

# THE COALITION TO PROTECT INDEPENDENT POLITICAL SPEECH

## AN OPEN LETTER TO CONGRESS OPPOSING S. 271 AND H.R. 513

The organizations that join in signing this letter write to urge Congress to oppose S. 271 and H.R. 513, the recently introduced legislation designed to effectively abolish the independent constituency organizations that have come to be known as “527 organizations.”

We write as organizations described in section 501(c), not section 527, of the Internal Revenue Code (although a few of us maintain funds that separately qualify for tax exemption under section 527). We are large and small organizations from every region of the country, and we work on many different issues. Some of us have a national scope and represent millions of members. Some are smaller organizations representing purely local concerns. We represent ideologies across the political spectrum – conservative, progressive, moderate, and some not so easily categorized. Some of us have opposed recent changes to the campaign finance system, and some of us were prominent supporters of these reforms. But we all share some basic principles.

All of us signing this letter want to expand public participation in our democratic process, and these independent, citizen-based 527 organizations have been vital components of that effort. The 2004 elections saw the greatest increase in voter participation since 1968, due, in significant part, to the work of these independent organizations. Much – perhaps most – of the money these organizations raised was spent to knock on doors in communities with some of the lowest historic voter turn-outs in the country. These efforts reached people who had been left out of the political process for decades, especially the one third of all Americans who feel they have no home in the major political parties.

All of us share a commitment to a vigorous political dialogue, and these independent organizations expanded the scope of the political debate in 2004. No longer can candidates and parties (or rather their pollsters and focus groups) reduce the political debate to the few issues scientifically calculated to sway the minds of the voters. No longer does the increasing consolidation of the media inevitably limit the breadth of our political debate. Independent 527 organizations ensured that we heard about all of the issues, even those deemed controversial. Our own 501(c) organizations’ efforts to respond directly to these same policy concerns through our service, education, and advocacy have been enriched and empowered by this elevated level of attention to a broader range of issues. Some may have cringed at ads from a few of these independent groups (and at some messages from the candidates and parties that were just as – if not more – acerbic). Yet the suppression of speech because it is distasteful to some is utterly at odds with American free speech principles. Nor can the discomfort of some justify this bill’s efforts to penalize the many independent 527 groups that did no advertising at all, but devoted themselves to registering voters and encouraging them to vote.

All of us signing this letter seek a fair political process. We need a free-flowing debate about the best choices for our country as embodied in our choices for its leaders. The drafters of our Constitution were so protective of this right that they enshrined it in our Constitution as the first principle of our Republic. Yet this legislation restricts these rights when they are exercised through 527 organizations. Indeed, those crafting this legislation have taken great pains to target

only 527s. Perhaps they have sought to limit the reach of their legislation because of the serious constitutional concerns about efforts to regulate independent political speech, but, if so, they should have similar concerns about the rights of independent 527s. More chilling (in every sense of the word) is the thought that the sponsors were ignoring these constitutional concerns and simply making a more calculating, strategic choice: Pick off the oft-demonized 527 organizations and worry about 501(c) organizations and individuals later.

All of us signing this letter would prefer to see public policy based on facts, not propaganda. The overwrought media stories about the impact of major donations by wealthy individuals to “unaccountable” 527s acting as mere proxies for politicians are just plain wrong:

- Spending by these independent organizations was dwarfed by spending by candidates, parties, and other organizations by at least ten to one.
- These independent organizations are already subject to substantial regulation. All 527s must register with the government upon formation and must file regular, publicly available reports detailing who gives them money and what they spend that money for.
- Independent 527s face substantial penalties if they try to act as mere “fronts” for a party or a candidate. The independence of these organizations from candidates, campaigns, and political parties has been acknowledged, albeit grudgingly, even by critics of these organizations.

In short, we urge Congress to reconsider the story it has been told about 527 organizations. These organizations have contributed to a revitalization of American democracy, helping bring millions of people back to the process of governing the country by bringing them back to the polls, letting them show their commitment to particular public goals, and engaging them in a more comprehensive political debate. We urge Congress to reject this unwise legislation and seek more effective ways to reform our political system.

Sincerely,

**Coalition to Protect Independent Political Speech**

Alliance for Justice  
League of Conservation Voters  
NARAL Pro-Choice America  
OMBWatch  
People For the American Way  
Planned Parenthood Action Fund  
Sierra Club

**Additional 501(c) Organizations**

Alabama Coalition Against Hunger  
Alabama League of Environmental Action Voters  
Alaska Conservation Voters  
American Association of People with Disabilities  
American Association of University Women  
American Federation of Labor-Congress of Industrial Unions  
American Federation of State, County and Municipal Employees (AFSCME)

American Friends Service Committee  
Asian & Pacific Islander American Health Forum  
Association of Nurses in AIDS Care  
Ballot Initiative Strategy Center  
Basic Rights Oregon  
Binghamton Jewish Community Center  
California League of Conservation Voters  
California Women Lawyers  
Center Advocates  
Center for Democracy and Technology  
Center for Human Services  
Charity Lobbying in the Public Interest  
Child Care Law Center  
Children's League of MA  
Citizen Action of Wisconsin  
Citizen Action/Illinois  
Citizen Alert  
Citizens Project  
CLEAN (Citizens of Lee Environmental Action Network)  
Clean Wisconsin  
Coalition for Jobs and the Environment  
Coalition for the Homeless  
Colorado Conservation Voters  
Commonwealth Coalition  
Community Shares of Greater Milwaukee  
Connecticut Citizen Action Group  
Conservation Council of North Carolina  
Conservation Voters New Mexico  
DAC (Disabled Action Committee)  
Democracy South  
Devil's Fork Trail Club  
Disability Rights Education and Defense Fund  
East Bay Asian Local Development Corporation  
Environmental League of Massachusetts  
Equality California  
Equality State Policy Center  
Erie Tenant Council  
FedCure  
Florida Alliance of Planned Parenthood Affiliates  
Florida Conservation Action Fund  
Florida Conservation Alliance  
Front Range Economic Strategy Center  
Georgia Conservation Voters  
Georgia Rural Urban Summit  
Girard Coalition Incorporated  
Grand Canyon Trust

Greater Birmingham Ministries  
Hawai'i Clean Elections  
homeWORD  
Housing Alliance of Pennsylvania  
Housing and Neighborhood Development Service  
Human Solutions Inc.  
HumanityWorks!  
Hyacinth AIDS Foundation of New Jersey  
Idaho Community Action Network (ICAN)  
Illinois Planned Parenthood Council  
James Madison Center for Free Speech  
Kettle Range Conservation Group  
King County Coalition Against Domestic Violence  
Labor Council for Latin American Advancement AFL CIO  
Lake County Conservation Alliance  
Las Adelitas, Women in Politics-PAC  
Leadership Conference on Civil Rights  
League Against AIDS, Inc.  
Legal Momentum (the new name of NOW Legal Defense)  
Loaves & Fishes  
Maine League of Conservation Voters  
Maine People's Alliance  
Maryland League of Conservation Voters  
MassEquality.org  
Meigs Action Coalition  
Michigan League for Human Services  
Michigan League of Conservation Voters  
Minnesota League of Conservation Voters  
Montana Conservation Voters  
Montana People's Action  
Ms. Foundation for Women  
NAACP National Voter Fund  
NARAL Pro-Choice Colorado  
NARAL Pro-Choice Massachusetts  
NARAL Pro-Choice Minnesota  
NARAL Pro-Choice Missouri  
NARAL Pro-Choice Montana  
NARAL Pro-Choice New Hampshire  
NARAL Pro-Choice North Carolina  
NARAL Pro-Choice Ohio  
NARAL Pro-Choice Pennsylvania  
NARAL Pro-Choice South Dakota  
NARAL Pro-Choice Texas  
NARAL Pro-Choice Virginia  
NARAL Pro-Choice Wisconsin  
National Coalition Against Censorship

National Council of Jewish Women/Los Angeles  
National Education Association  
National Family Planning and Reproductive Health Association  
National Gay and Lesbian Task Force  
National Low Income Housing Coalition  
National Network of Abortion Funds  
National Organization for Women  
National Welfare Engine  
Neighbor to Neighbor  
Neighbor to Neighbor Massachusetts  
Nevada Conservation League  
Nevada Conservation League/Education Fund  
Nevada Shakespeare Company  
New Jersey Animal Rights Alliance  
New Jersey Citizen Action  
New Mexico Voices for Children  
New Yorkers Against Gun Violence  
Nonprofit Network (Gifts for Our Community)  
Northeast Action  
Northwest Federation of Community Organizations  
Northwest Women's Law Center  
Ocean State Action Fund  
Ohio Environmental Council  
Ohio League of Conservation Voters  
ONE Lowell  
Oregon Toxics Alliance  
Parents, Families and Friends of Lesbians and Gays (PFLAG)  
Patrick Environmental Awareness Group  
Peace Action Wisconsin  
Pennsylvania League of Conservation Voters  
Planned Parenthood Advocates of Wisconsin  
Planned Parenthood Chicago Action  
Political Voice for Animals  
Public Advocates, Inc.  
Public Justice Center  
Renaissance CDC Inc.  
Rocky Mountain Peace and Justice Center  
RPJ Housing Development Corporation  
Rural Opportunities, Inc.  
San Diego Housing Federation  
Seacoast Outright  
Seattle Human Services Coalition  
Statewide Poverty Action Network  
Steven and Michele Kirsch Foundation  
Suburban Essex Housing Development Corp.  
Taking Responsibility for the Earth and Environment (TREE)

Tennessee Health Care Campaign  
Texas League of Conservation Voters  
The Clinch Coalition  
The Federation of State Conservation Voter Leagues  
The Shefa Fund  
The Title II Community AIDS National Network - TIICANN  
Tides Foundation  
TNN (True News Network)  
Transportation Choices Coalition  
Triumph Treatment Services  
USAction  
Vermont Alliance of Conservation Voters  
Virginia Forest Watch  
Virginia League of Conservation Voters  
Vote Kids  
Voter Empowerment-NJ  
Washington Association of Churches  
Washington Citizen Action  
Washington Conservation Voters  
Western States Center  
WIN (Women's Information Network)  
Wisconsin League of Conservation Voters  
Women Work! The National Network for Women's Employment  
Women's Law Project  
Women's Health (Boulder Valley Women's Health Center)  
Women's Voices for the Earth  
WomenVote PA  
Workplace Fairness