

June 10, 2010



Dear Representative,

On behalf of the members of National Religious Broadcasters (NRB), and the millions of viewers and listeners that they represent, I am writing today to urge you to reject the DISCLOSE Act, H.R. 5175, in its entirety. This legislation is fraught with numerous problems, but from our perspective chief among them is the serious affront to the First Amendment rights of advocacy organizations and the new burdens it places on media groups and broadcast stations.

This bill was clearly created as a visceral reaction to the recent decision of the Supreme Court in *Citizens United v. F.E.C.* However, we believe that, if passed, the DISCLOSE Act would be held just as unconstitutional as its predecessor legislation. The legislation creates entirely new, burdensome regulations for nonprofit advocacy groups that speak out. Organizations will be required to divulge their membership lists to the government. This would violate the freedom of association rights of such groups. Certain donor names will face mandatory disclosure in campaign advertisements, creating a clear threat of intimidation for members of the public who financially support nonprofit organizations. Although the bill exempts major media corporations from its onerous regulations, it critically fails to protect websites or communications over the Internet. Considering the movement of much traditional media to web platforms, this is a disconcerting and fatal flaw. In addition, in a troubling expansion of Federal Communications Commission (FCC) jurisdiction that would add a crippling burden on broadcasters, the Senate version even directs the Commission to conduct audits of the designated markets of broadcast licensees and to investigate whether they are properly allocating broadcasting time for political candidates.

We see even more policy problems with this bill than these mentioned, including the special, gratuitous exemptions that are afforded to labor unions. But in the final analysis, we perceive DISCLOSE as legislation that would throttle the First Amendment rights of nonprofit organizations and other grass roots groups, and would intimidate many of them from participating fully in our democratic process.

This bill is unjust, unfair and unconstitutional. We urge you to vote "No."

Sincerely,

A handwritten signature in blue ink that reads "Frank Wright".

Frank Wright, Ph.D.
President & CEO

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