



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
FEC PRESS OFFICE
FEC PUBLIC RECORDS

FROM: MARY W. DOVE 
SECRETARY OF THE COMMISSION

DATE: February 5, 2004

SUBJECT: *Ex Parte* COMMUNICATIONS REGARDING
DRAFT AO 2003-37

Transmitted herewith are five *ex parte* communications regarding the above-captioned matter.

Proposed Advisory Opinion 2003-37 is on the agenda for Thursday, February 5, 2004.

Attachment:



Rebecca Morley <RMorley@centerforhealthyhousing.org> on 02/04/2004 06:40:01 PM

To: mdove@fec.gov
cc:

Subject: Restrictions on advocacy speech

I am writing to express my objections to the Federal Election Commission pending proposal that could severely restrict the ability of 501(c)(3) and 501(c)(4) organizations to engage in federal policy advocacy. This would have a severe chilling effect on all federal public policy advocacy speech. I concur with the letter submitted to the FEC today by 324 organizations objecting to this proposal. Thank you in advance for your consideration.

Rebecca Morley
Executive Director
National Center for Healthy Housing
10227 Wincopin Circle
Suite 100
Columbia, MD 21044
Voice: (410) 772-2774
Fax: (410) 715-2310



Sam <sam@tfn.org> on 02/04/2004 07:47:59 PM

Please respond to sam@tfn.org

To: mdove@fec.gov

cc:

Subject: Draft Advisory Opinion 2003-37

Commission Secretary
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Draft Advisory Opinion 2003-37

Dear Commission Secretary:

On behalf of the Texas Freedom Network and its 15,000 members, I am writing to let you know that we support the 324 organizations who signed the letter responding to the FEC's recent draft Advisory Opinion. The effects of this opinion would strike a crippling blow to the democratic process. This opinion would shut down many of the advocacy activities of the Texas Freedom Network, stifling our ability to advocate for fair-minded public policy. The Texas Freedom Network urges the FEC to reject this draft in its current form.

Respectfully,

Samantha Smoot
Executive Director

Samantha Smoot
Executive Director
Texas Freedom Network
www.tfn.org
t 512-322-0545
f 512-322-0550

The Texas Freedom Network advances a mainstream agenda of religious freedom and individual liberties to counter the radical right.



a2peace@comcast.net on 02/04/2004 04:15:49 PM

To: mdove@fec.gov

cc:

Subject: Reject the advisory opinion on nonprofit communications

To the FEC Secretary,

The Ann Arbor Area Committee for Peace strongly urges the Federal Election Commission to reject an FEC General Counsel draft advisory opinion that could severely restrict the ability of nonprofit organizations to communicate with the public about important policy issues. Our democracy will only suffer from muzzling the policy assessments of nonprofit organizations.

Sincerely,

Phillis Engelbert
Coordinator, Ann Arbor Area Committee for Peace
<http://justpeaceinfo.org>



Connie Markis <conniem@anhc.org> on 02/04/2004 04:24:25 PM

To: mdove@fec.gov
cc:

Subject:

Dear Secretary,

I am writing to let you know that I agree with the comments submitted today by 324 organizations asking you not to restrict the ability of 501(c)(3) and 501(c)(4) organizations to engage in federal policy advocacy that could be considered to "promote, support, attack, or oppose" any candidate for federal office, including people currently in office. This means that a 501(c)(3) and 501(c)(4) organization could not engage in any form of public communication that was critical or supportive of the policy positions of President Bush, any other candidate for President, or anyone running for Congress or the Senate unless it was using funds specifically raised from individuals who would be limited to contributions of \$5,000 or less.

This would have a severe chilling effect on all federal public policy advocacy speech. It would be disingenuous to allow paid lobbyists to represent their constituency or believe that just because you work for an organization, you cannot express your free will of opposition to issues you disagree with. I wish to voice my opinion against this move. Thank you.

Connie Markis
Anchorage Neighborhood Health Center
Special Programs Director
Health Care for the Homeless Program Coordinator/Case Manager
1217 E. 10th Ave.
Anchorage, Alaska 99501
phone (907) 257-4664; fax (907) 257-4654
email <conniem@anhc.org>



Shellycfth@aol.com on 02/04/2004 05:28:53 PM

To: mdove@fec.gov
cc: emincberg@pfaw.org, MBrosnahan@cfthomeless.org, PMarkee@cfthomeless.org, SNortz@cfthomeless.org
Subject: Draft Advisory Opinion 2003-37

By Electronic Delivery, February 4, 2004

Commission Secretary
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: Draft Advisory Opinion 2003-37

Dear Commission Secretary:

Coalition for the Homeless, a 501 (c) (3) charity that is entirely non-partisan in its activities and based in Manhattan, wishes to notify you of our objections to Draft Advisory Opinion 2003-37, and add our name to the chorus of

opposition voiced in the comments submitted to your office earlier today by 324

organizations. Had we learned of the implications of the draft opinion in advance of your comment deadline earlier today, our name would have been included in

the list of those signing on to the comments. We agree with the comments submitted to your office this morning in opposition, and urge that you reject the

draft in its current form. Not only could the opinion hamper our legitimate non-partisan advocacy work, but it could also serve to limit the opportunities we

accord poor and disabled New Yorkers and our donors to express their opinions regarding matters of public policy. Please do not allow this kind of guidance to hamper our ability - and that of thousands of charitable organizations - to publicly support and oppose public policies and budgetary decisions that affect the lives of our clients and the programs that serve them. You may reach

me at our Albany office at 518-436-5612 should you have any need for further information regarding our comments.

Very sincerely yours,

Shelly Nortz

Deputy Executive Director for Policy

Coalition for the Homeless

129 Fulton Street, 4th floor

New York, New York 10038