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January 4, 2000

Rosemary C. Smith
Acting Assistant General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

NAN ARON
PRESIDENT

JAMES D. WEILL
CHAIR

RE: Federal Election Commission Notice of Inquiry 1999-24: Use of the Internet for Campaign Activity

Dear Ms. Smith,

The Alliance for Justice welcomes the opportunity to submit comments in response to the Notice Inquiry issued on November 2, 1999. We are pleased that the Commission has launched a thorough examination of whether the purposes of the Federal Election Campaign Act (FECA) can be achieved through regulation of Internet based campaign activity.

The Alliance is a national association of environmental, civil rights, mental health, women's, children's and consumer advocacy organizations. These organizations and their members support legislative and regulatory measures that promote political participation, judicial independence, and greater access to the justice system. While most of the Alliance's members are charitable organizations, a significant number also work with or are affiliated with social welfare and advocacy organizations that engage in political activity.

I. INTRODUCTION AND SUMMARY

The Commission has raised the threshold question by asking whether campaign activity conducted on the Internet is subject to the FECA and Commission regulation at all. The Alliance believes that Internet activity differs fundamentally from traditional modes of mass

media communications, requiring a different approach in areas where the Commission has regulatory jurisdiction. We contend that the purposes of the FECA are best fulfilled by a hands-off approach to regulation of Internet campaign activity, especially as it impacts activities of individuals, volunteers and membership associations. Our comments will focus on how the purposes of the FECA can best be achieved with respect to Internet activity, note where current regulations may affect or inhibit use of the Internet in ways that are contrary to those purposes, and suggest approaches the Commission can take.

The Alliance encourages the Commission to take the time necessary to fully investigate and consider its approach to what is still a developing technology. We propose that public hearings be held, allowing ample time for the major stakeholders in the regulated community to address the issues most relevant to them. These hearings would allow the Commission to explore the issues in greater depth and allow the public an additional opportunity to present the issues. Since the scope of this Notice of Inquiry was broad and the comment period included three major holidays, many comments, including ours, may not be as thorough a treatment of the issues as the topic deserves. Public hearings would provide additional opportunities for the regulated community to provide the Commission with information and insights that will better assist it in developing appropriate rules for regulation of Internet campaign activity. In the event such hearings are held, the Alliance requests an opportunity to testify.

In most instances Internet communications are freely available to the general public. Only Internet communications limited to specified individuals, such as page on a web site that can only be accessed by use of a password, or messages to a controlled listserv, are not available to the public. Therefore, these comments will presume that Internet communications have an audience of the general public unless otherwise noted.

II. MINIMAL REGULATION OF CAMPAIGN ACTIVITY ON THE INTERNET SUPPORTS THE GOALS OF THE FECA

The Commission has posed the question of what, if any, Internet activity is subject to regulation under the FECA. Only regulation that addresses the compelling state interest in protecting the electoral process from the corrupting influence of massive private wealth can be constitutionally justified. All else is protected speech.¹

The low cost of Internet communications empowers those with little money and this democratization of campaign activity helps prevent corruption of the electoral process. More, not less, campaign activity on the Internet serves the purposes of the FECA. The absence of supply-based limits on Internet access reduces the value of excess money in campaign war chests. As noted in Governor Bush's Advisory Opinion request, the Internet can revitalize politics "at a time when citizen involvement seems to be diminishing rather than increasing."

¹ *Federal Election Commission v. Massachusetts Citizens for Life, Inc.* 479 U.S. 238 (1986)

The Commission's first step in developing its approach to the Internet should be to give serious consideration to first amendment issues. It should examine whether or not the concerns underlying regulation of corporate political activity are present with respect to any Internet activity it seeks to regulate. We believe that the FECA gives the Commission the flexibility necessary to allow Internet campaign activity to expand and open political debate and participation

The legislative history of the FECA and its predecessors clearly establish its goal: control the influence of money on political process.² By placing caps on spending and contributions, the Act seeks to prevent disproportionate influence of wealthy citizens and avoid corruption. By limiting the audience for express advocacy communications the Act prevents use of membership organizations and other corporations as conduits for private wealth. Similarly, the prohibition on coordination of express advocacy for independent expenditures avoids use of nonprofit organizations as conduits for campaigns. The focus of regulation is on the money, not the activity.

The Supreme Court has repeatedly recognized the FECA's rationale as "the need to restrict the influence of political war chests funneled through the corporate form,"³ to "eliminate the effect of aggregated wealth of federal elections,"⁴ "curb the influence of those who exercise control over large aggregations of capital,"⁵ and to regulate the "substantial aggregations of wealth amassed by the special advantages which go with the corporate form of organization."⁶

The Internet is a widely available public forum for speech, accessible through public facilities such as libraries and schools as well as in private residences. Any reader on the Internet can also be a publisher, making it the soapbox of the electronic age. As such, the Alliance for Justice believes that the restrictions applicable to print and broadcast media should not be automatically applied to Internet. The focus of those rules is on controlling the influence of money on campaigns. Newspapers, magazines, TV and radio all have limited space availability and are notoriously expensive. The Internet is just the opposite: widely available and cheap. It levels the communications playing field, and, for this reason, requires a different approach.

The hundreds of large and small nonprofit membership organizations to which the Alliance provides assistance illustrate the Internet's potential to democratize the political process. These groups generally have small staffs and budgets and rarely can afford to buy space in newspapers. Airtime on television or radio is even more rare due to the high cost of producing and placing mass media advertising. However, most of these groups have access to the Internet and can participate in political debates in ways previously unavailable to them. Like similar groups from every possible part of the political spectrum, these organizations

² 117 Cong. Rec. 43381-89

³ *FEC v. National Conservation PAC*, 470 U.S. 480 (1985)

⁴ *Pipefitters Local Union No. 562 v. United States*, 407 U.S. 385 (1972)

⁵ *United States v Automobile Workers* 352 U.S. 567 (1957)

⁶ *FEC v. National Right to Work Committee*, 459 U.S. 196 (1982)

post web pages that educate the public on key issues and evaluate the performance of public officials. E-mail lists are used to generate public participation at levels usually impossible within the short timeframes of the legislative, regulatory or electoral process. Regulations that inhibit this use of the Internet would be counter to purpose of the FECA because they limit the Internet's potential prevent the corrupting influence of private wealth. The more their use of this medium is restricted, the more dominant big money will remain through its ability to access print and broadcast media. To fulfill the clearly established democratic goals of the FECA, the Commission should minimize its regulation of the Internet.

III. IN SOME CASES CURRENT INTERPRETATIONS OF THE FECA CORRECTLY PERMIT A WIDE RANGE OF INTERNET COMMUNICATIONS

Existing law properly recognizes that much of the communication on the Internet is not subject to Commission regulation. In many cases this protection of speech comes directly from rules designed for more traditional forms of communication, but in some cases the Commission has appropriately amplified these regulations with ruling protecting communication on the Internet. Although, as we discuss in the next section, there are current interpretations of the FECA that restrict Internet advocacy in ways that are counter to the Act's purposes, the following areas represent interpretations of the FECA that properly protect at least some Internet speech.

A. Publicly Available Communications that Do Not Contain Express Advocacy

Communications that do not contain express advocacy generally fall outside the current limitations in the Act and its reporting and disclosure requirements, whether posted on the Internet or in a printed publication. For example, the Internet is capable of providing large audiences with unregulated voter education information. Nonpartisan guides and scorecards do not create expenditures subject to regulation, so FECA reporting and disclosure requirements do not apply.

Membership associations can conduct online discussions between candidates and web visitors in the same manner as news organizations, pursuant to Advisory Opinion 1996-16 and the regulations governing nonpartisan public debates in 114.4 and 110.13. The simultaneous participation of two or more candidates should meet the requirements of "face to face" meetings in 110.13(b) regardless of physical proximity. As long as the discussion format does not favor any candidate, the sponsor should not be responsible for statements made by participants, since there is no opportunity for editing contemporaneous statements.

Similar principles can be applied to candidate participation in listserv-based forums, where all participants may not read the material contemporaneously. Participants can send questions or comments for the candidates to respond, and the responses can be made available to all participants simultaneously

Web site postings that encourage voter registration and are not coordinated with any candidate and that do not contain express advocacy are permissible general public communications under current regulations. Since web sites are freely available to anyone on the web, voter registration information and services posted there should not be considered as targeted to any particular constituency. This is consistent with AO 1999-7, which held that there is no expenditure under the FECA if no effort is made to determine party or candidate preference when a communication encourages people to register or vote. This principle should apply to web postings and e-mail messages alike.

B. Communications Limited to Restricted Class

The FECA permits corporations to make expenditures for communications that contain express advocacy when the communications are limited to its restricted class, such as members of nonprofit associations. It is technically possible to use passwords that will allow members-only access to pages on organizational web sites and restricted e-mail lists that communicate only with members of the restricted class. Communications that contain express advocacy may take advantage of these technological solutions on the same basis as a member-only mailing. This approach is consistent with the principle established by the Commission in Advisory Opinion 1997-16, in which the Commission said the Oregon Natural Resources Council Action could post otherwise impermissible material in space with limited access, or space paid for by its PAC.

Member-only web pages and e-mail messages sent to members should be allowed to urge registration with a particular party, vote for a particular candidate, or offer transportation to the polls, consistent with 114.3(c)(4).⁷ Likewise, when Internet-based candidate appearances and forums are limited to members, the organization may invite only one candidate without incurring the obligation to make the same opportunity available to other candidates. This mirrors the rule for appearances with express advocacy before a convention or other membership event.

C. Communications to the General Public by Qualified Nonprofit Organizations

Nonprofit groups that meet the requirements set out in FEC Reg. 109.1(a) can, under current law, make express advocacy communications to the general public. As a result, these groups may post express advocacy material on their web sites without restricting access.⁸

⁷ If individual members choose to forward or copy these messages to non-members, their action should not be attributed to the organization. Instead, it should be exempt under the individual volunteer provisions of 431(8)(B)(ii).

⁸ One of the requirements for such independent expenditures is that they not be coordinated with a candidate, campaign, or political party. FEC Regs. 100.16 and 109.1(a). This concept has important ramifications in a variety of contexts, and it is possible the coordination standard could vary. The Commission has issued a Notice of Proposed Rulemaking, Notice 1999-27, regarding the definition of "coordination" in light of recent litigation. The Alliance expects to file comments on this matter.

IV. UNIQUE ASPECTS OF THE INTERNET URGE AGAINST REGULATION UNDER THE FECA

Beyond the application of existing interpretations of the FECA described above, the unique aspects of the Internet suggest flexible interpretations of long-standing doctrine that would prevent Commission from regulating other Internet speech and activities.

A. The Negligible Cost of Internet Communications Makes Regulation Unnecessary and Impractical

The low marginal cost of speech on the Internet raises the question of whether Internet communications constitute a contribution of "something of value" that would be subject to regulation under the FECA. The low cost also suggests that regulation is impracticable because the regulations would be simple to avoid and because the cost of compliance vastly outweighs the cost of the communication.

1. The Low Cost of Internet Speech

The costs of Internet communications, whether for posting material on a web site or sending an e-mail message, is extremely low, especially when compared to the cost of publishing the same information in traditional print or broadcast form.

On a typical web site, for example, in which only one page out of the 50 that comprise the site contains express advocacy, the cost of that express advocacy communication would be 2% of the cost of hosting the site. An organization can easily find an Internet Service Provider (ISP) that will host such a site for \$15 per month. (In fact, free web site hosting is available.) Even assuming that the express advocacy communication remains on the site for an entire year, the annual cost would be \$3.60. (An express advocacy page that remained on the site only for the month before an election would represent an "expenditure" of only 30¢.) In fact, it is reasonable to argue that the express advocacy communication creates *no* expenditure. The fee that an ISP charges is rarely tied to the number of pages on the site. Thus, a corporation would face no additional cost in adding a page (or several pages) containing express advocacy to an existing site. The analysis for e-mail and other types of Internet-based communication yields similar results.⁹

2. Low Cost Protects Speech by Volunteers

This low cost of Internet communications clearly puts the activities of individual volunteers within the volunteer exception, which exempts use of real or personal property valued at less than \$1,000 on behalf of a single candidate or \$2,000 on behalf of all political

⁹ The Commission's Notice of Inquiry asks for suggestions on how the value of regulated communications made over the Internet should be determined. To the degree that the Commission decides to reject our conclusions that the Internet should not be subject to regulation under the FECA, the Alliance urges the Commission to calculate the value of Internet communications using a method similar to that described here.

committees, in any one year.¹⁰ Internet activities by individual volunteers that fall within this exemption include candidate web sites created by individuals and express advocacy communications on individual web sites, whether or not these activities are coordinated with candidates and campaigns.

The Alliance believes that Advisory Opinion 1998-22, which held that a candidate web site created by an individual was something of value under the Act, is inconsistent with the volunteer exemption and should be withdrawn or revised.

3. Low Cost Should Protect Speech by Corporations

Given the low marginal cost of Internet speech and the policy rationale behind the FECA, the Commission should mirror the *de minimus* exception for individual volunteer activity and rule that most corporate political speech on the Internet is not "something of value" that can be considered a contribution subject to regulation under the FECA.

The courts have recognized that the definition of an expenditure or contribution under the FECA is subject to interpretation, and therefore the Commission has power to determine which speech is subject to regulation under the FECA. In *Massachusetts Citizens for Life* (MCFL), for example, the Supreme Court discussed the lack of specificity in the definition of in-kind contributions, noting that the question turned on the phrase "something of value."¹¹ In that case the Court held that the cost of a printed communication that included express advocacy was a contribution or expenditure. Yet speech on the Internet typically incurs substantially less cost than such printed communications, requiring a different balancing of interests between free speech and protection of the electoral process.

The policy behind the FECA justifies a different treatment of Internet speech. As discussed above, the purpose of the FECA is to protect broad political debate against the corrupting influence of concentrated wealth. This purpose is manifest throughout the Act. For example, the exception for speech by individual volunteers recognizes the benefits of unrestricted political speech in situations that prevent moneyed interests from monopolizing the debate. Likewise, the news exception discussed below demonstrates Congress's conviction that although individual news sources may be biased, the sum total of the media speech creates a forum that helps the electorate exercise its franchise.

The Internet shares these aspects of speech that justify the exceptions. The low cost of Internet speech diminishes the opportunity for wealth to monopolize political debate – a speaker with few resources can be just as powerful as a speaker with large amounts of money available. As noted above, the unlimited nature of the forum expands the diversity of speech on the Internet, and this diversity helps to inoculate the political system from corruption. In short, the free and open ability to state one's opinions and hear the ideas and opinions of others on the Internet protects free speech and the electoral process. The Internet's value to society far outweighs its value to any candidate, party, or individual. Balanced against the

¹⁰ FEC Reg. 100.7(b)

¹¹ *FEC v. Massachusetts Citizens for Life, Inc.* 479 U.S. 238 (1986)

negligible "value" that may accrue to a particular candidate, campaign, or party, these policy considerations suggest that Internet speech should not be treated as a contribution under the Act.

Practical considerations of enforcement and compliance also support a determination by the Commission that Internet speech should not be regulated under the FECA. It would be financially easy, although administratively burdensome for corporations, to avoid regulation. The cost associated with corporate speech containing express advocacy will usually be so minuscule that corporations could easily raise tiny sums – perhaps even from a single contributor in the restricted class – to pay costs of Internet advocacy. For example, a single \$5 contribution from a member of a nonprofit advocacy organization to a specially created Separate Segregated Fund could pay the entire annual "expenditure" for the single web page of express advocacy described in the example above. It seems likely that the costs of creating an SSF and the costs of evaluation, tracking, and reporting the "expenditure" in this and similar situations would vastly exceed the value of the alleged "in-kind contributions." It is unreasonable to regulate these negligible costs given the stated purposes of the FECA.

Because the low cost of the Internet suggest policy and practical reasons why speech on the Internet should be left unregulated, the Commission should reconsider several recent rulings. In Advisory Opinion 1996-2, the Commission prohibited CompuServ from providing free Internet accounts to all federal and statewide candidates, ruling that the accounts would be an impermissible corporate contribution. The Commission reached a contrary and better result in Advisory Opinion 1999-7, approving Internet links to candidate web sites from the Minnesota Secretary of State's web page. In that case the links did not constitute "something of value" because all candidates sites were included, making them nonpartisan voter education material. Although the Alliance believes that links do not constitute communications subject to regulation under the FECA (see below), it is also correct that there is no "contribution" when a corporation provides something to all candidates on a nonpartisan basis. The Commission should reverse the CompuServ opinion.

The Commission should also reject the temptation to regulate Internet activity even when it favors one candidate over another. In Enforcement Matter Under Review 4340 (Tweezerman), the Commission found that a link from a for-profit corporation (in this case, a corporation controlled by the candidate himself) to a candidate's web site constituted something of value and was an impermissible contribution. As discussed above, balancing the minimal – effectively zero – cost of that link against the policy reasons favoring an unregulated Internet suggest that the Commission should revise its finding and rule that Internet speech or activity favoring a single candidate does not constitute something of value.¹²

¹² In addition this holding is flawed because, as discussed below, a link alone does not constitute a "communication" and thus is not subject to regulation under the FECA. If the corporate site in Tweezerman contained substantive express advocacy communication, the Commission could still forbid the link at issue based on the fact that the corporation in question was controlled by the candidate. In cases where a candidate, campaign, or party controls the Internet communication or activity, the Alliance agrees that regulation under FECA is appropriate.

To summarize, the Alliance believes that express advocacy speech on the Internet should not constitute "something of value" because the policy value of that speech outweighs the negligible value of the low-cost speech. If the Commission ignores the policy benefits of Internet speech and the absurdities of enforcement to find that express advocacy speech on the Internet could be "something of value," the Alliance at least urges the Commission to create a presumption that the speech has no "value." The Commission could rebut this presumption only if it could show that major expenditures were made for special equipment or services – for example a T1 line or a new server specifically to permit more web traffic – in order to support the express advocacy.

B. The "News Exception" Applies to Most of the Internet

The Commission's Notice of Inquiry has appropriately raised the issue of whether the so-called "news exception" should apply to Internet communications. Because the Internet can make everyone a publisher, the news exception should preclude regulation of Internet communications under the FECA (except those by candidates, campaigns or parties).

The analogies of Internet-based communications to print or broadcast media are obvious. These Internet forms of communication have the capacity to reach as large or larger audience than traditional news outlets. Users may select among various "channels" or "stations" by selecting among web sites or newsgroups, or users may literally "subscribe" to any of a plethora of e-mail lists. Internet communications can update a story with a frequency that makes hourly newscasts or daily newspapers – not to mention their quarterly or annual periodical cousins – seem to be standing still.

Like traditional news outlets, recipients of Internet communications have a variety of alternative views to select from. The low barriers to entry for Internet communications, especially compared to their print and broadcast counterparts, have already multiplied the voices heard. In fact, while control of broadcast and print media have narrowed, the Internet offers a diverse enough array of voices that almost any conceivable view can find a forum – and those that cannot can create a forum of their own.

It is true that the Internet does not require broadcast licenses, nor does it incur a newspaper's burden of an expensive printing and distribution system. However, to predicate the news exception on such differences would directly contradict the goals of the FECA because it would provide this sweeping exception only to those who can wield large sums of money.

The Commission should not deny the Internet the protection of the news exception on the basis of the Internet's failure to follow journalistic standards of objectivity. Although it is certainly true that many web sites, newsgroups, and e-mail lists have clear biases and agendas, the same can be said of many major traditional news outlets. Furthermore, the language of the statute expressly permits editorial opinion and commentary to fall under the

exception and thus seems to preclude any limit on the exception based on the bias of the communication.

The news exception protects corporations (other than those controlled by political entities) when they speak about elections. It could be argued that the rationale behind the exception is that a diversity of voices creates a useful, nonpartisan, educational tool, when taken as a whole. The unique nature and wide availability of publications on the Internet justifies broad application of this exception, distinguishing Internet publications from traditional definitions of media enterprises set out in past Commission Advisory Opinions.

At the very least, the news exception should protect organizations that use the Internet to make available permissible press releases announcing their endorsement of a federal candidate. Advisory Opinion 1997-16 creates an artificial barrier that should be eliminated. Membership associations are permitted to announce their endorsements in a press conference, so the information is available to the general public through newspaper, television and other media. Many of these traditional media outlets have established outposts on the Internet. Thus, we face an anomalous situation in which the only organization that could be penalized for using the Internet to publish information that is already widely available elsewhere on the Internet is the organization that was legally entitled to make and publicize the information in the first place. This restriction is particularly onerous for organizations that regularly post press releases on the Internet.

C. Hyperlinks Are Not Communications Subject to Regulation Under the FECA

Because the FECA does not permit regulation of speech that does not contain express advocacy, a link on the web is not subject to regulation because a link, in itself, is a part of the Internet infrastructure and cannot be a communication containing express advocacy.

Hyperlinks in and of themselves are not communications subject to the FECA regulation, because they do not contain substantive material. Links facilitate access to communications, which may or may not contain regulated material. Links are the threads that hold the web together, an integral part of its structure. We suggest that only substantive material, such as e-mail messages or pages from web sites, be considered "communications" that may or may not be subject to regulation under the FECA. Links are not.

In most cases, the label applied to a link will not convert it into a communication. Links typically are labeled in ways that describe the communication to which they link, but that label should not be considered express advocacy. For example, a link to the official Al Gore for President web site (www.algore2000.com) might be labeled "Al Gore for President" or simply "Al Gore 2000," but this would not constitute express advocacy because it is merely a description of the link, necessary to make the link functional.¹³ Without more, there

¹³ The same words, used in another context, may constitute express advocacy. For example, "Al Gore 2000" printed on a bumper sticker or yard sign carries a different meaning than the same words used to label an Internet link.

is no way to know whether the placement of the link is an effort to favor the message of the linked site or merely to provide a useful navigational aid.

In addition to limiting the functionality of the Internet, a more restrictive view of links could also pose risks for organizations that create them. For example, a corporation exempt from taxation under section 501(c)(3) of the federal tax code is absolutely prohibited from supporting or opposing candidates for public office. In the course of legitimate public education about the issue of campaign finance reform, a 501(c)(3) organization might link to Senator John McCain's campaign web site because Senator McCain has made campaign finance reform a central theme of his campaign for President and has useful information about the subject on his site. If the Commission were to find that a link reading "McCain 2000" constituted express advocacy, it seems likely that the Internal Revenue Service would move to investigate and possibly revoke the organization's tax status for violating the prohibition on partisan electioneering.

This view of links as mere components of the Internet rather than communications themselves provides another reason for the Commission to reconsider some of the rulings discussed above. In the case of the Minnesota Attorney General's web site, the site is protected not only by its nonpartisan nature, but, more fundamentally, because the simple act of linking to candidate web pages is not an express advocacy communication. Likewise in the Tweezerman ruling, the link from Tweezerman's corporate site to his campaign would not, absent more, be an express advocacy communication subject to regulation under the FECA.

D. Nonprofits Corporations Need Less Regulation

To the degree that the Commission decides to regulate political speech on the Internet, it should exempt nonprofit corporations from that regulation because of crucial characteristics that distinguish them from other types of corporations.

Nonprofits are fundamentally different from profit making enterprises that amass wealth in the economy. They serve societal purposes, including their contributions to formation of public policy and political discourse. Their treasuries represent the voluntary support of the citizenry. The regulations adopted by the Commission in response to the MCFL case recognize this distinction by requiring that qualified organizations not be operated for profit. As Justice Brennan noted in MCFL, a "[b]road prophylactic rule cannot justify treating alike business corporations and nonprofits."

Because of nonprofits' recognized role in acting in the public, rather than private, benefit, the policy arguments for reduced regulation of Internet speech are even more persuasive when applied to nonprofits. The Alliance urges the Commission to exempt nonprofits from any restrictions it chooses to put on other political speech by corporations on the Internet.

V. CONCLUSION

The purposes of the FECA can best be served by allowing the Internet to continue its rapid development as a widely accessible, low cost medium for communication. Regulatory restrictions based on rationales that apply to limited, high cost forms of communication will not only limit evolution of the Internet, but serve to perpetuate the influence of private wealth in the electoral process. To protect the Internet the Alliance recommends that the Commission:

- Hold hearings on whether and how the Commission should apply the FECA to speech on the Internet before promulgating or enforcing any regulations that would restrict Internet speech;
- Clarify that speech on the Internet is protected by existing exceptions for speech that:
 - does not contain express advocacy,
 - is limited to a restricted class, or
 - is made independently by qualified organizations;
- Protect other political speech on the Internet by:
 - applying the news exception to Internet communications,
 - ruling that Internet speech is not "something of value," subject to regulation under the FECA,
 - recognizing that hyperlinks are not communications, subject to regulation under the FECA,
 - protecting nonprofit organizations from any regulations that the Commission feels are necessary for for-profit corporations.

The Internet is a wholly new mechanism for communication that promises to change our society in fundamental ways. Others have recognized the Internet's potential and have refrained from excessive regulation as the Internet matures. For example, Congress has forbidden the states from taxing Internet commerce to encourage the growth of this strange, new creature. While Congress has determined that the commercial potential of the Internet should not be stunted, it is far more important for us to protect the Internet's potential to reinvigorate the core democratic function of the electoral process. Because the Internet offers the opportunity for the American people to reclaim the political process, the Alliance for Justice urges the Commission to allow unfettered political speech on the Internet.

Sincerely,



Nan Aron
President