



ryan arney <electionzone@yan...> Thu Aug 19 12:27:51 AM

Received VIA e-mail to OGC(NBL)  
FIRST CLASS letter to follow.

To: Bradley Litchfield/FEC/US  
cc:  
Subject: Re: Letter dated August 23, 1999 to OGC/FEC

**AOR 1999-24**

Dear Mr. Litchfield:

Thank you for the quick response to my letter dated August 23, 1999, requesting a formal advisory opinion regarding ElectionZone.com. The purpose of this email is to provide you with the additional information and clarifications that you requested. Moreover, I am sending a paper letter and the documents that you requested via fcm.

- 1) Yes, Election Zone LLC is a limited liability company organized under Colorado statutes. Enclosed is a copy of the filed Articles of Organization. In addition, I have enclosed a copy of Election Zone's Operating Agreement. Election Zone has neither sought nor will seek tax exempt status under the Internal Revenue Code.
- 2) Election Zone has designed ElectionZone.com to be an unbiased channel for communication between candidates and the electorate. Accordingly, Election Zone will not be soliciting or accepting advertisements from political parties, candidates, political action committees, interest groups, or other social, political, or ideological sources. Instead, Election Zone will restrict the advertisements to commercial entities. Election Zone has determined that the target advertisers/sponsors will come primarily from the computer-related, technology, internet, and media industries.
- 3) Election Zone has not yet determined the extent to which hyperlinks will be a part of ElectionZone.com. Because this service will be available to all candidates in each race, Election Zone may permit a hyperlink to a candidate's own personal website. An illustration of this would be in the Q & A Zone, where a voter has posed a question and each of three candidates provide responses. Then, on the webpage where the question and associated answers are posted, each of the candidates' names may be underscored in blue, suggesting a hyperlink. ElectionZone.com will not have hyperlinks to any political action committee or interest group. At this time, it is unclear whether ElectionZone.com will include hyperlinks to political parties. If so, the opportunity to have a hyperlink will be offered to each political party. Lastly, it is a distinct possibility that there will be hyperlinks to the sponsors/advertisers' websites.

Should you need any additional information, or have more questions, let me know. Thank you for expediting my request.

Sincerely,  
Ryan Arney

--- Bradley Litchfield <blitchfield@fec.gov> wrote:

>  
>  
> TO: Ryan C. Arney  
>  
> I received your letter via fcm this morning. You  
> seek an advisory opinion  
> concerning application of the FECA and FEC  
> regulations to a proposed web site  
> called: ElectionZone.com.  
>  
> In order to better understand and address the legal  
> issues posed by your  
> inquiry, please provide additional information,  
> clarification and documents as  
> listed. This request is being made under the FEC  
> regulations governing the  
> advisory opinion process. 11 CFR 112.1(c) [a  
> complete description of all facts  
> relevant to the specific activity needs to be  
> provided in an advisory opinion  
> request.]  
>  
> 1) Election Zone LLC would appear to be a limited  
> liability company organized  
> under Colorado statutes. Please confirm. Also  
> provide copies of charter and  
> bylaws or other relevant governing documents for the  
> company. Has the company  
> sought or obtained recognition as a tax exempt  
> organization under the Internal  
> Revenue Code? Again, we presume not, but  
> confirmation would be helpful. If it  
> has, an explanation and relevant documents as to tax  
> exempt status and the  
> application for same should be submitted.  
>  
> 2) Please provide further details as to advertising  
> that may be placed on the  
> website. Will the advertisers include only  
> commercial entities (e.g. Amazon.com  
> or Barnes & Noble, etc.)? Or may they also include  
> nonprofit organizations such  
> as (by way of example only) the Sierra Club, Nature  
> Conservancy, National Rifle  
> Association, Planned Parenthood, National Right to  
> Life Committee, American  
> Medical Association, American Trial Lawyers  
> Association, National Organization  
> of Women, etc??  
>  
> 3) Will the Election Zone website include

- > hyperlinks or any other cyber links
- > to the web sites or e-mail addresses of candidates
- > who participate in the
- > various functions described? Will there be links to
- > any political party
- > organizations or other political organizations
- > (including political action
- > committees) at any level: Federal, State or local?
- > If "yes" to either or both
- > parts of this question, provide an explanation and
- > description of such
- > activities, with pertinent illustrative examples.
- >
- > You may email your response, if desired. But please
- > follow-up with a signed
- > letter by fcm which would include paper copies of
- > the requested documents.
- >
- > If you decide to respond to the above questions and
- > pursue your inquiry as an
- > advisory opinion request, it would also be helpful
- > if you could attach a cyber
- > copy (MS Word format preferred) of your 8/23 paper
- > letter in a reply e-mail to
- > me.
- >
- > Thanks and regards,
- >
- > N. Bradley Litchfield
- > Associate General Counsel/Policy
- > Federal Election Commission
- > 202-694-1650
- > brlitch@fec.gov
- >
- >
- >

---

Do You Yahoo!?

Bid and sell for free at <http://auctions.yahoo.com>

 **Bradley Litchfield**  
08/27/99 12:53 PM



To: ElectionZone@yahoo.com  
cc:  
Subject: Letter dated August 23, 1999 to OGC/FEC

TO: Ryan C. Arney

I received your letter via fcm this morning. You seek an advisory opinion concerning application of the FECA and FEC regulations to a proposed web site called: ElectionZone.com.

In order to better understand and address the legal issues posed by your inquiry, please provide additional information, clarification and documents as listed. This request is being made under the FEC regulations governing the advisory opinion process. 11 CFR 112.1(c) [a complete description of all facts relevant to the specific activity needs to be provided in an advisory opinion request.]

- 1) Election Zone LLC would appear to be a limited liability company organized under Colorado statutes. Please confirm. Also provide copies of charter and bylaws or other relevant governing documents for the company. Has the company sought or obtained recognition as a tax exempt organization under the Internal Revenue Code? Again, we presume not, but confirmation would be helpful. If it has, an explanation and relevant documents as to tax exempt status and the application for same should be submitted.
- 2) Please provide further details as to advertising that may be placed on the website. Will the advertisers include only commercial entities (e.g. Amazon.com or Barnes & Noble, etc.)? Or may they also include nonprofit organizations such as (by way of example only) the Sierra Club, Nature Conservancy, National Rifle Association, Planned Parenthood, National Right to Life Committee, American Medical Association, American Trial Lawyers Association, National Organization of Women, etc??
- 3) Will the Election Zone website include hyperlinks or any other cyber links to the web sites or e-mail addresses of candidates who participate in the various functions described? Will there be links to any political party organizations or other political organizations (including political action committees) at any level: Federal, State or local? If "yes" to either or both parts of this question, provide an explanation and description of such activities, with pertinent illustrative examples.

You may email your response, if desired. But please follow-up with a signed letter by fcm which would include paper copies of the requested documents.

If you decide to respond to the above questions and pursue your inquiry as an advisory opinion request, it would also be helpful if you could attach a cyber copy (MS Word format preferred) of your 8/23 paper letter in a reply e-mail to me.

Thanks and regards,

N. Bradley Litchfield  
Associate General Counsel/Policy  
Federal Election Commission  
202-694-1650  
brlitch@fec.gov

# Election Zone LLC

625 Manhattan Pl. #213  
Boulder, CO 80303  
303-543-8371  
ElectionZone@yahoo.com

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

AUG 26 3 16 PM '99

August 23, 1999

Federal Election Commission  
Office of General Counsel  
999 E. St. NW  
Washington, D.C. 20463

To Whom It May Concern:

At the direction of an FEC Information Specialist with whom I spoke on August, 20, 1999, I am writing in request of a formal advisory opinion on the following activity by Election Zone LLC ("Election Zone").

Founded in 1999, Election Zone is a non-partisan company, not affiliated with any political candidate, political party, political action committee or advocacy group. Election Zone seeks to expand democracy through the internet by operating its web-site, "ElectionZone.com." ElectionZone.com serves as a channel for communication between voters and political candidates. ElectionZone.com will be operational October 1, 1999.

The key function of ElectionZone.com is the "Q & A Zone." As the name suggests, Q & A Zone provides an opportunity for voters to submit questions to the candidates of a selected political race. When the question is received by ElectionZone.com, it will be transmitted to each of the participating candidates in the selected race. Each candidate will have an opportunity to answer the question posed. Once the question is answered, the question and associated answers will be posted on ElectionZone.com.

Along with Q & A Zone, Election Zone will offer two functions via ElectionZone.com, which will be available at the option of the candidates. The first of the optional functions is "Candidate Chat Zone." Candidate Chat Zone is a chat session where each individual candidate will have an equal opportunity to schedule his or her own time where just that candidate can have a live, on-line discussion with his or her voting constituency.

The second optional function is an on-line debate forum, called "On-Line Debate Zone." On-Line Debate Zone will be available for each race. ElectionZone.com will provide the opportunity for an on-line debate to all participating candidates in a race. Yet, an on-line debate will be conducted only if two or more of the candidates in the particular race agree to participate in the on-line debate.

Election Zone will be offering its ElectionZone.com services to candidates in the following races:

- President of the United States
- United States Senate
- United States House of Representatives
- State Governors
- State Legislatures

Election Zone seeks to make ElectionZone.com as inclusive as possible while being objective in its process. Accordingly, Election Zone will offer its ElectionZone.com services to every candidate who is registered with the proper government official for the particular race. One exception is for the Office of the President of the United States. Election Zone will only offer the services of ElectionZone.com to those candidates who could mathematically win enough electoral college votes, based on their registrations, to win the race.

Again, in an effort to make ElectionZone.com an inclusive, broad-reaching service, Election Zone will not charge the users/voters of ElectionZone.com. In addition, Election Zone does not want to charge

August 23, 1999

the candidates for their participation in ElectionZone.com. However, if by not charging the candidates, the service will be considered a campaign contribution in violation of federal law, or FEC regulations, then Election Zone will charge a fee to each candidate for the services provided via ElectionZone.com.

Like any media outlet and internet web service, Election Zone will seek sponsorship or advertising revenues for the operation of ElectionZone.com. However, in an effort to maintain Election Zone's non-partisan, unbiased position, political advertising will be strictly prohibited.

It is the position of Election Zone that its activities will not violate any federal laws or FEC regulations. However, because of the relative infancy of the internet as a communication medium, and due to the paucity of guidelines for internet activity associated with elections, Election Zone would like your formal advisory opinion on the aforementioned services.

Should you have any questions, or need further information, please do not hesitate to contact me at Election Zone.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan C. Arney". The signature is written in a cursive, flowing style.

Ryan C. Arney  
President & CEO