



MEMORANDUM

TO: FEC Commission Secretary

FROM: Dan N. Hazelwood  
Targeted Creative Communications, Inc.

DATE: Tuesday, April 13, 2010

RE: Draft Policy on Volunteer Materials

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I have reviewed your draft policy on volunteer materials and would like to offer a few observations.

As a way of credentials I have been involved in volunteer materials exemption activity for 20 years and for the past 15 years have tried to advise State Parties how to comply with your guidelines.

First, it is extremely helpful to have clarity of what absolutely qualifies. If you are clear, then both political parties and their consultants will guide volunteers and party operatives to comply. In short, if you give us guidelines we will help you make sure the law is enforced, because we have every incentive not to want to deal with an endless round of complaints.

If you are not clear about what is a safe activity, then complaints will ensue and multiple standards will evolve in the field in spite of your wishes.

**Specifically to your standards.**

First you should realize that your descriptions have to a degree been overtaken by technology. Mail is no longer even labeled. It is direct addressed in the gigantic proportion of mail. Further for the mail to be accepted and processed by the postal system it now must be prepared in a way that makes it super machine friendly and eschews human interaction.

So in reference to your specific "but for" standards discussed in these drafts.

- Distribution of material by hand. Meaning passed from a volunteer to a potential voter. Terrific.
- Bundling and sorting. Terrific there is a clear and required process that requires substantial and intelligent volunteer interaction. If performed wrong, the post office will outright reject the mail for acceptance for use by the party permit. In short the post office will enforce your standard for you and the volunteers need to track participation.
- Feeding Mail into machines. Again this is clear.

The above two methods are what I describe as the front end and back end of the machine. For your information, the front end (feeding) requires much less volunteer activity. From a "good government" standard I would say feeding is a very low threshold to meet.

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- Stamping or labeling mail. This requirement, once a common procedure has been overtaken by technology. Labels only exist at Office Depot and are not used in any quantity. Stamping the mailing indicia is now something that the post office wants us to avoid. The more human interaction with the piece, the harder the mail is to process through the postal sorting machines. You can leave this standard but it is increasingly obsolete.
- Sorting by zip code. Practically speaking that is not done until the mail exits the addressing machine. The mail is addressed by the software into what amounts to delivery order. The mail coming off the backend, is indeed halted and depending on postal codes (zip, zip+4 and carrier routes) is then placed into sacks or trays as determined by postal regulations. Failure to do correctly and the post office will reject. Again requiring significant intelligent volunteer activity or else the project will fail. This is a strong standard easily tracked and has dire consequences if done improperly
- Loading mail. This is going to need clarity. It quickly becomes the case that mail is moved on fork lifts. A single sack of mail can be 40 pounds and a mid level mailing for a congressional race can have 100-200 sacks. So will volunteers be permitted to operate fork lifts and will that constitute the involvement? Or will volunteers be required to create a fire brigade and pass the mail along from truck to Post Office?
- Developing or enhancing a list. This needs clarification. Does this mean mail sent to people spoken to at a door by a volunteer, then qualifies regardless of above? Does it have to be done in the current election cycle? What if no one answered the door can we still send them mail that uses the volunteer exemption?

Lastly there is reference to reimbursement of certain expenses to volunteers. In the past this has been for pizza and sign in sheets and such. Please give clarity does this permit a token fee to volunteers for their help? It appears that some may believe that.

Again, please give us clear safe harbors where we can direct volunteers to do a task. We need to know what to do so we don't have to fear complaints being lodged. Clarity will also establish an even playing field between the parties. I know in the past, I have felt the opposite political party used a looser standard and enjoyed an advantage. That is unfair and should not be permitted

I recommend you say certain method(s) absolutely qualify if done; and also the following combination of these additional methods also absolutely qualify. Then give guidelines for unanticipated methods that may arise in the future.

Thank you.

