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Please respond to  
ral1124@Hotmail.com

To ECdef@fec.gov

cc

bcc

Subject Tell The FEC To Keep Exemption for Charities!

Dear Ms. Dinh:

TO: Ms. Mai T. Dinh  
Assistant General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

RE: Comments on FEC Notice of Proposed Rulemaking on 501(c)(3) Electioneering  
Communications Exemption <ECdef@fec.gov>

Dear Ms. Dinh:

I am writing on behalf of a 501(c)(3) organization, to urge you to exempt  
issue advocacy broadcasts by charities and religious organizations from the  
definition of banned electioneering communications.

I am very concerned that you are considering banning broadcast communications  
that are part of the everyday grassroots lobbying and education carried on by  
charities and religious organizations,. Even if the ban only applies to the  
60 days before a federal election or 30 days before a primary, it will have a  
year round chilling impact. The work of government does not halt during this  
period, and we, as nonpartisan organizations, should be able to comment on the  
issues of the day without restraint.

The tax code prohibits charities from intervening in elections. You have  
asked for comment on another standard - "promote, support, attack, or oppose"  
a federal candidate  without defining what that means. This is the wrong  
approach to determine when charities and religious organizations can broadcast  
grassroots lobbying and other messages about public policies and the positions  
of elected federal officials. It does not distinguish between a candidate in  
his or her capacity as a candidate and references to public officials acting  
in their official capacity. It could mean grassroots lobbying messages that  
ask people to call a Senator and urge him or her to change a past position on  
a bill are considered partisan attacks on the Senator.

While drawing the line between electioneering and issue advocacy may be  
difficult, it is not impossible. Lobbying is not campaigning. The IRS has  
set out factors that distinguish between electioneering and issue advocacy.  
For example, factors that indicate nonpartisan communications are those that:

- identify specific legislation or a specific event outside the  
control of the organization
- are timed to coincide with the specific event
- identify the candidate solely as a government official in a  
position to act on the policy or specific event

The FEC ignores these distinctions by proposing the vague "promote, support,  
attack, or oppose" a federal candidate standard. Instead, we ask you exempt  
501(c)(3) organizations by using IRS standards in your own enforcement  
program, so that there will be one set of standards for charities and  
religious organizations to define what is partisan and what is not. If you  
propose another definition under the "promote, support, attack, or oppose"  
standard, it should be published for public comment before being made into a

rule.

Sincerely,

richard linsenber  
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phila, PA 19103