

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

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New York City Campaign Finance Board Hearing on Proposed Rule Amendments

The New York City District Council of Carpenters and Joiners of America is a representative body comprised of nine individual locals and 25,000 union members. The District Council functions as the voice for thousands of New York City's most dedicated and skilled Carpenters, Millwrights, Dockbuilders, Marine Divers, Core Drillers, Timbermen, Cabinetmakers, Floorcoverers, and Industrial Workers.

It is the belief of the District Council that the newly proposed Campaign Finance Board regulations will have an adverse impact on our ability to effectively communicate with our membership and will lead to an overall decrease in member participation in the political process. The recommended changes regarding election year issue advocacy campaigns are particularly alarming, as they will inhibit almost any activity that would be effective. Specifically, the CFB has proposed that if a mailer or other communication features a candidate for office and is targeted toward a specific electorate, the communication would be considered coordination with the candidate's campaign. This is problematic for a number of reasons. Most issue advocacy campaigns target a specific electorate and a specific elected official. Under the proposed rules, if the District Council were to canvass our members in a particular neighborhood with literature that featured an elected official running for reelection, this would be considered in coordination with the candidate's campaign. The purpose of the effort would not be to get the candidate reelected, but to achieve our own goal. The goal could be to stop a development project or to pass legislation. We would be engaging our membership to become involved in the political process by thanking their representative of calling to urge them to stand up for responsible development in their district. Member volunteers would canvass fellow union members. The proposed rules would impede this practice, making it difficult to encourage member participation. This is just one example of how the ambiguity of the rules could discourage city residents to participate in the political process.

Additionally, we feel the rules concerning independent expenditures are problematic. The new regulations create significant uncertainty regarding the use of independent expenditures and may even lack constitutionality. The CFB provides an expansive list of factors that could be considered coordination and stresses the list in not all-encompassing. These ambiguous guidelines seemingly impose the presumption of coordination, making it impossible to prove otherwise. The CFB does not have to prove coordination occurred, rather the independent spender must prove the coordination did not occur. This will deter us from the use of independent expenditures altogether, making it more difficult to actively engage and inform our membership.

We thank the Campaign Finance Board for considering our concerns.