



Celina Montorfano <[CMontorfano@AmericanHiking.org](mailto:CMontorfano@AmericanHiking.org)> on 04/09/2004 05:39:14 PM

To: [Politicalcommitteestatus@fec.gov](mailto:Politicalcommitteestatus@fec.gov)  
cc:

Subject: Notice of Proposed Rulemaking - Political Committee Status

Please accept the following comments on behalf of American Hiking Society on the Notice of Proposed Rulemaking on Political Committee Status issues by the FEC.

<<FEC Political Committee Status Rule.doc>>

Thank you,

Celina Montorfano  
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- FEC Political Committee Status Rule.doc

Ms. Mai Dinh  
Acting Assistant General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C.

Dear Ms. Dinh:

I am writing on behalf of American Hiking Society to comment on the Notice of Proposed Rulemaking on Political Committee Status issued by the Federal Election Commission (FEC) on March 11, 2004. As a national nonprofit 501(c)(3) organization, we appreciate the opportunity to offer input on this notice. We are very concerned about the implications of the proposal and recommend that these rules not be adopted.

As the national voice for America's hikers, American Hiking Society promotes and protects foot trails and the hiking experience. American Hiking represents 5,000 members and the 500,000 members of our 150 affiliated organizations and is the only national recreation-based conservation organization dedicated to establishing, protecting, and maintaining foot trails in America. We are a nonpartisan organization that believes in the importance of genuine advocacy about issues. We are also nonpartisan in elections in accordance with IRS rules prohibiting us from supporting or opposing candidates for election.

We firmly believe in our mission and unequivocal right to advocate for policies that will help us achieve it. The proposed rule threatens our ability to exercise that right. Genuine issue advocacy addresses issues and public officials in their role as policymakers, not as candidates for federal office. The democratic process depends not only on citizens voting, but also on people and nongovernmental organizations such as American Hiking Society speaking up about current issues, including pending legislation and acts by public officials.

The vague and overbroad standards in the proposed rulemaking threaten our ability to engage in critically important legislative advocacy, and the proposed rules will restrict the ability of nonprofit organizations such as ours to communicate with their members on legislative and public policy matters. The FEC is attempting to circumvent Congress and the Supreme Court and treat nonprofits that engage in specific advocacy activity as political committees. We believe that Congress, not the FEC, should do any reconsideration of nonprofits.

American Hiking Society believes that genuine issue advocacy must be left free of the Commission's regulation and urges you to refrain from adopting any of the proposed rules.

Sincerely,

Celina Montorfano  
Director of Conservation Programs