



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Rosemary Smith
Associate General Counsel

FROM: Office of the Commission Secretary *MWD*

DATE: April 6, 2004

SUBJECT: *Ex Parte* Communication Re. Political Committee
Status Rulemaking

Attached is an e-mail received by Commissioner Thomas which originated from Ralph G. Neas of People For The American Way and was sent by Betty King regarding the above-captioned matter.

cc: Commissioners
Staff Director
General Counsel
Press Office
Public Disclosure

Attachment



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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FEDERAL ELECTION
COMMISSION
SECRETARIAT

2004 APR -5 P 4: 45

MEMORANDUM

TO: MARY DOVE
COMMISSION SECRETARY

FROM: SCOTT E. THOMAS
COMMISSIONER *SET*

SUBJECT: EX PARTE COMMUNICATION
RE. POLITICAL COMMITTEE STATUS RULEMAKING

DATE: APRIL 5, 2004

The attached e-mail which originates from Ralph G. Neas of People For The American Way was sent to me by Betty King.



04/03/2004 08:05 AM

To sthomas@fec.gov
cc
bcc
Subject Help defeat drastic limits on free speech and nonprofit
advocacy (fwd)

Apparently, Move.on is not the only group that thinks you're wicked! xoxo
Betty

--
Betty King
4233 Royal Palm Avenue
Miami Beach, FL 33140-3016

----- Message from "PFAW Activist Network" <alerts@pfaw.org> on Fri, 2 Apr 2004 18:54:03 +0000 -----
To: "Betty King" < >
Subject: Help defeat drastic limits on free speech and nonprofit advocacy

PEOPLE FOR THE AMERICAN WAY April 2, 2004

Dear Betty,

With members and supporters like you, it is hard to imagine that a day might come when People For the American Way's voice for democracy, fairness and justice would be muted. But we, and almost all other nonprofit advocacy groups, are facing the unimaginable because of proposed rules being considered in April by the Federal Election Commission.

The FEC - an appointed body of three Democrats and three Republicans - is considering new rules that would muzzle virtually all nonprofit advocacy groups, right in the middle of this critical election year. These over-reaching, unjustified rules would severely limit, if not outright prohibit, People For and other nonprofits from engaging in advocacy activities that are vital to our democracy, such as registering voters in the months before a federal election or informing voters of federal officials' policy positions and the potential impact of those positions.

Urge the FEC to reject the harmful and unwarranted rules on nonprofit free speech and advocacy - send a free fax to the FEC today:

TAKE ACTION

Fax a letter to the Federal Election Commission opposing proposed rules that threaten nonprofit free speech and advocacy.

Click here
to send a free fax
(Please submit your comments no later than April 8 to make sure they are entered in the official FEC record.)

And, urge friends, family and other nonprofit members to help stop this attempt to

[http://www.pfaw.org/go/FAX the FEC/](http://www.pfaw.org/go/FAX_the_FEC/)

Note: The FEC's deadline for comments is April 9th, but we encourage you to get your comment in by April 8th to make sure it is considered.

silence nonprofit voices.

Outside of a few brief articles, little media attention is being paid to this enormous threat to freedom of speech and democratic debate. We really need your help to spread the word, especially to friends and family members who belong to nonprofit organizations. The FEC's proposed rules would affect nearly every type of nonprofit: big and small; activist- and research-oriented; left-wing, right-wing, and centrist. If you or a friend works for, or sits on the board of, a nonprofit, urge that an organizational letter of opposition be sent.

As you'd expect, People For is helping lead the response to this threat. We are one of eight organizations heading up the Coalition to Protect Nonprofit Advocacy, an ad hoc effort by nonprofits around the country and across the political spectrum determined to defeat the FEC's proposed rules. You can learn more about the Coalition's efforts on People For's web site - [click here](#).

We believe the FEC, in suggesting these limits on free speech, is stepping well beyond the authority it was given by Congress, and we're urging Members of Congress to act. But, when facing the worst, we look to the best - People For activists - to deliver an important message like this to the FEC.

Americans form and join nonprofit groups to amplify their voices, promote democratic debate, and, through that debate, enrich our democracy. Our elected officials, friends and neighbors have come to rely on these collective voices to express clear and diverse viewpoints, to encourage civic participation, and to help hold our representatives at all levels accountable. We cannot, and we will not, let these voices be silenced.

[Fax the FEC your comments](#) and forward this alert to your friends.

Yours in action,
Ralph G. Neas
President, People For the American Way

P.S. - We will keep you posted on the FEC's rule-making process and opportunities to influence and defeat the proposed rules on nonprofit advocacy. The next step in the process is a public hearing on April 14 and 15 in Washington, D.C.

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This message was sent to:

HOW F.E.C. RULES COULD AFFECT PFAW

Here are just a few examples of how the FEC's proposed rules could impact People For's ability to advocate on the issues important to you. For more detailed information, [click here](#).

Example 1: PFAW could be prohibited from criticizing President Bush if he were to use a recess appointment in August to install another right-wing judge without Senate approval.

Example 2: PFAW could be prohibited from distributing voter guides - even to PFAW members - illustrating the differences in policy positions between a Radical Right candidate and his opponent.

Example 3: Under one of the most draconian proposed rules, PFAW could be re-classified as a "political committee" and required to halt all operations until it has repaid the "old" nonprofit PFAW for all advocacy activities undertaken in the previous four years.

To remove yourself from this mailing, please click [here](#)