It would present some very significant  
 [5] problems if corporate treasury money and union  
 [6] dues money were still allowed in Federal elections  
 [7] on the state level, and in large quantities, it  
 [8] would be a serious problem.

[9] Q. Conversely, if state parties were  
 [10] prohibited from receiving corporate treasury funds  
 [11] and union dues funds, but national parties were  
 [12] not, that would also have problems of efficacy,  
 [13] wouldn't it?

[14] A. I would have to understand a little  
 [15] more about the issue. You didn't say what kind of  
 [16] election. Was it a state election or was it a  
 [17] Federal election?

[18] Q. For use in Federal elections.

[19] A. The bottom line is it is important that  
 [20] corporate money not be in Federal elections, be  
 [21] they on the Federal level or on the state level;  
 [22] and it is important that Federal candidates such

Page 159

[1] as myself not raise corporate money or union dues  
 [2] money on the Federal level or on the state level,  
 [3] either for Federal elections or even state  
 [4] elections.

[5] One of the strengths of our bill, in my  
 [6] judgment, is that we get elected officials out of  
 [7] the business of asking corporations and unions for  
 [8] campaign money.

[9] Q. My question is little simpler than that  
 [10] though, and that is - let me just try it from a  
 [11] different angle - in the event either the  
 [12] national parties or the state parties were  
 [13] restricted from raising and spending corporate  
 [14] treasury funds and union dues funds for Federal  
 [15] election activity, there would be the problem that  
 [16] those entities would just direct their money  
 [17] through the other entity; correct?

[18] A. I think it is much better if both the  
 [19] state and the Federal Governments, even for



[20] Federal or state elections, don't raise corporate  
 [21] money.  
 [22] That is one of the reasons why I

Page 160

[11] lobbied the State of Connecticut, to say don't get  
 [12] into this business of raising corporate treasury  
 [13] money; it has weakened the national party; we have  
 [14] become too dependent on it; we have become too  
 [15] addicted to it; don't you make the mistake on the  
 [16] state level because it is going to weaken our  
 [17] political parties and it is going to start to  
 [18] corrupt the political process.

[19] MR. BURCHFIELD: Let me ask the  
 [10] reporter to mark as our next exhibit Congressional  
 [11] Resolution, House Concurrent Resolution 175 from  
 [12] July 11, 1958.

[13] ---  
 [14] (Whereupon a document was marked as  
 [15] Shays Deposition Exhibit Number 14.)

[16] ---  
 [17] BY MR. BURCHFIELD:  
 [18] Q. Congressman Shays, you have been handed  
 [19] Congressional Resolution, House Concurrent  
 [20] Resolution 175, which I believe is still in  
 [21] effect. It is entitled "Code of Ethics for  
 [22] Government Service."

Page 161

[1] Are you familiar with this resolution?  
 [2] A. Let me look at it, and I will tell you  
 [3] if I familiar with it.  
 [4] Q. I am especially interested in paragraph  
 [5] nine if you want to focus on that.  
 [6] A. This is a little not printed well, but  
 [7] I can read it. I am just going to quickly look  
 [8] through it. It talks about loyalty, the highest  
 [9] moral principles, uphold the constitution, laws,  
 [10] give a full day's labor for a full day's pay; seek  
 [11] to find and employ more efficient economic ways;  
 [12] never discriminate.

[13] Yes, I am familiar with this document.  
 [14] Make no private promise of any kind;  
 [15] engage in no business with the Government, either  
 [16] directly or indirectly, and never use any  
 [17] information coming to him confidentially, expose  
 [18] corruption, wherever discovered, uphold these  
 [19] principles ever conscious that public office is  
 [20] the public trust.  
 [21] I think these are all very important.  
 [22] I'm sorry, I just marked this; I apologize. That

Page 162

[1] is what I did.  
 [2] Q. That is okay. It is now part of the  
 [3] official record.  
 [4] A. What can I answer regarding this?  
 [5] MR. BURCHFIELD: I would ask the  
 [6] reporter to mark as Exhibit 15 the Responses and  
 [7] Objections of the Federal Election Commission to  
 [8] the RNC's Request for Admissions.  
 [9] ---

[10] (Whereupon a document was marked as  
 [11] Shays Deposition Exhibit Number 15.)

[12] ---  
 [13] BY MR. BURCHFIELD:  
 [14] Q. Congressman Shays, you have in front of  
 [15] you Exhibit 15.

[16] A. I am looking for my signature.  
 [17] MR. WITTEN: You didn't sign this.  
 [18] This is not ours. This is the response of the  
 [19] Federal Election Commission.

[20] MR. BURCHFIELD: As indicated on the  
 [21] caption, but I want to ask you some questions.  
 [22] THE WITNESS: I just want to explain

Page 163

[1] this is a big document, so I was just trying to  
 [2] become familiar with it. Why don't you explain to  
 [3] me what this document is.

[4] MR. BURCHFIELD: I think your counsel  
 [5] probably explained to you when you answered  
 [6] certain requests for admissions. I have a couple  
 [7] of questions about this.

[8] THE WITNESS: Let me be really clear.  
 [9] You are being very nice to me in letting me answer  
 [10] questions. I am not going to respond to any  
 [11] question unless I am clear what the document is.  
 [12] As my counsel was talking, I was looking for my  
 [13] signature thinking this is something I submitted.

[14] MR. BURCHFIELD: It is not something  
 [15] you submitted.

[16] THE WITNESS: Hold on a second. I did  
 [17] not hear his full comment, so I am just making the  
 [18] simple request to have you explain to me what I am  
 [19] looking at before I answer.

[20] MR. BURCHFIELD: I thought I said, when  
 [21] I handed the document, this is the response of the  
 [22] Federal Election Commission to the request for

Page 164

[1] admissions the Republican National Committee  
 [2] served in this litigation.

[3] I am entitled, Congressman, under the  
 [4] rules, to ask you about this document. If you  
 [5] want to take time to look at it, you may do so,  
 [6] but I do have some questions about it.

[7] THE WITNESS: Let me just say  
 [8] something, and we will have a much better  
 [9] relationship here. I need you to talk a little  
 [10] slower. I will try not to interrupt you, and you  
 [11] try not to interrupt me.

[12] I am telling you I am looking at a  
 [13] document. I want you to explain to me in very  
 [14] simple terms what I am looking at.

[15] MR. BURCHFIELD: I believe I have.  
 [16] THE WITNESS: I didn't hear it.

[17] Because you spoke so quickly, I could not find it.  
 [18] I don't know if you are having trouble catching  
 [19] him in his words, but you are speaking too quickly  
 [20] for me and the way my mind works.

[21] MR. BURCHFIELD: I will repeat myself.  
 [22] THE WITNESS: Hold on a second; I have

## Page 165

[1] not finished. I am just asking you to speak more  
 [2] slowly.  
 [3] MR. BURCHFIELD: I will try to do so.  
 [4] THE WITNESS: Thank you.  
 [5] BY MR. BURCHFIELD:  
 [6] Q. These are the responses of the Federal  
 [7] Election Commission to requests for admissions  
 [8] that the Republican National Committee served on  
 [9] them in this case, and I have a few questions  
 [10] about them.  
 [11] A. Sure.  
 [12] Q. My first question concerns request for  
 [13] admissions number one, which states (reading)  
 [14] Defendants cannot identify any evidence that any  
 [15] United States Senator changed his or her vote on  
 [16] any legislation in exchange for a donation of  
 [17] non-Federal money to that Senator's political  
 [18] party (end reading). The FEC responded admitted  
 [19] with respect to the evidence identified to date by  
 [20] the FEC.  
 [21] My question for you is: Can you  
 [22] identify any instance in which a United States

## Page 166

[1] Senator changed his or her vote on any legislation  
 [2] in exchange for a donation of non-Federal money to  
 [3] that Senator's political party?  
 [4] A. Before I answer that question, I was  
 [5] still thinking about 14. Do you want me to answer  
 [6] anything more about 14?  
 [7] Q. Not at this time.  
 [8] A. So, I can put this aside.  
 [9] In regards to this, what page are we  
 [10] referring to?  
 [11] Q. Page 2; it is request for admission  
 [12] one. Let me re-read it.  
 [13] A. Just wait until I get it, and then we  
 [14] can do it nicely. I am on page 2. It is down at  
 [15] the bottom?  
 [16] Q. That is correct.  
 [17] Request for admission number one which  
 [18] states (reading) Defendants cannot identify any  
 [19] evidence that any United States Senator changed  
 [20] his or her vote on any legislation in exchange for  
 [21] a donation of non-Federal money to that Senator's  
 [22] political party. Response, admitted with respect

## Page 167

[1] to evidence identified to date by the FEC (end  
 [2] reading).  
 [3] My question for you is: Can you  
 [4] identify any evidence that a United States Senator  
 [5] changed his or her vote on any legislation in  
 [6] exchange for a donation of non-Federal money to  
 [7] that Senator's political party?  
 [8] A. First, tell me who the defendants are.  
 [9] I don't know who the defendants are. Is that me?  
 [10] Q. That includes you.  
 [11] A. So, it is referring to me and others  
 [12] who are defending this case. (Reading) Cannot

[13] identify any evidence that any United States  
 [14] Senator changed his or her vote on any legislation  
 [15] in exchange for a donation of non-Federal money to  
 [16] that Senator's political party (end reading).  
 [17] Your question is: Am I aware of any  
 [18] Senator who changed their vote?  
 [19] Q. Correct.  
 [20] A. Well, the answer to your question is I  
 [21] don't know how they were going to vote in the  
 [22] first place.

## Page 168

[1] I am not sure the word change is very  
 [2] helpful, so I cannot respond to change because I  
 [3] would have to know how they were going to vote  
 [4] versus how they decided to vote.  
 [5] Q. So, your answer is you cannot identify  
 [6] any such evidence?  
 [7] A. I don't understand it. It doesn't make  
 [8] sense to me. Changed from what?  
 [9] Q. Let me ask you to look at number two  
 [10] (reading) Defendants cannot identify any evidence  
 [11] that any member of the United States House of  
 [12] Representatives changed his or her vote on any  
 [13] legislation in exchange for a donation of  
 [14] non-Federal money to that Congressman's political  
 [15] party. The Federal Election Commission responded  
 [16] admitted with respect to evidence identified to  
 [17] dated with the FEC (end reading).  
 [18] The question for you is: Can you  
 [19] identify any evidence or any instance in which a  
 [20] Congressman has changed his or her vote on any  
 [21] election in exchange for a donation of non-Federal  
 [22] money to that Congressman's political party?

## Page 169

[1] A. I want to be responsive to your  
 [2] question, but I want to understand something  
 [3] first. This is the FEC saying something about me  
 [4] and in what document are they referring to any  
 [5] document that I have filled out?  
 [6] Q. They are not responding on behalf of  
 [7] you, Congressman. I am asking you to respond on  
 [8] behalf of you.  
 [9] A. I am just saying to you I thought you  
 [10] said defendants cannot identify, and I thought you  
 [11] told me I am a defendant. So, they are  
 [12] volunteering this information. May I ask my  
 [13] counsel -  
 [14] MR. WITTEN: Can I try to explain it on  
 [15] the record?  
 [16] MR. BURCHFIELD: I will explain it.  
 [17] The FEC responded for itself. I am asking you -  
 [18] MR. WITTEN: I don't think he  
 [19] understands the question. The form is a request  
 [20] for admission. If you would explain what the  
 [21] assertion is and how it fits into the case, I  
 [22] think it would be helpful.

## Page 170

[1] THE WITNESS: I am not an attorney. I  
 [2] don't know if I said that.

[3] MR. BURCHFIELD: I understand. We  
 [4] tendered to all the defendants in this case --  
 [5] THE WITNESS: I don't know what  
 [6] tendered means.  
 [7] MR. BURCHFIELD: We provided to all the  
 [8] defendants in this case, under the Federal Rules  
 [9] of Civil Procedure, which are the rules governing  
 [10] this action, a number of propositions that we  
 [11] asked them to admit or deny. This is a  
 [12] proposition, and I am showing you the FEC's  
 [13] response.  
 [14] THE WITNESS: Is the FEC a defendant?  
 [15] MR. BURCHFIELD: Yes.  
 [16] THE WITNESS: I didn't know that. I'm  
 [17] sorry. I just need to explain something to you.  
 [18] I thought you were making reference to me. You  
 [19] speak in legal terms, and you have to understand I  
 [20] don't quite understand.  
 [21] I was answering this question saying  
 [22] how could they speak for me. The FEC is a

Page 171

[1] defendant. They responded they could not. Now  
 [2] you are asking me the same question they were  
 [3] asked?  
 [4] MR. BURCHFIELD: Correct.  
 [5] THE WITNESS: I apologize. I don't  
 [6] want you to think I tried to be difficult. I just  
 [7] didn't understand.  
 [8] MR. BURCHFIELD: Very well. If you  
 [9] need an explanation, let me know and I will try to  
 [10] explain it to you.  
 [11] BY MR. BURCHFIELD:  
 [12] Q. The question for you is, Congressman  
 [13] Shays, as stated here, and you can follow along --  
 [14] A. I understand now.  
 [15] Q. -- can you identify any evidence that  
 [16] any member of the United States House of  
 [17] Representatives changed his or her vote on any  
 [18] legislation in exchange for a donation of  
 [19] non-Federal money to that congressman's political  
 [20] party?  
 [21] A. I will say no to that question --  
 [22] Q. Could you turn to page 6, please.

Page 172

[1] A. -- but there is more to the story.  
 [2] Q. We may very well get to the rest of the  
 [3] story, but for now, let's try to stay focused on  
 [4] these questions if we can.  
 [5] A. Sure.  
 [6] Q. Number 23 says -- and this is page 6,  
 [7] and this is directed to the Federal Election  
 [8] Commission -- (reading) The Federal Election  
 [9] Commission can identify no evidence that in  
 [10] exchange for a contribution of Federal funds, the  
 [11] Republican National Committee ever attempted to  
 [12] change the position of a Federal candidate or  
 [13] office holder on pending legislation (end  
 [14] reading). The FEC admitted that.  
 [15] Let me now ask you: Can you identify

[16] any evidence?  
 [17] Let me ask it in two separate steps.  
 [18] In exchange for a donation of Federal  
 [19] funds, hard money, has the Republican National  
 [20] Committee ever attempted to change your vote on  
 [21] any pending legislation?  
 [22] A. Has the Federal party given me money to

Page 173

[1] have me vote a particular way? Is that your  
 [2] question?  
 [3] Q. Yes.  
 [4] A. Absolutely not.  
 [5] Q. Are you aware of anyone giving the  
 [6] Republican National Committee money in order to  
 [7] have it try to influence you to vote a particular  
 [8] way?  
 [9] A. No.  
 [10] You asked me, but let me just make sure  
 [11] we are clear on this. It was made clear to a  
 [12] number of my colleagues if they voted for the  
 [13] campaign finance reform, they would get no  
 [14] campaign contributions.  
 [15] Q. Who told them that?  
 [16] A. I am not quite sure who told them that.  
 [17] They were told if you vote for this  
 [18] bill, we are not going to be able to help you.  
 [19] Q. Someone from the RNC told them that?  
 [20] A. I don't know if it was the RNC or  
 [21] leadership.  
 [22] Q. Do you know who told them that?

Page 174

[1] A. No.  
 [2] Q. How do you know of this story?  
 [3] A. Because I try to know where our votes  
 [4] are.  
 [5] There were some members who could not  
 [6] vote for the bill because they were told they  
 [7] would not become chairmen of committees. There  
 [8] were some members who told me they could not vote  
 [9] for this bill because they were told if they voted  
 [10] for this bill, they would not get campaign  
 [11] contributions.  
 [12] I don't think that surprises you. I  
 [13] don't think you are surprised to know that.  
 [14] Q. What is the name of one of the  
 [15] congressmen who told you they would not become a  
 [16] committee chair if they voted for this bill?  
 [17] A. Let me be really clear. I am not going  
 [18] to go down that road. I am not going to mention a  
 [19] member's name, but it was no accident for me that  
 [20] when I moved this bill and this bill was moved on  
 [21] the floor on the House, there was a nice story in  
 [22] The Hill that suggested that one member of

Page 175

[1] Congress was going to become the Chairman of the  
 [2] Government Reform Committee, and I think I am  
 [3] probably next in line to be the chairman.  
 [4] It was not lost on me that some Members  
 [5] of Congress who had voted for the bill in the

[6] previous years said to me that they wanted to be  
 [7] chairman of a particular committee and they were  
 [8] told if they supported the bill, they would not  
 [9] even be considered. There were more than one. I  
 [10] don't know how more plain I can be.  
 [11] We lost votes on our final passage  
 [12] because some members feared that if they voted for  
 [13] this bill, they would not be considered for  
 [14] chairman of a particular committee, and you know,  
 [15] that is the reality of it.  
 [16] I understood and I accepted the fact  
 [17] they would not be voting for the bill even though  
 [18] they had supported it in previous years. That is  
 [19] raw politics.  
 [20] Q. Congressman Shays, this statute passed  
 [21] in some analogous form --  
 [22] A. Which statute?

Page 176

[1] Q. The statute we are here to talk about  
 [2] today, the Bipartisan Campaign Reform Act of 2002.  
 [3] It passed Congress in the House. It  
 [4] passed the House in prior years in slightly  
 [5] different form; is that right?  
 [6] A. Slightly different, but it was pretty  
 [7] much the same.  
 [8] Q. Can you name one Member of Congress  
 who  
 [9] was denied campaign funds as a result of the vote  
 [10] for the bill in any of those prior years?  
 [11] A. I won't name any names of any member in  
 [12] this deposition. I am not going down that road.  
 [13] Q. Well, understand we do have a  
 [14] confidentiality order here and this is not a  
 [15] public proceeding.  
 [16] A. I want you to understand without any  
 [17] question that I intend not to name any Member of  
 [18] Congress.  
 [19] This is a process that corrupts so many  
 [20] members, and I am not about to go down the route  
 [21] when members have told me, one, they could not  
 [22] support the bill because if they supported the

Page 177

[1] bill, they would lose campaign funds; and I am not  
 [2] going to tell you the members who said they cannot  
 [3] vote for the bill because if they vote for the  
 [4] bill, they are not in the running to be chairman.  
 [5] I had one of those individuals show me  
 [6] the article that was so well timed. He said  
 [7] Chris, you are out of the running now; you are not  
 [8] going to be the next chairman because of what you  
 [9] have done in campaign finance reform.  
 [10] Q. Who is the chairman now?  
 [11] A. His terms expires, his name is Dan  
 [12] Burton.  
 [13] The Government Reform Committee, next  
 [14] time around, I will have served on the committee  
 [15] more than any other member. I am next in line.  
 [16] Q. Mr. Shays or Congressman Shays,  
 [17] understand I am here to ask you questions about

[18] specific historical fact and if there is a  
 [19] specific historical fact. I will ask you  
 [20] questions concerning your opinion, and I don't  
 [21] doubt you will give me a full and fair recitation  
 [22] of your opinion that you have so far.

Page 178

[1] I will ask you questions about  
 [2] historical fact, and I believe it is your legal  
 [3] obligation to answer those questions. So, let me  
 [4] just make clear that I have asked you for  
 [5] identification of any specific individual who was  
 [6] told he or she would not receive campaign funding  
 [7] if they voted for this bill in any of the past  
 [8] three sessions of Congress.  
 [9] A. I understand what you are asking me to  
 [10] do, and I think you understand I am not going down  
 [11] that road. I am not going to name --  
 [12] Q. I just want the record to be clear,  
 [13] sir.  
 [14] A. I am not going to name any Member of  
 [15] Congress.  
 [16] Q. I just wanted the record to be clear on  
 [17] that, and I think it is now.  
 [18] A. I want the record to be very clear that  
 [19] I worked on this legislation in 1998; on a  
 [20] bipartisan basis in 1999; and the year 2002, when  
 [21] we passed it. I have had experience after  
 [22] experience about why members could support the

Page 179

[1] legislation or why they could not.  
 [2] I had some members say they could not  
 [3] support it because they were told they would not  
 [4] get the support of the Republican National  
 [5] Committee; they would not get the support of the  
 [6] Congressional Campaign Committee, the Republican  
 [7] Congressional Campaign Committee; and I had  
 [8] members tell me, more than one who had voted for  
 [9] the bill in 1999, they could not vote for it this  
 [10] time and they hoped I understood, but if they  
 [11] voted for it, they would not be considered for  
 [12] chairmanship of a major committee.  
 [13] I accepted that as the reality of  
 [14] blatant hard ball politics, sadly, on the part of  
 [15] my own party.  
 [16] Q. If I were to go, Congressman, and find  
 [17] the list -- it is probably a fairly short list --  
 [18] of congressmen who previously voted for your bill  
 [19] and then voted against it this time and then  
 [20] simply performed the act of determining from  
 [21] Federal Election Commission records whether they  
 [22] have received financial support from the political

Page 180

[1] party, I can determine the accuracy of this  
 [2] statement; is that right?  
 [3] A. In some cases, you could; but in some  
 [4] cases, there were members who wanted to vote for  
 [5] the bill who didn't vote for it in the past who  
 [6] said they could not vote for it.  
 [7] Let me be really clear. There were a

[8] lot of members who wanted to vote for this bill on  
 [9] my side of the aisle, the Republican side of the  
 [10] aisle, who didn't vote for it because it was the  
 [11] party's position to oppose this.  
 [12] I cannot be more strongly emphatic  
 [13] about the fact that it is a very difficult thing  
 [14] for me to understand why my political party thinks  
 [15] it needs corporate treasury money to be a viable  
 [16] party.  
 [17] I am also going to say I have  
 [18] tremendous respect for you as counsel, but it  
 [19] pains me that my own party is here attacking this  
 [20] law. We need corporate treasury money, we need  
 [21] union dues money to be a viable party?  
 [22] I hope not. I don't think we do, but

Page 181

[1] that is what they told my colleagues and that is  
 [2] how they got some of them to vote for it.  
 [3] Q. Congressman, as I am sure you are  
 [4] aware, there are usually two sides to every issue.  
 [5] I am here representing one side of the issue. You  
 [6] are here representing another side. I certainly  
 [7] respect your views. I would hope that you would  
 [8] respect what I am trying to do here as well.  
 [9] A. I totally respect what you are trying  
 [10] to do. For me, this was up close and personal  
 [11] because I was not a passive participant.  
 [12] I spoke with so many members on my side  
 [13] of the aisle who wanted to vote for this bill, but  
 [14] didn't feel they could because it either was not  
 [15] the party position or because they feared they  
 [16] might not become chairman of a committee or they  
 [17] feared they might not get financial help. I think  
 [18] that is a pretty sad commentary on the political  
 [19] process.  
 [20] You made reference to this  
 [21] (indicating). I made a decision that the way I  
 [22] was going to get at political corruption was to

Page 182

[1] work on this legislation. I believe with all my  
 [2] heart and soul that the best way to get at  
 [3] political corruption is to change the system that  
 [4] is corrupting us.  
 [5] MR. WITTEN: When the witness referred  
 [6] to this, he was referring to Exhibit 14.  
 [7] BY MR. BURCHFIELD:  
 [8] Q. Congressman Shays, have you reported  
 [9] any of the individuals that you have in mind as  
 [10] having changed their position or not come forward  
 [11] with the position that they wanted to vindicate in  
 [12] connection with your legislation to the Ethics  
 [13] Committee as a result of those episodes?  
 [14] A. Absolutely not for a variety of  
 [15] reasons.  
 [16] Q. Have you reported any of them to the  
 [17] Federal Election Commission?  
 [18] A. Absolutely not.  
 [19] First off, I would think twice before I  
 [20] did anything before the Federal Elections

[21] Commission.

[22] Q. Have you reported any of them to the

Page 183

[1] Department of Justice?  
 [2] A. Absolutely not.  
 [3] Q. Have you reported any of them to any  
 [4] entity?  
 [5] A. No.  
 [6] Q. Have you exposed any of them pursuant  
 [7] to paragraph nine of the House Concurrent-  
 [8] Resolution 175?  
 [9] A. My way of responding to that resolution  
 [10] is to clean up a corrupt system. I think too many  
 [11] members become corrupted by this process, and I  
 [12] felt that is the best way to abide by my  
 [13] responsibilities as Member of Congress.  
 [14] Let me say this to you: These are  
 [15] individuals who volunteered this information.  
 [16] Think of all the others who didn't.  
 [17] Q. I am still waiting on the names of the  
 [18] individuals; I'm sorry.  
 [19] A. You are not going to get the names of  
 [20] the individuals. There is not a chance in hell  
 [21] that you will get the names of any individuals.  
 [22] These are good people who are caught up in a

Page 184

[1] corrupt system.  
 [2] Q. Congressman, I appreciate that.  
 [3] A. You know what? You would not want  
 [4] their names.  
 [5] Q. Congressman, I appreciate what you are  
 [6] saying and -  
 [7] A. I would sooner lose an election:  
 [8] If you want to take me before the  
 [9] Ethics Commission, you may do that. I would  
 [10] sooner be condemned by my own Ethics Commission  
 [11] in  
 [12] the House of Representatives than to expose the  
 [13] names of any of these members.  
 [14] Q. Congressman, let me just say - this is  
 [15] not a question, but I do think it is probably  
 [16] worth me saying - I have always been an admirer  
 [17] of yours. I admire your stance on this issue. I  
 [18] happen to disagree with it, but I admire your  
 [19] stance on this issue.  
 [20] Please understand I am not trying to do  
 [21] anything to harm you either politically or  
 [22] personally, but this is the way the legal process  
 in this country works. It works on the basis of

Page 185

[1] facts and facts, as I understand them, are  
 [2] propositions of historical fact: John did "X" at  
 [3] "Y" time.  
 [4] A. Let me just say this to you.  
 [5] Q. Let me finish.  
 [6] A. I'm sorry.  
 [7] Q. John did "X" at "Y" time - that is a  
 [8] fact. It is in my experience that in asking about  
 [9] the facts, good judicial decisions are made. That

[10] is what I am doing right now. So, I respect your  
 [11] decision not to answer the question. I don't  
 [12] agree with it, but I respect it.  
 [13] I think it is fair for you to  
 [14] understand that if you come forward with general  
 [15] assertions on these facts and you have not  
 [16] answered our questions on them, we are going to  
 [17] ask The Court not to consider your testimony here.  
 [18] MR. WITTEN: I am going to intercede  
 [19] here. I think the record is amply clear on both  
 [20] sides, and I would ask Mr. Burchfield to just move  
 [21] on to whatever his next topic is.  
 [22] THE WITNESS: I am going to reject one

Page 186

[1] of your requests and just say it is a fact that I  
 [2] had Members of Congress say to me they could not  
 [3] support this legislation because they feared they  
 [4] may not become chairman of a committee and were  
 [5] told that by other Members of the Congress, the  
 [6] Conference.  
 [7] They were told they would not get  
 [8] financial help if they supported this bill. That  
 [9] is a fact. The only dispute we have is you want  
 [10] me to name names, and I have no intention of  
 [11] hurting these people.  
 [12] MR. BURCHFIELD: I understand.  
 [13] THE WITNESS: Okay.  
 [14] BY MR. BURCHFIELD:  
 [15] Q. Congressman, since you began your  
 [16] career in public elected life, you have identified  
 [17] yourself, you self-identified yourself as a  
 [18] Republican; is that correct?  
 [19] A. I am a Republican.  
 [20] Q. You are proud of being a fiscal  
 [21] conservative; is that correct?  
 [22] A. I am proud of being a Republican. I am

Page 187

[1] proud of a whole host of reasons of why I am a  
 [2] Republican, but I am not proud of the fact that my  
 [3] Republican Party has decided to contest this law  
 [4] and be one of the plaintiffs. I am not proud of  
 [5] that at all.  
 [6] I am not proud of the fact that my  
 [7] party thinks it needs corporate treasury money or  
 [8] union dues money to survive. I am not proud of  
 [9] that.  
 [10] MR. BURCHFIELD: Roger, can we take a  
 [11] break?  
 [12] MR. WITTEN: Sure.  
 [13] (Discussion held off the record.)  
 [14] ---  
 [15] (Whereupon a document was marked as  
 [16] Shays Deposition Exhibit Number 16.)  
 [17] ---  
 [18] BY MR. BURCHFIELD:  
 [19] Q. Congressman Shays, I have handed you  
 [20] Exhibit 16, and I will hand copies to your  
 [21] counsel. This is an article that recently  
 [22] appeared in "The Washington Post." You were

Page 188

[1] quoted in the very last paragraph of the article.  
 [2] You may feel to read --  
 [3] A. The very last paragraph?  
 [4] Q. -- as much or as little of this as you  
 [5] want, but my question for you concerns the last  
 [6] paragraph which says, quote, The outside groups  
 [7] are going to be able to raise more money than they  
 [8] have in the past, unquote. Said Representative  
 [9] Christopher Shays, quote, That doesn't bother me.  
 [10] A. I am going to have to read the whole  
 [11] article if you don't mind.  
 [12] Q. Very well.  
 [13] A. I will read it quietly.  
 [14] Thank you for giving me the time to  
 [15] read this. What would you like to know?  
 [16] Q. My question is: Can you confirm the  
 [17] accuracy of the quotation attributed to you in the  
 [18] last paragraph, which quotes you as saying the  
 [19] outside groups are going to be able to raise more  
 [20] money than they have in the past; that doesn't  
 [21] bother me?  
 [22] A. I can confirm I responded to this

Page 189

[1] reporter by saying to her that interest groups  
 [2] have a right to petition their government, and I  
 [3] have never taken the view that it has been wrong  
 [4] for interest groups of whatever persuasion to  
 [5] petition the government to advertise and so on.  
 [6] She said well, won't these groups  
 [7] advertise more than in the past. I said yes, and  
 [8] I said that doesn't bother me.  
 [9] Q. Under the statute, under the Bipartisan  
 [10] Campaign Reform Act, Congressman Shays -- putting  
 [11] aside for the moment the restriction on the  
 [12] Electioneering Communications -- there are no  
 [13] restrictions under the statute, are there, on  
 [14] interest groups' ability to engage in  
 [15] non-broadcast, get out the vote activities right  
 [16] up until the day of the election?  
 [17] A. I think that is correct.  
 [18] Q. There are no restrictions on their  
 [19] ability to engage in print advertising right up  
 [20] until the day of the election?  
 [21] A. Can I say I am just a little concerned  
 [22] with no restrictions because there may be some,

Page 190

[1] but if you are asking in the context of, I mean  
 [2] they may have to -- give me an example of a group.  
 [3] Q. Let me give you a hypothetical example  
 [4] and feel free to tell me that either it cannot  
 [5] happen under the statute or perhaps that I am  
 [6] correct that it can happen under the statute.  
 [7] The American Federation of Labor  
 [8] airs millions of dollars worth of broadcast  
 [9] Electioneering Communications up until the 61st  
 [10] day before a Congressional election in that  
 [11] district.  
 [12] On the 60th day, they begin spending

[13] their money on get out the vote activities such as  
 [14] door-to-door communications, phone banks, direct  
 [15] mail, slate cards, busing people to the polls.  
 [16] That scenario is not precluded by the  
 [17] statute; is that correct?

[18] A. The AFL CIO or the Chamber of  
 Commerce,  
 [19] 60 days before an election, would be able to  
 [20] run - 61 days before an election would be able to  
 [21] run broadcast; but 60 days on, they would not be  
 [22] able to do broadcast, radio or TV. That is

Page 191

[1] correct.

[2] If you are asking me if they can, if a  
 [3] corporation can take its money and communicate  
 [4] with its workers or if the AFL CIO can take its  
 [5] money and communicate with its membership, the  
 [6] answer is yes, they can do that.

[7] MR. WITTEN: Before the next question,  
 [8] I want to consult with the witness first.

[9] (Counsel consults with the Witness.)

[10] THE WITNESS: I would like to make sure  
 [11] that, that comment is not taken out of context.  
 [12] In the sense that 60 days to an  
 [13] election, they are prohibited, whether it is the  
 [14] AFL CIO or the broadcasters, they are prohibited  
 [15] from using corporate treasury money or union dues  
 [16] money if they mention a candidate's name.  
 [17] So, I hope that we put it in that  
 [18] context. I don't think that was the thrust you  
 [19] were going, but I would not like that answer I  
 [20] gave to be taken out of context.

[21] MR. BURCHFIELD: No, and I think you  
 [22] and I are understanding, but let me ask the

Page 192

[1] question, and feel free to qualify the question  
 [2] with anything further you want. I am concerned,  
 [3] well, let me just ask the question.

[4] BY MR. BURCHFIELD:

[5] Q. Is it your understanding under the  
 [6] Bipartisan Campaign Reform Act that a union or a  
 [7] corporation could air broadcast electioneering ads  
 [8] up until the 61st day before the General Election  
 [9] and then thereafter use phone banks, door-to-door  
 [10] visits, direct mail, or other mechanisms that did  
 [11] not expressly advocate the election or defeat of a  
 [12] clearly identified Federal candidate and pay for  
 [13] all of that with corporate treasury funds or union  
 [14] dues money?

[15] A. I think I can be very responsive to  
 [16] this question, but I want to say to you that  
 [17] 61 days before an election, they can mention the  
 [18] candidate's name, have it clearly be a campaign  
 [19] ad.

[20] 60 days to the election, they would  
 [21] have to run those ads not with corporate treasury  
 [22] money or union dues money. I think that was not

Page 193

[1] the part you wanted to focus on -

[2] Q. Correct.

[3] A. - but in terms of, we believe under  
 [4] our law that a corporation has a constitutional  
 [5] right to communicate with its workers, and a union  
 [6] has the constitutional right to use union dues to  
 [7] communication with its membership 60 days to the  
 [8] election and even before. They have always had  
 [9] that right, and we didn't attempt to change that.

[10] Q. They can use any source of funds at any  
 [11] time to communicate with their membership in the  
 [12] case of the union, or their restricted class of  
 [13] employees if they are a corporation; is that  
 [14] right?

[15] A. Let me just say if they start to get  
 [16] into campaign activity, I think the Federal  
 [17] Elections Commission is going to step in if there  
 [18] starts to be campaign expenditures.  
 [19] One of the challenges has to be that  
 [20] the FEC enforces the law that already exists, and  
 [21] unfortunately, they have done a very bad job of  
 [22] it.

Page 194

[1] Q. Is it not your understanding,  
 [2] Congressman, and I am trying to be accurate with  
 [3] this question -

[4] A. I understand.

[5] Q. - is it not your understanding that a  
 [6] corporation or a union can communicate with its  
 [7] restricted class on any subject at any time,  
 [8] including express advocacy, using any source of  
 [9] funds whatsoever under current law?

[10] A. I could be wrong on this, but it is my  
 [11] sense that under current law, there are some  
 [12] activities that are happening under labor that the  
 [13] FEC has tolerated because it has ignored it, but  
 [14] it is truly campaign activity.

[15] Q. There seems to be that wildly shared  
 [16] view on our side of the fence.

[17] A. Okay.

[18] Q. To whatever degree that is or is not  
 [19] going on and to whatever degree it is or is not  
 [20] legal under current law, the Bipartisan Campaign  
 [21] Reform Act does not do anything to address  
 [22] non-broadcast activities of these interest groups

Page 195

[1] within 60 days of the election cycle; right?

[2] A. It is my understanding that our law  
 [3] does not address that issue, but it is my  
 [4] understanding that if we had a Federal Elections  
 [5] Commission that did its job, a lot of that  
 [6] activity would not be allowed.

[7] Q. Congressman, you have appeared at  
 [8] events for major donors of the Republican National  
 [9] Committee in the past, haven't you?

[10] A. Correct.

[11] I would like to think I am a good and  
 [12] faithful Republican. I have attended Republican  
 [13] events like everyone else, so I make that  
 [14] assumption that you are talking about the -

[15] Q. The gala.  
 [16] A. - the galas. I have been there.  
 [17] They usually put me in the last table  
 [18] farthest away from the activity.  
 [19] Q. I thought that is where I was. We  
 [20] should probably be at the same table.  
 [21] A. We might. The only difference is I am  
 [22] an elected official.

Page 196

[1] Q. That can have differences, I would say.  
 [2] Did you go to the gala this past  
 [3] spring?  
 [4] A. I didn't attend the Senate, House gala.  
 [5] I attended one the fall before at the Armory, but  
 [6] I didn't make that. I was not able to be there.  
 [7] I did commit to buying a table, and I  
 [8] only did that after I was given a list of soft  
 [9] money donors. When I proceeded to look at the  
 [10] list, I realized I could not call any of them up,  
 [11] corporate folks, and realized the only way I could  
 [12] be a good and faithful Republican was to just try  
 [13] to raise that money through hard money  
 [14] contributions, so that is what I have committed to  
 [15] do.  
 [16] In the next two weeks, they have given  
 [17] me time to raise that money, and I will be making  
 [18] that contribution. So, I bought a table; I didn't  
 [19] get to attend.  
 [20] Q. Do you recall attending the Republican  
 [21] National Committee gala in -  
 [22] A. I have attended a number.

Page 197

[1] Q. - May of 2001?  
 [2] A. I don't know what days, but if your  
 [3] point is have I been to them, have I attended,  
 [4] yes. It doesn't really matter to me which one  
 [5] unless it matters to you.  
 [6] Q. Let me just ask you: Do you recall  
 [7] attending one in the spring of 2001?  
 [8] A. If you tell me where it was, I could  
 [9] probably answer your question. If you tell me who  
 [10] was the speaker, that might help. I attended a  
 [11] gala at the Armory where the President spoke early  
 [12] after he was elected, I think in the fall of that  
 [13] year or maybe the spring of his first year. Dick  
 [14] Cheney and the President spoke.  
 [15] Q. Do you recall who you sat with at that  
 [16] gala?  
 [17] A. No.  
 [18] Usually, they don't have me sit next to  
 [19] anyone who is from my district. Candidly, it is a  
 [20] source of frustration for me. So when I go to  
 [21] those events, I am usually there with someone who  
 [22] cares about the party, and I want to be responsive

Page 198

[1] and I interact with them, but they are not  
 [2] generally my own constituents.  
 [3] Q. Do you recall any of those people that  
 [4] you sat with?

[5] A. Their names?  
 [6] Q. Yes.  
 [7] A. No.  
 [8] I remember, years ago, a gentleman who  
 [9] was from Alaska. He had a Rolex watch, and he  
 [10] made his money through - with diamonds all over  
 [11] it - he made his money renting property to the  
 [12] people working on the pipeline. He was a lovely  
 [13] man, but candidly, I don't remember.  
 [14] If you have a particular one and you  
 [15] want to ask me about people, I will try to  
 [16] remember.  
 [17] Q. Do you remember any of the things that  
 [18] you discussed when you have attended these  
 [19] dinners?  
 [20] A. You know, I do remember. It is  
 [21] interesting now. I am remembering the people at  
 [22] the, I call it the Armory. It is near the

Page 199

[1] baseball, the Kennedy center.  
 [2] There were two individuals who were in  
 [3] business together and they had become quite  
 [4] successful. I am forgetting what they did, but I  
 [5] honestly - the answer to your question is I don't  
 [6] really have much recollection.  
 [7] Q. Do you recall any instance in which,  
 [8] while sitting at one of these dinners, someone  
 [9] seated at your table tried to discuss a  
 [10] legislative issue with you?  
 [11] A. I have been at tables where people have  
 [12] tried to discuss and discussed legislative issues,  
 [13] but they have talked about the President; they  
 [14] have talked about the party, are we going to win?  
 [15] It is all the, you know, legislation; how is the  
 [16] party doing; you know, about my own personal life,  
 [17] the works.  
 [18] Q. Any particular instance, let me be more  
 [19] precise here, any particular instance that you can  
 [20] recall in which someone seated at your table  
 [21] brought up a legislative topic in the context of  
 [22] trying to influence you in some way as to how you

Page 200

[1] would vote on that topic?  
 [2] A. I am sure there have been people that  
 [3] have asked me how to vote. My antenna didn't go  
 [4] up and say oh my gosh, this is an uncomfortable  
 [5] conversation. I mean there was nothing like that.  
 [6] There was nothing that - the answer is no.  
 [7] All the conversations were relatively  
 [8] enjoyable, about a whole host of different things,  
 [9] but they were people who felt passionately about a  
 [10] lot of different issues and they spoke to me about  
 [11] those issues, but nothing that I would have said  
 [12] gosh, this is not right. I feel anybody has a  
 [13] right to ask you about anything.  
 [14] Q. Even me?  
 [15] A. Yes, even you as long as I understand  
 [16] what you are asking.  
 [17] MR. WITTEN: I object to the question,



[18] Mr. Burchfield.

[19] BY MR. BURCHFIELD:

[20] Q. Can you recall any particular incident  
[21] in which a person seated at your table raised with  
[22] you an issue then pending before you as a

Page 201

[1] congressman in the context of that person trying  
[2] to sway your vote in the context of these dinners?

[3] A. Maybe I can cut through this. Whether  
[4] it is a big gala or a fund raiser, I might have,  
[5] or an event for someone else, there is always  
[6] going to be dialogue about legislation.  
[7] I am a big boy. I mean this is part of  
[8] the process, and I am not uncomfortable by someone--  
[9] asking me about legislation or telling me what  
[10] they think.

[11] If someone came with hard money, that  
[12] is going happen. If they came with soft money,  
[13] that is going to happen. In terms of a dialogue  
[14] at a table, nothing I can think of makes me  
[15] uncomfortable about any dialogue.

[16] Q. Did you or your staff give preference  
[17] to any of the people that sat with you at these  
[18] tables in terms of meetings or consultations  
[19] concerning legislative activities?

[20] A. No.  
[21] You know, I would probably have said at  
[22] any table if you want to come and have a tour of

Page 202

[1] the Capitol, I am sure I would be happy to show  
[2] you around or someone on my staff, but it would  
[3] only be in that kind of context.

[4] Have I answered your question?

[5] Q. I believe so; I believe so.

[6] A. I want to say to you I appreciate the  
[7] people that are willing to go to these events.  
[8] They come from all over the country. I would like  
[9] to think it is done with hard money, but in some  
[10] cases, I know that some of the money that is at  
[11] these events are soft money.

[12] You know, I had to decide at one time  
[13] if I would go to an event that had soft money  
[14] raised, and I said, you know, I am a Member of  
[15] Congress; I have got to have this interaction; I  
[16] have got to do my part with the party. I just  
[17] make sure that if I go to an event or if I raise  
[18] money, it is raised with hard money. You know,  
[19] these are good people from all around the country.

[20] Q. When you go to one of these events, the  
[21] people you sit with are not always the people you  
[22] have asked for contributions, are they?

Page 203

[1] A. This is an easy one for me to answer.  
[2] I have not made a point of raising money for these  
[3] events. I decided that I needed to do that  
[4] especially if I have been a supporter of reform in  
[5] the system because I want people to know the  
[6] system can work without having to raise soft  
[7] money.

[8] I had a shock when I realized I was  
[9] supposed to ask for soft money, but I realized I  
[10] can do more to be a better player of support of my  
[11] party and raise those campaign dollars to help  
[12] myself, to help other people.

[13] Q. Let me just make the question a little  
[14] bit more clear.

[15] When you have made calls to raise hard  
[16] money for these events --

[17] A. Right.

[18] Q. -- the people that sat at your table  
[19] are not necessarily the ones that you have called  
[20] to raise that money?

[21] A. Well, no.

[22] I realize you are challenging. You are

Page 204

[1] looking at a Member of Congress who has said he  
[2] has been here 16 years, so he must have had  
[3] experiences like almost anyone else.  
[4] I need to be really clear with you. I  
[5] have not raised money for these big events until  
[6] this last event, so I have never had that  
[7] circumstance.

[8] I have raised money in other ways. I  
[9] have given to the NRCC. I have given money to  
[10] individual candidates, but I have not really  
[11] participated in the fundraising of these events.  
[12] I felt that I needed to, so I did the last time.

[13] The last time, I was not at the event.  
[14] The people who ended up going -- I did not buy the  
[15] tickets because I didn't sell them by then. So,  
[16] the people who basically are contributing are the  
[17] people who are contributing to my Americans for  
[18] Common Sense Government PAC. So, none of them

[19] there. Does that help you?

[20] Q. I think so.

[21] In the prior instances in which you  
[22] have attended one of these dinners -- and I

Page 205

[1] understand that until recently you were not  
[2] actively engaged in the fund raising -- did you  
[3] know which of the people sitting at your table  
[4] were hard money donors as opposed to soft money  
[5] donors?

[6] A. I not only didn't know if they were  
[7] hard money donors or soft money donors, I was not  
[8] even basically told who I was sitting with.  
[9] I would go there and go to a table, and  
[10] in most of the instances, for whatever reason, I  
[11] was kind of on the edge of the event. I didn't  
[12] feel I was kind of in the center or in the thick  
[13] of it.

[14] I knew there were lots of constituents  
[15] from my district, but I guess because I didn't ask  
[16] them for their contribution, I was not sitting at  
[17] their table or they didn't choose to sit with me  
[18] at my table for whatever reason.

[19] Q. I am sure it is the former reason and

[20] not the latter.  
 [21] A. I hope so.  
 [22] MR. BURCHFIELD: Congressman, you had

Page 206

[1] mentioned before that you hold the – I don't want  
 [2] to mischaracterize what you said – but you  
 [3] attributed the advent of soft money to actions by  
 [4] the Federal Election Commission.  
 [5] I would like to show you a comment of  
 [6] the Federal Election Commission about soft money  
 [7] from its 20th Annual Report, which I will ask the  
 [8] reporter to mark Shays Exhibit 17.  
 [9] ---

[10] (Whereupon a document was marked as  
 [11] Shays Deposition Exhibit Number 17.)  
 [12] ---

[13] THE WITNESS: If you would, tell me  
 [14] what this document is.

[15] BY MR. BURCHFIELD:

[16] Q. This is the, for the record, this is  
 [17] the 20 Year Report by the Federal Election  
 [18] Commission published in April 1995. To be more  
 [19] precise, it is one chapter out of a much longer  
 [20] report published by the FEC in April 1995. It is  
 [21] a publicly available document. Feel free to  
 [22] thumb, as you are, through the document.

Page 207

[1] A. Tell me the purpose of this document.  
 [2] Q. Well, I am not sure I can, but my  
 [3] understanding, sir, is the Federal Election  
 [4] Commission, every year, publishes an annual  
 [5] report, and this is the 20th Annual Report.  
 [6] I am looking at page 4 – up in the  
 [7] right hand corner, you will see page numbers –  
 [8] under the heading Soft Money. The paragraph I am  
 [9] interested in states (reading) Soft money is one  
 [10] of the most difficult issues the Commission has  
 [11] addressed during the last 20 years. The origins  
 [12] of soft money lie in the United States' Federal  
 [13] system of government.  
 [14] The Constitution grants each state the  
 [15] right to regulate certain activities within that  
 [16] state. In the area of campaign finance, each  
 [17] state may establish its own rules for financing  
 [18] the non-Federal elections held within its borders.  
 [19] As a result, committees that support  
 [20] both Federal and non-Federal candidates frequently  
 [21] must adhere to two different sets of campaign  
 [22] finance rules, Federal and state. Sometimes,

Page 208

[1] cities and counties create yet a third set of  
 [2] rules governing the financing of local elections  
 [3] (end reading).  
 [4] Let me stop there and ask you if you  
 [5] were able to follow along as I read that.  
 [6] A. Sure.  
 [7] Q. I tried to read it slowly.  
 [8] A. Thank you very much.  
 [9] Q. My question for you is: Is it your

[10] understanding that soft money, quote, unquote,  
 [11] soft money arose in some measure because of the  
 [12] variations in campaign finance laws among the  
 [13] various states?

[14] A. My response to you is the FEC had the  
 [15] ability to rein in soft money and chose basically  
 [16] to let it devour the 1974 law.  
 [17] Whereas when I started out in my  
 [18] political career, corporate money and union dues  
 [19] money was used truly for educational purposes, it  
 [20] began to spill in to campaigns. So, what we do  
 [21] today would not have happened 20 years ago or  
 [22] 15 years ago.

Page 209

[1] I don't pretend to know all the  
 [2] history. I know the Bush Administration believes  
 [3] the Dukakis Administration started to really abuse  
 [4] soft money, but when it really shot up on my radar  
 [5] screen as the farce it is was when Susan Molinari  
 [6] resigned and there was an election in Staten  
 [7] Island.  
 [8] All of sudden, either the RNC or the  
 [9] Republican Congressional Campaign Committee  
 [10] decided they needed to spend nearly a half million  
 [11] dollars in educating the people of Staten Island  
 [12] about abortion and choice.  
 [13] I thought well, we have gotten to a  
 [14] point now where it is just going to be used as  
 [15] campaign money. That is kind of when it first  
 [16] showed up on my radar screen as just such a  
 [17] blatant abuse. Then from that point on, we just  
 [18] gave up even trying to rein it in.  
 [19] I believe this happened because – I  
 [20] don't believe the majority of the members of the  
 [21] FEC believe in the 1907 law or the 1947 law or the  
 [22] 1974 law. I think they were chosen in some part

Page 210

[1] on the part of our party, my party, the Republican  
 [2] Party, because they don't believe in the law. So,  
 [3] I don't have a lot of faith in the FEC and its  
 [4] ability to make the law work.  
 [5] Q. You are aware, aren't you, the  
 [6] Republican National Committee provides money  
 [7] consistent with state law to state and local  
 [8] candidates throughout the country?  
 [9] A. I am aware, yes, consistent with  
 [10] whatever the state law is. The answer is yes, I  
 [11] think that is correct.  
 [12] Q. In the Virginia 2001 election for  
 [13] governor, are you aware the Republican National  
 [14] Committee spent several million dollars in that  
 [15] state?  
 [16] A. Corporate treasury money and union dues  
 [17] money?  
 [18] Q. Money allowable under state law.  
 [19] A. Would that have been corporate treasury  
 [20] money and union dues money?  
 [21] Q. I believe some of it was.  
 [22] Were you aware of that?

Page 211

- [1] A. I am not surprised by it.
- [2] Q. What, in your view, Congressmen Shays,
- [3] is the Federal interest in precluding the
- [4] Republican National Committee or the Democratic
- [5] National Committee from participating in a purely
- [6] state election in a manner fully consistent with
- [7] state law?
- [8] A. Well, I would have no problem. The
- [9] answer - let me back up and say to you the
- [10] challenge is, if you believe as I do and as the
- [11] majority of Congress does, that the 1907 law
- [12] banning corporate treasury money and the 1947 law
- [13] banning union dues money was there for a
- [14] meaningful purpose, and the 1974 law banning
- [15] unlimited sums from individuals, both for the
- [16] appearance of corruption and actual corruption,
- [17] then you would want the Federal Government to
- [18] abide by that law.
- [19] It would be kind of nonsensical to say
- [20] it is wrong to do this and then say because the
- [21] state allows it, we will allow the Federal
- [22] Government to do it in a state election. So, I

Page 212

- [1] think it is very consistent to want the Federal
- [2] Government not to be in soft money requests for
- [3] corporate treasury money or union dues money, and
- [4] that is how we tried to design the law.
- [5] Q. You understand, don't you, that the
- [6] Republican National Committee and Democratic
- [7] National Committee are not Federal committees;
- [8] they are national committees that participate in
- [9] local, state, and national elections?
- [10] A. With all due respect, I don't see the
- [11] difference in its impact over the appearance of
- [12] corruption and actual corruption; I just don't see
- [13] the difference.
- [14] Q. In a situation in which no Federal
- [15] office holder has been involved in soliciting soft
- [16] money for a party and that money is spent in a
- [17] purely state and local election, what is the
- [18] Federal interest in regulating that?
- [19] A. I think there is a lot of Federal
- [20] interest in how the money is raised.
- [21] You could take California or New York.
- [22] There is a very keen political reason why

Page 213

- [1] Republicans or Democrats would want to have a
- [2] Republican or Democratic Governor: It has a
- [3] tremendous impact on the next presidential race.
- [4] So, there are reasons why the parties
- [5] would want to do it, and there are concerns that
- [6] have been obviously stated more times than I need
- [7] to state, that if a corporation contributes a
- [8] million dollars at the request of the Republican
- [9] Party to the State of California or gives a
- [10] million dollars to the NRCC, they have still, in
- [11] my judgment, bought the same influence. It is a
- [12] million dollars. It was just directed by the RNC

- [13] to a state, and we want them not to be in that
- [14] business.
- [15] Q. Even if no Federal office holder were
- [16] involved in soliciting the money?
- [17] A. Those of us who support this
- [18] legislation believe the political process is
- [19] distorted by both the appearance of corruption and
- [20] actual corruption when you have large sums of
- [21] money that are benefiting these national
- [22] governments.

Page 214

- [1] I say to you there is a real keen
- [2] Federal interest in who controls the State of
- [3] California or New York, so the impact is really no
- [4] different.
- [5] Q. So in your view, and I just want to
- [6] make sure we are clear, in your view, there is a
- [7] Federal interest in regulating the California
- [8] gubernatorial election because it might have an
- [9] effect on the next presidential election?
- [10] A. You didn't hear me well, and I am happy
- [11] you have clarified that. I am saying there should
- [12] not be a Federal role -
- [13] Q. There should not be a Federal role?
- [14] A. - in a state election with Federal
- [15] office holders -
- [16] Q. Federal office holders should not be
- [17] involved in raising money for state officials?
- [18] A. - that is different than what Federal
- [19] law requires.
- [20] So for instance, I should not be out
- [21] there on the state level, even if the state
- [22] allowed it, raising more money on hard money than

Page 215

- [1] I could for myself on a Federal race. You would
- [2] want that law to be consistent.
- [3] Q. In fact, that is what the statute,
- [4] Bipartisan Campaign Reform Act, does?
- [5] A. Correct.
- [6] Q. It doesn't let a Republican Party
- [7] official raise money for a state candidate even
- [8] within the Federal limits?
- [9] A. Yes, that is accurate.
- [10] That was basically a compromise on the
- [11] part of the Congress in passing this legislation.
- [12] Q. That is an over-reach of Federal power,
- [13] isn't it?
- [14] A. What is an over-reach?
- [15] Q. To limit the ability of a Republican
- [16] National Committee official -
- [17] A. No, I don't think so.
- [18] Q. - who is not a Federal employee to
- [19] raise money consistent with state law or even
- [20] within the Federal limits in a state election.
- [21] A. I don't think it is a Federal
- [22] over-reach.

Page 216

- [1] ---
- [2] (Whereupon a document was marked as

[3] Shays Deposition Exhibit Number 18.)  
 [4] ---  
 [5] BY MR. BURCHFIELD:  
 [6] Q. Shays Exhibit 18 is a document with the  
 [7] heading Vote Republican, Thomas H. Kean.  
 [8] Congressman Shays, when you have had a  
 [9] chance to look at Exhibit 18, let me know.  
 [10] A. This is Thomas Kean, New Jersey.  
 [11] Was Tom governor at the time or is this  
 [12] after he was governor?  
 [13] Q. Let me call your attention to a couple  
 [14] of things that may help you. In the lower  
 [15] right-hand corner, there is a copyright 2001. I  
 [16] can represent to you this relates to the 2001 New  
 [17] Jersey elections.  
 [18] A. So, Tom Kean wrote to his friends or to  
 [19] some friends and sent something. This is the  
 [20] letter?  
 [21] Q. It is my understanding, Congressman,  
 [22] this is a get out the vote direct mailer prior to

Page 217

[1] the 2001 New Jersey elections at which there were  
 [2] only state and local candidates on the ballot. If  
 [3] you look at the second page, you will see it  
 [4] refers to Tuesday, November 6, 2001.  
 [5] A. What is your question?  
 [6] Q. The question is -  
 [7] A. Can you explain to me who Tom Kean is?  
 [8] I know he was the former governor, but  
 [9] is he on the National Committee?  
 [10] Q. That is correct by my understanding.  
 [11] A. Is he on the National Committee?  
 [12] Q. I believe he holds no position with the  
 [13] Republican National Committee, but as you see in  
 [14] the lower left hand corner of the first page in  
 [15] teeny, tiny writing, this was paid for by the  
 [16] Republican National State Election Committee.  
 [17] A. What is the Republican National State  
 [18] Election Committee?  
 [19] Q. It is the non-Federal or soft money  
 [20] account of the Republican National Committee.  
 [21] A. So, this is a soft money account.  
 [22] Q. My question for you, Congressman, I

Page 218

[1] have a couple of questions about this, and that is  
 [2] am I correct that as of November 6th, 2002, the  
 [3] Republican National Committee would have to pay  
 [4] for this flier with one hundred percent Federally  
 [5] regulated money since it will have nothing but one  
 [6] hundred percent Federally regulated money?  
 [7] A. Well, they would not be able to pay for  
 [8] this ad with soft money because they would no  
 [9] longer be raising soft money.  
 [10] In terms of what the Federal Government  
 [11] could do in terms of a contribution on a state  
 [12] election, I am not sure that the NRC could do it.  
 [13] I am just not sure; I am not sure they could do  
 [14] it.  
 [15] Q. Would you agree with me that if this

[16] flier were paid for by the New Jersey Republican  
 [17] Party, a state party, in an odd year election, it  
 [18] could use one hundred percent state regulated  
 [19] money to pay for this?  
 [20] A. I would think whatever, if it is not a  
 [21] Federal election, the state can do really whatever  
 [22] state law allows it to do.

Page 219

[1] Q. What is the Federal interest in telling  
 [2] the Republican National Committee that it must use  
 [3] Federally regulated money to pay for this direct  
 [4] mailer while the state party could pay for the  
 [5] same mailer using one hundred percent state  
 [6] regulated money?  
 [7] A. We basically concluded that we didn't  
 [8] want to do anything to interfere with what the  
 [9] states could do. We didn't want to inhibit them  
 [10] from what they are allowed to do, but we felt that  
 [11] it was important, where we had jurisdiction, to  
 [12] make sure there could be no corporate money or  
 [13] union dues money. That is why we designed the law  
 [14] the way we did.  
 [15] Q. You said where you had jurisdiction.  
 [16] You are referring to the national  
 [17] committees?  
 [18] A. We have jurisdiction of Federal  
 [19] elections, both on the Federal level and in the  
 [20] states.  
 [21] Q. I understand that, but we, here, are  
 [22] not talking about a Federal election. We are

Page 220

[1] talking about the national parties' participation  
 [2] in a non-Federal election.  
 [3] A. Correct.  
 [4] I can keep saying this, but I don't  
 [5] know how many times you want me to say it. We  
 [6] don't want the Federal Government in the business  
 [7] of raising soft money.  
 [8] Q. Do you mean a national political party?  
 [9] You said the Federal Government.  
 [10] A. I'm sorry; thank you.  
 [11] We don't want elected officials, we  
 [12] don't want party officials to be asking  
 [13] corporations for corporate treasury money. We  
 [14] want to basically enforce the 1907 law.  
 [15] Q. What is the corrupting impact on  
 [16] Federal officials of non-governmental party  
 [17] officials raising state regulated money and  
 [18] spending state regulated money in purely state and  
 [19] local elections?  
 [20] A. Let me just be clear that I understand  
 [21] you. How money is raised matters. How it is  
 [22] spent also matters.

Page 221

[1] Are you asking me why I would be  
 [2] concerned about Federal party folks or Federal  
 [3] elected officials raising corporate treasury  
 [4] money? Is that your question?  
 [5] Q. No.

[6] I am asking why you were concerned with  
 [7] national party officials who hold no Federal  
 [8] office raising state regulated money and spending  
 [9] that money consistent with state law?

[10] A. Yes, but is that state money  
 [11] potentially corporate treasury money?

[12] Q. If legal in a particular state -

[13] A. Well then, I think when you said no, I  
 [14] don't think you were being very clear to me and I  
 [15] think it would mislead me.

[16] I have made the point to you, and we  
 [17] may disagree, but I have made the point to you we  
 [18] don't want the Federal Government in the business  
 [19] of raising corporate treasury money or union dues  
 [20] money; and we prohibit it under our Act.

[21] Q. You said Federal Government again. I  
 [22] take it you mean national parties.

Page 222

[1] A. National parties, the Federal parties,  
 [2] Republican and Democrat officials, or Federal  
 [3] office holders, we want them out of the business  
 [4] of raising corporate treasury money or union dues  
 [5] money. We want to enforce the 1907 law and the  
 [6] 1947 law, and we want them to abide by the  
 [7] structure of the 1974 Act.

[8] Q. I understand your position, though I  
 [9] don't agree with it, but I understand your  
 [10] position that if you pick up the phone and call a  
 [11] corporation and ask for a million dollars and the  
 [12] corporation provides a million dollars,  
 [13] hypothetically, to the national party, that some  
 [14] people might be concerned about the potential  
 [15] impact of that donation on you as a Federal  
 [16] officer.

[17] What I am having trouble understanding  
 [18] is why someone like Jack Oliver, who holds no  
 [19] Federal position, cannot call up a corporation and  
 [20] ask for even \$5 to use in a state election.

[21] A. Let's use the same number. Following  
 [22] your logic, there would be no problem with their

Page 223

[1] asking a million dollars. I don't see the  
 [2] difference whether you call a corporation and ask  
 [3] for a million dollars for the Federal Government  
 [4] or the state, it is still the Federal party office  
 [5] holder asking for the money or it is still the  
 [6] Federal office asking the money, and I don't see  
 [7] the difference at all. I think it is clear as can  
 [8] be.

[9] Q. Maybe my question was unclear. I am  
 [10] not asking about a Federal officer holder making  
 [11] the call. I am asking about a party official who  
 [12] holds no Federal position at all making that call.

[13] A. You make an assumption that is  
 [14] different from mine. The assumption you make is  
 [15] that somehow if you are chairman of the Republican  
 [16] Committee versus a member of the legislature, and,  
 [17] if you may, of the Congress, that there is somehow  
 [18] a big difference. There is a difference. One is

[19] an office holder, and one is a party official.  
 [20] I believe that Mr. McAuliffe (phonetic)  
 [21] has a lot to do with what happens in Congress, and  
 [22] I think the chairman of our party has a lot, the

Page 224

[1] Republican Party has a lot to do with what goes on  
 [2] in Congress. I think it has a lot to do with the  
 [3] White House. I think we all work together.  
 [4] We also wanted to make sure we didn't  
 [5] have a circumstance where we had a wink and a nod.  
 [6] The wink and the nod is it is basically the same  
 [7] money, and you are helping the Republican cause.  
 [8] Whether the Federal office holder asks for it or  
 [9] the chairman of the party, I don't have any doubt  
 [10] in my mind that Members of Congress would not  
 [11] learn how grateful and how happy we were that this  
 [12] corporation gave to our party.  
 [13] So whether it is asked by the elected  
 [14] official, the Federal elected official, or by the  
 [15] national party official, I don't see the  
 [16] difference at all.

[17] Q. Can you at least agree with me that if  
 [18] the party official asks for it, it is one step  
 [19] further removed from Federal office holders than  
 [20] if the Federal office holder asked for it  
 [21] directly?

[22] A. I think it is one step removed in a

Page 225

[1] thousand steps; so it is a small percent  
 [2] difference, but it is a step removed.  
 [3] Q. Let me ask you, and I don't mean to  
 [4] re-plow old ground, but it occurs to me that I  
 [5] want to ask one clarifying question about our  
 [6] discussion before the break. I am not asking you,  
 [7] I am not going to re-plow the ground of asking for  
 [8] specific names.  
 [9] It is your understanding the  
 [10] individuals who conveyed the message about loss of  
 [11] campaign funds or being passed over for committee  
 [12] chairmanships as a result of a vote on the  
 [13] Bipartisan Campaign Finance Reform bill were  
 [14] leaders, were in the House Republican leadership,  
 [15] or were they officers of the Republican National  
 [16] Committee?

[17] A. Let me answer it this way. Some of the  
 [18] people who wanted to support this bill but chose  
 [19] not to were contacted by party officials. They  
 [20] were contacted by their governors on behalf of  
 [21] party officials here.  
 [22] They were told by some of their

Page 226

[1] supporters back home that they had received calls  
 [2] from elected officials in Congress that they  
 [3] needed them to work very hard to change their  
 [4] member's position. There was a lot of pressure, I  
 [5] think as you can imagine, on this bill.  
 [6] Members were telling me they were not  
 [7] just hearing it from elected officials, but they  
 [8] were hearing it from party officials as well. I

[9] can tell you what I heard.  
 [10] I heard from my state central committee  
 [11] person a variety of things that were very  
 [12] unsettling about how this legislation was being  
 [13] represented, about the repercussions that could  
 [14] happen, and I know you are not surprised by it. I  
 [15] mean this is the reality of that legislation.  
 [16] Q. Are you aware of instances other than  
 [17] campaign finance reform legislation in which the  
 [18] parties have taken such an aggressive role in  
 [19] trying to change the minds and votes of Members?  
 [20] A. Because this was something I worked so  
 [21] closely on and heard individual accounts, I think  
 [22] I have a much better knowledge on this bill.

## Page 227

[1] If you are asking me is there a lot of  
 [2] give and take in the legislative process on lots  
 [3] of bills and lots of different motives for why  
 [4] people vote on certain things, absolutely, but the  
 [5] one thing I want to put on the record: The  
 [6] distortion of the political process is not by the  
 [7] question you asked me earlier about a change in  
 [8] someone's vote.  
 [9] When I was being asked about a change,  
 [10] I didn't quite know how that word, change, was  
 [11] being meant because maybe the person decided early  
 [12] on they were going to vote that way before they  
 [13] had made up their minds. So, they didn't change  
 [14] their vote; they were just persuaded by the  
 [15] financial interests before they even made up their  
 [16] mind.  
 [17] The way the system works, and I think  
 [18] you have a sense of this being active in the  
 [19] political process, you can shape the vote by what  
 [20] bills reach the floor of the House and you can  
 [21] shape the vote by what amendments are allowed  
 [22] through Rules.

## Page 228

[1] I have no reluctance telling you that I  
 [2] believe there are a number of instances in the  
 [3] time that I have been in Congress, particularly  
 [4] since we have been in the majority, that certain  
 [5] bills not were not allowed to reach the floor of  
 [6] the House because of large financial interests;  
 [7] and that certain amendments were not allowed in  
 [8] the Rules Committee because of certain financial  
 [9] interests.  
 [10] That is where I see it happen more than  
 [11] a so-called change in someone's vote.  
 [12] Q. Let me go back to my question. I do  
 [13] want to ask you some questions about what you just  
 [14] said.  
 [15] Let's go back to my question for a  
 [16] minute, and that is: Are you aware of any  
 [17] instances, Congressman, in which officials of the  
 [18] Republican National Committee have been actively  
 [19] engaged in supporting or opposing legislation  
 [20] other than the campaign finance bill we talked  
 [21] about earlier?

[22] A. Not recently, no, not recently.

## Page 229

[1] I have been in rooms where, you know, a  
 [2] chairman has expressed a very strong view about a  
 [3] particular piece of legislation. I cannot ascribe  
 [4] why they might have taken that position.  
 [5] If you are asking me if chairmen of  
 [6] national committees make a point of sometimes  
 [7] sharing their positions on major pieces of  
 [8] legislation, absolutely; they are not reluctant to  
 [9] do that.  
 [10] Q. I am trying to draw a distinction,  
 [11] Congressman, between the Chairman of the  
 [12] Senatorial Committee and the Chairman of the  
 [13] Congressional Committee, who are members of the  
 [14] body and who, I think, have an oath of office to  
 [15] share their views versus the Chairman of the  
 [16] Republican National Committee, who is a member of  
 [17] neither the House nor the Senate nor does he hold  
 [18] any -  
 [19] A. I was making this point: The Chairman  
 [20] of the National Committee, I have been in rooms  
 [21] with leadership where the Chairman of the National  
 [22] Committee has been in those rooms discussing

## Page 230

[1] actively the merits of various legislation.  
 [2] Q. From a political perspective?  
 [3] A. From a variety of perspectives.  
 [4] Q. In any of those situations that you  
 [5] recall, has the Chairman of the Republican  
 [6] National Committee used campaign funding as a  
 [7] lever, threatened to give or withhold campaign  
 [8] funding as a result of the way a congressman would  
 [9] vote on that legislation?  
 [10] A. Usually, the dialogue is not about how  
 [11] a Member of Congress would vote. The dialogue is  
 [12] about the legislation itself. I don't know what  
 [13] would motivate the chairman to take a position one  
 [14] way or the other on legislation.  
 [15] I just want it on record that I have  
 [16] been in rooms on more than one occasion in which a  
 [17] chairman has expressed a view, a national  
 [18] chairman - and in my case, the Republican  
 [19] Party - a position on legislation.  
 [20] Q. I understand that. I get e-mails from  
 [21] them all the time expressing views on legislation.  
 [22] I consider that part of the political debate and

## Page 231

[1] part of the responsibility of the Republican  
 [2] Party.  
 [3] A. I think that is true.  
 [4] My point, though, to you is they very  
 [5] much are involved in the - you see one step  
 [6] removed, and I grant you it is one step in a  
 [7] thousand steps removed - but they very much get  
 [8] involved in the political process and discussion  
 [9] on legislation and attempt to influence  
 [10] legislation.  
 [11] I accept that as a reality of their

[12] position and what they do. They are not so  
 [13] separated as you may think.  
 [14] Q. My question, though, is: Are you aware  
 [15] of any instance in which they went beyond  
 [16] espousing the merits, whatever those merits might  
 [17] be, and instead or in addition, indicated they  
 [18] would either withhold or provide campaign funding?  
 [19] A. No.  
 [20] There would never be a cross  
 [21] conversation like that. I have never attended a  
 [22] conversation like that. I have never attended a

Page 232

[1] meeting where a conversation from a chairman was  
 [2] that money would be withheld or not withheld.  
 [3] Q. You won your last election with  
 [4] 58 percent of the vote --  
 [5] A. Uh-huh.  
 [6] Q. -- a 16 point win, a pretty clear  
 [7] mandate the Fourth District of Connecticut to send  
 [8] you back to Congress?  
 [9] A. Right.  
 [10] Q. Did the Republican Congressional  
 [11] Committee or the Republican National Committee  
 [12] provide coordinated funding in your race the last  
 [13] time around?  
 [14] A. I don't think they have provided any  
 [15] assistance to me since my very first election in  
 [16] 1987.  
 [17] Q. What has been the closest reelection  
 [18] race you have had?  
 [19] A. I think my first race.  
 [20] Let me just say I was not pleased with  
 [21] 58 percent. I just want to go on record I was  
 [22] disappointed. I wanted to know why 42 percent of

Page 233

[1] the public voted against me. I was very grateful  
 [2] for the help I received in my first race in 1987.  
 [3] Q. Since 1987 --  
 [4] A. Since then, they have not felt any real  
 [5] strong need to support my reelection.  
 [6] I did have The Speaker come, in my last  
 [7] race, to do a fund raiser in which he raised about  
 [8] \$70,000, all in hard money I believe, and we  
 [9] helped raise that money. In fact, we did the  
 [10] work, and he stayed that night and met with  
 [11] elected officials the next day and then was at my  
 [12] announcement.  
 [13] I was very, very grateful for Speaker  
 [14] Hastert's help in that race. It was particularly  
 [15] helpful given that I have voted against  
 [16] impeachment, and it was a strong statement of The  
 [17] Speaker that, in spite of that, he supported me  
 [18] and my Republican colleagues supported me.  
 [19] Q. I actually watched your town hall  
 [20] meeting, which I thought was quite well done,  
 [21] quite a brave and conscientious thing to do at a  
 [22] very difficult time in American history.

Page 234

[1] A. You watched some of it. It went on for

[2] seven hours.  
 [3] Q. You have caught me.  
 [4] A. They stopped the broadcast after a  
 [5] while, but thank you for watching it.  
 [6] Q. You did say you would stay until the  
 [7] question was asked and answered, and that was well  
 [8] beyond my patience.  
 [9] It was the case, wasn't it, that the  
 [10] leadership really on both sides of the aisle were  
 [11] pushing pretty hard on the impeachment issue?  
 [12] A. Absolutely.  
 [13] This was a conscience vote. Like a war  
 [14] in the Gulf or I think the potential in Iraq,  
 [15] there are certain votes that are so significant  
 [16] that no member wants to have the burden of  
 [17] encouraging someone to vote a particular way.  
 [18] They have to decide on their own.  
 [19] So, I worked closely with, frankly, Tom  
 [20] DeLay to make sure we had a vote on impeachment  
 [21] because I took the view we needed to have a vote;  
 [22] but I felt in the end, I was going to vote no

Page 235

[1] rather than some other -- we needed to vote  
 [2] impeachment up or down.  
 [3] At any rate, I was grateful for Denny  
 [4] Hastert's support. That meant a lot to me.  
 [5] Q. Did the Republican leadership take a  
 [6] strong position as to how the Republican members  
 [7] should vote on the impeachment resolution?  
 [8] A. Tom DeLay believed very strongly there  
 [9] needed to be a vote on that issue and not some  
 [10] alternative like censure. I agreed with him, so  
 [11] he and I circulated a number of issues.  
 [12] Do I think some members were lobbied  
 [13] intensely? Absolutely; we all were. I mean I was  
 [14] asked to meet with Henry Hyde. I met with the  
 [15] counsel. I looked at all those facts. So, we  
 [16] were asked to treat this very seriously.  
 [17] In the end, it was a conscience vote,  
 [18] and I believe every member had to decide how to  
 [19] vote based on their conscience. I felt, while one  
 [20] or two my leaders were disappointed with my vote,  
 [21] I felt they respected why I did what I did. So, I  
 [22] have nothing but gratitude for my party in that.

Page 236

[1] I would really want to make sure there  
 [2] was nothing in the record that would imply that I  
 [3] didn't get anything but respect from my party in  
 [4] that vote.  
 [5] MR. BURCHFIELD: I would ask the  
 [6] reporter to mark as Exhibit 19 a letter dated  
 [7] October 4, 2001.  
 [8] ---  
 [9] (Whereupon a document was marked as  
 [10] Shays Deposition Exhibit Number 19.)  
 [11] ---  
 [12] BY MR. BURCHFIELD:  
 [13] Q. Congressman, I have handed you a letter  
 [14] I understand was sent by Jack Oliver, the Deputy

[15] Chairman of the Republican National Committee, to  
 [16] various persons urging them to make a donation to  
 [17] Bret Schundler's campaign for Governor of New  
 [18] Jersey in 2001.  
 [19] Take whatever time you would like to  
 [20] look at this letter, and when you have had a  
 [21] chance to look at it, let me know. I have some  
 [22] questions about it.

Page 237

[1] A. I think I have had enough time to look  
 [2] at it.  
 [3] Q. In this letter, Congressman Shays, am I  
 [4] correct that the request is to make a donation not  
 [5] to the RNC, but to Mr. Schundler's gubernatorial  
 [6] campaign at Post Office Box 419, WOB, West  
 Orange,  
 [7] New Jersey?

[8] A. I think you are correct on that, yes.  
 [9] Q. Indulge in the assumption if you would,  
 [10] because I believe it is a fair assumption, that a  
 [11] favorable response to this letter in terms of  
 [12] making a donation would never pass through the  
 [13] hands of the Republican National Committee, and  
 [14] the Republican National Committee may not ever  
 [15] even know who had responded favorably or  
 [16] unfavorably to this letter.

[17] Can we make those assumptions?

[18] A. Not necessarily.  
 [19] I don't mean to quibble, but it is  
 [20] possible or it is also possible that the party  
 [21] might know. In this instance, I don't think they  
 [22] would really care. So, if you are asking me do I

Page 238

[1] think the contribution limit of \$2,000 is a  
 [2] significant amount of money or you can contribute  
 [3] up to 2,600? No.  
 [4] By the way, not only does our law  
 [5] prohibit this from being sent by Mr. Oliver, any  
 [6] member from New Jersey Congressionally would not  
 [7] be able to send it because it is not consistent  
 [8] with the law asking for 2,600.  
 [9] So while the Federal legislators could  
 [10] have written this letter, it would have to be  
 [11] subject to the levels of Federal contribution  
 [12] limits; and in the case of the political parties,  
 [13] the national political parties, they would not  
 [14] have been able to send this letter out.

[15] Q. Under any circumstances?

[16] A. I believe that is correct if they are  
 [17] asking for money.

[18] Q. Why should Mr. Oliver be subject to  
 [19] more strict restrictions on requesting donations  
 [20] to a gubernatorial candidate than Christopher  
 [21] Shays?

[22] A. This was a compromise in our

Page 239

[1] deliberations. I, frankly, would not be troubled  
 [2] if the political party officials would have the  
 [3] same standard elected officials have. So, I am

[4] just saying to you we perceived this to be not the  
 [5] premiere part of the legislation.  
 [6] There was disagreement. Some thought  
 [7] the political party people should not be able to  
 [8] ask for any contributions. Members of Congress  
 [9] were allowed to, and I think it probably would  
 [10] have been better, in my view, to have had it  
 [11] consistent, but I don't view this as a major part  
 [12] of the legislation.

[13] I would also say to you I don't think  
 [14] Bret Schundler would have been hurt, though, if it  
 [15] was someone else. I don't think Jack Oliver  
 [16] particularly adds value to this.

[17] Q. He lost by 38 points or something like  
 [18] that. I don't think Chris Shays could have helped  
 [19] him much either, to tell you the truth.

[20] A. What I am saying to you is there is one  
 [21] standard for the political parties and another for  
 [22] elected officials on the Federal level. My

Page 240

[1] preference, if I had one on that today, would have  
 [2] been to have it be the same and have it be the  
 [3] elected officials, but this was an issue of  
 [4] compromise.

[5] Q. What articulable explanation other than  
 [6] it being a compromise -- maybe that is the only  
 [7] explanation -- can you provide for that difference  
 [8] between Chris Shays and Jack Oliver in this  
 [9] circumstance?

[10] A. The argument was, on the part of some,  
 [11] that the political party people have a tremendous  
 [12] amount of influence in this process. I think in  
 [13] the end, you know, the answer is I cannot. I  
 [14] forget it because I didn't agree with it  
 [15] basically.

[16] So, the answer is that I don't really  
 [17] recall the debate we had on this issue. I was  
 [18] paying attention to other issues that I thought  
 [19] were far more important.

[20] Q. There are other instances in the Act in  
 [21] which political party officials are treated more  
 [22] severely than the Federal official, the Federal

Page 241

[1] office holders, such as the ability to solicit  
 [2] 501(c) organizations.

[3] A. See, then we start to get into there  
 [4] you can ask for more money.

[5] Q. A Federal office holder in that  
 [6] situation, as I understand it -- correct me if I  
 [7] am wrong -- can ask a 501(c), can solicit money  
 [8] for a 501(c) organization that is not primarily  
 [9] engaged in Federal election activity and can  
 [10] solicit money up to, I think it is \$20,000 for  
 [11] a --

[12] MR. WITTEN: From an individual?

[13] MR. BURCHFIELD: From an individual for  
 [14] an entity that is primarily engaged in Federal  
 [15] Election activity.

[16] Does that sound, with Mr. Witten's



[17] qualification, correct?

[18] THE WITNESS: Yes.

[19] BY MR. BURCHFIELD:

[20] Q. Political party personnel cannot do  
[21] either of those.

[22] Why is that?

Page 242

[1] A. I think the reason was that Members of  
[2] Congress were identifying themselves with  
[3] circumstances where they would be working with a  
[4] group and felt that, like the NAACP, they should  
[5] be allowed to help them raise money for  
[6] non-elected purposes. So, that was the argument.

[7] Q. — You sound like you are skeptical of the  
[8] argument.

[9] A. I guess for me, I would have preferred  
[10] we not be able to ask for any. My preference  
[11] would have been for members not to raise any money  
[12] for the NAACP or any other organization. I lost  
[13] that debate because we are now starting to talk  
[14] about bigger dollars. The size of the amount of  
[15] money is what bothers me.

[16] In the first instance, when we are  
[17] allowed to raise money, Federal office holders are  
[18] allowed to raise money for state office holders as  
[19] long as it is consistent with state law and  
[20] Federal law. It is limited amounts of money.  
[21] So, you know, my preference was that we  
[22] not get in the business of asking individuals — I

Page 243

[1] don't think it is corporations — individuals for  
[2] larger sums of money. I don't think it is  
[3] serious, but that was just my preference, and it  
[4] was not something I thought was worth fighting  
[5] over.

[6] Q. You are considered, I think the term  
[7] they use is the most environmentally sensitive  
[8] member of Congress by the League of Conservation  
[9] Voters.

[10] A. I have had a good voting record with  
[11] the League of Conservation Voters over a number of  
[12] years. It dropped to 80 something this time, but  
[13] it is a pretty good record.

[14] Q. You only won 58 percent of the vote.  
[15] What is the world coming to, Congressman?  
[16] Let's assume you wanted to, and you may  
[17] very well not, but let's assume you wanted to  
[18] raise money for the League of Conservation Voters.  
[19] Since the League of Conservation Voters is not  
[20] primarily involved in election activity, you could  
[21] do that under the statute as of November 6th; is  
[22] that right?

Page 244

[1] A. I am not sure about that.  
[2] If you asked the Sierra Club, that  
[3] might be different, but the League of Conservation  
[4] Voters I believe is a collection of different  
[5] organizations that advocate, but don't get  
[6] involved in elections. It is a way to evaluate.

[7] First, I want to be clear.

[8] Q. Let's use the Sierra Club. I don't  
[9] think we need to debate about the League of  
[10] Conservation Voters. Let's change the example to  
[11] the Sierra Club. I assume the Sierra Club holds  
[12] you in pretty high regard as well.

[13] If you wanted to raise money from  
[14] individuals for the Sierra Club in any amount, you  
[15] could do so even after November 6th; is that  
[16] right?

[17] A. In any amount?

[18] Q. Right, since they were not primarily  
[19] engaged in election activities.

[20] A. I have to ask counsel. I don't know if  
[21] there is a limit to what we can do.

[22] Q. There is a \$20,000 limit on the amount

Page 245

[1] you can raise for an entity that is engaged  
[2] primarily in election activity. I don't think  
[3] there is a limit if it is not engaged primarily in  
[4] election activity. In any event, accept that as  
[5] an assumption. If it turns out to be  
[6] inaccurate —

[7] A. This is from individuals, not  
[8] corporations?

[9] Q. Correct.

[10] A. This represented a compromise, and we  
[11] felt the worst problem was the corporate treasury  
[12] money and the union dues money. That is kind of  
[13] where we were headed.

[14] Q. In your understanding, is the  
[15] organization not primarily involved in election  
[16] activity required to keep that money in a separate  
[17] account if it raised by a Federal office holder or  
[18] can it be comingled with funds that are being used  
[19] for election activity?

[20] A. I have forgotten.

[21] We had lots of debate on these types of  
[22] issues, but I didn't focus as much time on whether

Page 246

[1] it could be comingled. I thought we had the FEC  
[2] have to decide that, but I am not sure.

[3] MR. WITTEN: Don't speculate.

[4] THE WITNESS: Okay, so I don't know.

[5] MR. BURCHFIELD: Off the record for a  
[6] minute.

[7] (Discussion held off the record.)

[8] BY MR. BURCHFIELD:

[9] Q. Take either example you want, the  
[10] National Association for the Advancement of  
[11] Colored People, NAACP, or the National Rifle  
[12] Association, the NRA, both of which, let's assume,  
[13] are not primarily engaged in election activity.

[14] A. Right.

[15] Q. Does it appear to be — well, let me  
[16] ask it this way: You know that many in the  
[17] Republican Party believe that in the last two or  
[18] three election cycles, the Republican get out the  
[19] vote efforts have under-performed, and the

[20] Democratic get out the vote efforts have performed  
 [21] very well, in large measure, due to the efforts of  
 [22] the NAACP and organized labor. You have heard

Page 247

[1] that I assume.  
 [2] A. I would share in the view that  
 [3] Republicans are better at raising hard money and  
 [4] are not as good at getting out the vote. That is  
 [5] why Tom DeLay has responded Stop, which is helping  
 [6] us get out the vote on election day.  
 [7] The Democrats are going to have to do a  
 [8] better job of raising hard money, and Republicans  
 [9] are going to have to do a better job of getting  
 [10] out the vote.  
 [11] I think the reason why we have not been  
 [12] good at getting out the vote is we have gotten so  
 [13] focused on large dollars that we let this grass  
 [14] roots organization in the Republican Party just  
 [15] die on the vine.  
 [16] That is why I feel so strongly, and  
 [17] this is probably my biggest disappointment with  
 [18] the party you are representing here as counsel, my  
 [19] own Republican Party.  
 [20] I believe the strength of our bill is  
 [21] we are going strengthen the Republican Party  
 [22] because we are going to have go out and start

Page 248

[1] building a grass roots organization to counter  
 [2] what the Democrats have done quite well over the  
 [3] last few years.  
 [4] Q. We may come back to that point, but  
 [5] where I want to focus right now is the perfectly  
 [6] legal scenario, as I understand it, of one of your  
 [7] Democratic colleagues raising money through  
 [8] general solicitations for the NAACP with that  
 [9] money going into a general fund, part of which is  
 [10] used for get out the vote and even broadcast issue  
 [11] ad activity.  
 [12] A. One the strengths of our bill, and it  
 [13] was at the request of people like Tom DeLay and  
 [14] others – and let me just say one of the  
 [15] challenges for me was that since so many of my  
 [16] leadership were opposed to the bill, it was hard  
 [17] sometimes for me to understand, when I was  
 [18] negotiating, what people in my own party would  
 [19] like to see in it.  
 [20] One of the things the President of the  
 [21] United States told me directly and that my  
 [22] colleagues told me is they wanted disclosure.

Page 249

[1] What you will see in our bill, unlike in the past,  
 [2] is when any of those organizations spend money,  
 [3] they will have to disclose it for any campaign  
 [4] purposes.  
 [5] So, I think we have added a provision  
 [6] that I hope my colleagues will find helpful. So  
 [7] when the NAACP conducts a broadcast like they did  
 [8] last time, they will have to disclose it.  
 [9] Q. If it is non-broadcast, and I take it,

[10] it is the view of many Republicans I have spoken  
 [11] to – maybe you disagree with this – that it was  
 [12] not the broadcast advertising and the unions and  
 [13] the NAACP that had been so effective at get out  
 [14] the vote. It has been the ground game – the  
 [15] phone banks, direct mail, the door to door, the  
 [16] bus activities.  
 [17] The question for you is: Doesn't that  
 [18] activity go largely unregulated, go wholly  
 [19] unregulated by the Bipartisan Campaign Reform Act  
 [20] of 2002?  
 [21] A. The 1974 Act requires the FEC to do a  
 [22] lot more than it is doing to make sure campaign

Page 250

[1] expenditures are reported and then that certain  
 [2] activities of labor unions don't have to –  
 [3] Q. Whatever good or ill-feelings all of us  
 [4] might have about the FEC, and I am not here to  
 [5] defend the FEC mind you, this statute, the  
 [6] Bipartisan Campaign Reform Act of 2002, doesn't  
 [7] address that issue; the issue being voter  
 [8] mobilization efforts through non-broadcast  
 [9] advertising within 60 days of an election.  
 [10] A. It is very important for me to tell you  
 [11] the FEC has the ability to deal with this issue  
 [12] and it needs to.  
 [13] I am going to get a soda if you don't  
 [14] mind, and then we will come back.  
 [15] (Recess from 3:51 p.m. to 4:05 p.m.)  
 [16] BY MR. BURCHFIELD:  
 [17] Q. Congressman, we were talking, when we  
 [18] took our break, about the ability of Federal  
 [19] office holders and candidates to solicit money on  
 [20] behalf of groups like the NAACP or the NRA under  
 [21] the Bipartisan Campaign Finance Reform Act.  
 [22] My question for you is: If Congressman

Page 251

[1] Doe solicits money for the NAACP, does that have  
 [2] any less of an appearance of corruption than  
 [3] Congressman Doe soliciting money for a state  
 [4] political party, neither of which, let's assume,  
 [5] are subject to the source and amount limitations  
 [6] of FECA?  
 [7] A. Your question is does it have any –  
 [8] repeat the question.  
 [9] Q. Let me repeat it this way.  
 [10] Congressman X sends out a letter –  
 [11] A. I can deal with Doe. I am already with  
 [12] Doe, so stay with that. I just need to know the  
 [13] question.  
 [14] Q. Congressman Doe sends out fund raising  
 [15] letters on behalf of the NAACP and a fund raising  
 [16] letter on behalf of the California State  
 [17] Republican Party, both of which solicit money not  
 [18] subject to the source and amount limitations of  
 [19] the Federal Election Campaign Act.  
 [20] Which of them, if either, is more  
 [21] apparently corrupt?  
 [22] A. I don't think either are corrupt.

Page 252

[1] We determined, in our negotiations,  
 [2] that we needed to tighten up what members could do  
 [3] in raising funds for outside groups, so we said  
 [4] you could not get corporate treasury money or  
 [5] union dues money. We tightened it up, but we  
 [6] still allowed them to raise from individuals. So,  
 [7] we tried to strengthen that provision.  
 [8] In the case of state political parties,  
 [9] we felt that to say that someone could raise a  
 [10] certain amount on the Federal level, but raise  
 [11] unlimited amounts for the same kind of election  
 [12] process was inconsistent and needed to be  
 [13] corrected, so that is what we did.

[14] Q. You are aware that as of November 6th,  
 [15] Congressman Doe can send out a general  
 [16] solicitation for unlimited funds for the NAACP?

[17] A. Yes, but let me just say he can do it  
 [18] beforehand too; he can do it now.

[19] Q. Why is it less corrupting for him to be  
 [20] able to do that than it is for him to be able to  
 [21] send out a letter, now prohibited, raising  
 [22] unlimited funds for the Virginia State Party,

Page 253

[1] where state law doesn't impose limits?

[2] A. Still just making sure we are clear  
 [3] that whereas now they could raise corporate  
 [4] treasury money and union dues money, we banned  
 [5] that. So, we narrowed what they could raise from  
 [6] either group.

[7] Corporate treasury money cannot be  
 [8] raised with either group, and that is really the  
 [9] key part of our provision. In terms of this more  
 [10] subtle part, we determined, in our negotiations,  
 [11] that the asking unlimited sums for campaigns was  
 [12] getting around the 1974 Act and we felt it needed  
 [13] to be consistent both on the Federal and state  
 [14] level.

[15] Q. Before we get confused, I do want to  
 [16] give you the opportunity to look at the particular  
 [17] provision of the statute and make sure you have  
 [18] that directly in mind, Congressman.

[19] A. Let me ask you this: Did I say  
 [20] anything that was inconsistent?

[21] MR. BURCHFIELD: I will let you be the  
 [22] judge of that. I think so, but let me ask the

Page 254

[1] reporter to mark this Exhibit 20. Shays  
 [2] Exhibit 20 is the copy of Public Law 107-155,  
 [3] known as the Bipartisan Campaign Reform Act of  
 [4] 2002.

[5] ---

[6] (Whereupon a document was marked as  
 [7] Shays Deposition Exhibit Number 20.)

[8] ---

[9] BY MR. BURCHFIELD:

[10] Q. Congressman, the section I am referring  
 [11] to and I think we have been talking about is on  
 [12] page 116 Stat 85 in the upper right-hand corner.

[13] It is paragraph four that says permitting certain  
 [14] solicitations. There are two provisions there.  
 [15] "A" deals with general solicitations, and "B"  
 [16] deals with specific solicitations.  
 [17] I wanted to be fair to you because I  
 [18] think the specific solicitation provision is  
 [19] restricted to individual money up to \$20,000, but  
 [20] the general solicitation provision, at least as  
 [21] far as I can tell, has no such restriction on  
 [22] either the amount or the source.

Page 255

[1] A. What do you think I said that was in  
 [2] conflict?

[3] Q. I am not sure anything was,  
 [4] Congressman, but I just wanted to make sure you  
 [5] had this in front of you as I asked you these  
 [6] questions so you are comfortable with your  
 [7] answers.

[8] If you want to take a minute to look at  
 [9] that to confirm what I have said or consult with  
 [10] your counsel about it, I am perfectly happy for  
 [11] you to do either or both of those things. Then I  
 [12] will ask you a couple of questions.

[13] A. You think this is supposed to be clear  
 [14] to me?

[15] Q. You voted for it, Congressman.

[16] A. With all due respect, I need to have  
 [17] 501(a) in front of me, 301(20)(a). I need the  
 [18] references. I know you said that somewhat in  
 [19] jest, but it is referring to numbers. I am pretty  
 [20] clear, I think, on what the law requires, but I  
 [21] don't have these sections. We tried to tighten  
 [22] the -

Page 256

[1] MR. WITTEN: I think it is good to wait  
 [2] for a question at this point.

[3] THE WITNESS: Okay.

[4] BY MR. BURCHFIELD:

[5] Q. If you, at any time in connection  
 [6] with - and you have not been shy during this  
 [7] process; I am sure you would do this - but please  
 [8] understand, if you don't feel you can answer a  
 [9] question because you don't have a specific  
 [10] recollection of the particulars of the statute,  
 [11] please feel free to say so, Congressman Shays.  
 [12] My question for you is: If Congressman  
 [13] Doe sends a solicitation to the NAACP under (4)(A)  
 [14] here, if Congressman Doe sends a general  
 [15] solicitation for funds on behalf of the NAACP  
 [16] under Section (4)(A) here to a potential corporate  
 [17] donor or a group of potential corporate donors,  
 [18] why is that less corrupting or apparently less  
 [19] corrupting than Congressman Doe's sending of the  
 [20] very same letter on behalf of the California or  
 [21] the Virginia Republican Party?  
 [22] A. I just need to consult with my counsel.

Page 257

[1] (The Witness consults counsel.)

[2] THE WITNESS: Do you mind if we go

[3] outside?  
 [4] MR. BURCHFIELD: That is fine.  
 [5] (Counsel and The Witness confer.)  
 [6] MR. BURCHFIELD: Just for clarity of  
 [7] the record now that Congressman Shays has had an  
 [8] opportunity to consult with Mr. Witten, why don't  
 [9] we read the question so you have that directly in  
 [10] mind, Congressman. Then you can answer it to the  
 [11] best of your ability.  
 [12] (Question read.)  
 [13] THE WITNESS: First, I appreciate  
 [14] counsel allowing me to look at the statute because  
 [15] I do think I said something that was not entirely  
 [16] accurate.  
 [17] I think I said - and if I didn't say  
 [18] it, I certainly believed it - there would be no  
 [19] solicitation even for general purposes of a  
 [20] corporation. In fact, you are allowed to solicit  
 [21] a corporation -  
 [22] MR. WITTEN: For an ordinary charitable

Page 258

[1] organization.  
 [2] THE WITNESS: - for an ordinary  
 [3] charitable organization, but I didn't think you  
 [4] could do that. I had just forgotten that part of  
 [5] the law.  
 [6] So, I just want to say for the record,  
 [7] to correct what I said earlier, I think the  
 [8] general view is that it can be more corrupting  
 [9] when you are attempting to influence the  
 [10] legislative process.  
 [11] We, as a compromise, decided to put up  
 [12] certain tests. If it was just general  
 [13] solicitation, you could ask for contributions to a  
 [14] charity. If it was for an organization that had  
 [15] as part of its purpose to get out the vote, you  
 [16] were limited to \$20,000 and it had to be to an  
 [17] individual. That was the compromise.  
 [18] BY MR. BURCHFIELD:  
 [19] Q. Thank you for your endeavor to be so  
 [20] careful about this. As you can imagine, my client  
 [21] and I know you as well consider this to be a very  
 [22] important matter. Nothing I do here is intended

Page 259

[1] to lead you into an answer you do not intend to  
 [2] give.  
 [3] You indicated and Mr. Witten indicated  
 [4] that (4)(A), the general solicitation provision  
 [5] there, is for charitable organizations.  
 [6] It is the case, isn't it, Congressman  
 [7] Shays, that the NAACP, the National Rifle  
 [8] Association, the Sierra Club, the League of  
 [9] Conservation Voters, all, so far as you know,  
 [10] would be encompassed within (4)(A)?  
 [11] A. I think all those -  
 [12] Q. Let's put aside League of Conservation  
 [13] Voters. I know there is some question about that.  
 [14] The others I mentioned NRA, NAACP -  
 [15] A. I think that is correct.

[16] Q. An office holder, a Federal office  
 [17] holder could send, under this statute when it  
 [18] becomes effective on November 6th, could send a  
 [19] fund raising letter on behalf of NAACP, NRA,  
 [20] Sierra Club, Right to Life, or other organizations  
 [21] that are not primarily engaged in election  
 [22] activity right up to the date of the election;

Page 260

[1] correct?  
 [2] A. I think so, but I also think they could  
 [3] have done that before this bill.  
 [4] Q. I understand.  
 [5] A. I don't think we created a more  
 [6] generous provision. I think we tried to tighten  
 [7] it a bit.  
 [8] Q. My question for you now is: Why is it  
 [9] less likely to appear corrupting to the public,  
 [10] your constituents, for Congressman Doe to send a  
 [11] letter on behalf of the NAACP than it is for him  
 [12] to send a letter on behalf of the California or  
 [13] the Virginia Republican Party?  
 [14] A. First, a Member of Congress can send a  
 [15] letter seeking funds for a state candidate  
 [16] provided it meets the state law and the Federal  
 [17] law.  
 [18] Q. I understand.  
 [19] A. I just needed to make that point.  
 [20] So, we tried to make whatever they did  
 [21] on the state level consistent with the limits that  
 [22] exist on the Federal level. That seems to me to

Page 261

[1] be so obvious. I would say why would we want to  
 [2] allow a member to raise more money on the state  
 [3] level than they can raise on the Federal level.  
 [4] So, that is the reason why we did that.  
 [5] If you are asking then why, when we  
 [6] deal with elections, are we more concerned then  
 [7] about a charity, it is because in elections, we  
 [8] elect people who have public office and we want to  
 [9] make sure there is not the appearance, in the  
 [10] pursuit of their office, there is not either the  
 [11] impression or the actual concern about  
 [12] impropriety.

[13] Q. Let me ask you to focus, for a moment,  
 [14] on paragraph (4)(B), which is certain specific  
 [15] solicitations. You may take a moment to look at  
 [16] this.  
 [17] My understanding of it, and feel free  
 [18] to disagree, is this would allow even  
 [19] person-to-person solicitations on behalf of a  
 [20] charitable organization engaged in Federal  
 [21] election activities, primarily engaged in Federal  
 [22] election activities if the solicitation is only to

Page 262

[1] individuals and asks for no more than \$20,000.  
 [2] A. Provided this is not its activity.  
 [3] MR. BURCHFIELD: Under this section, it  
 [4] can be the primary activity.  
 [5] Mr. Witten, you may chip in here. I am

[6] not trying to get him to testify about what the  
[7] law means so much as I am trying to lay the  
[8] predicate for the next question.

[9] MR. WITTEN: My understanding of the  
[10] law, for what it is worth, is (d)(B) addresses  
[11] organizations whose principal purpose is get out  
[12] the vote or voter registration.

[13] THE WITNESS: That is why it is limited  
[14] to the 20,000.

[15] MR. WITTEN: As to them, members can  
[16] only solicit individuals and then only up to  
[17] 20,000.

[18] MR. BURCHFIELD: Right.

[19] BY MR. BURCHFIELD:

[20] Q. My question for you is: What is the  
[21] justification, if there is one, for allowing a  
[22] Federal office holder to solicit up to \$20,000 for

Page 263

[1] an organization that is primarily engaged, as  
[2] Mr. Witten says, in get out the vote activities,  
[3] but to limit that Federal office holder to  
[4] soliciting only \$10,000 for a state political  
[5] party who is engaged in those very same  
[6] activities?

[7] A. This was just a compromise in the  
[8] drafting of the legislation.

[9] Q. Congressman, I just have a number of  
[10] kind of random questions because I have not really  
[11] gone through this, my outline, in an organized  
[12] fashion. These questions may not necessarily  
[13] appear to be related, and I won't even represent  
[14] to you they are.

[15] You are aware, aren't you, that  
[16] national political parties report all their  
[17] donations currently, soft and hard, in excess of  
[18] \$200.

[19] A. Yes.

[20] Q. They report all of their disbursements,  
[21] soft and hard, in excess of \$200?

[22] A. I don't know if it is 200 or 300, but I

Page 264

[1] know it is some number.

[2] Q. Whatever the threshold is, I will not  
[3] hold you to the threshold.

[4] A. Okay.

[5] Q. Are you also aware that national  
[6] political parties, when they engage in state  
[7] election activity, have to report their activities  
[8] to the state election commissions?

[9] A. I was not aware of that.

[10] Q. If you could, just assume that is true.

[11] A. Sure.

[12] Q. My question for you is: Are you aware  
[13] of any other organizations in American society  
[14] that are as financially transparent as national  
[15] political parties?

[16] A. I am not aware, one way or the other,  
[17] what organizations are more transparent or less  
[18] transparent.

[19] MR. BURCHFIELD: Let me ask the  
[20] reporter to mark as Exhibit 21 an article, a  
[21] computer print-out of an article that appeared in  
[22] the "National Journal" on January 26, 2002.

Page 265

[1] Again, Congressman Shays is quoted in this  
[2] article.

[3] ---

[4] (Whereupon a document was marked as  
[5] Shays Deposition Exhibit Number 21.)

[6] ---

[7] BY MR. BURCHFIELD:

[8] Q. Congressman, just to call your  
[9] attention to the quotation I referred to, it is at  
[10] the bottom of page 3. Feel free to read as much  
[11] of this article you want to read, but your day in  
[12] the sun comes at the end of page 3 and the top of  
[13] page 4.

[14] MR. WITTEN: It is fair to say, isn't  
[15] it, Bobby, this is Stuart Taylor, and it is an  
[16] opinion article?

[17] MR. BURCHFIELD: I would dare say there  
[18] is a dose of opinion in there.

[19] THE WITNESS: I have not read the rest  
[20] of the article, but if you want me to comment on  
[21] that quote, I am pretty comfortable in commenting  
[22] on the quote, but not passing judgment on any

Page 266

[1] other part of the article.

[2] MR. BURCHFIELD: That is perfectly  
[3] fair.

[4] BY MR. BURCHFIELD:

[5] Q. First of all, can you confirm at least  
[6] the substance of the quotation attributed to you  
[7] there which is (reading) Any company as large as  
[8] Enron, quote, is going to have access by the fact  
[9] of what it is and what it does, as Representative  
[10] Christopher, Republican, Connecticut, co-sponsor  
[11] of the bill bearing his name recently acknowledged  
[12] (end reading)?

[13] A. I think I responded to this in  
[14] commenting that a large corporation is an  
[15] important player in our economic market and will  
[16] have contacts in Washington, contacts on the state  
[17] level and, as a large corporation, should have  
[18] some influence in the political process by the  
[19] nature of its financial size.

[20] Q. Do you hold the view - let me put it  
[21] this way. It has been expressed that the  
[22] Bipartisan Campaign Reform Act of 2002 will break

Page 267

[1] the strangle-hold of the special interests on  
[2] Washington, D.C. or, in some perhaps  
[3] non-pejorative way, reduce substantially the  
[4] influence of corporations, unions, and other  
[5] special interests in Washington.

[6] Do you hold that view?

[7] A. I hold the view that special interests  
[8] will always have an impact on what happens in

[9] Washington, as they should.  
 [10] Every special interest should have an  
 [11] ability to influence public policy, but I do  
 [12] believe those that tend to contribute more money  
 [13] tend to be heard more in the political process. I  
 [14] don't have any doubt about saying that.  
 [15] Do I think special interests will stop  
 [16] having an impact on what happens in Washington?  
 [17] Absolutely not; the political process is interest  
 [18] groups have a right to be heard.  
 [19] Q. Do you expect the number of  
 [20] electioneering advertisements will decline once  
 [21] the BCRA goes into effect?  
 [22] A. No, I don't think they necessarily will

Page 268

[1] decline.  
 [2] I think you will see more hard money  
 [3] contributions. I don't think they will  
 [4] accelerate. I don't think they will necessarily  
 [5] decline, maybe slightly, but not much.  
 [6] Q. Do you believe it is likely that the  
 [7] sort of activities not regulated by the BCRA –  
 [8] such as interest group get out the vote activity,  
 [9] direct mail activity, phone banks, door-to-door  
 [10] operations – will increase, decrease, or remain  
 [11] unchanged once the statute becomes a fact, if you  
 [12] have a view?  
 [13] A. Yes, I do have a view.  
 [14] I think you will see more activity on  
 [15] the part of interest groups whether or not this  
 [16] law takes effect. I think you will continue to  
 [17] see a very robust political debate.  
 [18] Q. Do you foresee a shifting of interest  
 [19] group activity from broadcast electioneering  
 [20] advertisements to the phone bank, direct mail,  
 [21] door-to-door type activity?  
 [22] A. I think door-to-door activity is going

Page 269

[1] to increase. I think you are going to see a lot  
 [2] more people involved in the political process. I  
 [3] think you will see a lot more grass roots  
 [4] activity, and I think you will see stronger  
 [5] parties.  
 [6] I think the political parties will  
 [7] become stronger because they are going to reach  
 [8] out to everyday Americans more and not depend on  
 [9] just large financial interests to sustain  
 [10] themselves.  
 [11] Q. You have mentioned a couple of times  
 [12] today that interest groups such as the AFL CIO  
 [13] have a right to communicate with their members  
 [14] using treasury funds. I believe that is correct.  
 [15] It is a proposition of law, by the way.  
 [16] A. Using union dues money –  
 [17] Q. Using union dues money, right.  
 [18] A. – as does a large business or small  
 [19] business or whatever.  
 [20] Q. Under this statute, you understand the  
 [21] political parties, the national political parties

[22] will be able to communicate with their adherence

Page 270

[1] only through the use of Federally regulated money.  
 [2] correct, because that is all they will have?  
 [3] A. The political parties will have to  
 [4] depend as they have for years, as they used to  
 [5] depend, they will have to depend more on raising  
 [6] hard money contributions. I think they will raise  
 [7] a lot more hard money contributions than they have  
 [8] in the past, but it will, admittedly, be limited  
 [9] sums.  
 [10] I do want to point out, and I think  
 [11] this is important, we increased the amount from  
 [12] 50,000 to 95,000 a year that people can contribute  
 [13] to the political process, and we provided that  
 [14] \$57,500 would go to the political parties because  
 [15] we wanted to make sure they would have more  
 [16] resources, given that they would have less  
 [17] corporate money and union dues money and  
 [18] unlimited  
 [19] sums from individuals.  
 [20] So, I feel very comfortable in telling  
 [21] you I think the parties will be very robust. I  
 [22] think they will receive a significant amount of  
 money, but it will be different money than in the

Page 271

[1] past.  
 [2] Q. Have you seen any sort of empirical  
 [3] analysis, the sort an econometrician might do or  
 [4] the sort a careful business analyst might do, of  
 [5] the financial impact of this statute on political  
 [6] parties, state, Federal or local?  
 [7] A. I have seen no type of report like you  
 [8] suggested.  
 [9] Q. Have you seen any similar type report  
 [10] that addresses the beneficial effect of the  
 [11] increased contribution limits for national and  
 [12] state parties?  
 [13] A. The only thing I can tell you is, in  
 [14] working with some of the opponents on this  
 [15] legislation, in the process of negotiations, I  
 [16] asked some of my Republican leadership – excuse  
 [17] me, I won't talk in terms of relationships and  
 [18] conversations with members, only to say to you  
 [19] that it was expressed to me in very real terms  
 [20] that it was important that the individual  
 [21] contribution limit be increased from a thousand to  
 [22] two and that the political parties would, in order

Page 272

[1] to be able to deal with the loss of soft money,  
 [2] that we needed to make sure that it would be  
 [3] easier for them to raise hard money.  
 [4] We tried to do this consistent with the  
 [5] 1974 Act, where the cost of living has gone up two  
 [6] or three times. So, we doubled the amounts, and  
 [7] we thought that, even among opponents, they  
 [8] thought this would be very helpful to the  
 [9] political parties and to individual candidates and  
 [10] still be true to the legislation we were trying to

[11] pass.  
 [12] Q. Have you seen statistics, Congressman,  
 [13] on the relative costs of raising hard money,  
 [14] political party hard money versus political party  
 [15] soft money?  
 [16] A. No.  
 [17] I will volunteer to you that I am sure  
 [18] it takes more effort to take raise hard money, and  
 [19] that is the reason the parties got fat and sassy  
 [20] on soft money. They could just call someone up  
 [21] and ask for a million dollars.  
 [22] It is a lot tougher to ask a lot more

Page 273

[1] people to contribute individual amounts to get to  
 [2] that level, but I think it is more healthy for the  
 [3] parties.  
 [4] Q. You were familiar with what the  
 [5] Republicans call their victory plans, I assume.  
 [6] A. No, I am not familiar.  
 [7] Q. Just definitionally, it is my  
 [8] understanding the Republicans refer to their  
 [9] general get out the vote efforts under the heading  
 [10] of victory plan, and that encompasses all manner  
 [11] of get out the vote activity including phone  
 [12] banks, direct mail, door-to-door solicitation,  
 [13] slate cards, the whole shebang.  
 [14] Does that refresh your recollection?  
 [15] Have you heard about Republican Party  
 [16] activities in that regard?  
 [17] A. I am uncomfortable talking about how  
 [18] Republicans want to win elections since I would  
 [19] not want others to know about it, but if you are  
 [20] asking has the Republican Party determined we need  
 [21] to do a better job of getting out the vote, the  
 [22] answer is yes.

Page 274

[1] Is the Republican Party, the National  
 [2] Committee as well as the NRCC doing that? Yes,  
 [3] and I am thrilled about it.  
 [4] Q. Have you participated at all, either as  
 [5] a state legislator or as a U.S. Congressman, in  
 [6] the development of the Connecticut State  
 [7] Republican Party's I will call it victory plan,  
 [8] but I hope you understand I am referring to it as  
 [9] the general get out the vote effort?  
 [10] A. I have not participated, to the best of  
 [11] my knowledge, in anything you are referring to.  
 [12] If I have, I have not noticed it as being what you  
 [13] describe.  
 [14] Let me just say to you I have had very  
 [15] little dialogue on the state level about get out  
 [16] the vote.  
 [17] MR. WITTEN: Let's go off the record  
 [18] for a second.  
 [19] (Discussion held off the record.)  
 [20] BY MR. BURCHFIELD:  
 [21] Q. Is there anything that has prevented  
 [22] you up until now, Congressman, in participating

Page 275

[1] more actively in state, in the Connecticut  
 [2] Republican Party efforts to get out the vote?  
 [3] A. I don't know quite what you mean by  
 [4] that question.  
 [5] Q. Let me hypothesize that the Connecticut  
 [6] Republican Party, like most Republican state  
 [7] parties, puts together what is called a victory  
 [8] plan that does have components involving phone  
 [9] banks, direct mail, door-to-door solicitations,  
 [10] and so forth. I assume that is true; I am not  
 [11] sure it is true.  
 [12] A. Let me just tell you we do a pathetic  
 [13] job of getting out the vote, and it has hurt us  
 [14] tremendously. I have seen individual towns do a  
 [15] terrible job of getting out the vote in the state  
 [16] party, and we need to do a much better job.  
 [17] Q. Are you, as a Federal office holder,  
 [18] willing to use your good efforts to improve those  
 [19] efforts by the Connecticut State Republican Party?  
 [20] A. I want to do anything I can to get out  
 [21] the vote in this Federal election, this state and  
 [22] Federal election. The best way I can do it is

Page 276

[1] campaign hard for my election.  
 [2] I am also eager to bring in folks to  
 [3] help my two colleagues, Nancy Johnson and Rob  
 [4] Simmons, in their election, looking to find people  
 [5] who will be willing to go and help campaign for  
 [6] them.  
 [7] Q. Under the statute, Congressman, a  
 [8] candidate who faces an opponent who puts \$150,000  
 [9] of his own money into the race has an increased  
 [10] contribution limit, and I believe the coordinated  
 [11] limit on national party hard money spending in  
 [12] favor of that candidate is eliminated.  
 [13] Do you have a view on why a wealthy  
 [14] candidate that can put \$150,000 of his own money  
 [15] into the election is more likely to be corrupted  
 [16] by larger contributions than his opponent, his or  
 [17] her opponent, who is unable to put that level of  
 [18] funding into the campaign?  
 [19] A. First of all, I don't know if I agree  
 [20] with the premise.  
 [21] The person who is putting their own  
 [22] money in has not had to ask any interest group for

Page 277

[1] that expenditure, so I think the opponent who has  
 [2] their own wealth has a particular advantage, but I  
 [3] don't think they are compromised by what they  
 [4] spend, excuse me, by what they raise because they  
 [5] raised nothing basically.  
 [6] Q. Do you have a view on whether a \$6,000  
 [7] donation is more likely to corrupt someone of  
 [8] substantial personal wealth than someone who lacks  
 [9] substantial personal wealth?  
 [10] A. The answer is I don't think a \$6,000  
 [11] contribution will. In the case, this is referred  
 [12] to as the millionaire's amendment.  
 [13] Q. Exactly.

[14] A. This was a compromise that I hope The  
 [15] Court concurs make sense, and I hope that the  
 [16] Republican National Committee is not successful in  
 [17] convincing The Court otherwise.  
 [18] We limit campaign contributions in  
 [19] certain instances. If someone is running against  
 [20] a wealthy candidate, given the Buckley case, that  
 [21] wealthy candidate can spend whatever they have in  
 [22] resources. We are saying you could get even up to

Page 278

[1] \$6,000 from an individual instead of two, up to  
 [2] whatever that opponent raises.  
 [3] I think it is a very practical way to  
 [4] make the 1974 law work. I have to believe that  
 [5] the Justices were troubled by the fact that, in  
 [6] process of making their determination, they  
 [7] realized they set up two different standards. I  
 [8] think this goes a long way in trying to resolve  
 [9] that.

[10] It is a very, I think, practical way to  
 [11] deal with it. I would also add that most of my  
 [12] Republican colleagues, while they opposed the law,  
 [13] supported this provision as they did the \$2,000,  
 [14] the \$1,000 and \$2,000. I was grateful that so  
 [15] many people supported it on my side of the aisle.

[16] Q. To put a finer point on this, do you  
 [17] think that Jon Corzine was more likely to be  
 [18] corrupted on the Senate side if the increase is to  
 [19] \$12,000 than his opponent?

[20] A. First off, I don't know anyone who  
 [21] suggested that Corzine, by spending his own money,  
 [22] was being corrupted. I hope we have made the

Page 279

[1] point it is primarily how the money is raised, not  
 [2] the expenditure side. Thinking of my colleague  
 [3] who ran against him, he had quite a challenge,  
 [4] given he didn't have his own personal wealth.  
 [5] Most of the critics of campaign finance  
 [6] law have pointed out this provision - if you run  
 [7] against a wealthy person, but you have a limited  
 [8] amount you can raise - makes it a difficult. So,  
 [9] we attempted, in a very practical way, to deal  
 [10] with that objection, and I hope The Court concurs

[11] that it makes sense.  
 [12] It was not the major part of this  
 [13] legislation, but I think it has merit, and it is a  
 [14] compromise. We increased the limits above what we  
 [15] did in an ordinary case, but under exceptional  
 [16] circumstances.

[17] Q. You are not concerned that the higher  
 [18] limits would tend to corrupt the person  
 [19] challenging the wealthier candidate?

[20] A. We tried to get at the worst provision,  
 [21] and the worst provision is not the \$6,000; it is  
 [22] the \$600,000. I have always tried to make a point

Page 280

[1] to my constituents and on the floor of the House  
 [2] that what we were trying to end was the large  
 [3] corporate contributions, enforcing the 1974 law,

[4] and enforcing the 1947 law with union dues money,  
 [5] and I think we succeeded.

[6] Q. Congressman, it has been publicly  
 [7] reported that during the consideration of the  
 [8] Bipartisan Campaign Reform Act, a number of  
 [9] organizations such as the Brennan Center, Common  
 [10] Cause, the Center for Responsive Politics, and  
 [11] perhaps some others, were of some notable presence  
 [12] in your office and given access to the phones and  
 [13] so forth to assist in the passage of this  
 [14] legislation.

[15] Is that true?

[16] MR. WITTEN: I think, at this point, we  
 [17] really have tripped over the speech and debate  
 [18] clause. I would instruct you not to answer, but  
 [19] you are free to answer if you really want to.

[20] THE WITNESS: I would like to be able  
 [21] to answer the question, but I also want to make  
 [22] sure you are able to do what you are going to do.

Page 281

[1] How much longer are we going to go?

[2] MR. BURCHFIELD: We are just about  
 [3] through.

[4] THE WITNESS: The answer to your  
 [5] question is I work closely with Common Cause. I  
 [6] don't feel I work closely with the Brennan  
 [7] Commission, but the answer to your question is  
 [8] that I felt very strongly they could be helpful in  
 [9] my drafting legislation that would make our system  
 [10] more honest.

[11] MR. BURCHFIELD: Give me one minute to  
 [12] look at my notes.

[13] (Pause in the proceedings.)

[14] MR. BURCHFIELD: I think I am through.  
 [15] Thank you, Congressman.

[16] ---

[17] (The deposition was concluded at  
 [18] 4:55 p.m.)

[19] ---

[20] ---

[21] ---

[22] ---

Page 282

[1] UNITED STATES OF AMERICA )

[2] ss:

[3] DISTRICT OF COLUMBIA )

[4]

[5] I, CHRISTOPHER SHAYS, the witness  
 [6] herein, having read the foregoing testimony of the  
 [7] pages of this deposition, do hereby certify it to  
 [8] be a true and correct transcript, subject to the  
 [9] corrections, if any, shown on the attached page.

[10] ---

[11] ---

[12] ---

[13] ---

[14] CHRISTOPHER SHAYS

[15] ---

[16] Subscribed and sworn to before me



[17] this day of , 19  
 [18]  
 [19]  
 [20]  
 [21]  
 [22]

Page 283

[1] UNITED STATES OF AMERICA )  
 [2] ss:  
 [3] DISTRICT OF COLUMBIA )  
 [4] I, ELIZABETH HUDSON TELSON, Notary  
 [5] Public within and for the District of Columbia, do  
 [6] hereby certify:  
 [7] That the witness whose deposition is  
 [8] hereinbefore set forth was duly sworn by me; that  
 [9] the testimony within the transcript is a true  
 [10] record of the testimony given by such witness.  
 [11] I further certify that I am not related  
 [12] to any of the parties to this action by blood or  
 [13] marriage and that I am in no way interested in the  
 [14] outcome of this matter.  
 [15] IN WITNESS WHEREOF, I have hereunto set  
 [16] my hand this 2nd day of October 2002.  
 [17]  
 [18] Elizabeth Hudson Telson  
 [19] Notary Public in and for the  
 [20] District of Columbia  
 [21] My commission expires:  
 [22] February 28, 2005

Page 284

[1] INSTRUCTIONS TO THE WITNESS  
 [2] Read your deposition over carefully.  
 [3] It is your right to read your deposition and make  
 [4] any changes in the form or substance. You should  
 [5] assign the reason for any change made in the  
 [6] appropriate column on the errata sheet which  
 [7] follows.  
 [8] After completing this procedure, please  
 [9] sign your name at the end of the errata sheet and  
 [10] date same. Then sign your deposition at the end  
 [11] of your testimony in the space provided.  
 [12] You are signing it subject to the  
 [13] changes you have made in the errata sheet which  
 [14] will accompany the deposition. Unless otherwise  
 [15] agreed to by counsel to this deposition, you must  
 [16] sign the deposition before a notary public.  
 [17] Return the original errata sheet and  
 [18] transcript to the deposing attorney (attorney  
 [19] asking questions) promptly! Court rules require  
 [20] this process be completed within 30 days after you  
 [21] receive the deposition. Thank you.  
 [22]

Page 285

[1] ERRATA SHEET  
 [2] PAGE LINE # CHANGE REASON THEREFOR  
 [3] \_\_\_\_\_  
 [4] \_\_\_\_\_  
 [5] \_\_\_\_\_  
 [6] \_\_\_\_\_

[7] \_\_\_\_\_  
 [8] \_\_\_\_\_  
 [9] \_\_\_\_\_  
 [10] \_\_\_\_\_  
 [11] \_\_\_\_\_  
 [12] \_\_\_\_\_  
 [13] \_\_\_\_\_  
 [14] \_\_\_\_\_  
 [15] \_\_\_\_\_  
 [16] \_\_\_\_\_  
 [17] \_\_\_\_\_  
 [18] \_\_\_\_\_  
 [19] \_\_\_\_\_  
 [20] \_\_\_\_\_

[21] WITNESS DATE

Page 286

[1] LAWYER'S NOTES  
 [2]  
 [3] PAGE LINE  
 [4]  
 [5]  
 [6]  
 [7]  
 [8]

[9]  
 [10]  
 [11]  
 [12]  
 [13]  
 [14]  
 [15]  
 [16]  
 [17]  
 [18]  
 [19]  
 [20]  
 [21]  
 [22]

Look-See	\$1 [1]	114.2 [1]	113.21; 151.16; 154.4,	20004-2401 [1]
Concordance Report	59:18	93:9	20; 157:5; 209:21;	2:15
---	\$1,000 [2]	116 [1]	211:11; 220:14; 222:5	20005 [1]
UNIQUE WORDS:	59:17; 278:14	254:12	1945 [1]	3:8
2,834	\$10 [1]	119 [1]	146:13	2001 [10]
TOTAL	26:10	4:18	1947 [25]	38:13; 197:1, 7;
OCCURRENCES:	\$10,000 [1]	11:33 [1]	17:6; 19:6, 19, 22;	210:12; 216:15, 16;
15,421	263:4	112:8	21:11; 23:9, 20; 27:20;	217:1, 4; 236:7, 18
NOISE WORDS: 388	\$12,000 [1]	11:46 [1]	33:1; 42:15; 47:4;	2002 [11]
TOTAL WORDS IN FILE:	278:19	112:8	54:22; 55:18; 64:3;	2:5; 149:21; 176:2;
44,212	\$15 [1]	12 [2]	70:3; 71:3; 75:1;	178:20; 218:2; 249:20;
---	114:16	5:3; 138:10	113:21; 151:17; 154:4,	250:6; 254:4; 264:22;
SINGLE FILE	\$150,000 [2]	1201 [1]	21; 157:6; 209:21;	266:22; 283:16
CONCORDANCE	276:8, 14	2:14	211:12; 222:6; 280:4	20037-1420 [1]
---	\$2,000 [3]	126 [1]	1958 [2]	3:16
CASE SENSITIVE	238:1; 278:13, 14	4:19	5:6; 160:12	2005 [1]
---	\$20,000 [5]	128 [1]	1968 [1]	283:22
INCLUDES ALL TEXT	241:10; 244:22; 254:19;	4:20	146:21	202 [3]
OCCURRENCES	258:16; 262:1, 22	12:28 [1]	1970 [1]	2:16; 3:9, 17
---	\$200 [2]	145:9	146:21	206 [1]
DATES ON	263:18, 21	12:34 [2]	1974 [31]	5:15
---	\$30 [1]	145:9, 16	17:7; 19:8, 20, 22;	20th [2]
INCLUDES PURE	39:7	13 [4]	21:11; 23:10, 21; 33:1;	206:7; 207:5
NUMBERS	\$40 [1]	5:4; 142:7, 10, 13	44:17; 47:4, 5; 55:19;	21 [4]
---	26:11	13,000 [1]	62:19; 73:18, 19; 74:5;	5:19; 145:21; 264:20;
POSSESSIVE FORMS	\$5 [1]	31:11	75:2; 118:3; 147:8;	265:5
ON	222:20	131 [1]	151:19; 154:4; 157:1;	216 [1]
---	\$5,000 [2]	4:21	208:16; 209:22; 211:14;	5:16
- DATES -	22:9; 59:15	134 [1]	222:7; 249:21; 253:12;	22 [1]
April, 1995 [2]	\$50 [1]	4:22	272:5; 278:4; 280:3.	145:22
206:18, 20	26:16	138 [1]	1980 [2]	220-9600 [1]
August 17, 1986 [1]	\$500 [1]	5:3	147:13; 148:2	3:9
8:6	37:11	14 [7]	1986 [2]	23 [1]
August 17, 1987 [1]	\$57,500 [1]	5:5; 93:3, 6; 160:15;	8:6, 20	172:6
8:22	270:14	166:5, 6; 182:6	1987 [9]	236 [1]
August of 1987 [1]	\$6,000 [4]	142 [1]	8:20, 21, 22; 149:5, 10;	5:17
149:10	277:6, 10; 278:1;	5:4	232:16; 233:2, 3	2445 [2]
February 28, 2005 [1]	279:21	146 [1]	1995 [3]	2:3; 3:15
283:22	\$600,000 [1]	4:4	38:13; 206:18, 20	25,000 [1]
January 26, 2002 [1]	279:22	15 [6]	1996 [1]	39:21
264:22	\$70,000 [1]	5:7; 9:6; 162:6, 11, 15;	12:19	250 [1]
July [1]	233:8	208:22	1997 [2]	25:18
8:22	- 0 -	1500 [1]	30:22; 31:3	254 [1]
July 11, 1958 [2]	001223 [2]	3:6	1998 [4]	5:18
5:6; 160:12	4:16; 109:1	16 [5]	12:19; 109:11; 128:22;	26 [1]
July of 1986 [1]	02-CV-582 [1]	5:12; 187:16, 20;	178:19	264:22
8:20	1:8	204:2; 232:6	1999 [3]	265 [1]
June [1]	---	160 [1]	31:16; 178:20; 179:9	5:21
28:2	- 1 -	5:6	1:29 [1]	27 [1]
May of 2001 [1]	1 [3]	162 [1]	145:16	2:4
197:1	4:8; 48:2, 15	5:11	- 2 -	27.5 [1]
November 6, 2001 [1]	217:4	17 [6]	2 [6]	31:18
November 6th [4]	4:21; 38:16; 131:19,	5:15; 8:6, 22; 145:17;	4:10; 51:7; 53:3; 91:19;	28 [1]
243:21; 244:15; 252:14;	22; 135:14	206:8, 11	166:11, 14	283:22
259:18	107-155 [2]	175 [3]	2,600 [2]	2nd [1]
November 6th, 2002 [1]	5:18; 254:2	160:11, 20; 183:8	238:3, 8	283:16
218:2	108 [1]	5:16; 145:18; 146:13;	2:9 [1]	- 3 -
October, 2002 [1]	4:16	216:3, 6, 9	38:14	3 [5]
283:16	10:14 [1]	187 [1]	20 [12]	4:12; 51:12; 96:19;
October 4, 2001 [1]	67:22	5:14	5:15, 18; 44:11; 67:13;	265:10, 12
236:7	10:27 [1]	19 [5]	145:20; 206:17; 207:11;	30 [15]
October 18, 1945 [1]	67:22	5:17; 145:19; 236:6,	208:21; 254:1, 2, 7;	26:11; 27:8; 45:19;
146:13	11 [7]	10; 282:17	255:17	61:13, 18, 22; 82:14,
September [1]	4:22; 5:6; 93:8, 17;	1907 [30]	20,000 [2]	19; 87:22; 98:14;
8:7	134:20; 136:8; 160:12	17:5; 19:5, 19, 22;	262:14, 17	99:19; 109:15; 115:3;
September 27, 2002 [1]	114 [1]	20:7; 21:10; 23:8, 20;	200 [2]	153:4; 284:20
2:4	4:17	27:20; 32:22; 40:15;	3:7; 263:22	300 [1]
---	114.10 [1]	41:6; 42:15; 43:13;	2000 [1]	263:22
- \$ -	93:18	47:3; 54:19; 55:17;	12:18	301 [1]
		64:2; 70:2; 71:1; 75:1;		

255:17	61 [2]	120:1, 4, 10; 123:11,	253:12; 254:3; 266:22;	12, 14, 18; 100:9, 11,
32.5 [1]	190:20; 192:17	13; 131:12; 209:12	272:5; 280:8	14, 16, 17, 18, 22;
31:9	61st [2]	abortions [1]	act [1]	101:3, 11, 21; 102:4, 9,
37 [1]	190:9; 192:8	121:16	179:20	13, 15, 21, 22; 102:1,
7:13	662-5350 [1]	Absolutely [11]	acted [1]	20; 104:1, 3, 7
38 [1]	2:16	27:13; 100:10; 104:10;	66:9	16, 17, 21, 22,
239:17	663-6170 [1]	105:5; 173:4; 182:14,	acting [1]	7, 13, 20, 21; 107:4, 6,
3:51 [1]	3:17	18; 183:2; 234:12;	152:6	19; 108:5; 110:7, 12;
250:15	6th [5]	235:13; 267:17	Action [2]	111:22; 112:21, 22
	218:2; 243:21; 244:15;	absolutely [6]	1:7, 13	113:3, 5, 7, 8, 9, 12;
- 4 -	252:14; 259:18	67:7; 76:2; 89:2; 122:4;	action [47]	115:6, 10, 13, 14, 18,
		227:4; 229:8	6:22; 21:19, 21; 22:5,	22; 116:13, 15; 117:10,
4 [14]	- 7 -	abstract [1]	8, 10; 23:12; 26:9;	14, 15, 18; 118:1, 8, 9,
4:13; 26:4; 51:16;	7 [4]	77:17	27:1, 3; 33:3; 40:1;	13, 14; 119:10; 120:15,
84:13; 96:19; 207:6;	4:18; 119:7; 122:22;	absurd [2]	42:19; 43:1; 46:12, 15,	22; 121:8, 11, 13, 18;
236:7; 256:13, 16;	131:13	106:6, 14	19; 61:1, 4, 6, 16; 62:4,	122:1, 7, 10, 12, 17;
259:4, 10; 261:14;		abuse [3]	6, 17; 82:20; 84:21, 22;	123:19; 124:4, 5, 19,
262:10; 265:13		46:8; 209:3, 17	86:4, 16; 87:7, 16;	20; 125:7, 8, 12, 17,
40 [1]	- 8 -	abuses [1]	100:15; 101:6, 9; 103:4,	19; 126:2; 127:13, 18,
26:13	8 [3]	46:8	9, 15, 20; 105:8, 16;	21; 128:11; 129:20;
419 [1]	4:19; 126:5; 131:1	accelerate [1]	106:16; 107:1, 13;	131:1, 12; 132:4;
237:6	80 [1]	268:4	108:5, 12; 170:10;	133:1; 135:4, 9, 12, 13;
42 [1]	243:12	accept [4]	283:12	136:7; 138:2, 3; 139:17,
232:22	82 [1]	18:22; 114:4; 231:11;	actions [1]	20; 140:6; 141:13, 21;
48 [1]	32:2	245:4	206:3	142:2; 143:10, 14, 17;
4:9	82.8 [1]	accepted [2]	active [1]	144:8, 17; 151:1, 4;
4:05 [1]	31:19	175:16; 179:13	227:18	153:1; 192:19; 218:8;
250:15	84.2 [1]	Accepting [1]	actively [6]	248:11
4:55 [1]	31:9	24:14	28:18, 19; 205:2;	add [2]
281:18	85 [1]	accepting [2]	228:18; 230:1; 275:1	104:2; 278:11
- 5 -	254:12	150:3; 155:18	activities [18]	added [1]
	8:53 [1]	access [3]	153:18, 19; 189:15;	249:5
5 [7]	24	126:12; 266:8; 280:12	190:13; 194:12, 22;	addicted [2]
4:16; 49:5; 51:19;		accident [1]	201:19; 207:15; 244:19;	37:6; 160:5
108:17; 112:12; 116:10;	- 9 -	174:19	249:16; 250:2; 261:21,	adding [1]
117:18	9 [2]	accompany [1]	22; 263:2, 6; 264:7;	118:4
50 [2]	4:20; 128:14	284:14	268:7; 273:16	addition [1]
155:2, 4	91 [1]	accomplished [1]	activity [28]	231:17
50,000 [1]	4:11	144:17	43:22; 159:15; 193:16;	address [4]
270:12	95,000 [1]	according [1]	194:14; 195:6, 18;	82:15; 194:21; 195:3;
501 [5]	270:12	15:5	241:9, 15; 243:20;	250:7
84:13; 241:2, 7, 8;	96 [2]	account [3]	245:2, 4, 16, 19;	addressed [1]
255:17	4:12, 15	217:20, 21; 245:17	246:13; 248:11; 249:18;	207:11
51.7 [1]		accounts [1]	259:22; 262:2, 4;	addresses [2]
31:8	- A -	226:21	264:7; 268:8, 9, 14, 19,	262:10; 271:10
55.3 [1]	a.m. [5]	accuracy [2]	21, 22; 269:4; 273:11	adds [1]
31:17	2:4; 67:22; 112:8	180:1; 188:17	Acts [1]	239:16
58 [3]	abide [3]	accurate [3]	154:4	adequate [1]
232:4, 21; 243:14	183:12; 211:18; 222:6	194:2; 215:9; 257:16	actual [27]	103:6
- 6 -	abiding [1]	accurately [1]	44:22; 45:14; 46:2, 5;	adhere [1]
	32:16	151:7	51:7; 53:4, 8; 54:12,	207:21
6 [10]	ability [20]	accused [1]	16; 55:15; 56:17;	adherence [1]
4:3, 17; 52:2; 114:8;	87:1, 5, 10, 12; 105:13,	15:20	57:16; 58:1, 8; 59:10;	269:22
116:13; 118:13; 131:14;	14; 106:9, 18, 22;	achieve [1]	60:5, 21; 62:10; 63:1,	adjudicate [1]
171:22; 172:6; 217:4	107:2; 189:14, 19;	95:6	16; 75:12; 77:10;	28:15
60 [40]	208:15; 210:4; 215:15;	achieved [1]	113:11; 211:16; 212:12;	adjudicated [2]
26:12; 27:8; 45:19;	241:1; 250:11, 18;	20:12	213:20; 261:11	19:8, 20
61:12, 17; 62:1; 82:13,	257:11; 267:11	acknowledged [1]	acute [1]	Adjunct [1]
18; 86:2; 87:22; 88:6,		268:11	52:4	147:3
22; 95:1; 110:3, 7;	able [31]	Act [41]	ad [189]	administer [1]
115:2, 11; 116:18;	12:12; 13:14; 22:2, 3;	35:3, 18; 44:16; 45:6,	13:4, 9; 14:22; 15:1, 2,	85:21
118:15; 120:15, 16, 20;	59:21; 62:5; 90:13;	9; 50:12, 13; 80:15;	4; 16:3, 11, 12, 14, 18,	Administration [2]
126:22; 129:8; 133:3;	94:17, 19; 151:11;	101:14; 118:1, 3;	19; 17:1, 2, 13, 16, 20;	209:2, 3
136:10; 140:13, 18;	152:4; 157:16; 173:18;	119:3; 128:22; 133:4,	22:18, 20; 23:7, 13, 16;	admire [2]
143:6, 8; 152:3, 13;	188:7, 19; 190:19, 20,	11; 141:15, 16; 143:11,	24:2, 8, 12, 15, 16;	184:16, 17
153:4; 190:19, 21;	22; 196:6; 208:5;	12; 149:20; 150:5;	25:3, 4, 5, 6; 26:18;	admirer [1]
191:12; 192:20; 193:7;	218:7; 238:7, 14;	154:3; 156:15; 176:2;	27:6; 45:18; 57:6; 62:7,	184:15
195:1; 250:9	239:7; 242:10; 252:20;	189:10; 192:6; 194:21;	9; 73:2, 4; 74:13; 77:7;	Admission [1]
60th [1]	269:22; 272:1; 280:20,	215:4; 221:20; 222:7;	85:10; 86:3, 14; 95:17;	5:10
190:12	22	240:20; 249:19, 21;	96:16; 97:12, 21; 98:2,	admission [3]
	abortion [7]	250:6, 21; 251:19;	7, 10, 11, 12; 99:7, 8,	166:11, 17; 169:20



83:6	Avenue [1]	49:16; 93:20	247:17	242:15
Assume [3]	2:14	Beacon [1]	Bill [4]	bought [2]
76:22; 100:1; 122:20	aware [24]	58:17, 21; 74:7, 10, 16;	135:21; 136:22; 137:7,	196:18; 213:11
assume [39]	89:19; 155:2, 4;	bearing [1]	11	Box [1]
82:9; 99:10; 100:2, 18;	167:17; 173:5; 181:4;	268:11	bill [53]	237:6
106:7, 8, 9; 109:5;	210:5, 9, 13, 22;	becomes [9]	10:4, 5, 12; 36:16;	boy [1]
110:2, 4, 9, 20; 120:14,	226:16; 228:16; 231:14;	57:8; 101:13; 102:8;	43:11; 47:13; 67:1, 2;	201:7
18; 121:3; 123:5, 11,	252:14; 263:15; 264:5,	126:14; 259:18; 268:11	69:6; 132:17, 20;	brave [1]
14, 20; 127:9; 129:8;	9, 12, 16	beforehand [1]	139:20; 149:21; 152:20;	233:21
133:1, 2, 3; 139:14, 15,	awkward [2]	252:18	153:4, 8, 11; 154:20;	BRE [2]
17; 140:8; 143:8;	16:8; 38:8	begins [1]	159:5; 173:18; 174:6, 9,	4:16; 108:1
144:1; 243:16, 17;	- B -	98:4	10, 16, 20; 175:5, 8,	break [10]
244:11; 246:12; 247:1;		behalf [17]	13, 17; 176:10, 22;	34:8, 10; 67:9, 16;
251:4; 264:10; 273:5;		73:7, 16; 74:18; 108:9;	177:1, 3, 4; 178:7;	112:3; 145:2; 187:11;
275:10		111:12; 169:6, 8;	179:9, 18; 180:5, 8;	225:6; 250:18; 266:22
assumed [1]	babies [1]	225:20; 250:20; 251:15,	181:13; 186:8; 225:13,	Brennan [2]
140:20	120:5	16; 256:15, 20; 259:19;	18; 226:5, 22; 228:20;	280:9; 281:6
Assuming [1]	baby [1]	260:11, 12; 261:19	247:20; 248:12, 16;	Bret [2]
136:9	119:15	believe [107]	249:1; 260:3; 266:11	236:17; 239:14
assuming [4]	backed [1]	8:19; 12:17, 19, 20;	billion [2]	Bridgeport [2]
118:15; 127:6; 136:9;	98:17	14:2, 6; 18:4, 8; 22:19;	37:13; 114:16	7:13; 147:5
139:22 -	background [1]	23:6; 24:5; 26:4; 27:15,	billions [2]	briefly [2]
assumption [14]	146:11	16; 28:9; 29:2; 30:4,	37:19; 126:12	11:4, 6
16:22; 99:13; 106:10,	ball [1]	18; 32:5, 9, 13, 20;	bills [3]	brings [1]
12, 14; 114:22; 115:2;	179:14	35:7; 36:10, 12, 14;	227:3, 20; 228:5	149:19
118:17; 195:14; 223:13,	ballot [1]	40:16, 17; 55:12; 56:1;	Bipartisan [19]	broad [1]
14; 237:9, 10; 245:5	217:2	57:16; 58:8; 64:6, 8,	45:5, 8; 101:14;	150:2
assumptions [3]	ban [4]	20, 22; 65:2, 3, 7, 13,	117:22; 119:2; 133:4;	broadcast [23]
120:12; 124:18; 237:17	25:10, 22; 26:16;	20; 66:5, 15; 67:8;	149:20; 176:2; 189:9;	16:18; 49:18; 51:9, 13;
astounded [1]	153:18	68:2, 11; 69:17; 72:9;	192:6; 194:20; 215:4;	53:6; 54:14; 56:2;
43:3	bank [1]	74:5; 75:12; 76:8; 83:4;	225:13; 249:19; 250:6,	61:13; 88:15, 17;
attached [1]	268:20	85:2; 86:8, 21; 87:18;	21; 254:3; 266:22;	89:20; 100:11; 107:8;
282:9	banks [6]	88:9; 89:2; 99:5; 104:6,	280:8	150:20; 190:8, 21, 22;
attacking [1]	190:14; 192:9; 249:15;	20; 111:4, 13; 115:14;	bipartisan [6]	192:7; 234:4; 248:10;
180:19	268:9; 273:12; 275:9	116:4; 117:19, 22;	10:5; 45:10, 11; 47:13;	249:7, 12; 268:19
attempt [4]	banned [3]	119:16; 121:7; 122:1, 5,	139:19; 178:20	Broadcasters [1]
35:5, 20; 193:9; 231:9	25:7; 152:20; 253:4	6; 127:18; 128:3;	birth [1]	52:10
attempted [5]	banning [13]	134:14; 144:16; 150:19;	119:20; 120:1, 3, 10;	broadcasters [1]
15:21; 116:3; 172:11,	23:8, 9; 32:22; 33:1;	154:20; 160:20; 164:15;	121:15; 123:10, 13;	191:14
20; 279:9	70:2, 3; 151:16, 18;	178:2; 182:1; 193:3;	125:15	Buckley [11]
attempting [2]	157:5, 6; 211:12, 13,	202:5; 209:19, 20, 21;	bit [6]	19:9, 10, 21; 52:5;
143:19; 258:9	14	210:2, 21; 211:10;	79:3; 97:11; 111:1;	57:22; 75:18, 19;
attend [2]	bans [5]	213:18; 217:12; 223:20;	146:10; 203:14; 260:7	80:17; 81:14, 15;
196:4, 19	20:8, 9, 21:10, 11	228:2; 233:8; 235:18;	blatant [2]	277:20
attended [9]	base [1]	237:10; 238:16; 244:4;	179:14; 209:17	budget [2]
195:12; 196:5, 22;	105:18	246:17; 247:20; 267:12;	blood [1]	109:14; 126:11
197:3, 10; 198:18;	baseball [1]	268:6; 269:14; 276:10;	263:12	budgeted [1]
204:22; 231:21, 22	199:1	278:4	Board [9]	114:16
attending [2]	based [4]	believed [4]	4:16, 17, 18, 19, 20, 21,	building [1]
196:20; 197:7	36:14; 79:6; 132:15;	44:17; 99:11; 235:8;	22; 5:3, 4	248:1
attention [10]	235:19	257:18	board [9]	BURCHFIELD [60]
49:5; 52:19; 90:16;	basically [14]	believes [1]	108:21; 112:11; 116:10;	2:11; 146:3; 156:4, 8,
93:5, 11; 112:11;	20:1; 42:4; 57:2;	209:2	119:10; 126:8; 128:17;	11; 160:9, 17; 162:5,
148:21; 216:13; 240:18;	133:19, 21; 204:16;	beneficial [2]	131:18; 138:13; 142:3	13, 20; 163:4, 14, 20;
265:9	205:8; 208:15; 215:10;	115:16; 271:10	BOBBY [1]	164:15, 21; 165:3, 5;
attorney [5]	219:7; 220:14; 224:6;	benefit [5]	2:11	169:16; 170:3, 7, 15;
48:20; 157:14; 170:1;	240:15; 277:5	122:2; 128:8; 139:21;	Bobby [2]	171:4, 8, 11; 182:7;
284:18	basis [5]	140:1, 4	146:5; 265:15	186:12, 14; 187:10, 18;
attorney's [1]	45:10, 11; 106:12;	benefiting [1]	body [1]	191:21; 192:4; 200:19;
97:1	178:20; 184:22	213:21	229:14	205:22; 206:15; 216:5;
attorneys [1]	Bates [1]	besides [2]	borders [1]	236:5, 12; 241:13, 19;
146:5	106:22	132:13; 134:1	207:18	246:5, 8; 250:16;
attribute [1]	BCRA [23]	Beware [1]	Bordonare [1]	253:21; 254:9; 256:4;
72:7	25:7; 35:17; 45:2, 13;	5:20	143:1	257:4, 6; 258:18; 262:4
attributed [4]	50:6; 53:1; 54:6; 68:3;	bias [1]	bore [1]	18, 19; 264:19; 265:
72:4; 188:17; 206:3;	13; 74:22; 88:13; 93:1;	111:4	105:1	17; 266:2, 4; 274:5
268:6	101:13; 102:7; 115:9;	Bigger [1]	born [1]	281:2, 11, 14
August [3]	117:8, 21; 119:2;	5:14	146:12	Burchfield [5]
8:6, 22; 149:10	124:1; 127:5, 19;	bigger [2]	bother [3]	4:4; 7:8; 146:...
available [3]	267:21; 268:7	109:10; 242:14	188:9, 21; 189:8	200:18
11:20; 152:15; 206:21	BCRA's [2]	biggest [1]	bothers [1]	burden [1]

234:16	31:5, 13, 21; 33:2;	66:10; 100:13	93:8, 17	261:20
Burger [2]	35:2, 5, 20; 45:20;	Capitol [1]	chair [1]	charity [2]
138:19, 20	47:13; 50:10, 14; 55:8;	202:1	174:16	258:14; 261:7
BURLING [1]	57:14; 58:10, 14, 15;	caption [1]	Chairman [9]	CHARLES [1]
2:10	59:6, 9, 12; 61:1; 63:3;	162:21	149:15; 175:1; 229:11,	3:4
Burton [1]	17; 73:20; 75:9; 76:10;	cards [2]	12, 15, 19, 21; 230:5;	check [2]
177:12	78:12; 80:12; 82:4, 8;	190:15; 273:13	236:15	39:3
bus [1]	83:5; 84:5; 86:3; 87:19;	care [12]	chairman [16]	checked [1]
249:16	88:3, 12; 94:13, 15, 16;	39:17; 59:13; 64:21;	175:3, 7, 14; 177:4, 8,	119:13
Bush [3]	95:17; 99:15; 100:16;	65:15; 68:5, 15; 70:14;	10; 181:16; 186:4;	Cheney [1]
130:15, 18; 209:2	17, 18; 111:22; 115:6;	81:5; 83:9, 16; 114:15;	223:15, 22; 224:9;	197:14
business [19]	10, 13; 117:15; 118:2;	237:22	229:2; 230:13, 17, 18;	chick [1]
38:3; 47:7, 11; 154:7,	9; 119:1; 120:22;	career [2]	232:1	13:13
8, 15; 155:1; 159:7;	121:22; 122:9; 124:4,	186:16; 208:18	chairmanship [1]	children [1]
160:2; 161:15; 199:3;	5; 126:2; 127:16, 21;	careful [2]	179:12	139:6
213:14; 220:6; 221:18;	128:11; 138:2; 139:19,	258:20; 271:4	chairmanships [1]	chip [1]
222:3; 242:22; 269:18,	20; 140:6; 141:14, 18;	carefully [1]	225:12	262:5
19; 271:4	143:10, 17; 151:22;	284:2	chairmen [2]	choice [5]
businessmen [1]	155:3; 159:8; 173:13,	cares [1]	174:7; 229:5	12:5; 136:2; 137:12;
37:21	14; 174:10; 176:9;	197:22	challenge [5]	139:10; 209:12
busing [1]	177:1, 9; 178:6;	Caring [1]	36:19; 68:14; 78:13;	choose [1]
190:15	192:18; 193:16, 18;	126:14	211:10; 279:3	205:17
buy [4]	194:14; 203:11; 207:16,	carried [1]	challenged [3]	chose [5]
138:19, 21, 22; 204:14	21; 208:12; 209:15;	43:12	9:3, 7; 83:18	102:12; 107:5; 125:3;
buying [2]	225:11; 226:17; 228:20;	case [47]	challenges [2]	208:15; 225:18
37:22; 196:7	230:6, 7; 231:18;	6:15; 10:7; 11:12; 12:2;	193:19; 248:15	chosen [1]
- C -	236:17; 237:6; 249:3,	19:9, 10; 29:12; 33:10;	challenging [2]	209:22
	22; 276:1, 5, 18;	34:19; 36:9; 41:3;	203:22; 279:19	Chris [3]
	277:18; 279:5	47:15; 52:11; 57:22;	Chamber [3]	177:7; 239:18; 240:8
cable [5]	campaigns [19]	59:1; 75:18, 19; 80:17;	136:6, 15; 190:18	CHRISTOPHER [5]
49:18; 51:10, 14; 53:6;	13:6; 19:6, 7; 20:2, 3;	81:14, 15; 92:6; 93:15;	champion [1]	1:19; 2:1; 6:1; 282:5,
54:14; 56:2	21:5; 30:5, 6; 47:11;	94:2, 18; 95:9; 100:1;	128:5	14
CAIN [1]	71:2, 4; 151:17, 18;	110:19; 111:1, 17, 20;	championing [1]	Christopher [4]
1:17	154:8, 9, 13, 18;	127:9; 140:2; 155:16;	130:12	7:12; 188:9; 238:20;
California [7]	208:20; 253:11	165:9; 167:12; 169:21;	chance [5]	266:10
212:21; 213:9; 214:3,	Canaan [1]	170:4, 8; 193:12;	42:14; 43:10; 183:20;	Chuck [1]
7, 251:16; 256:20;	41:16	230:18; 234:9; 238:12;	216:9; 236:21	6:12
260:12	candidacy [2]	252:8; 259:6; 277:11,	CHANGE [1]	CIO [4]
Call [5]	15:3; 16:13	20; 279:15	285:2	190:18; 191:4, 14;
109:17; 114:19; 126:16;	candidate [47]	cases [5]	change [21]	269:12
132:18; 143:3	12:14; 14:3; 21:6;	18:6; 64:8; 180:3, 4;	65:7; 120:9; 121:17;	circulated [1]
call [25]	22:15; 24:10, 11, 12;	202:10	122:16; 123:10, 14;	235:11
24:12; 25:4; 28:8;	40:19; 41:19; 42:2, 12,	catching [1]	168:1, 2; 172:12, 20;	circumstance [7]
32:16, 17; 39:1, 10;	17, 19; 43:9; 56:3, 19,	164:18	182:3; 193:9; 226:3,	76:19; 86:18; 94:21;
45:16; 64:18; 72:2;	21; 57:10, 18; 58:11,	caught [3]	19; 227:7, 9, 10, 13;	95:1; 204:7; 224:5;
127:15; 157:14; 196:10;	12; 59:18; 73:2, 4, 7,	95:18; 183:22; 234:3	228:11; 244:10; 284:5	240:9
198:22; 216:13; 222:10,	13, 14; 74:18; 76:17;	caution [1]	Changed [1]	circumstances [4]
19; 223:2, 11, 12;	79:19; 82:10; 124:12;	97:4	168:8	95:10; 238:15; 242:3;
265:8; 272:20; 273:5;	127:1; 129:10, 11;	caveat [1]	changed [11]	279:16
274:7	144:13; 172:12; 192:12;	33:21	122:17; 165:15; 166:1,	circumvent [2]
calling [3]	215:7; 238:20; 260:15;	CD [4]	19; 167:5, 14, 18;	23:8, 20
38:6; 108:21; 117:8	276:8, 12, 14; 277:20,	96:10, 12, 22	168:12, 20; 171:17;	circumvention [1]
calls [4]	21; 279:19	CD-ROM [1]	182:10	50:9
39:15, 16; 203:15;	candidate's [11]	4:12	changes [3]	cities [1]
226:1	58:14; 86:2; 116:19,	CD-Rom [1]	128:21; 284:4, 13	208:1
Campaign [31]	20; 120:21; 127:11;	97:9	changing [1]	Citizens [3]
12:21; 44:16; 45:5, 8;	133:5; 136:11; 143:8;	CEA [1]	125:16	94:2; 98:9; 99:17
50:12, 13; 72:22;	191:16; 192:18	41:12	chapter [1]	Civil [2]
101:14; 118:1; 119:3;	candidates [13]	censure [1]	206:19	1:7; 170:9
133:4; 149:20; 150:5;	13:21; 28:17; 50:14;	235:10	character [1]	CKK [1]
154:3; 156:15; 176:2;	58:20; 140:5; 143:9;	Center [3]	86:19	1:9
179:6, 7; 189:10;	158:22; 204:10; 207:20;	97:8; 280:9, 10	characterization [5]	claim [2]
192:6; 194:20; 209:9;	210:8; 217:2; 250:19;	center [2]	19:1; 76:6; 99:11;	62:5; 103:17
215:4; 225:13; 249:19;	272:9	199:1; 205:12	100:3; 122:11	clarification [2]
250:6, 21; 251:19;	Candidly [2]	central [1]	characterize [1]	49:3; 147:22
254:3; 266:22; 280:8	74:10; 197:19	226:10	102:16	clarified [1]
campaign [123]	candidly [2]	CEOs [1]	characterized [4]	214:11
10:4; 15:16; 18:3, 5, 9,	11:7; 198:13	39:1	26:22; 29:13, 14;	clarify [1]
19, 21; 19:2, 3; 20:14;	capabilities [1]	certify [3]	110:11	27:21
21:16; 23:16; 24:12,	85:16	282:7; 283:6, 11	charitable [4]	clarifying [1]
13; 26:18, 19; 27:6, 19;	capacity [2]	CFR [2]	257:22; 258:3; 259:5;	225:5

clarity [1] 257:6	COLUMBIA [3] 1:2; 282:3; 283:3	23:12; 26:9; 27:2, 3; 40:1; 42:20; 43:1; 46:12, 15, 19; 61:6, 16; 62:4, 7, 17; 82:21; 84:21, 22; 86:4, 16; 87:7, 17; 100:15; 101:7, 9; 103:5, 9, 16, 21; 105:8; 107:1, 13; 108:6, 12; 147:16; 174:16; 175:7, 14; 177:14; 179:12; 181:16; 186:4; 225:11; 226:10	compromised [1] 277:3	253:15
class [2] 193:12; 194:7	Columbia [4] 2:6; 6:5; 283:5, 20	Committees [1] 149:13	computer [1] 264:21	Congress [80] 8:13; 17:5; 19:18; 25:18; 30:12, 21; 32:12, 14; 40:20; 41:5 49:15; 52:4; 5: 58:18; 59:20; 6: 21; 66:4, 16; 70:20; 73:1; 90:1; 92:21; 106:15; 114:16; 132:10; 134:12, 14; 137:17; 143:2; 149:6; 154:22; 175:1, 5; 176:3, 8, 18; 178:8, 15; 183:13; 186:2, 5; 202:15; 204:1; 211:11; 215:11; 223:17, 21; 224:2, 10; 226:2; 228:3; 230:11; 232:8; 239:8; 242:2; 243:8; 260:14
clause [2] 54:3; 280:18	column [1] 284:6	Committees [1] 149:13	concept [1] 19:14	Congresses [1] 113:22
Clean [3] 128:21, 22; 129:3	combining [1] 113:19	committees [13] 21:19, 21; 33:3; 61:2, 4; 105:16; 106:16; 174:7; 207:19; 212:7, 8; 219:17; 229:6	concern [5] 77:9; 83:11, 13; 84:9; 261:11	Congressional [16] 7:19, 21; 8:18; 12:21; 72:21; 133:2; 148:9; 149:3; 160:10, 19; 179:6, 7; 190:10; 209:9; 229:13; 232:10
clean [5] 129:6, 17; 130:12, 14; 183:10	comfortable [5] 52:15; 128:7; 255:6; 265:21; 270:19	Common [5] 10:20, 21; 204:18; 280:9; 281:5	concerned [12] 84:6; 89:14; 149:22; 151:6; 152:15; 189:21; 192:2; 221:2, 6; 222:14; 261:6; 279:17	Congressman [91] 6:10; 7:11; 25:2; 32:5; 43:16; 47:14; 48:6, 14; 58:7; 62:21; 63:6; 68:2; 71:7; 77:20; 80:5; 89 90:16; 92:8; 92 97:22; 103:3; 106:2; 109:2, 1. 119:11; 125:6; 126:8; 132:3; 140:16; 142:11; 144:22; 145:12; 146:4; 149:19; 160:18; 162:14 164:3; 168:20; 169:7; 171:12; 175:20; 177:16 179:16; 181:3; 182:8; 184:2, 5, 13; 186:15; 187:19; 189:10; 194:2; 195:7; 205:22; 216:8, 21; 217:22; 228:17; 229:11; 236:13; 237:3; 243:15; 250:17, 22; 251:3, 10, 14; 252:15; 253:18; 254:10; 255:4, 15; 256:11, 12, 14, 19; 257:7, 10; 259:6; 260:10; 263:9; 265:1, 8; 272:12; 274:5, 22; 276:7; 280:6; 281:15
clear [43] 10:11; 11:14; 13:22; 16:5; 34:7; 61:3, 10; 84:16; 85:22; 88:21; 91:21; 103:11, 12; 106:15, 20; 107:12; 115:16; 116:16; 117:17; 152:19; 156:22; 163:8, 11; 173:11; 174:17; 178:4, 12, 16, 18; 180:7; 185:19; 203:14; 204:4; 214:6; 220:20; 221:14; 223:7; 232:6; 244:7; 253:2; 255:13, 20	coming [2] 161:17; 243:15	common [4] 135:19; 136:20; 137:4; 139:4	concerning [3] 84:6; 177:20; 201:19	Congressman [4] 95:2, 14; 201:1; 230:8
clever [1] 140:5	comingled [2] 245:18; 246:1	communicate [9] 50:15; 87:10; 191:3, 5; 193:5, 11; 194:6; 269:13, 22	concerns [3] 165:12; 188:5; 213:5	Congressman's [2] 168:14, 22
client [2] 149:22; 258:20	comment [5] 30:2; 94:9; 163:17; 191:11; 206:5; 265:20	communicating [1] 116:17	conclude [3] 17:2; 62:22; 118:6	Congressman's [1] 171:19
Clinton [1] 137:11	commentary [1] 181:18	COMMUNICATIONS [1] 1:13	Concluded [1] 5:1	Congressmen [1] 211:2
Clinton's [3] 135:21; 136:22; 137:7	commenting [2] 265:21; 266:14	Communications [15] 45:2, 14; 53:2; 54:7; 87:2; 88:19; 89:8; 93:21; 94:11; 117:9, 20; 151:12; 152:13; 189:12; 190:9	concluded [3] 145:11; 219:7; 281:17	congressmen [2] 174:15; 179:
closest [1] 232:17	comments [3] 89:22; 91:2; 92:21	community [2] 38:4; 142:22	Concurrent [3] 160:11, 19; 183:7	Congresswoman [1] 4:21; 132:16, 18
Club [16] 14:10, 12, 15, 19; 15:4, 6, 17; 115:22; 116:8; 244:2, 8, 11, 14; 259:3, 20	Commerce [3] 136:6, 15; 190:18	companies [2] 39:1; 47:8	concur [2] 277:15; 279:10	connect [1] 174:15; 179:
club [1] 14:10	COMMISSION [2] 1:12, 14	company [3] 46:14; 132:8; 266:7	condemned [1] 184:10	connect [1] 174:15; 179:
Club's [1] 73:16	Commission [30] 4:11; 5:8; 19:14; 28:3, 4; 29:3; 32:6, 7; 89:6, 15; 162:7, 19; 163:22; 165:7; 168:15; 172:8, 9; 179:21; 182:17, 21; 184:8, 10; 193:17; 195:5; 206:4, 6, 18; 207:4, 10; 281:7	communications [3] 49:19; 124:10; 190:14	CONDUCTED [2] 6:8; 146:2	connect [1] 174:15; 179:
co-intervenor [1] 29:12	commission [2] 32:10; 283:21	COMMUNICATIONS [1] 1:13	conducts [1] 249:7	connect [1] 174:15; 179:
co-sponsor [1] 266:10	Commissioners [1] 28:4	communications [3] 49:19; 124:10; 190:14	confir [1] 257:5	connect [1] 174:15; 179:
Coalition [1] 132:21	commissions [1] 70:4	community [2] 38:4; 142:22	Conference [1] 186:6	connect [1] 174:15; 179:
Code [1] 160:21	commissions [2] 32:20; 264:8	companies [2] 39:1; 47:8	conference [1] 28:19	connect [1] 174:15; 179:
cold [1] 89:19	commit [1] 196:7	communications [3] 49:19; 124:10; 190:14	conference [1] 28:19	connect [1] 174:15; 179:
coldly [1] 119:17	committed [1] 196:14	community [2] 38:4; 142:22	confidence [1] 108:11; 129:1	connect [1] 174:15; 179:
colleague [4] 6:16; 7:8; 96:8; 279:2	Committee [53] 5:11; 12:22; 64:14; 72:22; 146:6, 9; 149:14; 164:1; 165:8; 172:11, 20; 173:6; 175:2; 177:13; 179:5, 6, 7; 182:13; 195:9; 196:21; 209:9; 210:6, 14; 211:4, 5; 212:6, 7; 215:16; 217:9, 11, 13, 16, 18, 20; 218:3; 219:2; 223:16; 225:16; 228:8, 18; 229:12, 13, 16, 20, 22; 230:6; 232:11; 236:15; 237:13, 14; 274:2; 277:16	communications [3] 49:19; 124:10; 190:14	confidence [2] 108:11; 129:1	connect [1] 174:15; 179:
colleagues [16] 12:4; 21:9; 35:16; 41:1; 43:11; 47:15; 59:2; 66:15; 173:12; 181:1; 233:18; 248:7, 22; 249:6; 276:3; 278:12	committee [48] 6:22; 22:5, 8, 11;	community [2] 38:4; 142:22	confidential [1] 97:1	connect [1] 174:15; 179:
collection [1] 244:4	committee [48] 6:22; 22:5, 8, 11;	communications [3] 49:19; 124:10; 190:14	confidentiality [1] 176:14	connect [1] 174:15; 179:
College [1] 146:15	committee [48] 6:22; 22:5, 8, 11;	communications [3] 49:19; 124:10; 190:14	confidentiality [1] 161:17	connect [1] 174:15; 179:
Colored [1] 246:11	committee [48] 6:22; 22:5, 8, 11;	communications [3] 49:19; 124:10; 190:14	confine [1] 90:15	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confined [1] 75:7	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confines [2] 75:17; 83:17	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confirm [4] 188:16, 22; 255:9; 266:5	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confirmation [1] 118:5	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confirmed [1] 29:6	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	conflict [1] 255:2	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	conflicted [1] 17:11	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	conform [1] 86:17	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confront [5] 66:22; 67:4; 101:10; 102:4, 13	connect [1] 174:15; 179:
		communications [3] 49:19; 124:10; 190:14	confused [1] 102:4, 13	connect [1] 174:15; 179:

57:20	consultations [1]	56:6; 57:3; 58:1; 62:2;	Corporate [3]	38:19; 43:17; 54:20;
connected [1]	201:18	66:12; 70:7; 72:6;	30:10; 210:16; 253:7	55:1; 63:21; 64:19;
60:10	consulted [1]	101:17; 121:22; 124:9;	corporate [94]	65:16; 66:11; 80:7;
Connecticut [17]	10:3	125:2; 129:21; 135:5;	17:6; 18:17; 19; 19:6;	84:6; 9; 182:4; 220:15;
7:14; 8:1, 2; 41:12, 15;	consults [2]	136:12; 13; 138:1;	16; 20:2, 8, 22; 21:8;	252:19; 256:18, 19;
42:22; 146:13; 147:9,	191:9; 257:1	151:20; 173:14; 174:11;	10, 13; 23:8; 24:6;	258:8; 260:9
12; 149:2; 160:1;	consuming [3]	196:14; 202:22; 239:8;	26:3; 27:18; 30:5, 13;	corruption [47]
232:7; 266:10; 274:6;	148:13, 14, 17	258:13; 268:3; 270:6;	32:22; 37:3; 38:7, 16;	9:17; 32:17; 45:15;
275:1, 5, 19	Contact [1]	7; 276:16; 277:18;	39:2; 40:4; 41:7, 9;	46:2, 4, 5; 51:8, 19, 20;
Connecticut's [1]	120:8	280:3	43:17, 20; 45:21; 47:8;	53:4, 8; 54:12, 16;
149:6	contact [3]	control [1]	54:20; 55:4; 58:5; 59:6;	56:18; 57:16; 58:2, 9;
connecting [1]	15:21; 123:8, 11	142:19	7; 69:14; 70:2, 9, 17;	59:10; 60:5, 21; 62:11;
71:17	contacted [3]	controls [1]	71:9; 72:5; 75:10; 78:5;	63:2, 16; 75:13; 76:13;
connection [7]	134:11; 225:19, 20	214:2	80:1, 7; 82:12; 84:3;	20; 77:10; 83:7; 85:4;
20:13; 47:14, 19;	contacts [2]	convenient [1]	11, 14, 17, 20; 85:11;	94:14; 107:19, 20, 22;
112:14; 158:1; 182:12;	266:16	112:2	89:1; 117:10, 21;	113:11, 14; 161:18;
256:5	containing [2]	conversation [4]	135:5; 150:9; 151:17;	181:22; 182:3; 211:16;
CONNELL [1]	60:13; 92:20	200:5; 231:21, 22;	152:1, 21; 154:21;	212:12; 213:19, 20;
1:5	contains [1]	232:1	157:5, 14, 20; 158:5;	251:2
conscience [6]	96:15	conversations [2]	10, 20; 159:1, 13, 20;	corrupts [2]
65:14, 22; 66:9;	contends [1]	200:7; 271:18	160:2; 180:15, 20;	40:9; 176:19
234:13; 235:17, 19	105:12	conveyed [1]	187:7; 191:15; 192:13,	Corzine [2]
conscientious [1]	content [1]	225:10	21; 196:11; 208:18;	7:16; 9:21; 10:2, 21;
233:21	124:19	convicted [2]	210:19; 211:12; 212:3;	90:19; 163:4, 12;
conscious [1]	Contention [2]	98:18, 21	219:12; 220:13; 221:3,	169:13; 180:18; 187:21;
161:19	4:9; 48:17	convincing [1]	11, 19; 222:4; 245:11;	235:15; 244:20; 247:18;
Conservation [8]	contention [1]	277:17	252:4; 253:3; 256:16,	255:10; 256:22; 257:1,
243:8, 11, 18, 19;	61:21	COOPER [1]	17; 270:17; 280:3	14; 284:15
244:3, 10; 259:9, 12	contest [1]	119:9	corporation [31]	counter [1]
conservative [1]	187:3	COOPER [58]	37:15; 44:5, 10; 46:11;	248:1
186:21	contested [3]	3:3, 4; 6:9; 25:1; 47:19;	85:18; 86:9, 12, 19, 21;	council [18]
consider [9]	8:12, 14, 16	48:4; 52:9, 14, 17, 18;	87:18; 88:9, 22; 121:3;	7:16; 9:21; 10:2, 21;
18:2; 22:18; 34:14;	context [16]	53:20; 54:1, 5, 11;	127:7; 152:9; 154:17;	90:19; 163:4, 12;
81:9; 92:2; 154:19;	60:7; 78:21; 108:1;	56:14; 63:13; 67:19;	191:3; 192:7; 193:4,	169:13; 180:18; 187:21;
185:17; 230:22; 258:21	113:17; 116:11, 17;	68:1; 80:4; 85:8, 14;	13; 194:6; 213:7;	235:15; 244:20; 247:18;
consideration [1]	122:8; 128:2; 190:1;	86:8, 20; 88:16; 89:3;	222:11, 12, 19; 223:2;	255:10; 256:22; 257:1,
280:7	191:11, 18, 20; 199:21;	92:8, 15, 18; 96:3;	224:12; 257:20, 21;	14; 284:15
considered [4]	201:1, 2; 202:3	97:18; 107:9, 17;	266:14, 17	counter [1]
175:9, 13; 179:11;	contextual [2]	108:19; 112:2, 6, 9;	corporations [39]	248:1
243:6	78:3; 116:12	121:5, 6; 126:7; 127:8,	31:6, 14, 22; 37:22;	counties [1]
consistent [13]	continue [9]	17; 128:16; 131:5, 10,	46:9; 51:21; 55:11;	208:1
210:7, 9; 211:6; 212:1;	11:18; 16:3; 82:17;	17; 132:2; 135:7, 15;	57:15; 58:19; 64:2, 7;	country [5]
215:2, 19; 221:9;	120:7, 14; 123:4, 6;	136:17; 138:12; 140:15,	69:3, 9; 70:13; 71:1;	34:16; 184:22; 202:8,
238:7; 239:11; 242:19;	151:11; 268:16	20; 141:4; 142:3, 9;	75:10; 82:12, 18; 84:1,	19; 210:8
253:13; 260:21; 272:4	contrary [1]	144:22; 145:8, 10	19; 85:2, 16; 86:5;	couple [5]
consistently [1]	64:2	Cooper [7]	89:6; 93:17, 22; 94:5,	163:6; 216:13; 218:1;
8:8	contribute [24]	4:3; 6:12, 13; 34:11;	8, 12; 151:10; 152:17;	255:12; 269:11
Consolidated [1]	19:11; 20:10; 21:4, 17,	96:21; 105:10; 150:21	154:7, 12; 155:19;	COURT [1]
1:12	18; 22:2, 8; 23:11;	cooperate [1]	159:7; 220:13; 243:1;	1:1
constituents [9]	26:5, 9; 56:22; 71:5;	117:3	245:8; 267:4	Court [16]
30:21; 31:9, 19; 32:3,	72:15; 74:4; 108:8;	cooperative [1]	Corps [1]	11:5; 19:9, 21; 57:21;
4; 198:2; 205:14;	154:7, 9, 13, 17; 238:2;	90:19	146:20	74:1, 6; 80:17; 101:15;
260:10; 280:1	267:12; 270:12; 273:1	coordinate [1]	corrected [1]	106:19; 107:14; 108:11;
constitute [5]	contributed [3]	81:17	252:13	185:17; 277:15, 17;
116:14; 123:21; 124:5,	20:15; 43:19; 74:16	coordinated [4]	correction [1]	279:10; 284:19
14; 127:3	contributes [1]	76:16; 79:19; 232:12;	8:20	court [8]
Constitution [1]	213:7	276:10	corrections [1]	9:13, 14, 18; 47:20;
207:14	contributing [2]	coordinating [1]	282:9	94:18; 95:9
constitution [1]	204:16, 17	77:5	correctly [3]	Court's [2]
161:9	contribution [19]	coordination [4]	15:7; 43:7; 150:19	76:4; 93:15
constitutional [8]	38:7; 39:11; 44:10, 19;	73:12; 76:22; 77:1;	corrupt [18]	courts [1]
22:1; 36:17; 62:20;	59:16, 17, 19; 72:19;	79:15	29:14, 15, 17; 30:16;	86:18
75:20; 80:20; 107:14;	73:22; 172:10; 196:18;	copies [3]	32:8; 33:6, 7, 9; 44:20,	cover [1]
193:4, 6	205:16; 218:11; 238:1,	130:8, 9; 187:20	21; 76:21; 160:8;	146:10
constitutionality [1]	11; 271:11, 21; 276:10;	copy [1]	183:10; 184:1; 251:21,	coverage [5]
83:20	277:11	254:2	22; 277:7; 279:18	135:2, 18; 136:3; 137:4,
constitutionally [1]	Contributions [1]	copyright [1]	corrupted [10]	13
28:1	93:9	216:15	30:7; 35:8; 36:1; 40:8;	COVINGTON [1]
consult [7]	contributions [39]	corner [4]	55:5; 66:6; 183:11;	2:10
10:1, 9, 10; 191:8;	17:8, 10; 31:5, 14, 22;	207:7; 216:15; 217:14;	278:15; 278:18, 22	crass [1]
255:9; 256:22; 257:8	33:2; 39:22; 54:21;	254:12	corrupting [18]	231:20





discriminate [1] 161:12	252:15; 256:13, 14; 260:10	135:2, 18; 137:3	effect [9] 37:9; 73:3; 101:15; 150:22; 160:21; 214:9; 267:21; 268:16; 271:10	137:19; 139:16; 140:10, 14, 18; 141:6; 143:6, 14, 20; 144:5, 10, 21; 147:8; 152:3, 13; 155:5; 158:16, 17; 159:15; 168:21; 184:7; 189:16, 20; 190:10, 19, 20; 191:13; 192:11, 17, 20; 193:8; 195:1; 209:6; 210:12; 211:6, 22; 212:17; 214:8, 9, 14; 215:20; 218:12, 17, 21; 219:22; 220:2; 222:20; 232:3, 15; 241:9; 243:20; 244:19; 245:2, 4, 15, 19; 246:13, 18; 247:6; 250:9; 252:11; 259:21, 22; 261:21, 22; 264:7, 8; 275:21, 22; 276:1, 4, 15
discuss [2] 199:9, 12	Doe's [1] 256:19	due [3] 212:10; 246:21; 255:16	effective [9] 101:13, 21; 102:8; 124:4; 153:19; 156:21; 158:2; 249:13; 259:18	Electioneering [21] 45:2, 14; 49:17; 50:7; 53:1; 54:7; 87:1; 88:19; 89:7; 93:21; 94:10; 107:9; 115:8; 117:9, 20; 123:22; 127:4; 151:12; 152:12; 189:12; 190:9
discussed [4] 108:2; 112:21; 198:18; 199:12	Doesn't [1] 249:17	dues [80] 17:7; 18:17, 19; 19:7, 16; 20:3, 9; 21:1, 3, 11, 13; 23:9; 26:3; 27:19; 30:6, 14; 33:1; 37:4; 38:17; 39:3; 40:4; 41:10, 18, 19; 42:5, 7, 9, 17; 43:4, 6, 9; 45:22; 47:10; 55:1, 4; 58:5; 59:7; 70:3, 10; 71:3, 10; 72:19; 75:11; 80:1, 8; 82:13; 135:6; 150:10; 151:18; 152:2, 21; 154:22; 157:6, 15, 21; 158:6, 11; 159:1, 14; 180:21; 187:8; 191:15; 192:14, 22; 193:6; 208:18; 210:16, 20; 211:13; 212:3; 219:13; 221:19; 222:4; 245:12; 252:5; 253:4; 269:16, 17; 270:17; 280:4	efficiency [5] 50:15; 52:21; 100:8; 101:12; 102:9	electioneering [4] 133:10; 192:7; 267:20; 268:19
discussing [1] 229:22	doesn't [19] 22:22; 37:9; 41:5; 44:11; 134:14; 135:19, 21; 136:20, 22; 137:4, 7; 168:7; 188:9, 20; 189:8; 197:4; 215:6; 250:6; 253:1	Dukakis [1] 209:3	efficacy [1] 158:12	Elections [7] 19:13; 50:12; 89:15; 128:22; 182:20; 193:17; 195:4
Discussion [3] 187:13; 246:7; 274:19	dollar [2] 26:19; 44:9	duty [2] 6:2; 283:8	efficient [1] 161:11	elections [34] 8:11, 13; 51:11, 15; 52:1; 53:7; 54:15; 55:7; 128:20; 129:3, 6; 130:12, 14; 134:15; 143:16; 155:14; 158:1, 6, 18, 20; 159:3, 4, 20; 207:18; 208:2; 212:9; 216:17; 217:1; 219:19; 220:19; 244:6; 261:6, 7; 273:18
discussion [2] 225:6; 231:8	dollars [26] 24:13; 27:7; 37:17; 38:12; 57:6; 72:21; 107:4; 113:10; 141:14, 18; 153:22; 154:1; 190:8; 203:11; 209:11; 210:14; 213:8, 10, 12; 222:11, 12; 223:1, 3; 242:14; 247:13; 272:21	dumpster [1] 119:15	effort [2] 272:18; 274:9	electoral [3] 51:17; 129:1; 151:4
Disease [1] 5:21	domestic [1] 98:21	Duncan [1] 146:8	efforts [10] 47:12; 73:16; 246:19, 20, 21; 250:8; 273:9; 275:2, 18, 19	electorate [2] 9:16; 50:16
dispute [1] 186:9	donated [1] 74:14	e-mails [1] 230:20	eight [3] 122:21; 131:3; 147:17	Electric [1] 84:12
distinction [1] 229:10	donation [14] 165:16; 166:2, 21; 167:6, 15; 168:13, 21; 171:18; 172:18; 222:15; 236:16; 237:4, 12; 277:7	ear [1] 19:18	eight [3] 122:21; 131:3; 147:17	eliminate [3] 45:14; 46:1; 99:1
distort [2] 64:9; 85:17	donations [10] 69:16; 118:10; 119:1; 127:14; 155:19, 20; 156:14, 18; 238:19; 263:17	earlier [1] 272:3	eight [3] 122:21; 131:3; 147:17	eliminated [5] 59:10; 68:13, 22; 123:16; 276:12
distorted [7] 40:18; 67:6; 72:3; 74:11; 100:4; 213:19	donor [2] 43:21; 256:17	easily [1] 67:20	elderly [1] 126:14	ELIZABETH [2] 6:3; 283:4
distorting [3] 55:15; 80:7; 84:10	donors [7] 195:8; 196:9; 205:4, 5, 7; 256:17	easy [3] 85:20, 21; 203:1	election [4] 24:12; 40:19; 41:3; 261:8	Elizabeth [2] 2:5; 283:18
distortion [9] 37:2; 64:18; 78:18; 85:4; 87:3; 94:14; 100:7; 103:18; 227:6	door [2] 249:15	eat [1] 19:18	elect [4] 24:12; 40:19; 41:3; 261:8	Elsah [1] 146:16
distortions [10] 68:11, 21; 69:19; 70:18; 71:10; 72:4, 7, 10; 74:7; 103:8	door-to-door [7] 190:14; 192:9; 268:9, 21, 22; 273:12; 275:9	eating [1] 42:8	election [4] 24:12; 40:19; 41:3; 261:8	embarrassing [1] 38:12
DISTRICT [4] 1:1, 2; 282:3; 283:3	dose [1] 265:18	economic [2] 271:3	election [4] 24:12; 40:19; 41:3; 261:8	embodied [2] 35:3, 18
District [8] 2:6; 6:4; 7:19, 22; 149:7; 232:7; 283:5, 20	double [2] 37:14; 146:16	Economics [1] 147:4	election [4] 24:12; 40:19; 41:3; 261:8	eminently [1] 79:8
district [8] 125:20, 22; 133:2; 143:6, 7; 190:11; 197:19; 205:15	doubled [1] 272:6	edge [1] 205:11	election [4] 24:12; 40:19; 41:3; 261:8	emphasize [1] 79:8
districts [1] 148:10	doubling [1] 30:11	edit [3] 122:10, 12, 14	election [4] 24:12; 40:19; 41:3; 261:8	
divide [1] 34:20	doubt [8] 107:3; 126:22; 133:12; 177:21; 224:9; 267:14	educating [2] 55:6; 209:11	election [4] 24:12; 40:19; 41:3; 261:8	
DNC [2] 122:1; 72:21	dough [1] 109:17	Education [3] 41:15, 16; 139:4	election [4] 24:12; 40:19; 41:3; 261:8	
doctor [1] 119:18	drafting [2] 263:8; 281:9	educational [4] 40:18, 22; 55:5; 208:19	election [4] 24:12; 40:19; 41:3; 261:8	
document [62] 47:20; 48:1, 5, 7, 9, 12, 15, 16; 49:5; 89:17, 18, 22; 90:5, 7, 8, 9, 12, 21; 91:4, 10, 18; 92:11, 12, 19, 20; 93:19; 95:7, 13, 20; 96:15; 98:5; 108:16; 114:7; 119:6; 126:4; 128:13; 131:21; 134:19; 138:9; 142:6; 160:14; 161:13; 162:10; 163:1, 3, 11, 21; 164:4, 13; 169:4, 5; 187:15; 206:10, 14, 21, 22; 207:1; 216:2, 6; 236:9; 254:6; 265:4	draw [1] 229:10		election [4] 24:12; 40:19; 41:3; 261:8	
documents [3] 11:3, 5; 48:21	dropped [1] 243:12		election [4] 24:12; 40:19; 41:3; 261:8	
Doe [9] 251:1, 3, 11, 12, 14;	drowned [1] 36:13		election [4] 24:12; 40:19; 41:3; 261:8	
	drug [3]		election [4] 24:12; 40:19; 41:3; 261:8	

- E -

27:14	Entitled [3]	Examination [2]	expend [1]	57:21; 58:2; 61:19;
emphatic [1]	4:14; 5:13, 20	4:3, 4	82:3	64:10; 81:13; 82:16;
180:12	entitled [3]	examination [2]	expended [2]	96:8; 109:11; 115:5;
empirical [1]	48:17; 160:21; 164:3	50:4; 145:1	78:12; 80:8	120:22; 127:12; 175:16;
271:2	entity [4]	examined [1]	expending [1]	177:18, 19; 17
employ [1]	159:17; 183:4; 241:14;	6:5	82:8	180:13; 185:2;
161:11	245:1	example [8]	expenditure [12]	9; 187:2, 6; 215:3;
employee [1]	entrusted [1]	12:8; 65:15; 84:12;	56:1; 57:7, 17; 58:9;	233:9; 257:20; 266:8;
215:18	32:18	153:20; 190:2, 3;	60:6; 63:2; 75:4; 76:12;	268:11; 278:5
employees [1]	environmental [2]	244:10; 246:9	79:14; 83:4; 277:1;	factor [1]
193:13	14:17; 15:17	examples [1]	279:2	30:12
enabled [1]	environmentality [1]	12:10	Expenditures [1]	facts [5]
19:15	243:7	except [1]	93:10	185:1, 9, 15; 235:15
enacted [2]	episodes [1]	109:12	expenditures [20]	failing [1]
68:4, 6	182:13	exceptional [1]	51:8; 53:5, 13; 54:13;	139:11
enacting [1]	err [1]	279:15	56:5, 9, 16, 18; 60:4,	Fair [2]
49:16	97:4	Excerpt [2]	22; 63:17; 70:9, 13, 17;	79:5; 97:17
enactment [1]	ERRATA [1]	5:5, 15	75:8; 84:4, 11; 94:12;	fair [10]
74:22	285:1	excess [2]	193:18; 250:1	44:1; 62:21; 79:8;
encompassed [1]	errata [4]	263:17, 21	experience [11]	106:13; 177:21; 185:13
259:10	284:6, 9, 13, 17	exchange [10]	12:15; 22:14; 24:16;	237:10; 254:17; 265:14
encompasses [1]	espousing [1]	165:16; 166:2, 20;	25:3; 36:15; 39:4;	266:3
273:10	231:16	167:6, 15; 168:13, 21;	80:21; 125:8; 178:21,	fairly [1]
encouraging [1]	ESQUIRE [7]	171:18; 172:10, 18	22; 185:8	179:17
234:17	2:11, 12, 13; 3:4, 5, 13,	exclude [1]	experiences [1]	faith [2]
end [33]	14	66:6	204:3	51:16; 210:3
35:9; 50:16; 52:5; 53:7;	essentially [2]	exclusively [1]	expires [2]	faithful [3]
54:7; 93:18; 109:20;	81:8; 126:19	148:6	177:11; 283:21	81:14; 195:12; 196:12
114:20; 120:11; 126:18;	establish [2]	Excuse [1]	explain [16]	faithfully [1]
129:6; 130:3; 132:22;	84:22; 207:17	135:3	48:19; 52:7; 71:14;	32:16
135:2; 136:8; 137:15;	established [2]	excuse [6]	78:7; 99:14; 122:13;	fail [2]
139:13; 143:4; 145:1;	33:3; 106:16	15:16; 43:6; 137:1;	162:22; 163:2, 18;	196:5; 197:12
165:18; 167:1, 16;	establishing [1]	147:17; 271:16; 277:4	164:13; 169:14, 16, 20;	false [1]
168:17; 172:13; 208:3;	87:7	exempt [2]	170:17; 171:10; 217:7	68:17
234:22; 235:17; 240:13;	et [1]	93:20; 94:10	explained [2]	familiar [10]
265:12; 266:12; 280:2;	1:6	exempted [1]	60:19; 163:9	89:4, 13; 94:4
284:9, 10	Ethics [4]	86:22	explanation [4]	161:1, 3, 13; 1
endeavor [1]	160:21; 182:12; 184:9,	exemption [2]	20:20; 171:9; 240:5, 7	273:4, 6
258:19	10	92:2; 95:5	explicit [1]	farce [1]
ended [2]	evaluate [2]	exercises [1]	60:17	209:5
125:16; 204:14	86:18; 244:6	76:9	explicitly [1]	farthest [1]
enforce [12]	evasion [1]	Exhibit [46]	60:19	195:18
20:7, 8, 9; 27:22;	50:10	48:2, 15; 91:19;	expose [2]	fashion [1]
28:11; 32:19; 42:15;	evening [1]	108:17; 112:12; 114:8;	161:17; 184:11	263:12
70:1; 151:16, 19;	9:22	116:10, 13; 117:18;	exposed [2]	fat [1]
220:14; 222:5	event [11]	118:13; 119:7; 122:21;	119:14; 183:6	272:19
enforced [1]	151:10; 156:12, 17;	126:5; 128:14; 131:1,	express [6]	fate [1]
43:13	159:11; 201:5; 202:13,	13, 14, 19, 22; 134:20;	22:11; 23:21; 29:10;	28:16
enforces [2]	17; 204:6, 13; 205:11;	135:14; 136:8; 138:10,	33:4; 106:18; 194:8	favor [5]
71:6; 193:20	245:4	14; 142:7, 10, 13;	expressed [6]	111:12; 132:17; 134:4;
enforcing [4]	events [10]	160:15; 162:6, 11, 15;	23:14; 106:17; 229:2;	143:19; 276:12
47:3; 157:4; 280:3, 4	195:8, 13; 197:21;	182:6; 187:16, 20;	230:17; 266:21; 271:19	favorable [5]
engage [6]	202:7, 11, 20; 203:3,	206:8, 11; 216:3, 6, 9;	expressing [2]	16:11, 13; 115:22;
87:1; 89:7; 161:15;	16; 204:5, 11	236:6, 10; 254:1, 2, 7;	25:16; 230:21	141:6; 237:11
189:14, 19; 264:6	eventually [1]	264:20; 265:5	expressly [1]	favorably [4]
engaged [13]	16:4	exhibit [7]	192:11	134:7; 137:20; 140:7;
205:2; 226:19; 241:9,	everyday [1]	47:21; 96:11, 22;	extent [4]	237:15
14; 244:19; 245:1, 3;	269:8	108:21; 109:3; 142:4;	71:19; 95:19; 147:14;	fear [3]
246:13; 259:21; 261:20,	evidence [1:3]	160:10	153:12	38:9, 15, 18
21; 263:1, 5	165:14, 19; 166:19;	Exhibits [1]	eyes [1]	feared [4]
enjoyable [1]	167:1, 4, 13; 168:6, 10,	96:18	97:1	175:12; 181:15, 17;
200:8	16, 19; 171:15; 172:9,	exhibits [1]		186:3
Enron [2]	16	12:8	- F -	February [1]
38:12; 266:8	evident [1]	exist [1]	faces [1]	283:22
Ensign [4]	133:20	260:22	276:8	FEC [43]
109:17; 110:5; 111:2,	Exactly [1]	existing [2]	facetious [1]	11:5; 20:1, 5; 29:1
18	277:13	50:10; 116:6	116:1	36:19; 40:16;
ensuring [1]	exactly [2]	exists [2]	fact [35]	57:4; 89:18,
50:13	112:19; 157:10	73:9; 193:20	16:9; 33:9; 36:13, 16,	5, 9, 14, 22; 12,
entities [3]	EXAMINATION [2]	expect [1]	22; 44:22; 46:10;	95:12; 165:18, 20;
82:3; 83:5; 159:16	6:8; 146:2	267:19		

167:1; 168:17; 169:3; 17; 170:14, 22; 172:14; 193:20; 194:13; 206:20; 208:14; 209:21; 210:3; 246:1; 249:21; 250:4, 5, 11	4:18; 120:6, 8; 123:3, 9 felons [1] 98:18 felt [25] 17:9, 11; 21:6, 7; 23:19, 22; 32:17; 36:6; 80:16; 86:6; 95:12; 100:2; 183:12; 200:9; 204:12; 219:10; 233:4; 234:22; 235:19, 21; 242:4; 245:11; 252:9; 253:12; 281:8	260:14; 266:5; 276:19; 278:20 first [25] 6:2; 13:11; 27:4; 38:21; 53:9; 54:3; 98:6; 99:10; 122:20; 123:4; 131:15; 139:12; 142:17; 147:7; 165:12; 167:22; 169:3; 191:8; 197:13; 209:15; 217:14; 232:15, 19; 233:2; 242:16	forgotten [2] 245:20; 258:4 form [7] 63:7; 81:9; 84:14; 169:19; 175:21; 176:5; 284:4 former [2] 205:19; 217:8 forth [3] 275:10; 280:13; 283:8 fortune [1] 87:13 forward [2] 182:10; 185:14 found [1] 25:22 Four [1] 169:21 8:22 four [14] 26:10; 34:21; 37:12; 13; 60:9; 132:11; 133:21; 134:1; 141:22; 147:18, 19; 254:13 Fourth [3] 7:21; 149:6; 232:7 frame [3] 79:11; 88:5, 6 frames [1] 123:17 Frankly [1] 131:7 frankly [6] 29:16; 38:1; 111:11; 130:20; 234:19; 239:1 Fred [1] 10:16 free [8] 77:9; 93:12; 190:4; 192:1; 206:21; 256:11; 261:17; 265:10; 280:19 freedom [1] 108:4 frequently [1] 207:20 Friday [1] 2:4 friend [1] 7:8 friends [2] 216:18, 19 front [5] 18:12; 122:21; 162:14; 255:5, 17 frustration [1] 197:20 full [8] 10:19; 45:3; 119:20; 120:3; 161:10; 163:17; 177:21 fully [2] 97:14; 211:6 FUND [1] 3:2 Fund [15] 3:22; 6:15, 21; 22:7; 25:13; 27:11; 46:21; 50:13; 102:10, 16; 103:10; 104:9; 105:2, 20; 113:10 fund [8] 102:11; 201:4; 205:2;	233:7; 248:9; 251:14, 15; 259:19 funded [2] 107:6; 155:9 funding [9] 114:19; 139:9; 151:12; 178:6; 230:6, 8; 231:18; 232:12; 276:18 fundraiser [1] 39:6 fundraising [1] 204:11 funds [43] 24:6, 7; 71:9; 75:10; 78:5, 12; 80:1, 8, 11; 85:5; 87:19; 88:10, 11; 89:7; 94:13; 101:13; 105:20; 106:10; 107:6; 113:13; 117:11, 21; 121:5; 127:15; 158:10, 11; 159:14; 172:10, 19; 176:9; 177:1; 192:13; 193:10; 194:9; 225:11; 245:18; 252:3, 16, 22; 256:15; 260:15; 269:14 Future [1] 132:22 future [1] 104:4
FEC's [5] 5:15; 30:4; 91:1, 12; 170:12 FECA [4] 156:14, 19; 157:1; 251:6 FEDERAL [2] 1:12, 13 Federal [143] 4:11; 5:8; 12:14; 19:13; 28:3, 4; 29:3; 32:6; 41:20; 50:11; 70:4; 89:5, 15; 109:9, 11; 124:12; 129:22; 148:6, 9, 13; 149:3; 150:4; 154:3, 6, 11, 18; 155:13, 14; 156:14; 158:1, 6, 17, 18, 20, 21, 22; 159:2, 3, 14, 19, 20; 162:7, 19; 163:22; 165:6; 168:15; 170:8; 172:7, 8, 10, 12, 18, 22; 179:21; 182:17, 20; 192:12; 193:16; 195:4; 206:4, 6, 17; 207:3, 12, 20, 22; 211:3, 17, 21; 212:1, 7, 14, 18, 19; 213:15; 214:2, 7, 12, 13, 14, 16, 18; 215:1, 8, 12, 18, 20, 21; 218:10, 21; 219:1, 18, 19, 22; 220:6, 9, 16; 221:2, 7, 18, 21; 222:1, 2, 15, 19; 223:3, 4, 6, 10, 12; 224:8, 14, 19, 20; 238:9, 11; 239:22; 240:22; 241:5, 9, 14; 242:17, 20; 245:17; 250:18; 251:19; 252:10; 253:13; 259:16; 260:16, 22; 261:3, 20, 21; 262:22; 263:3; 271:6; 275:17, 21, 22 Federally [4] 218:4, 6; 219:3; 270:1 Federation [1] 190:7 fee [1] 42:7 Feel [2] 206:21; 265:10 feel [24] 29:20; 33:7; 36:7; 69:8, 10, 13; 71:15, 20; 93:11; 96:2; 133:17; 138:16; 181:14; 188:2; 190:4; 192:1; 200:12; 205:12; 247:16; 256:8, 11; 261:17; 270:19; 281:6 feelings [2] 23:22; 133:18 FEINGOLD [1] 1:18 Feingold [5]	fence [1] 194:16 fight [3] 99:3; 101:1; 126:16 fighter [1] 139:4 fighting [1] 243:4 Fiji [1] 146:21 filed [2] 33:10, 13 fill [3] 77:16; 79:2; 117:1 filled [1] 169:5 filter [1] 152:16 final [1] 175:11 Finance [2] 225:13; 250:21 finance [12] 10:4; 35:3; 50:10; 155:3; 173:13; 177:9; 207:16, 22; 208:12; 226:17; 228:20; 279:5 Financial [1] 149:12 financial [11] 66:22; 67:5; 179:22; 181:17; 186:8; 227:15; 228:6, 8; 266:19; 269:9; 271:5 financially [1] 264:14 financing [2] 207:17; 208:2 find [10] 25:2; 63:20; 64:19; 89:11; 90:17; 161:11; 164:17; 179:16; 249:6; 276:4 fine [2] 74:3; 257:4 finer [1] 278:16 finest [2] 66:3, 5 finish [3] 24:19; 78:8; 185:5 finished [4] 50:22; 132:11; 133:21; 165:1 First [17] 5:9; 22:21; 25:8; 30:1; 45:16; 46:3; 70:20; 127:3, 20; 167:8; 182:19; 244:7; 257:13;	fiscal [1] 186:20 fit [1] 77:2 fits [1] 169:21 five [7] 26:14; 60:9; 67:10, 16, 21; 121:17; 123:17 flexibility [2] 95:11; 108:4 flier [2] 218:4, 16 floor [13] 11:9; 64:11; 66:20; 67:2, 3; 98:16; 147:15; 148:15; 174:21; 227:20; 228:5; 280:1 flows [1] 63:4 focus [12] 20:6; 22:2; 52:19; 69:16; 90:16; 93:11; 117:13; 161:5; 193:1; 245:22; 248:5; 261:13 focused [5] 61:5; 148:22; 155:13; 172:3; 247:13 folder [1] 39:12 folks [4] 143:15; 196:11; 221:2; 276:2 follow [4] 63:9; 65:11; 171:13; 208:5 followed [1] 68:10 Following [1] 222:21 following [1] 35:1 follows [2] 6:6; 284:7 force [1] 26:8 forced [4] 35:4, 19; 43:8; 44:7 foregoing [1] 282:6 Foreign [2] 132:17, 20 foreign [3] 132:11, 13; 134:1 foresee [1] 268:18 forget [2] 121:12; 240:14 forgetting [1] 199:4	gala [7] 195:15; 196:2, 4, 21; 197:11, 16; 201:4 galas [1] 195:16 game [1] 249:14 gave [7] 38:12, 13; 41:13; 114:11; 191:20; 209:18; 224:12 generation [2] 114:11, 17 generous [1] 260:6 gentleman [1] 198:8 genuine [6] 22:15, 16, 20, 22; 23:18; 24:15 genuinely [1] 23:22 gets [4] 47:6, 11; 73:18; 140:3 Give [2] 153:20; 281:11 give [31] 36:11; 37:7; 39:2, 3, 9; 42:20; 43:9; 45:3; 46:12, 15, 18, 21; 57:5; 58:20; 65:1, 4; 69:9, 13; 72:20; 90:8; 99:4; 132:10; 161:10; 177:21; 190:2, 3; 201:16; 227:2; 230:7; 253:16; 259:2 given [24] 9:12, 14; 34:12; 42:22; 55:2; 59:16, 17; 64:12,	

- G -

16; 71:20; 73:6; 80:16;  
130:8; 172:22; 196:8;  
16; 204:9; 233:15;  
270:16; 277:20; 279:4;  
280:12; 283:10

gives [5]  
108:13; 129:4; 136:1;  
137:12; 139:10; 213:9

giving [6]  
64:7; 69:10; 117:2;  
151:2; 173:5; 188:14

goes [4]  
109:18; 224:1; 267:21;  
278:8

goodness [1]  
86:13

Gore [5]  
4:19; 126:16; 127:1;  
128:3, 9

goosh [2]  
200:4, 12

gotten [2] -  
209:13; 247:12

governing [2]  
170:9; 208:2

Government [17]  
109:10; 149:13; 155:13;  
160:22; 161:15; 175:2;  
177:13; 204:18; 211:17;  
22; 212:2; 218:10;  
220:6, 9; 221:18, 21;  
223:3

government [13]  
28:10; 35:16; 51:18;  
129:5; 135:22; 136:1;  
137:8, 9; 142:16;  
151:5; 189:2, 5; 207:13

governmental [5]  
49:14; 50:5; 52:2, 22;  
54:6

Governments [1]  
159:19

governments [1]  
213:22

Governor [4]  
41:20; 130:17; 213:2;  
236:17

governor [4]  
210:13; 216:11, 12;  
217:8

governors [1]  
225:20

governs [1]  
97:7

gracious [2]  
34:12; 145:5

graciousness [1]  
145:14

graduate [1]  
132:9

graduated [1]  
146:15

grant [1]  
231:6

grants [1]  
207:14

grass [3]  
247:13; 248:1; 269:3

grateful [5]  
224:11; 233:1, 13;  
235:3; 278:14

gratitude [1]  
235:22

great [1]  
6:17

greatest [2]  
114:11, 17

Greek [1]  
48:21

grizzly [3]  
120:7; 123:4, 6

ground [3]  
225:4, 7; 249:14

group [19]  
12:22; 13:3; 14:8, 11;  
15:17, 21; 22:2; 64:12;  
74:15; 111:16; 152:7;  
190:2; 242:4; 253:6, 8;  
256:17; 268:8, 19;  
276:22

groups [18]  
15:20; 31:7, 15; 32:1;  
106:17; 152:18; 188:6,  
19; 189:1, 4, 6, 14;  
194:22; 250:20; 252:3;  
267:18; 268:15; 269:12

gubernatorial [3]  
214:8; 237:5; 238:20

guess [8]  
34:6; 36:3; 71:12;  
127:14; 208:15; 242:9

Gulf [1]  
234:14

gun [2]  
99:1, 2

guy [1]  
137:17

- H -

half [3]  
39:18; 72:20; 209:10

hall [1]  
233:19

hand [8]  
89:16, 21; 91:4;  
131:17; 187:20; 207:7;  
217:14; 283:16

handed [4]  
160:18; 163:21; 187:19;  
236:13

handguns [3]  
98:19, 21, 22

hands [2]  
109:16; 237:13

happening [2]  
88:3; 194:12

happens [5]  
37:9; 70:12; 223:21;  
267:8, 16

happy [17]  
25:9; 39:8, 10; 48:10;  
62:13; 79:3; 92:10;  
97:17; 112:4, 5; 113:4;  
117:2; 127:22; 202:1;  
214:10; 224:11; 255:10

hard [72]  
21:15; 232:1; 26:19;  
33:17; 39:11; 40:1;  
43:15; 56:21; 62:10;  
71:12; 97:14; 100:20;  
22; 101:1, 7, 16, 18;

102:6, 12, 13, 20;  
103:14; 104:4; 112:1;  
113:10; 115:7; 118:2,  
10; 119:1; 121:1, 21;  
124:9; 125:1, 4;  
127:13; 129:21; 132:11;  
133:9; 134:1; 135:5;  
136:12; 137:22; 141:14;  
152:3, 14; 172:19;  
179:14; 196:13; 201:11;  
202:9, 18; 203:15;  
205:4, 7; 214:22;  
226:3; 233:8; 234:11;  
247:3, 8; 248:16;  
263:17, 21; 268:2;  
270:6, 7; 272:3, 13, 14,  
18; 276:1, 11

harder [1]  
126:16

hardly [1]  
30:12

harm [1]  
184:20

Harry [3]  
109:17; 110:5; 111:3

Haster's [2]  
233:14; 235:4

Hatch [8]  
4:17; 114:13, 18, 21;  
115:16, 17; 118:16, 21

Hatch's [2]  
114:18; 131:9

Haven [1]  
147:5

haven't [1]  
195:9

He's [1]  
4:15

head [2]  
101:10

headed [1]  
245:13

heading [4]  
93:8; 207:8; 216:7;  
273:9

health [3]  
64:20; 65:15; 68:5

healthy [1]  
273:2

hear [3]  
163:17; 164:16; 214:10

heard [10]  
26:17; 27:15, 17; 226:9,  
10, 21; 246:22; 267:13,  
18; 273:15

hearing [3]  
97:15; 226:7, 8

heart [4]  
23:19, 22; 32:17; 182:2

heck [1]  
39:19

held [5]  
2:1; 187:13; 207:18;  
246:7; 274:19

hell [1]  
183:20

Help [1]  
126:17

help [34]  
15:20; 16:16; 39:17;  
40:19; 41:1, 3, 19;

42:1, 9, 18; 59:2, 3;  
73:2; 94:19; 95:19;  
111:18, 19; 114:18;  
126:18; 134:16, 17;  
173:18; 181:17; 186:8;  
197:10; 203:11, 12;  
204:19; 216:14; 233:2,  
14; 242:5; 276:3, 5

helped [4]  
30:16; 39:5; 233:9;  
239:18

helpful [15]  
10:21; 16:17; 17:3, 19;  
115:17; 118:21; 130:17;  
156:8; 157:12; 168:2;  
169:22; 233:15; 249:6;  
272:8; 281:8

helping [3]  
42:11; 224:7; 247:5

Henry [1]  
235:14

Herb [2]  
120:6; 123:3

hereby [2]  
282:7; 283:6

herein [1]  
282:6

hereinbefore [1]  
283:8

hereunto [1]  
283:15

hesitate [1]  
49:4

high [1]  
244:12

high-tech [1]  
132:8

higher [1]  
279:17

highest [1]  
161:8

Hill [1]  
174:22

historical [4]  
177:18, 19; 178:2;  
185:2

History [1]  
146:17

history [5]  
50:4; 65:20; 109:12;  
209:2; 233:22

hit [1]  
125:4

Hold [2]  
163:16; 164:22

hold [11]  
79:12, 18, 20, 21;  
206:1; 221:7; 229:17;  
264:3; 266:20; 267:6, 7

holder [15]  
172:13; 212:15; 213:15;  
223:5, 10, 19; 224:8,  
20; 241:5; 245:17;  
259:16, 17; 262:22;  
263:3; 275:17

holders [9]  
154:12; 214:15, 16;  
222:3; 224:19; 241:1;  
242:17, 18; 250:19

holding [1]  
131:12

holds [5]  
80:10; 217:12; 222:18;  
223:12; 244:11

home [4]  
114:15; 126:1f  
226:1

honest [2]  
141:12; 281:10

Honesty [2]  
13:3; 89:11

honesty [4]  
17:14; 131:6; 148:18;  
199:5

hope [14]  
63:20; 65:9; 74:6;  
121:12; 180:22; 181:7;  
181:17; 205:21; 249:6;  
274:8; 277:14, 15;  
278:22; 279:10

hoped [1]  
179:10

host [3]  
105:7; 187:1; 200:8

hotel [1]  
119:14

hour [3]  
34:10; 39:19; 67:13

hours [2]  
7:3; 234:2

House [31]  
25:19; 28:20; 38:5;  
39:6; 45:9; 98:16;  
135:20; 136:21; 137:5;  
147:9, 12, 15, 19;  
148:3, 8; 160:11, 19;  
168:11; 171:1f  
176:3, 4; 183:  
184:11; 196:4; 224:3;  
225:14; 227:20; 228:6;  
229:17; 280:1

HUDSON [2]  
6:3; 283:4

Hudson [2]  
2:5; 283:18

human [1]  
119:17

hundred [7]  
104:13, 19; 105:9;  
218:4, 6, 18; 219:5

hurt [2]  
239:14; 275:13

hurting [1]  
186:11

Hyde [1]  
235:14

hypothesize [1]  
275:5

hypothetical [2]  
78:21; 190:3

hypothetically [3]  
155:16; 156:12; 222:13

- I -

Idea [1]  
148:22

identification [2]  
96:19; 178:5

IDENTIFIED [2]  
4:7; 5:2

identified [8]

52:4; 124:11; 130:16; 165:19; 167:1; 168:16; 186:16; 192:12	Improved [1] 139:5	64:21	133:17	77:15; 147:11; 212:15; 213:16; 214:17; 231:5; 8; 243:20; 244:6; 245:15; 269:2
Identifies [1] 130:6	inability [2] 103:21, 22	infant [1] 119:20	intent [3] 20:11; 33:16; 40:17	involves [1] 127:1
Identify [1] 49:14	Inaccurate [2] 100:4; 245:6	infelicitously [1] 63:14	intention [2] 106:17; 186:10	Involving [1] 275:8
Identify [13] 10:13; 165:14, 22; 166:18; 167:4, 13; 168:5, 10, 19; 169:10; 171:15; 172:9, 15	Inch [1] 119:20	influence [59] 18:13; 23:16; 24:10; 31:5, 13, 21; 35:8; 36:1, 8, 12; 37:16; 43:17; 51:22; 54:20; 55:1, 7; 64:21; 65:16; 66:11; 75:15; 76:10; 80:7; 95:4; 111:10, 13; 115:19; 118:7, 20; 121:20; 128:20; 129:4; 130:3, 18; 133:13, 15; 134:6, 10, 15; 136:14; 16, 19; 137:18; 140:6; 141:5; 143:14, 16, 20; 144:5, 10, 21; 173:7; 199:22; 213:11; 231:9; 240:12; 258:9; 266:18; 267:4, 11	inter-relationship [1] 153:7	Iraq [1] 234:14
Identifying [3] 88:18; 130:13; 242:2	Inches [1] 120:3	information [7] 51:13; 76:15; 78:3; 116:12; 161:17; 169:12; 183:15	interact [1] 198:1	island [2] 209:7, 11
Ignore [1] 136:5	Incident [5] 16:15; 121:16; 125:16; 17; 200:20	Informed [1] 15:22	interaction [1] 202:15	Issue [82] 12:15; 15:2; 17:20; 18:3, 9, 18; 19:14; 22:15, 18, 20; 23:7, 13; 24:1, 7, 8, 15, 16, 18; 25:4, 5, 6; 27:1; 57:9; 63:18; 66:19; 69:16; 18; 70:16, 18; 71:8; 72:8, 11; 73:17; 74:9, 13; 75:8; 80:9; 82:5; 15; 84:5; 85:6; 94:16; 100:21; 105:17; 110:11, 21; 115:14; 116:15; 117:15; 118:8; 121:8; 124:20; 125:22; 127:18; 133:16, 17; 134:14; 136:5; 138:3; 143:14; 151:16, 22; 153:1, 9, 10; 158:15; 181:4, 5; 184:16, 18; 195:3; 199:10; 200:22; 234:11; 235:9; 240:3, 17; 248:10; 250:7, 11
Ignored [1] 194:13	Include [2] 50:8; 53:3	Inhibit [1] 219:9	Interest [36] 22:2, 13; 25:17; 27:15; 31:7, 15; 32:1; 35:9; 36:2; 49:15; 52:2; 57:5, 12; 64:12; 67:1, 5; 74:15; 106:17; 152:17; 189:1, 4, 14; 194:22; 211:3; 212:18, 20; 214:2, 7; 219:1; 267:10, 17; 268:8, 15, 18; 269:12; 276:22	Issues [11] 10:22; 18:22; 70:15; 113:19; 189:12; 200:10, 11; 207:10; 235:11; 240:18; 245:22
II [3] 109:13; 152:11; 153:7	Includes [1] 167:10	Inhibited [1] 103:16	Interested [3] 161:4; 207:9; 283:13	Italicized [1] 52:7
Ill-feelings [1] 250:3	Inconsistent [2] 252:12; 253:20	Initial [1] 34:21	Interesting [1] 198:21	- J -
Illegal [3] 27:20; 82:11; 84:19	Increase [5] 97:18, 20; 268:10; 269:1; 278:18	Initially [1] 8:3	Interests [27] 22:3, 4; 36:7, 11; 50:6, 8; 52:22; 53:3; 54:6; 55:14; 64:15; 106:20, 21; 128:19; 129:4; 130:2; 141:3; 142:18, 22; 227:15; 228:6, 9; 267:1, 5, 7, 15; 269:9	Jack [5] 5:17; 222:18; 236:14; 239:15; 240:8
Illegible [1] 130:8	Increased [6] 51:12; 270:11; 271:11, 21; 276:9; 279:14	Initiate [1] 139:8	Interfered [1] 219:8	JAMES [1] 1:21
Illinois [1] 146:16	Incredible [2] 18:16; 154:16	Insiders [1] 142:21	International [1] 149:16	January [1] 264:22
Illustratively [1] 14:13	Incredibly [1] 119:18	Insignificant [1] 37:5	Interrogatories [3] 4:9; 47:16; 48:18	JEFFORDS [1] 1:21
Imagine [2] 226:5; 258:20	Independence [1] 82:9	Insist [4] 50:22; 120:9; 123:9, 12	Interrogatory [1] 49:13	Jersey [8] 119:13; 216:10, 17; 217:1; 218:16; 236:18; 237:7; 238:6
Immediate [1] 82:1	Independent [1] 79:14	Insofar [1] 151:5	Interrogatory [7] 15:3, 5; 49:6, 7; 50:21; 56:16; 60:13	jest [1] 255:19
Immediately [1] 103:20	Independently [2] 73:14, 17	Instance [11] 64:9; 107:22; 165:22; 168:19; 199:7, 18, 19; 214:20; 231:15; 237:21; 242:16	Interrupt [4] 50:17; 67:18; 164:10, 11	Jim [10] 4:22; 134:22; 135:16, 22; 136:4, 22; 137:2, 9, 14, 20
Impact [24] 44:13, 14; 51:11, 15; 53:7; 54:15; 59:15; 62:6; 73:8; 88:4; 111:21; 124:6, 7, 22; 125:6; 151:4; 212:11; 213:3; 214:3; 220:15; 222:15; 267:8, 16; 271:5	Indicated [5] 115:21; 162:20; 231:17; 259:3	Instances [9] 65:3; 70:21; 204:21; 205:10; 226:16; 228:2, 17; 240:20; 277:19	Intervening [1] 33:10	JO [1] 2:13
Impeachment [5] 233:16; 234:11, 20; 235:2, 7	Indicating [3] 130:5; 131:8; 181:21	Institution [1] 29:15	Intervenor [1] 47:15	job [10] 126:15; 132:10; 193:21; 195:5; 247:8, 9; 273:21; 275:13, 15, 16
Implement [1] 29:7	Indirectly [1] 161:16	Instruct [1] 280:18	Intervenor [1] 47:15	jobs [1]
Implemented [1] 36:18	Individual [29] 17:8, 10; 36:13; 39:21; 44:19; 59:18; 75:14, 21; 76:7, 8, 11, 16; 77:1; 78:11; 80:11; 151:19; 155:20; 178:5; 204:10; 226:21; 241:12, 13; 254:19; 258:17; 271:20; 272:9; 273:1; 275:14; 278:1	INSTRUCTIONS [1] 284:1	Intervenor [1] 47:15	
Imply [2] 68:18; 236:2	Individually [1] 23:11	Intend [4] 50:19; 90:11; 176:17; 259:1	Intervenor [1] 47:15	
Important [24] 11:10; 22:12; 23:15; 25:14; 26:6; 27:16; 34:15; 47:7; 95:12; 108:3; 109:6, 7; 136:5; 158:19, 22; 161:21; 219:11; 240:19; 250:10; 258:22; 266:15; 270:11; 271:20	Individuals [47] 10:10, 14; 19:11; 20:4; 21:3, 12, 14, 17; 22:8; 31:8, 14, 22; 38:18; 58:6; 59:8; 69:3, 12; 71:2, 4; 75:5; 81:15; 82:7, 16, 17, 22; 83:11; 150:11; 151:11; 152:2, 4; 177:5; 182:9; 183:15, 18, 20, 21; 199:2; 211:15; 225:10; 242:22; 243:1; 244:14; 245:7; 252:6; 262:1, 16; 270:18	Intend [4] 50:19; 90:11; 176:17; 259:1	Intervenor [1] 47:15	
Impose [2] 7:6; 253:1	Indulge [1] 237:9	Intended [4] 95:4; 139:21; 140:1; 258:22	Intervenor [1] 47:15	
Impression [1] 261:11	Industry [1]	Intensely [1] 235:13	Intervenor [1] 47:15	
Impropriety [1] 261:12		Intensity [1]	Intervenor [1] 47:15	
Improve [1] 275:18			Intervenor [1] 47:15	

BSA

132:19  
**JOHN** [1]  
 1:17  
**John** [9]  
 4:20; 5:3; 109:17;  
 110:5; 111:2, 18;  
 130:5; 185:2, 7  
**Johnson** [1]  
 276:3  
**Jon** [1]  
 278:17  
**Journal** [9]  
 4:13; 5:19; 264:22  
**judge** [9]  
 77:17; 85:18; 253:22  
**judgment** [9]  
 25:5; 40:13; 47:3;  
 63:22; 116:14; 134:6;  
 159:6; 213:11; 265:22  
**judicial** [1]  
 185:9  
**July** [4]  
 5:6; 8:20, 22; 160:12  
**jump** [1]  
 86:10  
**June** [1]  
 28:2  
**jurisdiction** [4]  
 116:20; 219:11, 15, 18  
**Justice** [1]  
 183:1  
**Justices** [1]  
 278:5  
**justification** [1]  
 262:21  
**justify** [3]  
 50:6; 52:22; 64:6  


---

**- K -**  
**Kean** [5]  
 5:16; 216:7, 10, 18;  
 217:7  
**keen** [2]  
 212:22; 214:1  
**Keep** [2]  
 126:17; 129:6  
**keep** [5]  
 69:9; 121:11; 220:4;  
 245:16  
**Kennedy** [1]  
 199:1  
**kept** [1]  
 116:4  
**key** [2]  
 154:10; 253:9  
**kids** [3]  
 139:10, 12  
**killed** [1]  
 119:21  
**Killing** [1]  
 120:2  
**killling** [1]  
 120:2  
**King** [2]  
 138:19, 20  
**KIRK** [1]  
 3:3  
**Kirk** [1]  
 6:13  
**KIRSAN** [1]

3:14  
**KLH** [1]  
 1:9  
**knowledge** [4]  
 9:11; 128:3; 226:22;  
 274:11  
**Kohl** [5]  
 4:18; 120:7, 8; 123:3, 9  


---

**- L -**  
**Labor** [1]  
 190:7  
**labor** [16]  
 12:22; 13:2; 31:6, 14,  
 22; 57:15; 64:2; 82:12;  
 151:10; 154:9, 13, 17;  
 161:10; 194:12; 246:22;  
 250:2  
**lack** [1]  
 155:18  
**lacked** [1]  
 105:20  
**lacks** [1]  
 277:8  
**land** [1]  
 99:2  
**laptop** [1]  
 96:9  
**Large** [1]  
 5:6  
**large** [49]  
 38:6; 40:12; 47:8, 10;  
 51:9; 53:5; 54:13, 20;  
 55:1, 12; 56:2, 18;  
 57:17; 58:10, 18; 59:6,  
 7; 60:4, 6, 22; 62:9;  
 63:2; 64:1, 4, 7, 12, 16;  
 65:4; 66:22; 67:5; 69:2,  
 13, 15; 70:7, 9, 12;  
 72:5; 83:4; 158:7;  
 213:20; 228:6; 246:21;  
 247:13; 266:7, 14, 17;  
 269:9, 18; 280:2  
**largely** [1]  
 249:18  
**larger** [5]  
 44:12; 55:12; 59:22;  
 243:2; 276:16  
**last** [24]  
 12:17; 13:1; 30:9;  
 37:10; 39:4; 93:10, 13;  
 123:16; 148:19; 188:1,  
 3, 5, 18; 195:17; 204:6,  
 12, 13; 207:11; 232:3,  
 12; 233:6; 246:17;  
 248:3; 249:8  
**late** [1]  
 120:2  
**letter** [1]  
 205:20  
**Law** [3]  
 5:18; 128:21; 254:2  
**law** [168]  
 17:5, 6, 7; 19:5, 6, 8,  
 19, 20, 22; 20:7, 8, 9,  
 12, 17; 21:9, 10, 11,  
 16; 23:8, 9, 10, 20, 21;  
 25:17, 19, 20; 28:11;  
 29:4, 7; 32:15, 18, 22;  
 33:1, 2, 5; 36:20; 37:9;

38:10; 39:5; 40:14, 15;  
 41:6; 42:6, 15, 16;  
 43:6, 13; 44:10; 45:12;  
 47:3, 4, 5; 54:18, 22;  
 55:17, 18, 19; 62:19;  
 64:3; 69:4; 70:2, 3;  
 71:1, 3, 5; 73:18, 19;  
 74:5; 75:1, 2, 22;  
 82:11; 83:18; 85:20;  
 86:7; 87:22; 88:21;  
 89:2; 95:11; 99:2;  
 100:21; 101:2; 103:19;  
 107:11; 111:7, 8;  
 113:21; 115:5; 116:6,  
 21; 117:7; 118:18;  
 120:20; 121:8; 122:9;  
 129:20; 148:9; 151:16,  
 18, 19; 154:5, 20, 21;  
 157:1, 5, 6; 180:20;  
 187:3; 193:4, 20; 194:9,  
 11, 20; 195:2; 208:16;  
 209:21, 22; 210:2, 4, 7,  
 10, 18; 211:7, 11, 12,  
 14, 18; 212:4; 214:19;  
 215:2, 19; 218:22;  
 219:13; 220:14; 221:9;  
 222:5, 6; 238:4, 8;  
 242:19, 20; 253:1;  
 255:20; 258:5; 260:16,  
 17; 262:7, 10; 268:16;  
 269:15; 278:4, 12;  
 279:6; 280:3, 4  
**laws** [12]  
 19:19; 20:14; 27:22;  
 50:10; 55:20; 71:8;  
 74:22; 75:3; 129:18;  
 155:5; 161:9; 208:12  
**lawyer** [1]  
 33:20  
**LAWYERS** [1]  
 286:1  
**lawyers** [1]  
 65:4  
**lay** [1]  
 262:7  
**lead** [1]  
 259:1  
**Leader** [1]  
 38:5  
**leader** [2]  
 38:6; 114:19  
**leaders** [2]  
 225:14; 235:20  
**leadership** [12]  
 38:8; 43:12; 64:6;  
 66:18, 21; 173:21;  
 225:14; 229:21; 234:10;  
 235:5; 248:16; 271:16  
**League** [9]  
 243:8, 11, 18, 19;  
 244:3, 9; 259:8, 12  
**learn** [1]  
 224:11  
**leave** [2]  
 42:6; 135:3  
**lectured** [3]  
 116:5, 7  
**legal** [9]  
 50:1; 77:4; 119:21;  
 170:19; 178:2; 184:21;  
 194:20; 221:12; 248:6

**legend** [2]  
 96:22; 106:1  
**legislation** [55]  
 10:11; 11:7; 25:7;  
 28:20; 61:20; 64:10;  
 68:5; 70:1; 81:3; 82:21;  
 98:17; 153:2; 154:10;  
 165:16; 166:1, 20;  
 167:5, 14; 168:13;  
 171:18; 172:13, 21;  
 178:19; 179:1; 182:1,  
 12; 186:3; 199:15;  
 201:6, 9; 213:18;  
 215:11; 226:12, 15, 17;  
 228:19; 229:3, 8; 230:1,  
 9, 12, 14, 19, 21;  
 231:9, 10; 239:5, 12;  
 263:8; 271:15; 272:10;  
 279:13; 280:14; 281:9  
**legislative** [13]  
 37:16, 22; 44:15; 50:4;  
 55:16; 66:10; 148:4;  
 199:10, 12, 21; 201:19;  
 227:2; 258:10  
**legislator** [2]  
 33:19; 274:5  
**legislators** [1]  
 238:9  
**legislature** [3]  
 148:16, 20; 223:16  
**legislatures** [1]  
 155:7  
**Leroe** [1]  
 42:3  
**Let's** [12]  
 67:20; 72:16; 90:5;  
 142:12; 143:21; 222:21;  
 228:15; 243:16; 244:8,  
 10; 259:12; 274:17  
**let's** [9]  
 19:4; 72:17; 172:3;  
 243:17; 246:12; 251:4  
**Letter** [3]  
 4:10; 5:16, 17  
**letter** [17]  
 216:20; 236:6, 13, 20;  
 237:3, 11, 16; 238:10,  
 14; 251:10, 16; 252:21;  
 256:20; 259:19; 260:11,  
 12, 15  
**letters** [1]  
 251:15  
**letting** [1]  
 163:9  
**level** [23]  
 108:10; 155:15; 157:7;  
 158:7, 21; 159:2;  
 160:6; 214:21; 219:19;  
 239:22; 252:10; 253:14;  
 260:21, 22; 261:3;  
 266:17; 273:2; 274:15;  
 276:17  
**levels** [1]  
 238:11  
**lever** [1]  
 230:7  
**licensing** [1]  
 99:2  
**lie** [1]  
 207:12  
**Life** [2]

94:3; 259:20  
**life** [4]  
 119:17; 126:15; 186:16  
 199:16  
**light** [1]  
 60:19  
**likeness** [1]  
 123:15  
**limit** [20]  
 19:10, 11; 20:10;  
 23:11; 57:22; 58:2, 3;  
 74:3; 143:2; 215:15;  
 238:1; 244:21, 22;  
 245:3; 263:3; 271:21;  
 276:10, 11; 277:18  
**limitation** [1]  
 61:7  
**limitations** [2]  
 251:5, 18  
**limited** [14]  
 21:16; 33:2; 44:19;  
 46:17; 50:9, 11; 75:3;  
 103:7; 104:11; 242:20;  
 258:16; 262:13; 270:8;  
 279:7  
**limits** [18]  
 20:17; 142:20; 143:15,  
 22; 144:3, 4, 11, 13,  
 15; 215:8, 20; 238:12;  
 253:1; 260:21; 271:11;  
 279:14, 18  
**LINE** [2]  
 285:2; 286:3  
**line** [6]  
 17:18; 53:15; 170:11  
 158:19; 175:3;  
**list** [6]  
 39:9; 139:6; 179:17;  
 196:8, 10  
**listened** [2]  
 57:19; 91:15  
**litigation** [2]  
 97:6; 164:2  
**live** [3]  
 7:13; 17:5; 75:17  
**lived** [1]  
 83:17  
**living** [1]  
 272:5  
**lobbied** [2]  
 160:1; 235:12  
**lobbyists** [1]  
 142:19  
**local** [10]  
 128:20; 146:7; 154:18;  
 206:2; 210:7; 212:9,  
 17; 217:2; 220:19;  
 271:6  
**locks** [1]  
 98:22  
**logic** [1]  
 222:22  
**logical** [1]  
 86:7  
**loophole** [7]  
 18:16; 19:18; 32:2  
 37:1, 2; 55:22  
**lose** [4]  
 136:3; 137:13; ....1;  
 184:7  
**loss** [2]

225:10, 272:1	142:4, 6, 160:14;	mechanisms [1]	merit [1]	Money [2]
lost [5]	161:22; 162:10; 187:15;	192:10	279:13	207:8; 210:18
156:2; 175:4, 11;	206:10; 216:2; 236:9;	Medicare [7]	merits [3]	money [432]
239:17; 242:12	254:6; 265:4	114:15, 19; 126:11, 15,	230:1; 231:16	17:6, 7; 18:5, 16, 17,
lot [25]	market [1]	17; 128:5, 6	message [5]	19, 20; 19:2, 3, 6, 7,
56:22; 57:1; 74:1;	266:15	MEEHAN [1]	23:15; 50:15; 87:10;	16; 20:2, 3, 8, 9, 14,
105:10; 132:14; 134:2;	marriage [1]	1:20	107:15; 108:14; 132:21;	15, 22; 21:1, 3, 8, 10,
142:1; 180:8; 195:5;	283:13	Meehan [1]	225:10	11, 13, 14, 15, 16;
200:10; 210:3; 212:19;	married [1]	149:21	messages [1]	23:9, 21; 26:3, 19;
223:21, 22; 224:1, 2;	146:19	meet [2]	107:1	27:18, 19; 30:5, 6, 10,
226:4; 227:1; 235:4;	MARTIN [1]	6:17; 235:14	Michigan [3]	13, 14; 32:21, 22; 33:1,
249:22; 269:1, 3;	1:20	meeting [2]	139:3, 17, 18	4; 35:4, 9, 19; 36:2;
270:7; 272:22	Massachusetts [1]	232:1; 233:20	middle [1]	37:2, 4, 10; 38:2, 11,
lots [5]	94:2	meetings [1]	93:6	17, 22; 39:7, 9, 11, 14;
87:13; 205:14; 227:2,	matching [1]	201:18	Mike [1]	40:1, 4, 6, 7, 12, 22;
3; 245:21	127:15	meets [1]	146:7	41:8, 9, 10, 13; 42:1, 5,
loud [2]	materials [1]	260:16	million [25]	7, 9, 11, 17; 43:5, 6,
49:11; 51:4	97:7	Member [12]	26:4, 10, 11, 13, 15,	18, 19; 44:7; 45:20, 21,
love [1]	math [1]	30:21; 59:20; 72:22;	16; 37:11, 16; 38:12,	22; 46:11; 47:9, 10;
115:17	31:18	73:1; 176:8, 17;	14, 16; 39:7; 44:9, 11;	51:9; 53:5; 54:14; 55:1,
lovely [1]	Matheson [11]	178:14; 183:13; 202:14;	59:18; 72:20; 209:10;	4, 12, 13, 22; 56:2, 19,
198:12	4:22; 134:22; 135:16,	204:1; 230:11; 260:14	210:14; 213:8, 10, 12;	21, 57; 17, 18; 58:4, 5,
lower [2]	22; 136:4; 137:1, 2, 9,	member [19]	222:11, 12; 223:1, 3;	10, 15, 19; 59:2, 6, 7,
216:14; 217:14	14, 20; 138:6	41:12, 16; 42:16; 46:18,	272:21	10, 12, 22; 60:4, 6;
loyalty [1]	Matheson's [1]	20; 67:4; 147:20;	millionaire's [1]	61:1; 62:10, 18; 63:3,
161:8	138:4	168:11; 171:16; 174:22;	277:12	4, 17; 64:1, 4, 8, 12,
- M -	matter [5]	176:11; 177:15; 223:16;	millions [6]	16; 65:1, 4, 17; 66:12;
magazines [1]	13:6; 84:2; 109:18;	229:16; 234:16; 235:18;	57:5; 107:3; 136:2;	69:2, 14, 15; 70:2, 3, 5,
49:20	197:4; 258:22; 283:14	238:6; 243:8; 261:2	137:13; 190:8	6, 9, 10; 71:4; 72:5;
magic [1]	matters [3]	member's [2]	mind [13]	74:13; 75:8, 14, 15;
18:14	197:5; 220:21, 22	174:19; 226:4	13:15; 67:15; 137:18;	76:1; 77:2; 82:4, 13,
Mal [1]	May [1]	Members [18]	164:20; 182:9; 188:11;	21; 83:4; 84:17, 20, 21;
4:10	197:1	32:6, 12, 14; 47:6;	224:10; 227:16; 250:5,	86:4; 87:11; 89:1;
mail [7]	MBA [1]	55:9; 58:17; 70:20;	14; 253:18; 257:2, 10	100:15, 20; 22; 101:1,
190:15; 192:10; 249:15;	147:1	90:1; 92:21; 154:22;	minds [2]	7, 10, 12, 17, 18, 19;
268:9, 20; 273:12;	MC [2]	175:4; 186:2, 5;	226:19; 227:13	102:6, 13, 20; 103:14;
275:9	1:5, 17	224:10; 226:6, 19;	mine [2]	104:3, 5; 108:8; 112:1;
mailer [3]	McAuliffe [1]	239:8; 242:1	16:2; 223:14	115:7; 118:2, 10;
216:22; 219:4, 5	223:20	members [44]	Minority [1]	119:1; 121:1, 21, 22;
major [5]	McCain [14]	10:6; 17:5; 21:5; 25:18;	38:5	124:9; 125:1; 127:13,
47:12; 146:16; 154:19;	4:20; 5:3; 29:13; 30:3;	26:5, 10; 27:18; 28:18;	minute [5]	16; 128:19; 129:21;
179:12; 195:8; 229:7;	128:18; 129:9; 130:6,	29:2, 13; 32:9; 38:3;	67:16; 228:16; 246:6;	130:3; 133:9; 134:16,
239:11; 279:12	22; 139:3, 14, 16, 22;	42:20; 64:5; 65:22;	255:8; 281:11	17; 135:5, 6; 136:12,
majority [6]	140:1; 141:6	87:14; 105:22; 121:17;	minutes [1]	13; 137:22; 138:18;
32:11, 14; 59:4;	McCain-Feingold [1]	147:16, 19; 174:5, 8;	67:10	141:14; 150:4, 9, 10;
209:20; 211:11; 228:4	5:13	175:12; 176:20, 21;	mischaracterize [2]	151:2, 17, 18; 152:1, 2,
man [3]	McDonald's [2]	177:2; 178:22; 179:2,	29:16; 206:2	4, 14, 15, 21; 153:10,
34:12; 139:1; 198:13	138:18, 21	8; 180:4, 8; 181:12;	mislead [1]	17; 154:2, 21, 22;
mandate [1]	MCFL [3]	183:11; 184:12; 209:20;	221:15	157:5, 6, 15, 20, 21,
232:7	93:15; 94:2, 5	229:13; 235:6, 12;	mistake [1]	22; 158:5, 6, 20; 159:1,
manner [3]	mean [26]	242:11; 252:2; 262:15;	160:5	2, 8, 16, 21; 160:3;
66:10; 211:6; 273:10	11:14, 22; 18:1; 19:2;	269:13; 271:18	misunderstanding [1]	165:17; 166:2, 21;
manslaughter [1]	22:22; 25:17; 48:8;	membership [8]	79:6	167:6, 15; 168:14, 22;
119:22	58:12, 13; 59:14; 68:17,	14:8; 26:14; 84:14;	misunderstood [4]	171:19; 172:19, 22;
marginal [1]	20; 104:12, 16; 116:7;	87:12; 102:4; 191:5;	91:3, 7; 125:11; 156:1	173:6; 180:15, 20, 21;
124:6	151:8; 190:1; 200:5;	193:7, 11	misuse [1]	187:7, 8; 188:7, 20;
Mark [7]	201:7; 220:8; 221:22;	mention [11]	28:21	190:13; 191:3, 5, 15,
97:12; 98:9, 10, 15;	225:3; 226:15; 235:13;	17:13; 86:2; 95:2	MITCH [1]	16; 192:14, 22; 196:9,
99:15, 17; 112:22	237:19; 275:3	100:12; 104:18; 128:10;	1:5	13, 17; 198:10, 11;
mark [10]	meaning [2]	129:19; 144:2; 174:18;	mobilization [1]	201:11, 12; 202:9, 10,
47:20; 96:11, 14;	25:19; 127:4	191:16; 192:17	250:8	11, 13, 18; 203:2, 9, 9,
131:18; 160:10; 162:6;	meaningful [2]	mentioned [11]	mockery [1]	16, 20; 204:5, 8, 9;
206:8; 236:6; 254:1;	65:6; 211:14	7:3; 15:1; 61:6; 86:6;	19:21	205:4, 7; 206:3, 6;
264:20	means [2]	98:12; 116:19; 127:10;	Molinari [1]	207:9, 12; 208:10, 11,
marked [24]	170:6; 262:7	140:11; 206:1; 259:14;	209:5	15, 18, 19; 209:4, 15;
48:1, 15; 91:18; 96:19;	meant [3]	269:11	Molly [1]	16, 17, 20;
108:16; 112:11; 114:7;	147:21; 227:11; 235:4	mentioning [2]	143:1	211:12, 13; 212:2, 3,
119:6; 126:4; 128:13;	measure [3]	120:21; 143:8	moment [7]	16, 20; 213:16, 21;
131:21; 134:19; 138:9;	28:15; 208:11; 246:21	mentions [5]	33:8; 50:17; 69:17;	214:17, 22; 215:7, 19;
	measures [2]	115:11; 120:17; 129:18;	112:3; 189:11; 261:13,	217:19, 21; 218:5, 6, 8,
	65:15, 16	133:5; 136:10	15	9, 19; 219:3, 6, 12, 13;



220:7, 13, 17, 18, 21; 221:4, 8, 9, 10, 11, 11; 20; 222:4, 5; 223:5, 6; 224:7; 232:2; 233:8, 9; 238:2, 17; 241:4, 7, 10; 242:5, 11, 15, 17, 18, 20; 243:2, 18; 244:13; 245:12, 16; 247:3, 8; 248:7, 9; 249:2; 250:19; 251:1, 3, 17; 252:4, 5; 253:4, 7; 254:19; 261:2; 267:1; 268:2; 269:16, 17; 270:1, 6, 7, 17, 22; 272:1, 3, 13, 14, 15, 18, 20; 276:9, 11, 14, 22; 278:21; 279:1; 280:4	186:10; 191:16; 192:18; 266:11; 284:9 named [1] 422 names [11] 104:13; 120:17; 176:11; 183:17, 19, 21; 184:4, 12; 186:10; 198:5; 225:8 Nancy [1] 276:3 narrow [1] 922 narrowed [1] 253:5 National [48] 4:13; 5:11, 19; 6:13, 14; 52:10; 146:6, 9; 149:16; 164:1; 165:8; 172:11, 19; 173:6; 179:4; 195:8; 196:21; 210:6, 13; 211:4, 5; 212:6, 7; 215:16; 217:9, 11, 13, 16, 17, 20; 218:3; 219:2; 222:1; 225:15; 228:18; 229:16; 20, 21; 230:6; 232:11; 236:15; 237:13, 14; 246:10, 11; 259:7; 264:22; 274:1; 277:18 national [34] 128:20; 148:22; 150:2, 9, 13; 153:15, 17; 155:17; 156:13, 17; 157:19; 158:2, 11; 159:12; 160:3; 212:8, 9; 213:21; 219:16; 220:1, 8; 221:7, 22; 222:13; 224:15; 229:6; 230:17; 238:13; 263:16; 264:5, 14; 269:21; 271:11; 276:11 nature [3] 63:3, 17; 266:19 needs [10] 27:6; 114:17; 115:6; 118:10; 122:8; 135:4; 137:22; 180:15; 187:7; 250:12 negate [1] 70:4 negative [4] 15:2; 106:22; 128:19; 130:3 negotiating [1] 248:18 negotiations [3] 252:1; 253:10; 271:15 Nevada [4] 110:5, 6, 7; 111:15 newborn [1] 119:15 newspapers [1] 49:20 nice [2] 163:9; 174:21 nicely [1] 166:14 NICOLE [1] 2:13 night [1]	233:10 nine [4] 131:5; 141:10; 161:5; 183:7 nod [2] 224:5, 6 Nods [1] 129:16 nomination [1] 9:4 non-broadcast [4] 189:15; 194:22; 249:9; 250:8 non-elected [1] 242:6 non-Federal [16] 153:17, 22; 154:1; 155:19; 165:17; 166:2, 21; 167:6, 15; 168:14, 21; 171:19; 207:18, 20; 217:19; 220:2 non-governmental [1] 220:16 non-hard [1] 104:3 non-pejorative [1] 267:3 nonlawyer [1] 28:16 nonprofit [5] 84:13; 93:17, 22; 94:5, 8 nonsensical [1] 211:19 Northrup [5] 4:21; 132:16, 18; 134:3, 8 Northwest [4] 2:3, 14; 3:6, 15 notable [1] 280:11 Notary [4] 2:5; 6:3; 283:4, 19 notary [1] 284:16 NOTES [1] 286:1 notes [1] 281:12 notice [1] 60:1 noticed [2] 96:21; 274:12 November [6] 217:4; 218:2; 243:21; 244:15; 252:14; 259:18 nowhere [1] 11:10 NRA [69] 3:1, 21; 14:9, 20; 15:15, 16; 20:16; 22:10; 25:12, 13, 15; 26:1, 4, 5; 27:9; 46:20; 61:22; 62:12; 87:9; 98:18; 99:3, 5, 11; 100:2, 5, 8, 13; 101:1, 2, 9, 11, 18; 102:4, 7, 9, 16, 17, 19; 103:2, 4, 7, 13, 19, 21; 104:8, 15; 105:1, 6, 12, 19, 21; 106:1, 9; 107:3, 5,	12, 18; 108:4, 9; 113:13; 246:12; 250:20; 259:14, 19 NRA's [5] 61:20; 101:20; 103:8; 104:18; 105:3 NRC [1] 218:12 NRCC [3] 204:9; 213:10; 274:2 NUMBER [2] 4:7; 5:2 Number [24] 48:2; 49:13; 91:19; 108:17; 114:8; 119:7; 122:22; 126:5; 128:14; 131:22; 134:20; 138:10; 14; 142:7, 10; 160:15; 162:11; 172:6; 187:16; 206:11; 216:3; 236:10; 254:7; 265:5 number [26] 8:15; 14:21; 33:13; 48:20; 49:7; 50:20; 52:20; 74:21; 97:13; 108:7; 120:10; 131:5; 165:13; 166:17; 168:9; 170:10; 173:12; 196:22; 222:21; 228:2; 235:11; 243:11; 263:9; 264:1; 267:19; 280:8 Numbered [1] 96:19 numbers [3] 69:8; 207:7; 255:19 nursing [4] 114:15; 126:10, 12; 131:4 NYU [1] 147:1	occasions [1] 14:21 occurred [2] 148:1; 155:14 occurs [1] 225:4 October [3] 146:13; 236:7; 283:16 odd [1] 218:17 offending [1] 67:5 offense [1] 72:17 offered [2] 64:17; 66:20 Office [1] 237:6 office [32] 12:14; 147:8; 154:12; 161:19; 172:13; 212:1; 213:15; 214:15, 16; 221:8; 222:3; 223:4, 6, 19; 224:8, 19, 20; 229:14; 241:1, 5; 242:17, 18; 245:17; 250:19; 259:16; 261:8, 10; 262:22; 263:3; 275:17; 280:12 officer [2] 222:16; 223:10 officers [1] 225:15 offices [1] 22 official [11] 162:3; 195:22; 16; 223:11, 19; 224:14, 15, 18; 240:22 officials [25] 63:22; 151:5; 154:6, 14; 159:6; 214:17; 220:11, 12, 16, 17; 221:3, 7; 222:2; 225:15 21; 226:2, 7, 8; 228:17; 233:11; 239:2, 3, 22; 240:3, 21 oh [1] 200:4 Okay [7] 117:6, 16; 186:13; 194:17; 246:4; 256:3; 264:4 okay [3] 122:18; 123:7; 162:2 old [1] 225:4 Oliver [7] 5:17; 222:18; 236:14; 238:5, 18; 239:15; 240:8 OLYMPIA [1] 1:20 ones [2] 93:22; 203:19 opened [1] 39:12 operation [1] 55:20 operations [1] 268:10
---	--	---	---	--

- O -

opinion [22] 29:9, 10, 22; 31:2; 68:7; 81:10, 20; 82:1, 6; 94:7; 95:22; 102:1, 3; 110:10, 12; 116:15; 123:21; 143:13; 177:20, 22; 265:16, 18	215:12, 14, 22 overcome [1] 129:9 overtum [1] 55:21	123:10, 12; 125:15 participant [1] 181:11 participate [6] 69:13; 71:3; 74:2; 87:5, 6; 212:8 participated [4] 9:8; 204:11; 274:4, 10 participating [2] 211:5; 274:22 participation [1] 220:1 particulars [3] 77:14; 95:8; 256:10 parties [63] 19:15; 21:18; 30:14, 15; 37:6; 70:8; 74:14; 76:17; 146:7; 150:2, 8, 9, 13, 14; 152:16, 22; 153:9, 15, 16, 17; 155:17, 21; 156:13, 15, 17, 19; 157:19, 21; 158:2, 9, 11; 159:12; 160:7; 213:4; 220:1; 221:22; 222:1; 226:18; 238:12, 13; 239:21; 252:8; 263:16; 264:6, 15; 269:5, 6, 21; 270:3, 14, 20; 271:6, 12, 22; 272:9, 19; 273:3; 275:7; 283:12	pass [5] 39:5; 44:11; 69:4; 237:12; 272:11 passage [2] 175:11; 280:13 passed [20] 32:15; 44:16; 45:9; 54:19; 55:17, 18, 19; 73:19; 100:21; 101:2; 113:22; 117:7; 135:19; 136:21; 175:20; 176:3, 4; 178:21; 225:11 passing [2] 215:11; 265:22 passionately [2] 99:6; 200:9 passive [1] 181:11 patently [1] 106:5 pathetic [1] 275:12 patience [2] 145:14; 234:8 PATTERSON [1] 3:14 PAUL [1] 3:19 Pause [1] 281:13 pay [11] 42:7; 55:10; 57:6; 109:11; 161:10; 192:12; 218:3, 7, 19; 219:3, 4 paying [2] 51:13; 240:18 Peace [1] 146:20 peace [1] 114:11 pending [4] 92:4; 172:13, 21; 200:22 Pennsylvania [1] 2:14 People [1] 246:11 people [68] 10:3; 11:22; 20:10; 23:10; 32:10; 33:3; 36:7; 39:9; 44:5, 6; 47:8, 9; 56:22; 57:2; 62:15, 16; 66:3, 4, 5; 74:2, 3; 85:22; 98:20; 118:6; 133:17, 18; 134:11; 137:20; 142:14, 15, 21; 183:22; 186:11; 190:15; 198:3, 12, 15, 21; 199:11; 200:2, 9; 201:17; 202:7, 19, 21; 203:5, 12, 18; 204:14, 16, 17; 205:3; 209:11; 222:14; 225:18; 227:4; 239:7; 240:11; 248:13, 18; 261:8; 269:2; 270:12; 273:1; 276:4; 278:15 people's [1] 61:22 perceived [14] 35:7, 22; 45:15; 46:2,	4; 63:1, 16; 75:13; 77:10; 107:20, 22; 113:11, 14; 239:4 percent [16] 9:6; 31:9, 17, 18, 19; 32:2; 218:4, 6, 18; 219:5; 225:1; 232:4, 21, 22; 243:14 perception [1] 55:14 perfectly [4] 119:21; 248:5; 255:10; 266:2 performance [1] 139:5 performed [2] 179:20; 246:20 period [4] 88:13; 89:8; 129:12; 140:10 permit [1] 89:6 permitted [2] 87:19; 88:10 permitting [1] 254:13 person [12] 41:2, 4; 144:2, 3, 6; 200:21; 201:1; 226:11; 227:11; 276:21; 279:7, 18 person's [1] 111:9 person-to-person [1] 261:19 personal [16] 39:4; 58:15; 75:15; 76:11; 78:12; 102:1, 3; 121:15; 122:7; 125:3; 146:11; 181:10; 199:16; 277:8, 9; 279:4 personally [2] 152:14; 184:21 personnel [1] 241:20 persons [1] 236:16 perspective [1] 230:2 perspectives [1] 230:3 persuaded [1] 227:14 persuasion [1] 189:4 petition [2] 189:2, 5 phenomenon [1] 69:17 phone [10] 39:14, 16; 190:14; 192:9; 222:10; 249:15; 268:9, 20; 273:11; 275:8 phones [1] 280:12 phonetic [3] 10:17; 42:3; 223:20 pick [1] 222:10 PICKERING [1]
opponent [10] 13:2; 42:9; 122:2 138:4; 276:8, 16, 17; 277:1; 278:2, 19	p.m. [7] 145:9, 16; 250:15; 281:18 PAC [10] 20:16; 22:9; 25:13, 14; 27:11; 43:18; 59:16; 101:12; 121:22; 204:18 PACs [1] 5:14 PAGE [3] 4:2; 285:2; 286:3 Page [1] 166:11 page [22] 49:5; 93:2, 3, 6; 98:4, 6, 9; 122:21; 166:9, 14; 171:22; 172:6; 207:6, 7; 217:3, 14; 254:12; 265:10, 12, 13; 282:9 pages [2] 140:8; 282:7 paid [45] 12:20; 13:2; 14:1, 2, 4; 18:4; 19:2; 24:6; 26:18; 27:1, 6; 41:18; 57:8; 71:9; 98:7, 9; 99:14, 16, 18, 19; 100:19; 102:18; 104:3, 5; 105:1; 113:9, 13; 115:6; 117:10, 21; 118:1, 10, 22; 121:3, 21; 124:8; 127:6, 13; 132:21; 142:18; 148:20; 152:14; 217:15; 218:16 pains [1] 180:19 panel [2] 123:2; 147:17 panels [1] 122:21 paragraph [11] 34:21; 93:12; 161:4; 183:7; 188:1, 3, 6, 18; 207:8; 254:13; 261:14 parenthetically [1] 212 parents [1] 139:10 part [36] 35:13; 39:15, 17; 44:8; 53:9; 59:14; 64:22; 80:15; 102:3; 150:8; 151:8; 152:8; 153:1; 154:10, 19; 162:2 179:14; 193:1; 201:7; 202:16; 209:22; 210:1; 215:11; 230:22; 231:1; 239:5, 11; 240:10; 248:9; 253:9, 10; 258:4, 15; 266:1; 268:15; 279:12 partial [7] 120:1, 3, 9; 121:15;	partly [1] 74:20 parts [4] 11:6; 21:17; 48:10; 49:1 Party [26] 43:4; 65:5; 72:16, 17; 187:3; 210:2; 213:9; 215:6; 218:17; 224:1; 230:19; 231:2; 246:17; 247:14, 19, 21; 251:17; 252:22; 256:21; 260:13; 273:15, 20; 274:1; 275:2, 6, 19 party [74] 28:22; 29:1; 39:17; 52:11; 64:13; 70:12; 73:6, 15; 74:17; 82:10; 146:7; 151:2; 153:18; 160:3; 165:18; 166:3, 22; 167:7, 16; 168:15, 22; 171:20; 172:22; 179:15; 180:1, 14, 16, 19, 21; 181:15; 187:7; 197:22; 199:14, 16; 202:16; 203:11; 210:1; 212:16; 218:17; 219:4; 220:8, 12, 16; 221:2, 7; 222:13; 223:4, 11, 19, 22; 224:9, 12, 15, 18; 225:19, 21; 226:8; 235:22; 236:3; 237:20; 239:2, 7; 240:11, 21; 241:20; 247:18; 248:18; 251:4; 263:5; 272:14; 275:16; 276:11 Party's [1] 274:7 party's [3] 9:4; 74:18; 180:11	passing [2] 215:11; 265:22 passionately [2] 99:6; 200:9 passive [1] 181:11 patently [1] 106:5 pathetic [1] 275:12 patience [2] 145:14; 234:8 PATTERSON [1] 3:14 PAUL [1] 3:19 Pause [1] 281:13 pay [11] 42:7; 55:10; 57:6; 109:11; 161:10; 192:12; 218:3, 7, 19; 219:3, 4 paying [2] 51:13; 240:18 Peace [1] 146:20 peace [1] 114:11 pending [4] 92:4; 172:13, 21; 200:22 Pennsylvania [1] 2:14 People [1] 246:11 people [68] 10:3; 11:22; 20:10; 23:10; 32:10; 33:3; 36:7; 39:9; 44:5, 6; 47:8, 9; 56:22; 57:2; 62:15, 16; 66:3, 4, 5; 74:2, 3; 85:22; 98:20; 118:6; 133:17, 18; 134:11; 137:20; 142:14, 15, 21; 183:22; 186:11; 190:15; 198:3, 12, 15, 21; 199:11; 200:2, 9; 201:17; 202:7, 19, 21; 203:5, 12, 18; 204:14, 16, 17; 205:3; 209:11; 222:14; 225:18; 227:4; 239:7; 240:11; 248:13, 18; 261:8; 269:2; 270:12; 273:1; 276:4; 278:15 people's [1] 61:22 perceived [14] 35:7, 22; 45:15; 46:2,	4; 63:1, 16; 75:13; 77:10; 107:20, 22; 113:11, 14; 239:4 percent [16] 9:6; 31:9, 17, 18, 19; 32:2; 218:4, 6, 18; 219:5; 225:1; 232:4, 21, 22; 243:14 perception [1] 55:14 perfectly [4] 119:21; 248:5; 255:10; 266:2 performance [1] 139:5 performed [2] 179:20; 246:20 period [4] 88:13; 89:8; 129:12; 140:10 permit [1] 89:6 permitted [2] 87:19; 88:10 permitting [1] 254:13 person [12] 41:2, 4; 144:2, 3, 6; 200:21; 201:1; 226:11; 227:11; 276:21; 279:7, 18 person's [1] 111:9 person-to-person [1] 261:19 personal [16] 39:4; 58:15; 75:15; 76:11; 78:12; 102:1, 3; 121:15; 122:7; 125:3; 146:11; 181:10; 199:16; 277:8, 9; 279:4 personally [2] 152:14; 184:21 personnel [1] 241:20 persons [1] 236:16 perspective [1] 230:2 perspectives [1] 230:3 persuaded [1] 227:14 persuasion [1] 189:4 petition [2] 189:2, 5 phenomenon [1] 69:17 phone [10] 39:14, 16; 190:14; 192:9; 222:10; 249:15; 268:9, 20; 273:11; 275:8 phones [1] 280:12 phonetic [3] 10:17; 42:3; 223:20 pick [1] 222:10 PICKERING [1]
opponents [3] 12:17; 271:14; 272:7				
opportunity [5] 25:9; 50:14; 81:9; 253:16; 257:8				
oppose [6] 42:17; 43:10; 120:9; 123:10, 12; 180:11				
opposed [9] 14:20; 42:2, 10; 64:13; 102:17; 205:4; 248:16; 278:12				
opposing [1] 228:19				
opposition [1] 32:18				
Orange [1] 237:6				
order [5] 55:10; 93:14; 173:6; 176:14; 271:22				
ordinary [3] 257:22; 258:2; 279:15				
organization [19] 14:9; 20:16; 22:6; 84:3, 4, 14; 144:12, 16, 20; 241:8; 242:12; 245:15; 247:14; 248:1; 258:1, 3, 14; 261:20; 263:1				
organizations [9] 241:2; 244:5; 249:2; 259:5, 20; 262:11; 264:13, 17; 280:9				
organized [2] 246:22; 263:11				
original [1] 284:17				
origins [1] 207:11				
Orrin [4] 4:17; 114:12, 18, 21				
ours [1] 162:18				
outcome [5] 51:22; 75:15; 76:10; 111:21; 283:14				
outline [1] 263:11				
outlined [1] 80:5				
Outlines [1] 4:14				
outraged [3] 41:11; 104:15; 119:13				
outrageous [1] 26:1				
outside [5] 15:20; 188:6, 19; 252:3; 257:3				
over-reach [3]				

3:12	279:6	position [25]	3:18	161:6
Pickering [1]	pointing [1]	8:4; 13:15; 17:12;	present [4]	prior [4]
2:2	48:14	32:11; 100:3; 111:1, 9;	3:22; 75:22; 119:19;	176:4, 10; 204:21;
picture [4]	points [2]	135:1, 17; 137:3;	158:4	216:22
109:5; 129:19; 130:6;	60:13; 239:17	172:12; 180:11; 181:15;	presented [2]	private [2]
133:6	policy [4]	182:10, 11; 217:12;	12:11; 92:14	38:1; 161:14
pictures [4]	24:8; 98:19; 154:15;	222:8, 10, 19; 223:12;	presenting [1]	privilege [3]
123:16, 17; 132:6;	267:11	226:4; 229:4; 230:13,	92:16	6:17; 16:1; 57:13
142:15	POLITICAL [1]	19; 231:12; 235:6	President [10]	probate [1]
pie [1]	3:1	positions [4]	25:20, 21; 45:12;	9:18
109:10	Political [17]	99:12; 100:5; 103:8;	130:15; 137:9; 139:15;	probing [1]
piece [3]	3:21; 6:15, 21; 22:7;	229:7	197:11, 14; 199:13;	61:8
98:17; 109:10; 229:3	25:12; 27:10; 46:21;	positive [1]	248:20	problem [14]
pieces [1]	102:9, 16; 103:9;	106:21	Presidential [2]	21:22; 22:1; 39:15;
229:7	104:9; 105:2, 19;	possibility [1]	50:12; 129:10	59:14; 81:1; 83:1;
PIMENTEL [1]	113:9; 146:17; 147:4;	46:6	presidential [5]	142:18; 153:3; 157:7;
3:19	241:20	Post [3]	37:11; 127:1; 130:11;	158:8; 159:15; 211:8;
pipeline [1]	political [133]	5:12; 187:22; 237:6	213:3; 214:9	222:22; 245:11
198:12	6:22; 9:17; 19:15;	potential [5]	pressure [1]	problematical [1]
place [3]	21:18, 19, 21; 22:5, 7,	84:6; 222:14; 234:14;	226:4	155:21
129:13; 142:17; 167:2?	10; 23:12; 26:9; 27:1,	256:16, 17	pretend [1]	problems [10]
placed [1]	3; 28:17; 33:3; 37:3, 6;	potentially [4]	209:1	52:4; 68:16, 17, 19, 20;
98:1	39:22; 42:19; 43:1, 21;	37:18; 57:5; 95:2;	pretty [13]	81:6; 83:10, 16; 158:5,
plain [1]	46:12, 15, 18; 61:1, 4,	221:11	14:16; 26:1; 115:15;	12
175:10	6, 15; 62:3, 6, 17;	power [3]	128:7; 133:20; 176:6;	Procedure [1]
Plaintiff [1]	63:21; 64:9, 19, 20;	28:21; 129:5; 215:12	181:18; 232:6; 234:11;	170:9
5:10	68:12, 21; 69:19; 70:8,	powerful [2]	243:13; 244:12; 255:19;	procedure [4]
PLAINTIFFS [2]	19; 71:10; 72:2; 74:8;	121:18; 124:3	265:21	procedure [1]
2:9; 3:1	75:4; 76:17; 82:20;	practical [3]	prevail [2]	90:14
Plaintiffs [1]	83:8; 84:10, 21, 22;	278:3, 10; 279:9	35:15, 16	proceeded [1]
1:8	85:5; 86:4, 16; 87:7,	practice [1]	Prevent [1]	196:9
plaintiffs [1]	16; 94:14; 96:5;	34:9	51:7	proceeding [1]
187:4	100:15; 101:5, 9; 103:4,	preceded [1]	prevent [1]	176:15
plan [11]	9, 15, 20; 105:8, 16;	74:22	26:17	proceedings [1]
135:19, 22; 136:1, 21,	106:16; 107:1, 13, 20;	precise [3]	prevented [2]	281:13
22; 137:5, 8, 10;	108:5, 12, 22; 112:13;	96:1; 199:19; 206:19	25:16; 274:21	process [71]
273:10; 274:7; 275:8	113:11, 15; 150:8;	precluded [2]	Preventing [2]	22:4; 30:7; 34:15, 17;
plans [1]	152:16, 22; 157:21;	155:17; 190:16	51:19; 53:3	37:3, 16; 38:1, 19;
273:5	160:7, 8; 165:17; 166:3,	precluding [1]	preventing [1]	42:11; 44:15, 20, 21;
play [1]	22; 167:7, 16; 168:14,	211:3	50:9	51:17; 55:7, 16; 63:8,
97:18	22; 171:19; 179:22;	predicate [1]	previous [8]	22; 64:9, 19, 20; 66:6;
played [2]	180:14; 181:18, 22;	262:8	9:9; 11:22; 32:20; 78:2;	67:5, 6; 68:10, 12, 21;
97:9; 106:5	182:3; 208:18; 212:22;	prefer [1]	112:22; 116:10; 175:6,	69:11, 20; 70:19;
player [2]	213:18; 220:8; 227:6,	50:21	18	71:11; 72:2; 74:8, 11;
203:10; 266:15	19; 230:2, 22; 231:8;	preferable [1]	previously [3]	83:8; 84:10; 85:5, 17;
players [1]	238:12, 13; 239:2, 7,	40:3	79:13; 80:6; 179:18	94:14; 107:20; 108:12;
69:11	21; 240:11, 21; 251:4;	preference [5]	primarily [12]	113:12, 15; 129:2;
Please [2]	252:8; 263:4, 16; 264:6,	201:16; 240:1; 242:10,	241:8, 14; 243:20;	147:13; 148:1, 2, 7;
89:17; 184:19	15; 266:18; 267:13, 17;	21; 243:3	244:18; 245:2, 3, 15;	157:4; 160:8; 176:19;
please [8]	268:17; 269:2, 6, 21;	preferred [1]	246:13; 259:21; 261:21;	181:19; 183:11; 184:21;
17:22; 20:21; 56:11;	270:3, 13, 14; 271:5,	242:9	263:1; 279:1	201:8; 213:18; 227:2, 6,
80:3; 171:22; 256:7,	22; 272:9, 14	premiere [1]	primary [21]	19; 231:8; 240:12;
11; 284:8	politically [1]	239:5	8:17, 19, 22; 9:2, 4, 5,	252:12; 256:7; 258:10;
pleased [1]	184:20	premise [1]	8; 20:6; 26:12; 27:9;	266:18; 267:13, 17;
232:20	politicians [2]	276:20	45:20; 61:18; 70:7;	269:2; 270:13; 271:15;
pleasure [3]	109:15; 142:19	preparation [1]	82:14, 20; 88:1; 99:21,	278:6; 284:20
6:17; 99:4; 145:12	Politics [1]	131:1	22; 115:3; 139:16;	Professor [1]
pledge [4]	280:10	prepare [1]	262:4	147:3
143:1, 4; 144:6, 15	politics [4]	9:19	principal [2]	prohibit [7]
point [30]	46:5; 142:22; 175:19;	prepared [1]	63:1; 262:11	61:15; 117:10; 121:8,
12:3; 23:6; 27:14;	179:14	11:19	principally [1]	10, 13; 221:20; 238:5
30:20; 34:3; 36:3;	polls [1]	preparing [4]	149:22	prohibited [9]
38:20; 60:2; 74:20;	190:15	11:2, 8; 112:14; 141:20	Principia [1]	156:13, 18, 19; 157:1
82:18; 83:15; 108:3;	poor [2]	prescribed [3]	146:15	22; 158:10; 191:13,
197:3; 203:2; 209:14,	100:3; 142:11	20:17; 88:13; 89:8	principles [2]	252:21
17; 221:16, 17; 229:6,	portion [2]	prescription [4]	161:9, 19	prohibiting [1]
19; 231:4; 232:6;	150:12, 13	135:2, 18; 137:3;	print [2]	157:4
248:4; 256:2; 260:19;	portrayed [1]	156:20	49:19; 189:19	prohibition [5]
270:10; 278:16; 279:1,	13:13	presence [1]	print-out [1]	93:16; 117:20; 150:2,
22; 280:16	posing [1]	280:11	264:21	7; 153:11
pointed [1]	18:22	PRESENT [1]	printed [1]	

Prohibitions [1] 93:9	98:19; 104:6, 21; 105:2; 139:9; 147:7; 161:19, 20; 176:15; 186:16; 233:1; 260:9; 261:8; 267:11; 284:16	96:1; 99:9; 105:4, 11; 106:2; 110:10, 13; 112:17; 113:6, 18; 117:12, 13; 118:12, 20; 156:2, 5; 157:17; 159:9; 163:11; 165:12, 21; 166:4; 167:3, 17, 20; 168:18; 169:2, 19; 170:21; 171:2, 12, 21; 173:2; 176:17; 184:14; 185:11; 188:5, 16; 191:7; 192:1, 3, 16; 194:3; 197:9; 199:5; 200:17; 202:4; 203:13; 208:9; 217:5, 6, 22; 221:4; 223:9; 225:5; 227:7; 228:12, 15; 231:14; 234:7; 249:17; 250:22; 251:7, 8, 13; 256:2, 9, 12; 257:9; 259:13; 260:8; 262:8, 20; 264:12; 275:4; 280:21; 281:5, 7	209:4, 16 radio [5] 15:10; 16:19, 22; 70:13; 190:22 raise [51] 35:4, 19; 38:21, 22; 39:7, 8, 20; 40:21; 58:18; 61:17; 64:1; 70:21; 106:9; 107:3; 108:8; 134:16, 17; 153:9; 159:1, 20; 188:7, 19; 196:13, 17; 202:17; 203:6, 11, 15, 20; 215:7, 19; 233:9; 242:5, 11, 17, 18; 243:18; 244:13; 245:1; 252:6, 9, 10; 253:3, 5; 261:2, 3; 270:6; 272:3, 18; 277:4; 279:8 raised [21] 26:10; 39:6; 46:22; 55:13; 56:21; 58:4; 59:22; 73:6; 79:19; 200:21; 202:14, 18; 204:5, 8; 212:20; 220:21; 233:7; 245:17; 253:8; 277:5; 279:1 raiser [2] 201:4; 233:7 raises [2] 70:12; 278:2 raising [28] 40:5; 59:2; 62:17; 150:3, 9; 159:13; 160:2; 203:2; 205:2; 214:17, 22; 218:9; 220:7, 17; 221:3, 8, 19; 222:4; 247:3, 8; 248:7; 251:14, 15; 252:3, 21; 259:19; 270:5; 272:13 ran [19] 14:15, 17; 16:6; 45:18; 99:19; 100:16; 109:22; 110:2, 4, 7; 111:6; 118:14; 120:15; 130:12; 133:2; 136:9; 139:17; 141:13; 279:3 random [1] 263:10 rarely [1] 18:2 rate [1] 235:3 raw [1] 175:19 re-elected [1] 8:8 re-plow [2] 225:4, 7 re-read [1] 166:12 reach [6] 67:1, 2; 127:19; 227:20; 228:5; 269:7 reaches [1] 67:3 react [1] 128:1 Read [2] 136:20; 284:2 read [33]	33:15; 48:8; 49:8, 9, 11; 51:3, 4; 85:9; 93:12; 98:3; 123:5, 11, 20; 132:3, 5, 7; 133:19; 137:1; 156:3; 161:7; 188:2, 10, 13, 15; 208:5, 7; 257:9, 12; 265:10, 11, 19; 282:6; 284:3 Reading [16] 35:2; 49:13; 51:7; 109:8; 114:10; 119:12; 126:9; 128:18; 130:2; 132:8; 134:22; 135:16; 137:2; 139:3; 142:14; 167:12 reading [37] 35:9; 50:16; 51:1; 52:5, 21; 53:7; 54:2, 5, 8; 93:13, 18; 98:15; 109:20; 114:20; 120:11; 126:18; 129:6; 130:4; 132:22; 135:2; 136:6; 137:15; 139:13; 143:4; 165:13, 18; 166:18; 167:2, 16; 168:10, 17; 172:8, 14; 207:9; 208:3; 266:7, 12 reads [1] 93:13 real [8] 37:8; 78:18; 86:15; 87:3, 6; 214:1; 233:4; 271:19 reality [8] 55:15; 76:12; 81:18, 19; 175:15; 179:13; 226:15; 231:11 realize [1] 203:22 realized [6] 212:22; 196:10, 11; 203:8, 9; 278:7 REASON [1] 285:2 reason [11] 65:5; 86:15; 205:10, 18, 19; 212:22; 242:1; 247:11; 261:4; 272:19; 284:5 reasonable [3] 86:7; 111:7; 118:6 reasons [5] 66:1; 159:22; 182:15; 187:1; 213:4 recall [28] 13:7, 8, 19; 15:13; 16:18; 28:6; 29:17; 33:12; 35:10, 11; 95:13; 131:7, 8, 9, 13, 14; 141:21; 142:1; 148:15; 196:20; 197:6, 15; 198:3; 199:7, 20; 200:20; 230:5; 240:17 receive [4] 156:16; 178:6; 270:21; 284:21 received [3] 179:22; 226:1; 233:2 receiving [5] 153:17; 156:13, 18;
	- Q -			
qualifications [3] 60:14, 16; 88:17 qualified [4] 93:16; 94:5, 7; 96:2 quality [2] 25:6; 192:1 qualifying [1] 125:14 quality [3] 86:19; 126:12; 142:11 quantities [1] 158:7 Question [2] 85:9; 257:12 question [135] 6:19; 12:5; 14:19; 24:17, 21; 29:21; 30:22; 31:1, 17; 37:8; 49:1; 52:6, 8; 53:22; 54:10, 12; 56:11, 17; 58:8; 60:8, 11; 63:7, 11, 12, 14; 65:10; 67:17, 18, 19; 71:7, 14, 21; 72:12; 76:6; 77:18, 20; 78:8, 15, 16, 17; 80:3, 15; 81:10, 21; 82:2; 85:7; 88:8, 21; 89:12; 90:17; 91:16; 92:3, 6, 10; 95:22;	98:19; 104:6, 21; 105:2; 139:9; 147:7; 161:19, 20; 176:15; 186:16; 233:1; 260:9; 261:8; 267:11; 284:16 publicly [2] 206:21; 280:6 published [2] 206:18, 20 publishes [1] 207:4 purchase [1] 85:6 purchased [2] 78:4; 79:22 purely [3] 211:5; 212:17; 220:18 purpose [11] 18:7; 20:6; 24:11; 43:21; 49:14; 130:19; 144:17; 207:1; 211:14; 258:15; 262:11 purposes [11] 40:18, 22; 48:11; 55:5; 97:5; 108:20; 110:9; 208:19; 242:6; 249:4; 257:19 pursuant [1] 183:6 pursuit [1] 261:10 pushing [1] 234:11 puts [3] 120:4; 275:7; 276:8 putting [2] 189:10; 276:21	96:1; 99:9; 105:4, 11; 106:2; 110:10, 13; 112:17; 113:6, 18; 117:12, 13; 118:12, 20; 156:2, 5; 157:17; 159:9; 163:11; 165:12, 21; 166:4; 167:3, 17, 20; 168:18; 169:2, 19; 170:21; 171:2, 12, 21; 173:2; 176:17; 184:14; 185:11; 188:5, 16; 191:7; 192:1, 3, 16; 194:3; 197:9; 199:5; 200:17; 202:4; 203:13; 208:9; 217:5, 6, 22; 221:4; 223:9; 225:5; 227:7; 228:12, 15; 231:14; 234:7; 249:17; 250:22; 251:7, 8, 13; 256:2, 9, 12; 257:9; 259:13; 260:8; 262:8, 20; 264:12; 275:4; 280:21; 281:5, 7 questioning [1] 7:7 questionnaire [5] 30:22; 31:3, 10, 16, 20 questions [39] 7:9; 10:22; 34:13; 47:17; 49:3; 50:20; 51:1; 79:7, 9; 90:13; 96:4, 6; 97:11; 116:9, 11; 117:5; 126:19; 129:7; 145:4, 10; 162:21; 163:7, 10; 164:6; 165:9; 172:4; 177:17, 20; 178:1, 3; 185:16; 218:1; 228:13; 236:22; 255:6, 12; 263:10, 12; 284:19 quibble [1] 237:19 quicker [1] 157:16 quickly [7] 12:13; 105:15, 16; 143:5; 161:7; 164:17, 19 quietly [1] 188:13 quotation [3] 188:17; 265:9; 266:6 quote [6] 188:6, 9; 208:10; 265:21, 22; 266:8 quoted [2] 188:1; 265:1 quotes [1] 188:18		
	- R -			
Public [6] 2:6; 5:18; 6:4; 254:2; 283:5, 19 public [18] 24:8; 37:21; 51:17;		race [13] 12:18; 13:1; 37:10; 128:3; 213:3; 215:1; 232:12, 18, 19; 233:2, 7, 14; 276:9 races [3] 17:12; 155:8 radar [5] 64:5; 80:22; 81:12;		

157:20, 22; 158:10	Reform [2]	relationships [1]	41:3; 43:4; 59:1; 111:4;	105:15; 270:16; 277:22
recently [7]	45:5, 8; 101:14; 118:1;	271:17	128:4; 146:6, 9; 164:1;	respect [30]
29:13; 98:13; 187:21;	119:3; 133:4; 149:13,	relative [1]	165:8; 172:11, 19;	15:2; 34:17; 38:17, 18;
205:1; 228:22; 266:11	20; 175:2; 176:2	272:13	173:6; 179:4, 6; 180:9;	45:1; 66:4; 79:13, 22;
Recess [5]	177:13; 189:10; 192:6;	relatively [1]	186:18, 19, 22; 187:2,	80:6, 11; 82:3
67:22; 112:8; 145:9,	194:21; 215:4; 225:13;	200:7	3; 195:8, 12; 196:12,	92:22; 116:10,
16; 250:15	249:19; 250:6, 21;	reluctance [1]	20; 209:9; 210:1, 6, 13;	118:12; 155:10, 12;
recipient [1]	254:3; 266:22; 280:8	228:1	211:4; 212:6; 213:2, 8;	165:19; 166:22; 168:16
138:7	reform [15]	reluctant [1]	215:6, 15; 216:7;	180:18; 181:7, 8, 9;
recitation [1]	10:4; 11:1; 47:13;	229:8	217:13, 16, 17, 20;	185:10, 12; 212:10;
177:21	50:10; 65:6, 15; 68:4;	remain [1]	218:3, 16; 219:2;	236:3; 255:16
recognition [1]	139:4, 5, 11, 19;	268:10	222:2; 223:15; 224:1,	respected [2]
44:18	173:13; 177:9; 203:4;	remember [18]	7; 225:14, 15; 228:18;	22:12; 235:21
recognize [8]	226:17	13:10; 15:12, 15; 16:14,	229:16; 230:5, 18;	respects [3]
35:12; 48:5, 7, 13;	reforms [2]	15; 17:1, 14, 16; 108:3;	231:1; 232:10, 11;	35:7, 22; 122:17
73:20; 74:14; 92:20;	35:3, 18	125:9; 148:19; 198:8,	233:18; 235:5, 6;	respond [25]
108:11	refresh [1]	13, 16, 17, 20	236:15; 237:13, 14;	72:12; 34:13; 79:1, 3;
recognizing [1]	273:14	remembering [2]	246:17, 18; 247:14, 19,	94:17; 100:9, 14; 101:3
73:9	refuse [1]	15:7; 198:21	21; 251:17; 256:21;	11; 102:8; 103:19, 22;
recollection [8]	106:11	removed [8]	260:13; 266:10; 271:16;	105:13, 14, 15, 20, 21;
15:19; 39:13; 125:19;	refused [1]	15:6; 224:19, 22;	273:15, 20; 274:1, 7;	107:4, 5, 13; 108:5;
199:6; 256:10; 273:14	143:2	225:2; 231:6, 7	275:2, 6, 19; 277:16;	116:22; 163:10; 168:2;
record [32]	regard [4]	rename [1]	278:12	169:7
7:2, 11; 14:17; 48:11;	16:12; 141:9; 244:12;	104:12	Republicans [14]	responded [12]
96:11; 108:20; 112:7,	273:16	renting [1]	38:14; 41:8; 43:14;	31:10, 11, 19; 104:21;
20; 126:10; 132:16;	regarding [3]	198:11	64:22; 137:6; 147:17,	165:18; 168:15; 169:17
146:11; 162:3; 169:15;	117:9; 124:18; 162:4	Repeat [1]	18; 213:1; 247:3, 8;	171:1; 188:22; 237:15;
178:12, 16, 18; 185:13;	regards [2]	88:8	249:10; 273:5, 8, 18	247:5; 268:13
187:13; 206:16; 227:5;	89:20; 166:9	repeat [7]	Request [2]	responding [12]
230:15; 232:21; 238:2;	registration [1]	24:21; 85:7; 156:7, 8;	162:8; 166:17	53:18; 60:10; 80:14;
243:10, 13; 246:5, 7;	262:12	164:21; 251:8, 9	request [10]	103:7; 104:7, 8; 105:6;
257:7; 258:6; 274:17,	Regrettably [1]	repercussions [1]	92:1; 116:6; 163:18,	113:8, 12; 121:12;
19; 283:10	19:13	226:13	22; 165:12; 166:11;	169:6; 183:9
records [1]	regrettably [1]	rephrase [1]	169:18; 213:6; 237:4;	Response [3]
179:21	21:4	80:8	248:13	49:21; 53:16; 157:7
redistricting [4]	regrets [1]	replace [1]	requesting [1]	response [22]
147:13, 15; 148:1, 2	30:8	142:21	238:19	49:6; 50:21; 5.
reduce [1]	regular [1]	Report [4]	Requests [1]	52:12, 16, 20; 54:2;
267:3	139:8	5:15; 206:7, 17; 207:5	5:9	65:12; 72:5; 95:21;
rejection [5]	regulate [1]	report [7]	requests [4]	101:20, 22; 103:7;
118:16; 120:19; 129:14;	207:15	206:20; 207:5; 263:16,	163:6; 165:7; 186:1;	104:17; 105:3; 118:12;
232:17; 233:5	regulated [14]	20; 264:7; 271:7, 9	212-2	162:18; 163:21; 170:13
refer [6]	150:4; 154:2; 156:14,	reported [9]	require [3]	208:14; 237:11
21:15; 61:12; 114:3;	18; 218:5, 6, 18; 219:3,	182:8, 16, 22; 183:3;	127:12; 152:1; 284:19	Responses [4]
117:17; 124:11; 273:8	6; 220:17, 18; 221:8;	250:1; 280:7	required [5]	4:8; 5:7; 48:17; 162:6
reference [7]	268:7; 270:1	reporter [10]	78:3; 90:20; 133:8;	responses [2]
36:22; 124:13, 14;	regulating [2]	47:20; 96:14; 131:18;	148:9; 245:16	78:2; 165:6
135:13; 153:21; 170:18;	212:18; 214:7	160:10; 162:6; 189:1;	requirement [1]	responsibilities [5]
181:20	regulation [1]	208:8; 236:6; 254:1;	152:11	35:6, 21; 155:11, 12;
referenced [3]	36:21	264:20	requirements [1]	183:13
15:4; 32:7; 34:22	regulations [1]	represent [7]	76:3	responsibility [2]
references [4]	93:1	6:13; 7:20, 21; 85:3,	requires [5]	28:14; 231:1
60:4; 74:21; 84:1;	Reid [3]	16; 216:16; 263:13	23:10; 151:19; 214:19;	Responsive [1]
255:18	109:17; 110:5; 111:3	REPRESENTATIVE [2]	249:21; 255:20	280:10
referred [7]	rein [2]	1:18, 19	residence [1]	responsive [7]
68:6; 95:15; 135:9;	208:15; 209:18	Representative [4]	7:14	63:20; 65:9; 71:13;
182:5; 265:9; 277:11	reject [1]	8:14; 41:22; 188:8;	resign [1]	72:13; 169:1; 192:15;
referring [14]	185:22	268:9	28:5	197:22
20:15, 18; 61:5; 113:7;	relate [1]	Representatives [8]	resignation [1]	rest [2]
125:12; 166:10; 167:11;	9:15	28:20; 45:10; 135:20;	28:8	172:2; 265:19
169:4; 182:6; 219:16;	related [4]	136:21; 137:5; 168:12;	resigned [2]	restore [2]
254:10; 255:19; 274:8,	9:17; 76:5; 263:13;	171:17; 184:11	29:9; 209:6	20:7; 126:16
11	283:11	representatives [1]	Resolution [5]	restored [1]
refers [2]	relates [2]	39:1	160:11, 19, 20; 183:8	129:1
56:16; 217:4	24:7; 216:16	represented [3]	resolution [3]	Restoring [1]
reflect [1]	relating [3]	7:16; 226:13; 245:10	161:1; 183:9; 235:7	51:16
142:22	96:7; 153:14, 15	representing [5]	resolve [2]	restricted [8]
reflected [3]	Relations [1]	25:12; 146:6; 181:5, 6;	23:5; 278:8	87:8, 9; 102:
116:13; 117:18; 118:13	149:16	247:18	resource [1]	159:13; 193:14, 14:7;
reflects [3]	relationship [3]	Republican [8]	17:9	254:19
89:22; 93:20; 98:8	73:3; 153:13; 164:9	5:10; 25:20; 28:12, 13;	resources [3]	restricting [1]

153:16 restriction [4] 103:13; 151:13; 189:11; 254:21 restrictions [19] 45:1, 13, 16; 49:16; 50:6; 52:3; 53:1, 10, 11, 12, 14; 54:7; 86:22; 87:15; 94:4; 189:13, 18, 22; 238:19 result [18] 51:20; 59:11; 62:11; 65:16; 70:18; 74:8; 77:10; 83:6; 94:13; 107:19, 21; 113:10, 13; 176:9; 182:13; 207:19; 225:12; 230:8 resulted [2] 32:15; 37:1 results [14] 51:8; 53:4, 8; 54:13; 56:18; 57:17; 58:9; 60:5, 22; 69:19; 71:10; 75:13; 76:12; 139:5 resume [1] 132:9 Return [1] 284:17 return [1] 112:10 review [13] 11:3, 7, 8, 11, 13; 12:6; 19:4; 90:9, 15; 109:3; 135:11; 145:3, 7 reviewed [5] 11:4; 112:14, 21; 130:22; 141:19 RICHARD [1] 2:12 Rifle [4] 6:14; 246:11; 259:7 Right [8] 123:1; 152:8; 203:17; 232:9; 244:18; 246:14; 259:20; 262:18 right [45] 13:14; 18:8; 22:1; 27:15; 29:10; 57:11, 13; 75:22; 76:2, 7, 9; 77:4; 78:13, 19; 91:8; 101:8; 102:5; 110:6; 116:6; 141:10; 147:13; 150:14; 176:5; 180:2; 185:10; 189:2, 15, 19; 193:5, 6, 9, 14; 195:1; 200:12, 13; 207:7, 15; 243:22; 244:16; 248:5; 259:22; 267:18; 269:13, 17; 284:3 right-hand [2] 216:15; 254:12 R.J.L. [1] 1:10 RNC [6] 2:9; 173:19, 20; 209:8; 213:12; 237:5 RNC's [1] 162:8 road [4] 65:19; 174:18; 176:12; 178:11	Rob [1] 276:3 robust [2] 268:17; 270:20 ROGER [1] 3:13 Roger [1] 187:10 Role [1] 5:14 role [3] 214:12, 13; 226:18 Rolex [1] 198:9 room [1] 39:18 rooms [4] 229:1, 20, 22; 230:16 roots [3] 247:14; 248:1; 269:3 route [1] 176:20 ruled [1] 91:5 Rules [4] 64:14; 170:8; 227:22; 228:8 rules [7] 64:13; 164:4; 170:9; 207:17, 22; 208:2; 284:19 ruling [2] 91:9; 93:15 run [42] 8:17; 15:4, 22; 16:3; 17:12; 18:8; 23:19; 24:13; 27:1, 5, 9, 10; 47:8, 9; 62:7, 15; 84:22; 86:13; 115:18; 121:19; 122:7, 8; 123:19; 125:19, 22; 129:13, 15; 135:4; 136:11, 12, 15; 137:22; 141:14, 17; 144:8, 9; 152:5; 190:20, 21; 192:21; 279:6 running [19] 13:13, 14, 17; 41:2; 62:9; 73:2; 115:22; 116:4; 130:17; 138:7; 139:15; 142:16; 143:7; 151:1; 177:4, 7; 277:19 runs [2] 73:4; 127:11 Russ [2] 120:6; 123:3 RUSSELL [1] 1:18	sal [5] 39:18; 197:15; 198:4; 201:17; 203:18 satellite [5] 49:18; 51:10, 14; 53:6; 54:14; 56:3 satisfied [1] 60:20 satisfies [1] 117:14 save [1] 132:19 saying [22] 25:15; 71:15; 81:8, 13; 102:7; 118:4; 133:19, 21; 144:9; 169:3, 9; 170:21; 184:6, 15; 188:18; 189:1; 214:11; 220:4; 239:4, 20; 267:14; 277:22 scale [1] 66:2 scenario [2] 190:16; 248:6 school [1] 139:9 schools [1] 139:11 Schundler [1] 239:14 Schundler's [2] 236:17; 237:5 Science [3] 146:17; 147:4; 149:14 screen [4] 80:22; 81:12; 209:5, 16 screens [1] 64:5 seat [1] 8:18 seated [3] 199:9, 20; 200:21 seats [7] 148:3, 4, 8, 10, 21; 149:1, 3 Second [1] 5:9 second [6] 98:4; 131:16; 163:16; 164:22; 217:3; 274:18 Section [3] 93:8, 18; 256:16 section [2] 254:10; 262:3 sections [1] 255:21 sector [1] 38:2 Security [1] 149:16 seek [1] 161:10 seeking [1] 260:15 self-identified [1] 186:17 sell [1] 204:15 Senate [8] 39:6; 45:11; 65:6; 123:6; 148:10; 196:4;	229:17; 278:18 SENATOR [5] 1:5, 17, 20, 21 Senator [22] 29:13; 30:2; 114:12; 18; 115:16, 17; 118:16, 21; 124:14; 129:9, 10; 139:14, 16, 22; 140:1; 141:6; 165:15; 166:1, 19; 167:4, 14, 18 Senator's [8] 115:11; 165:17; 166:3, 21; 167:7, 16 Senatorial [1] 229:12 Senators [10] 120:6, 8, 17; 122:3; 123:3, 9, 12, 15; 124:13; 147:19 send [11] 132:9; 232:7; 238:7, 14; 252:15, 21; 259:17, 18; 260:10, 12, 14 sending [1] 256:19 sends [4] 251:10, 14; 256:13, 14 Seniors [1] 126:12 seniors [5] 135:18; 136:2, 3; 137:12, 13 Sense [1] 204:18 sense [13] 135:19; 136:21; 137:4; 139:4; 141:2; 154:20, 21; 168:8; 191:12; 194:11; 227:18; 277:15; 279:11 sensitive [1] 243:7 sentence [5] 93:10, 13; 94:1; 123:5, 8 separate [2] 172:17; 245:16 separated [1] 231:13 September [2] 2:4; 8:7 series [2] 72:1; 96:4 serious [2] 158:8; 243:3 seriously [1] 235:16 serve [2] 18:6; 66:3 served [5] 146:20; 147:3; 149:12; 164:2; 165:8; 177:14 Service [1] 160:22 service [1] 147:11 Services [1] 149:12 Session [1] 3:22 sessions [1]	178:8 sets [1] 207:21 seven [2] 7:3; 234:2 severely [1] 240:22 SHAFFER [3] 3:5; 53:15; 97:3 Shaffer [2] 6:16; 96:8 shaken [1] 38:2 sham [41] 12:15; 15:2; 17:20; 18:3, 11, 18; 22:18; 23:7, 13; 24:8; 25:4, 6; 26:22; 63:18; 69:16, 18; 70:16, 18; 71:8; 72:7, 11; 73:17; 74:9, 13; 75:8; 80:8; 82:4; 84:5; 85:6, 10; 94:16; 110:11; 115:14; 116:15; 117:15; 118:8; 121:8; 124:20; 127:18; 138:2; 143:14 shape [2] 227:19, 21 share [2] 229:15; 247:2 shared [1] 194:15 sharing [1] 229:7 SHAYS [5] 1:19; 2:1; 6:1; 282:5, 14 Shays [49] 7:12; 32:5; 48:2; 91:19; 92:8; 96:18; 108:17; 114:8; 119:7; 126:5; 128:14; 131:22; 134:20; 138:10; 142:7; 145:12; 146:19; 149:21; 160:15, 18; 162:11, 14; 171:13; 175:20; 177:16; 182:8; 187:16, 19; 188:9; 189:10; 206:8, 11; 211:2; 216:3, 6, 8; 236:10; 237:3; 238:21; 239:18; 240:8; 254:1, 7; 256:11; 257:7; 259:7; 265:1, 5 shebang [1] 273:13 SHEET [1] 285:1 sheet [4] 284:6, 9, 13, 17 shifting [1] 268:18 shock [1] 203:8 shot [1] 209:4 show [8] 64:4, 5; 70:6; 96:9; 99:1; 123:18; 177:5; 202:1; 206:5 showing [1] 170:12
--	---	--	---	--

- S -

shows [2] 91:15; 133:6	slow [1] 142:12	someone's [2] 227:8; 228:11	77:2; 114:15; 150:3; 159:13; 190:12; 220:18; 221:8; 276:11; 278:21	226:10; 242:18, 19; 251:3; 252:8; 253:1, 13; 260:15, 16, 21; 261:2; 263:4; 264:5, 6 266:16; 271:4 274:5, 15; 27: 21
Shriver [15] 4:14; 98:10, 15; 99:15, 17; 101:16; 102:14, 15; 104:4, 22; 112:22; 113:7, 9, 12	slower [1] 164:10	somewhat [3] 48:21; 128:2; 255:18	spends [2] 75:14; 76:9	268:16; 271:4
Shriver's [7] 97:12; 100:12; 101:3, 22; 104:22; 107:7, 18	slowly [2] 165:2; 208:7	sooner [2] 184:7, 10	spent [13] 58:3, 22; 59:1; 73:7; 74:17; 80:11; 85:12; 138:18, 20; 210:14; 212:16; 220:22	stated [2] 171:13; 213:6
shy [1] 256:6	SMITH [1] 2:12	Sorry [1] 132:13	spill [1] 208:20	statement [10] 31:4; 35:1, 10, 13; 56:15; 61:8, 9; 77:13; 269:16; 239:16
sic [2] 119:15; 131:1	SNOWE [1] 1:21	sorry [11] 11:18; 24:20; 56:12; 131:5; 132:10; 134:1; 161:22; 170:17; 183:18; 185:6; 220:10	split [1] 233:17	STATES [3] 1:1; 282:1; 283:1
sides [4] 34:17; 181:4; 185:20; 234:10	so-called [4] 18:3; 63:18; 151:22; 228:11	sort [4] 268:7; 271:2, 3, 4	spoke [5] 164:17; 181:12; 197:11, 14; 200:10	States [11] 5:5; 127:12; 165:15, 22; 166:19; 167:4, 13; 168:11; 171:16; 207:1; 248:21
Sierra [18] 14:10, 12, 15, 19; 15:4, 6, 17, 18; 73:16; 115:22; 116:8; 244:2, 8, 11, 14; 259:8, 20	soda [1] 250:13	soul [1] 182:2	spoken [1] 249:10	states [10] 155:2, 4, 11, 12; 165:13; 166:18; 207:9; 208:13; 219:9, 20
sign [6] 143:3; 144:14; 162:17; 284:9, 10, 16	Soft [3] 20:22; 207:8, 9	sound [2] 241:16; 242:7	spring [3] 196:3; 197:7, 13	statistics [1] 272:12
signature [4] 48:13, 15; 162:16; 163:13	soft [52] 21:12; 32:21; 33:4; 37:2, 10; 39:8, 14; 40:5, 7; 55:22; 63:4, 17; 65:17; 68:12; 69:15; 70:5, 6; 72:5; 100:20; 101:18, 19; 115:7; 121:22; 136:13; 152:15; 196:8; 201:12; 202:11, 13; 203:6, 9; 205:4, 7; 206:3, 6; 207:12; 208:10, 11, 15; 209:4; 212:2, 15; 217:19, 21; 218:8, 9; 220:7; 263:17, 21; 272:1, 15, 20	source [9] 63:1, 15; 193:10; 194:8; 197:20; 251:5, 18; 254:22	ss [2] 282:2; 283:2	statute [22] 150:1; 155:3; 156:21; 175:20, 22; 176:1; 189:9, 13; 190:5, 6, 17, 215:3; 243:21; 250:5; 253:17; 256:10; 257:14 259:17; 268:11; 272: 271:5; 276:7
signed [9] 25:20; 45:11; 48:20; 52:13, 16; 90:22; 95:1; 143:1; 144:6	sources [1] 63:5	sources [1] 63:5	staff [4] 10:6, 9; 201:16; 202:2	statutes [1] 5:5
significant [5] 37:5; 158:4; 234:15; 238:2; 270:21	space [1] 284:11	space [1] 284:11	stamped [1] 108:22	stay [3] 172:3; 234:6; 251:12
significantly [2] 35:8; 36:1	spare [2] 66:18, 21	speak [3] 165:1; 170:19, 22	stance [2] 184:16, 18	stayed [1] 233:10
signing [1] 284:12	speaker [4] 38:5; 233:6, 13, 17	Speaker [1] 197:10	standard [2] 239:3, 21	step [6] 193:17; 224:18, 22; 225:2; 231:5, 6
Simmons [1] 276:4	speaking [1] 164:19	speaking [1] 197:10	standards [1] 278:7	steps [3] 172:17; 225:1; 231:7
simple [2] 163:18; 164:14	Special [1] 8:21	Special [1] 8:21	standing [1] 124:15	stipulate [1] 140:16
simpler [1] 159:9	special [18] 8:5; 22:13; 35:9; 36:2, 7, 11; 57:11; 106:20, 21; 128:18; 129:4; 130:2; 142:18; 267:1, 5, 7, 10, 15	special [18] 8:5; 22:13; 35:9; 36:2, 7, 11; 57:11; 106:20, 21; 128:18; 129:4; 130:2; 142:18; 267:1, 5, 7, 10, 15	start [8] 29:6; 85:18; 97:11; 156:16; 160:7; 193:15; 241:3; 247:22	stock [1] 46:14
singularly [1] 152:6	solicitation [10] 252:16; 254:18, 20; 256:13, 15; 257:19; 258:13; 259:4; 261:22; 273:12	solicitation [10] 252:16; 254:18, 20; 256:13, 15; 257:19; 258:13; 259:4; 261:22; 273:12	start [8] 29:6; 85:18; 97:11; 156:16; 160:7; 193:15; 241:3; 247:22	Stop [1] 247:5
sir [3] 138:17; 178:13; 207:3	solicitations [7] 248:8; 254:14, 15, 16; 261:15, 19; 275:9	solicitations [7] 248:8; 254:14, 15, 16; 261:15, 19; 275:9	started [2] 208:17; 209:3	stop [3] 112:4; 208:4; 267:15
sit [3] 197:18; 202:21; 205:17	solicited [1] 72:22	solicited [1] 72:22	starting [1] 242:13	stopped [3] 16:4; 115:21; 234:4
site [1] 13:5	soliciting [5] 150:2; 212:15; 213:16; 251:3; 263:4	soliciting [5] 150:2; 212:15; 213:16; 251:3; 263:4	starts [1] 193:18	Story [9] 4:16, 17, 18, 19, 20, 21, 22; 5:3, 4
sitting [4] 199:8; 205:3, 8, 16	solicits [1] 251:1	solicits [1] 251:1	Stat [1] 254:12	story [15] 108:21; 112:11; 116:10; 119:10; 125:9, 10; 126:8; 128:17; 131:1P 138:13; 142:3; 172:1 3; 174:2, 21
situation [2] 212:14; 241:6	somebody [2] 97:1; 133:22	somebody [2] 97:1; 133:22	State [15] 8:14; 41:21; 147:9, 12; 148:8, 10; 160:1; 213:9; 214:2; 217:16, 17; 251:16; 252:22; 274:6; 275:19	strangle-hold [1] 267:1
situations [1] 230:4	somehow [4] 61:21; 71:16; 223:15, 17	somehow [4] 61:21; 71:16; 223:15, 17	state [97] 7:10; 50:3; 128:20; 146:7; 148:3, 13, 21; 149:1; 150:14; 151:7; 153:15, 18; 154:13, 18; 155:7, 8, 15, 20; 156:15, 19; 157:7, 21; 158:7, 9, 16, 21; 159:2, 3, 12, 19, 20; 160:6; 207:14, 16, 17, 22; 210:7, 10, 15, 18; 211:5, 7, 21, 22; 212:9, 17; 213:7, 13; 214:14, 17, 21; 215:7, 19, 20; 217:2; 218:11, 17, 18, 21, 22; 219:4, 5; 220:17, 18; 221:8, 9, 10, 12; 222:20; 223:4;	Street [4] 2:3; 3:6, 15; 7:13
six [1] 60:9	Someone [1] 173:19	Someone [1] 173:19	strength [1]	
size [2] 242:14; 266:19	someone [24] 9:5; 10:19; 13:10; 23:2; 76:1; 79:15; 81:16; 99:19; 115:18; 197:21; 199:8, 20; 201:5, 8, 11; 202:2; 222:18; 234:17; 239:15; 252:9; 272:20; 277:7, 8, 19	someone [24] 9:5; 10:19; 13:10; 23:2; 76:1; 79:15; 81:16; 99:19; 115:18; 197:21; 199:8, 20; 201:5, 8, 11; 202:2; 222:18; 234:17; 239:15; 252:9; 272:20; 277:7, 8, 19	speaking [1] 164:19	
skeptical [1] 242:7	slate [2] 190:15; 273:13	slate [2] 190:15; 273:13	speaking [1] 164:19	
Slightly [2] 122:11; 176:6	slightly [3] 122:11; 176:4; 268:5	slightly [3] 122:11; 176:4; 268:5	Special [1] 8:21	
			Special [1] 8:21	
			special [18] 8:5; 22:13; 35:9; 36:2, 7, 11; 57:11; 106:20, 21; 128:18; 129:4; 130:2; 142:18; 267:1, 5, 7, 10, 15	
			specific [11] 43:21; 78:1; 93:2; 177:18, 19; 178:5; 225:8; 254:16, 18; 256:9; 261:14	
			specifically [1] 102:19	
			specifics [1] 34:19	
			speculate [1] 246:3	
			speculating [1] 111:16	
			speculation [1] 111:17	
			speech [1] 280:17	
			spend [16] 19:12; 20:11; 26:11; 47:1; 51:21; 61:16, 17; 74:4; 75:22; 81:15; 87:13; 114:1; 209:10; 249:2; 277:4, 21	
			spending [9]	

247:20	58:10	- T -	155:18; 243:6	246:18; 272:6
strengthen [2]	sums [45]	table [14]	terms [16]	threshold [2]
247:21; 252:7	20:4; 21:12, 14; 46:8;	195:17, 20; 196:7, 18;	50:1; 124:6; 143:2;	264:2, 3
strengthened [1]	51:9, 21; 53:5; 54:13;	199:9, 20; 200:21;	157:13; 164:14; 170:19;	thrilled [1]
153:8	55:12, 13; 56:2, 19;	201:14, 22; 203:18;	177:11; 193:3; 201:13;	274:3
strengths [3]	57:15, 17; 58:6; 59:8;	205:3, 9, 17, 18	18; 218:10, 11; 237:11;	thrust [4]
61:19; 159:5; 248:12	60:4, 6, 22; 62:9, 17;	tables [2]	253:9; 271:17, 19	13:9; 94:22; 95:5;
strict [1]	63:2; 64:1, 4, 7, 12, 16;	199:11; 201:18	terrible [2]	191:18
238:19	65:1, 4; 69:2; 73:21;	tainted [1]	134:4; 275:15	thumb [1]
strikes [1]	75:14; 76:9; 82:4, 8;	30:7	test [1]	206:22
144:4	83:4; 150:10; 152:22;	takes [4]	83:19	tickets [1]
strong [4]	211:15; 213:20; 243:2;	101:15; 109:10; 268:16;	testified [3]	204:15
229:2; 233:5, 16; 235:6	253:11; 270:9, 18	272:18	6:5; 149:5; 150:18	tighten [3]
stronger [2]	sun [1]	talk [8]	testify [1]	252:2; 255:21; 260:6
269:4, 7	265:12	102:19; 109:15; 153:22;	262:6	tightened [1]
Strongly [2]	support [24]	157:12; 164:9; 176:1;	testimony [9]	252:5
31:8, 17	21:6; 114:19; 135:19;	242:13; 271:17	9:12, 14; 75:7; 110:12;	timed [1]
strongly [9]	21; 136:20, 22; 137:4,	talked [3]	185:17; 282:6; 283:9,	177:6
21:7; 31:1, 2, 12,	7; 139:7; 140:3;	199:13, 14; 228:20	10; 284:11	times [6]
138:16; 180:12; 235:8;	144:13; 176:22; 178:22;	talking [18]	testing [1]	97:13; 104:19; 213:6;
247:16; 281:8	179:3, 4, 5, 22; 186:3;	56:5, 7; 69:21; 78:4,	139:9	220:5; 269:11; 272:6
struck [1] -	203:10; 207:19; 213:17;	11; 84:12, 13; 110:22;	tests [1]	tiny [1]
35:3	225:18; 233:5; 235:4	129:17; 133:22; 150:21;	258:12	217:15
structure [1]	supported [12]	163:12; 195:14; 219:22;	Thank [18]	Title [10]
222:7	42:2; 74:15; 114:14;	220:1; 250:17; 254:11;	54:9; 92:17; 114:5;	150:1, 6, 7, 12, 15;
Stuart [1]	139:22; 175:8, 18;	273:17	125:14; 130:21; 135:15;	151:14; 152:11; 153:7,
265:15	176:22; 186:8; 233:17,	talks [1]	139:2; 141:1; 145:8, 13,	14
studies [1]	18; 278:13, 15	161:8	15; 147:21; 165:4;	title [1]
132:12	supporter [1]	targeting [1]	188:14; 208:8; 258:19;	45:3
study [1]	203:4	52:3	281:15; 284:21	tolerated [1]
90:9	supporters [1]	taxes [3]	thank [5]	194:13
Subcommittee [1]	226:1	109:11, 19; 111:3	79:10; 141:2; 145:6;	Tom [8]
149:15	supporting [2]	Taylor [1]	220:10; 234:5	10:16; 216:11, 18;
Subject [1]	129:6; 228:19	265:15	theoretical [1]	217:7; 234:19; 235:8;
49:21	supports [1]	teacher [1]	78:20	247:5; 248:13
subject [8]	140:4	139:9	thereafter [2]	topic [3]
13:8; 194:7; 238:11,	supposed [2]	technical [2]	146:20; 192:9	185:21; 199:21; 200:1
18; 251:5, 18; 282:8;	203:9; 255:13	33:15; 132:12	THEREFOR [1]	tort [3]
284:12	Supreme [9]	techniques [1]	285:2	65:6, 15; 68:4
submitted [5]	19:9, 20; 74:1, 6;	72:1	Theresa [2]	total [3]
11:5; 35:13; 92:22;	80:17; 93:15; 106:19;	teenagers [1]	86:11, 13	103:17; 108:4, 10
163:13, 15	107:14; 108:11	119:13	thick [1]	totally [1]
Subscribed [1]	surplus [1]	teeny [1]	205:12	181:9
282:16	109:14	217:15	Thinking [1]	tougher [1]
substance [2]	surpluses [1]	television [1]	279:2	272:22
266:6; 284:4	126:11	16:19	thinking [4]	tour [1]
substantial [7]	surprised [3]	telling [10]	39:19; 113:16; 163:13;	201:22
51:21; 75:14; 76:9;	174:13; 211:1; 226:14	33:18; 128:8; 138:19,	166:5	town [1]
82:4, 8; 277:8, 9	surprises [1]	20; 164:12; 201:9;	third [3]	233:19
substantially [1]	174:12	219:1; 226:6; 228:1;	53:15; 120:2; 208:1	towns [2]
267:3	survive [2]	270:19	Thomas [3]	9:8; 275:14
subtle [2]	68:13; 187:8	TELSON [2]	5:16; 216:7, 10	transcript [12]
66:17; 253:10	Susan [1]	6:3; 283:4	thoroughly [1]	11:11, 17, 19; 12:7;
succeeded [1]	209:5	Telson [2]	90:12	96:15; 98:2, 8; 140:9;
280:5	suspect [1]	2:5; 283:18	thoughtfulness [1]	282:8; 283:9; 284:18
successful [2]	17:22	ten [3]	34:14	translated [1]
199:4; 277:16	sustain [1]	9:7; 66:2; 141:10	thoughts [1]	33:18
sudden [1]	269:9	tend [3]	145:3	transparent [3]
209:8	swallow [2]	267:12, 13; 279:18	thousand [4]	264:14, 17, 18
sufficiently [1]	32:21; 109:9	tendered [2]	151:20; 225:1; 231:7;	trapped [1]
81:9	sway [1]	170:4, 6	271:21	139:10
suggest [1]	201:2	tends [1]	thousands [1]	treasuries [2]
26:1	sworn [4]	140:4	120:4	51:22; 70:17
suggested [4]	6:2; 8:6; 282:16; 283:8	Term [1]	threat [1]	treasury [72]
14:4; 174:22; 271:8;	Symmons [3]	142:20	85:4	19:6; 20:22; 21:8; 23:8;
278:21	10:16, 18, 19	term [18]	threatened [5]	24:6, 7; 26:3; 27:18;
suggesting [2]	system [13]	17:20; 18:1, 2; 20:14;	31:4, 13, 20; 126:13;	30:5, 10, 13; 32:22;
36:5; 66:8	30:16; 35:6, 21; 51:18;	23:13; 24:1; 28:15;	230:7	37:4; 38:16; 41:7;
Suite [1]	69:5; 182:3; 183:10;	142:20; 143:3, 15, 22;	three [9]	43:18, 20; 45:21; 47:9;
3:7	184:1; 203:5, 6;	144:2, 4, 11, 13, 14;	9:7; 19:19; 55:20; 60:8;	70:2; 71:9; 78:5; 80:1,
sum [1]	207:13; 227:17; 281:9		108:7; 146:7; 178:8;	8; 82:13; 84:17, 20;



85:5, 11; 87:19; 88:13, 11; 89:1, 7; 94:12; 101:13; 107:6; 113:13; 117:11, 21; 121:5; 150:9; 151:17; 152:21; 157:5, 14, 20; 158:5, 10; 159:14; 160:2; 180:15, 20; 187:7; 191:15; 192:13, 21; 210:16, 19; 211:12; 212:3; 220:13; 221:3, 11, 19; 222:4; 245:11; 252:4; 253:4, 7; 268:14	143:3; 148:3; 274:5 Uh-huh [1] 232:5 ultimately [1] 19:8 unable [1] 276:17 unbelievable [1] 38:11 unchanged [1] 268:11 unclear [1] 223:9 uncomfortable [4] 200:4; 201:8, 15; 273:17 under-performed [1] 246:19 underlying [1] 52:3 undermining [1] 151:14 underneath [1] 130:4 understand [56] 12:11; 20:20; 49:12; 53:19; 58:7, 13; 60:2, 12, 18; 63:9; 72:6, 12; 78:16; 85:21; 97:14; 104:21; 105:3; 155:6; 156:4; 157:17; 158:14; 168:7; 169:2; 170:3, 19, 20; 171:7, 14; 176:13, 16; 177:17; 178:9, 10; 180:14; 184:18; 185:1, 14; 186:12; 194:4; 200:15; 205:1; 212:5; 219:21; 220:20; 222:8, 9; 230:20; 236:14; 241:6; 248:6, 17; 256:8; 260:4, 18; 269:20; 274:8 understanding [18] 71:13; 150:6; 191:22; 192:5; 194:1, 5; 195:2, 4; 207:3; 206:10; 216:21; 217:10; 222:17; 225:9; 245:14; 261:17; 262:9; 273:8 understands [1] 169:19 understood [3] 72:4; 175:16; 179:10 undertaking [1] 154:16 undue [3] 36:8, 12; 64:21 unfavorably [1] 237:16 unfortunately [2] 92:9; 193:21 unincorporated [3] 82:7, 22; 83:6 union [104] 14:5; 17:7; 18:17; 19:7, 16; 20:2, 9; 21:1, 3, 4, 5, 11, 13; 23:9; 24:7; 26:3; 27:19; 30:6, 14; 33:1; 37:4; 38:17; 39:3; 40:4; 41:10, 18; 42:4, 5, 6, 9, 16, 17, 18;	43:4, 6, 9, 18, 20; 45:21; 46:18, 19; 47:10; 55:1, 4; 58:5; 59:7; 70:3, 10, 17; 71:3, 9; 72:15, 18, 20; 73:4, 13; 75:10; 78:5; 80:1, 8; 82:13; 121:3; 135:6; 150:10; 151:1, 18; 152:2, 21; 154:17, 22; 157:6, 15, 20; 158:5, 11; 159:1, 14; 180:21; 187:8; 191:15; 192:6, 13, 22; 193:5, 6, 12; 194:6; 208:18; 210:16, 20; 211:13; 212:3; 219:13; 221:19; 222:4; 245:12; 252:5; 253:4; 269:16, 17; 270:17; 280:4 unions [25] 31:6, 15; 32:1; 44:6; 46:9; 47:9; 51:21; 55:11; 57:15; 58:19; 64:2; 69:3; 70:14; 82:12, 19; 84:1; 151:10; 152:17; 154:9, 13; 155:19; 159:7; 249:12; 250:2; 267:4 UNITED [3] 1:1; 282:1; 283:1 United [11] 5:5; 127:11; 165:15, 22; 166:19; 167:4, 13; 168:11; 171:16; 207:12; 248:21 Universities [1] 147:5 unlike [2] 43:18; 249:1 unlimited [36] 20:4; 21:1, 12, 14; 31:5, 13, 21; 40:13; 44:2, 3, 4, 8, 20; 46:8; 57:15; 58:6; 59:8; 63:3, 16; 73:21; 78:4, 11; 80:1, 11; 84:10; 150:10; 152:22; 155:20; 211:15; 252:11, 16, 22; 253:11; 270:17 unquote [2] 188:8; 208:10 unregulated [2] 249:18, 19 unsettling [1] 226:12 upheld [2] 28:1; 106:19 uphold [2] 161:9, 18 upholds [1] 101:15 upper [1] 254:12 upset [1] 62:16 urges [1] 144:15 urging [1] 236:16 usual [1] 143:1	Utah [2] 114:21; 115:1 <hr/> <b>- V -</b> <hr/> Valeo [1] 52:5 valuable [2] 7:4; 18:7 value [1] 239:16 variations [1] 208:12 variety [4] 66:1; 182:14; 226:11; 230:3 versus [5] 52:5; 104:8; 168:4; 223:16; 229:15; 272:14 Veterans [1] 149:17 viable [2] 180:15, 21 VICTORY [1] 3:2 Victory [14] 3:21; 6:15, 21; 22:7; 25:13; 27:10; 46:21; 102:10, 16; 103:9; 104:9; 105:2, 20; 113:9 victory [5] 24:10; 273:5, 10; 274:7; 275:7 view [38] 18:18; 22:11; 79:12, 21; 84:6; 117:14; 118:20; 122:7, 17; 124:12, 17; 151:7; 153:6, 19; 155:22; 158:3; 189:3; 194:16; 211:2; 214:5, 6; 229:2; 230:17; 234:21; 239:10, 11; 247:2; 249:10; 258:8; 266:20; 267:6, 7; 268:12, 13; 276:13; 277:6 views [5] 80:6, 10; 181:7; 229:15; 230:21 vindicate [1] 182:11 vine [1] 247:15 violence [1] 98:21 violent [1] 120:4 Virginia [4] 210:12; 252:22; 256:21; 260:13 visceral [1] 133:18 visits [1] 192:10 vital [1] 139:11 voice [5] 25:16; 26:17; 27:17; 61:22; 108:13 voices [1] 36:13	volume [2] 97:19, 20 voluntarily [9] 22:9; 26:6, 8; 42:20; 43:7; 44:6; 46: 55:2 voluntary [10] 14:8; 22:4; 43:5; 44:7; 46:10, 13; 62:2; 84:13; 87:11, 14 volunteer [1] 272:17 volunteered [1] 183:15 volunteering [1] 169:12 Vote [1] 216:7 vote [88] 18:15; 23:17; 43:10; 66:18; 120:9; 121:17; 123:10; 125:15, 16; 132:16, 20; 134:3; 138:3, 6; 139:1; 148:15; 165:15; 166:1, 20; 167:5, 14, 18, 21; 168:3, 4, 12, 20; 171:17; 172:20; 173:1, 7, 17; 174:6, 8; 176:9; 177:3; 179:9; 180:4, 5, 6, 8, 10; 181:2, 13; 189:15; 190:13; 200:1, 3; 201:2; 216:22; 225:12; 227:4, 8, 12, 14, 19, 21; 228:11; 230:9, 11; 232: 234:13, 17, 20, 235:1, 7, 9, 17, 19, 20; 236:4; 243:14; 246:19, 20; 247:4, 6, 10, 12; 248:10; 249:14; 258:15; 262:12; 263:2; 268:8; 273:9, 11, 21; 274:9, 16; 275:2, 13, 15, 21 voted [28] 25:18; 43:5, 14; 65:14, 22; 66:9; 120:7; 121:15; 123:4, 6; 128:22; 147:14; 148:8, 10; 152:20; 173:12; 174:9, 16; 175:5, 12; 178:7; 179:8, 11, 18, 19; 233:1, 15; 255:15 voter [3] 129:1; 250:7; 262:12 Voters [8] 243:9, 11, 18, 19; 244:4, 10; 259:9, 13 voters [2] 51:12; 138:3 votes [4] 174:3; 175:11; 226:19; 234:15 voting [3] 9:16; 175:17; 243:10
<hr/> <b>- U -</b> <hr/> U.S. [5] 123:6; 136:5, 15;			<hr/> <b>- W -</b> <hr/> walk [2] 166:13; 256:1 waiting [1]	

183:17	whatsoever [5]	206:13; 241:18; 246:4;	198:12; 242:3; 271:14	yours [1]
waiving [1]	73:12; 103:17; 107:3;	256:3; 257:2, 13;	works [5]	184:16
49:22	4; 194:9	258:2; 262:13; 265:19;	118:5; 164:20; 184:22;	yourself [5]
walk [1]	Whenever [1]	280:20; 281:4; 283:15;	199:17; 227:17	25:11; 51:4; 58:22;
48:22	67:11	284:1; 285:22	World [1]	186:17
wanted [34]	Whereas [1]	Witness [3]	109:13	
9:5; 46:15; 75:19;	208:17	191:9; 257:1, 5	world [2]	
83:16; 19; 94:20, 22;	whereas [1]	witness [5]	114:12; 243:15	
95:14; 117:13; 140:12;	253:3	182:5; 191:8; 282:5;	Worse [1]	
144:7; 151:16; 154:5,	WHEREOF [1]	283:7, 10	5:21	
11, 14; 155:10, 11;	283:15	WITTEN [35]	worse [3]	
175:6; 178:16; 180:4,	Whereupon [20]	3:13; 24:19; 51:3;	65:8; 69:4, 6	
8; 181:13; 182:11;	48:1; 91:18; 96:18;	56:10; 63:6; 67:13;	worst [12]	
193:1; 224:4; 225:18;	108:16; 114:7; 119:6;	80:2; 88:14; 92:3;	36:4; 46:7, 8; 59:13;	
232:22; 243:16, 17;	126:4; 128:13; 131:21;	96:21; 107:8; 121:2;	68:15; 81:6; 83:9, 16;	
244:13; 248:22; 254:17;	134:19; 138:9; 142:6;	127:6; 131:3; 135:13;	153:2; 245:11; 279:20,	
255:4; 270:15	160:14; 162:10; 187:15;	140:8, 17; 156:1;	21	
wanting [2]	206:10; 216:2; 236:9;	162:17; 169:14, 18;	worth [5]	
17:4; 78:15	254:6; 265:4	182:5; 185:18; 187:12;	37:18; 184:15; 190:8;	
wants [5]	wherever [1]	191:7; 200:17; 241:12;	243:4; 262:10	
42:18; 103:2, 5; 104:1;	161:18	246:3; 256:1; 257:22;	wouldn't [1]	
234:16 -	whichever [1]	262:9, 15; 265:14;	158:13	
War [1]	122:2	274:17; 280:16	wrestle [1]	
109:13	White [1]	Witten [5]	79:2	
war [1]	224:3	7:17; 257:8; 259:3;	wrestling [2]	
234:13	whoever [2]	262:5; 263:2	43:15; 78:18	
Washington [19]	38:8; 138:6	Witten's [1]	write [5]	
2:3, 15; 3:8, 16; 5:12;	wholly [1]	241:16	85:20; 86:7; 95:11;	
7:15; 39:2; 109:15, 18;	249:18	WOB [1]	104:16, 17	
120:10; 142:19, 21;	whomever [1]	237:6	writing [3]	
187:22; 266:16; 267:2,	108:8	won [4]	36:20, 21; 217:15	
5, 9, 16	widely [2]	140:2; 147:8; 232:3;	Written [2]	
watch [3]	35:6, 21	243:14	5:16, 17	
83:13, 14; 198:9	wife [2]	won't [9]	written [3]	
watched [2]	41:11; 42:21	12:13; 35:19; 38:9;	64:14; 96:22; 238:10	
233:19; 234:1	wildly [1]	39:16; 68:22; 176:11;	wrong [19]	
watching [1]	194:15	189:6; 263:13; 271:17	16:9; 21:7, 8; 26:21;	
234:5	willing [3]	wonderful [2]	27:4; 65:2; 68:3; 76:18;	
ways [9]	202:7; 275:18; 276:5	86:11; 145:7	105:12; 111:18, 20;	
40:5, 7, 9; 70:7; 105:9,	WILMER [1]	wondering [1]	128:9; 136:1; 137:10;	
10; 140:2; 161:11;	3:12	11:21	142:1; 189:3; 194:10;	
204:8	Wilmer [1]	word [7]	211:20; 241:7	
weaken [1]	22	18:11; 22:22; 29:17;	wrote [3]	
160:6	win [4]	53:10; 72:3; 168:1;	88:21; 150:19; 216:18	
weakened [3]	59:2; 199:14; 232:6;	227:10	Wu [4]	
30:14, 15; 160:3	273:18	words [11]	5:4; 143:2, 3; 144:14	
weaker [1]	wink [2]	18:15; 20:19; 23:17;	Wu's [1]	
33:8	224:5, 6	33:17; 35:11; 97:15;	143:6	
wealth [4]	Wisconsin [1]	137:6, 8, 10; 153:21;		
277:2, 8, 9; 279:4	120:19	164:19	- Y -	
wealthier [1]	wish [1]	work [16]	Year [3]	
279:19	43:13	28:10; 29:4, 5; 76:3;	5:15; 109:9; 206:17	
wealthy [4]	withheld [2]	129:3; 132:14; 134:2;	year [14]	
276:13; 277:20, 21;	232:2	182:1; 203:6; 210:4;	8:7; 13:4; 17:17; 28:2;	
279:7	withhold [2]	224:3; 226:3; 233:10;	98:17; 109:9; 120:5;	
web [1]	230:7; 231:18	278:4; 281:5, 6	149:9; 178:20; 197:13;	
13:4	WITNESS [64]	worked [8]	207:4; 218:17; 270:12	
week [1]	24:20; 51:6; 52:12, 15;	10:3, 10, 19; 46:11;	years [24]	
9:21	53:17, 21; 54:4, 9;	134:1; 178:19; 226:20;	30:9, 11; 37:12, 13;	
weeks [2]	56:12; 63:8; 67:15;	234:19	38:10; 68:4; 109:15;	
9:1; 196:16	80:13; 85:10, 15;	Worker [2]	128:18; 130:2; 132:12;	
welcome [1]	86:10; 88:20; 91:21;	132:17, 20	133:21; 134:1; 175:6;	
99:3	92:5, 11, 17; 97:10;	worker [1]	18; 176:4, 10; 198:8;	
well-heeled [1]	107:11; 112:4; 114:10;	132:11	204:2; 207:11; 208:21,	
151:11	127:10; 131:6; 134:22;	Workers [1]	22; 243:12; 248:3;	
well-meaning [1]	135:16; 140:13, 18;	132:22	270:4	
32:10	141:1; 145:5, 13; 156:6,	workers [5]	yesterday [3]	
Wertheimer [1]	9; 162:22; 163:8, 16;	132:14, 15, 19; 134:2;	89:9, 10, 11	
10:16	164:7, 16, 22; 165:4;	191:4; 193:5	York [2]	
West [1]	170:1, 5, 14, 16; 171:5;	working [5]	212:21; 214:3	
237:6	185:22; 186:13; 191:10;	25:11; 77:6; 81:18;		