

Agenda

Item #3



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Commissioners
From: Jonathan Wayne, Executive Director
Date: September 23, 2009
Re: Request by Fred Karger for Investigation

The Maine Ethics Commission has received a request by Fred Karger of Californians Against Hate to investigate the Stand for Marriage Maine PAC and its contributors. The history of this request is as follows:

- On August 13, 2009, Mr. Karger made his initial submission by e-mail.
- On August 14, I requested to Mr. Karger that he re-submit his request with more specific information.
- On August 24, Mr. Karger submitted additional materials.
- On August 27, I transmitted those materials to Stand for Marriage Maine PAC and its contributors.
- My August 27 letter invited the PAC and the National Organization for Marriage (NOM) to submit responses to Mr. Karger's request. The letter to NOM was addressed to its Executive Director, Brian Brown.
- On September 12 - 15, Mr. Karger submitted to the Commission by e-mail a number of items concerning NOM. To ensure that NOM had notice of all materials received by the Commission, on September 15 I forwarded all of these communications electronically to Brian Brown with a cover letter.
- Among those communications was a pdf in excess of 180 pages that included a very large number of e-mail communications by NOM. To facilitate a response from NOM, the Commission staff selected those e-mails which appeared to be most relevant to Mr. Karger's request. We attached these e-mails to a September 16 letter to Brian Brown (May 6, May 8, May 15, May 22, June 12, July 8, July 10, July 17, July 24, July 31, August 7, August 26, August 28, September 4).¹

¹ The Commission staff has not included the full 180+ page pdf in your materials in the packet. Rather, we have included in the packet the selected communications that we we

Unfortunately, we included the July 24 e-mail by mistake. It did not relate to NOM's activities in Maine. We apologize for this error.

- By telephone, NOM requested additional time (through September 22) to respond to the September 12-15 information from Mr. Karger.
- On September 22 (yesterday), the Commission received letters on behalf of Stand for Marriage Maine PAC and NOM through their legal counsel, Bopp, Coleson & Bostrom of Terre Haute, Indiana.
- Because of our receipt of these responses yesterday that included constitutional legal argument, the Commission staff will not be able to complete a background memo and staff recommendation in time to include in your regular packet for the October 1 meeting. We will confer with the Commission's Counsel and transmit a staff memo to you and the interested persons separately, around September 28 or 29.
- For your information, it is expected that Fred Karger, Brian Brown, representatives of the Stand for Marriage Maine PAC, and attorney Barry Bostrom will be at the October 1, 2009 meeting in person.

At the request of Paul Kendrick of Freeport, Maine, I have included two e-mails he sent me, although they do not specifically refer to Mr. Karger's contentions.

attached to the September 16 cover letter to Mr. Brown. If you would like the full pdf, please let us know.



STATE OF MAINE
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AND ELECTION PRACTICES
135 STATE HOUSE STATION
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04333-0135

August 27, 2009

By E-Mail and Federal Express

Joseph A. Keaney, Treasurer
Stand for Marriage Maine PAC
One Monument Way, Second Floor
Portland, Maine 04101

By E-Mail and Federal Express

Brian S. Brown, Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542

OPPORTUNITY TO RESPOND TO REQUEST FOR INVESTIGATION

Dear Sirs:

On August 13 and 24, 2009, the Maine Commission on Governmental Ethics and Election Practices received correspondence via email from Fred Karger of Californians against Hate alleging that the Stand for Marriage Maine PAC and some of its contributors have violated the campaign finance laws of the State of Maine. He requests that the Commission investigate whether the violations have occurred. I have enclosed his requests, along with my August 14 memo to Mr. Karger asking him to provide more specific information in support of his request.

As explained below, the Commission is statutorily required to consider Mr. Karger's request. The Commission will consider the request at its meeting on Thursday, October 1, 2009 at 9:00 a.m. The meeting will be held in Room 208 of the Burton M. Cross Office Building, 111 Sewall Street in Augusta. At that meeting, I anticipate that the Commissioners will decide whether to conduct any investigation regarding the compliance issues listed below.

Your Opportunity to Respond to Mr. Karger's Request

The Commission would welcome written responses from the Stand for Marriage Maine PAC and the National Organization for Marriage no later than Thursday, September 17, 2009 concerning whether the Commission should conduct an investigation. You are welcome to attend the meeting to comment to the Commission in person and to answer questions. This is a regular meeting, not a formal hearing.

Commission's Standards for Requests for Investigation

Under 21-A M.R.S.A. § 1003(2), a person may apply to the Commission to investigate a PAC's reporting of campaign finance activity. Under this provision, the Commission "shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred."

Compliance Issues Raised by Fred Karger's Request

Mr. Karger does not specify which provisions of Maine's campaign finance laws were violated by the Stand for Marriage Maine PAC or its contributors. To assist the Commission in deciding whether to conduct any investigation, the Commission staff has identified the following compliance issues that are implicated by Mr. Karger's factual allegations. By discussing these legal issues, the staff does not mean to imply at this time that any investigation is merited.

Stand for Marriage Maine PAC

All PACs are required to report the names and addresses of contributors who have given more than \$50 to the PAC. (21-A M.R.S.A. § 1060(6)) In addition, under 21-A M.R.S.A. §§ 1004(3) and 1004-A(3), it is illegal for a PAC to knowingly accept a contribution made by one person in the name of another person.

Mr. Karger alleges that "the four funders of Stand for Marriage Maine are merely conduits for those wishing to hide their contributions. These entities are laundering money to evade the disclosure of the actual contributors to Stand for Marriage Maine." (Aug. 24, 2009 letter, at 1) If true, these allegations might constitute violations of 21-A M.R.S.A. § 1060(6), 1004(3) and 1004-A(3).¹

National Organization for Marriage

Mr. Karger alleges that the National Organization for Marriage (NOM) has raised funds for the purpose of initiating or promoting the people's veto referendum to repeal P.L. 2009, Ch. 82, and has donated those funds to the Stand for Marriage Maine PAC. His allegations, if true, may indicate that NOM was required to file campaign finance reports with the Commission as a ballot question committee under 21-A M.R.S.A. § 1056-B or was required to register and file reports as a PAC under 21-A M.R.S.A. §§ 1052(5)(A), 1053, and 1058.

¹ I have attached the legal provisions referred to in this letter. Please be aware that, effective September 12, 2009, some of the provisions will be amended by Chapter 190 of the Public Laws of 2009. I have attached the relevant pages of that chapter law for your reference.

Mr. Karger points to a few factual circumstances which could be relevant to whether a violation has occurred:

- NOM is a 501(c)(4) tax-exempt organization that is roughly two years old. Based on the information that is presently available to the Commission staff, it appears that NOM has contributed at least \$250,000 to the Stand for Marriage Maine PAC. This is a large amount of funding, which could suggest that NOM solicited and received funds for the purpose of initiating the referendum.
- In 2008, NOM formed a committee in California to raise and spend money in support of an amendment to the California State Constitution (Proposition 8) stating that only marriage between a man and a woman would be recognized by the California state government. According to the California Secretary of State, NOM's California committee raised \$1,870,134 and contributed \$1,561,134 to a larger PAC supporting Proposition 8. So, NOM has demonstrated the capability to raise a significant amount of funds to support a referendum on same sex marriage.
- Mr. Karger has provided the Commission with some fundraising solicitations from NOM stating to potential donors that the funds would be used to oppose the legalization of same sex marriage in New England. The two most relevant are the communications dated March 13 and 31, 2009, which mention Maine specifically.

The March 31st communication refers to "a hard-hitting new radio ad that we're launching today as part of our 2009 Northeast Action Plan ..." and makes the following solicitation: "We're excited about this new ad, but we need your help to keep these ads on the air, especially in states like Vermont, New Hampshire, Maine and New Jersey, where coordinated grassroots opposition to pending gay marriage legislation is urgently needed."

The ad was apparently intended to run while the marriage legislation was under consideration by the Maine Legislature (March or April 2009). Nevertheless, the solicitation does seem to look forward to more communications to voters later in the year: "*Throughout the year, we'll be rolling out new ads as we work to identify and motivate marriage activists throughout the Northeast.*" (italics added) This could easily be a reference to communications to voters in support of a referendum petition drive in Maine, which was actively discussed during the 2009 legislative session.

- As Mr. Karger has noted, the March 2009 solicitations from NOM promise its donors anonymity: "[P]lease make the most generous donation you can to help us keep these important ads on the air. Use this hyperlink to make a secure online donation. And unlike in California, every dollar you give to NOM's Northeast Action Plan today is private, with no risk of harassment from gay marriage protestors."

Joseph A. Keaney, Brian S. Brown
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August 27, 2009

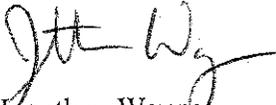
Because of these factual considerations, the staff of the Maine Ethics Commission would welcome a written response by NOM regarding whether there are sufficient grounds to warrant a Commission investigation or fact-finding to determine if NOM was required to file campaign finance reports as a ballot question committee under 21-A M.R.S.A. § 1056-B or to register and file reports as a PAC under 21-A M.R.S.A. §§ 1052(5)(A), 1053, and 1058.

Other Contributors

Mr. Karger has alleged that three other contributors to the Stand for Marriage Maine PAC "laundered money." Because the information provided with regard to these contributors is less specific, the Commission staff is not inviting responses from them. Nevertheless, they are copied on this letter so that they are aware of this matter and have an opportunity to submit comments if they wish.

Thank you for considering this invitation. If you have any questions, please feel free to telephone me at (207) 287-4179 or the Commission's Counsel, Assistant Attorney General Phyllis Gardiner, at (207) 626-8830.

Sincerely,



Jonathan Wayne
Executive Director

cc: Marc Muttu, Chair, Stand for Marriage Maine PAC
Very Reverend Andrew Dubois, Roman Catholic Diocese of Maine
Knights of Columbus, Washington D.C.
Focus on the Family Maine Marriage Committee
Fred Karger
Assistant Attorney General Phyllis Gardiner

Wayne, Jonathan

From: Reprak@aol.com
Sent: Thursday, August 13, 2009 4:44 AM
To: Wayne, Jonathan
Cc: Lavin, Paul
Subject: Letter re Money Laundering by Supporters of Stand for Marriage PAC



August 13, 2009

Mr. Jonathan Wayne
Executive Director
Maine Commission on Governmental Ethics and
Elections Practices
135 State House Station
Augusta, Maine 04333

Re: Money Laundering -- Stand for Marriage PAC

Dear Mr. Wayne:

We have reviewed the very first finance report which was recently filed by Stand for Marriage PAC, the group trying to repeal Maine's same-sex marriage law.

It appears that there are already questionable activities.

Stand for Marriage PAC reported raising \$343,689.50 during the period April 1 to July 5, 2009. We found it very suspicious that of that total, only \$400 was given by individuals. The balance of \$343,289.50 was contributed by various religious organizations and James Dobson's Focus on the Family.

That means that individual contributions to repeal gay marriage in Maine are only .001% of the total raised.

Are the proponents trying to hide the identities of those contributing to their campaign? Are they directing all contributions to existing organizations, who then gave the money to Stand for Marriage PAC? This appears to be the case.

If this is true, would it not be considered money laundering?

We have been very active and have closely tracked all the money that was raised to pass Proposition 8 in California last year. Californians Against Hate was the first to uncover the vast involvement in the election by the Church of Jesus Christ of Latter-day Saints (Mormon Church). Our extensive research revealed that the Mormon Church had its members in California and around the country give

approximately 75% of the \$40 million that was raised to pass Prop 8.

On November 13, 2008, just nine days after the election, we filed a complaint with, the Fair Political Practices Commission (FPPC), your counterpart in California. Our complaint alleged that the Mormon Church had spent a tremendous amount of money in non-monetary contributions that they never reported, which is required under California election law.

We submitted evidence supporting our claim that the Mormon Church ran out of state phone banks, produced 27 slick commercials (that ranged from 30 seconds to 8 minutes long) and put them on their elaborate web site PreservingMarriage.org for all to see. We also asked the Commission to investigate the Mormon Church for bussing people from Utah to California for precinct walking, sending out extensive direct mail and numerous other activities.

Eight days later, the FPPC announced that they were launching an unprecedented investigation into the Mormon Church (Case # 08/735) as a result of our complaint.

On March 19, 2009, we filed a supplemental complaint with the FPPC. We received hundreds of secret Mormon documents that show exactly how involved the Mormon Church has been throughout the country in fighting same-sex marriage. The documents reveal how the Church established front groups to wage their battles, and shield the Church from any negative publicity

We believe that the Mormon Church established the National Organization for Marriage (NOM) in May of 2007 for the express purpose of qualifying Proposition 8 for the California ballot. This was done in conjunction with leading Catholic organizations such as the Knights of Columbus, the U.S. Conference of Catholic Bishops and James Dobson's Focus on the Family.

It is no coincidence that these are the exact same groups that are funding and leading the effort to repeal Maine's recently passed same-sex marriage law.

We believe that only Focus on the Family had money in its treasury. The other groups raised money expressly for the campaign to hire the professional signature gathering firm to qualify the referendum.

They are trying to hide the true identities of those contributing to the campaign.

It certainly sounds like money laundering to us. We hope that your office will investigate the genuine sources of the funds contributed to Stand for Marriage PAC.

The Mormon Church appears to be using the National Organization for Marriage to fight same-sex marriage all over the Northeast.

They admitted as much in a [Washington Post](http://WashingtonPost) story on May 29, 2009. A spokeswoman in Salt Lake City declined to say whether the church is involved in debates going on in the Northeast except to say, "...that leaders remain intent on preserving the divine institution of marriage between man and woman. The faith holds that traditional marriage transcends this world and is necessary for the fullness of joy in the next life."

It sure sounds like the Mormon Church is involved to us.

On our web site Mormongate.com, we describe the formation of NOM. This was done at the very highest level of the Mormon Church – the President and the 12 Apostles.

You can see exactly how they operated in Hawaii in order to skirt state election laws there. They funneled money through Hawaii's Future Today, which they established to fund that state's campaign to ban same-sex marriage.

In the near future, we will be releasing other official Mormon documents that explain how this happened in other states.

If we can be of any assistance in your efforts to monitor Stand for Marriage PAC, please to not hesitate to call upon us.

Best regards,

Fred Karger
Founder
Californians Against Hate
www.CaliforniansAgainstHate.com
619-592-2008

cc: Attorney General Janet Mills



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
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To: Fred Karger, Californians Against Hate (by e-mail only)
Cc: Marc Mutty, Chair, Stand for Marriage PAC (by e-mail and regular mail)
From: Jonathan Wayne, Executive Director
Date: August 14, 2009
Re: Request to Investigate Stand for Marriage PAC

Thank you for your e-mail dated August 13, 2009 requesting that the Maine Commission on Governmental Ethics and Election Practices investigate the Stand for Marriage political action committee (PAC). This memo is to communicate the legal standards by which the Commission will consider this matter and to request more specific information from you.

Commission's Standards for Requests for Investigation

Section 1003(2) of the Maine Election Law states that a person may apply to the Commission to investigate a PAC's reporting of campaign finance activity. Under this provision, the Commission "shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred."

Chapter 1, Paragraphs 4(2)(C) and (D) of the Commission's Rules require that a request for investigation provide specific information regarding the alleged violation:

C. Reports of noncompliance with the provisions of the campaign registration and reporting laws or the Maine Clean Election Act that may come to the attention of the Commission staff from any source other than review of the reports filed will be reported to the Commission Chair. Any person ... may make an official request for a Commission investigation or determination by filing a written request at the Commission's office, setting forth such facts with sufficient details as are necessary to specify the alleged violation. Statements should be made upon personal knowledge. Statements which are not based upon personal knowledge must identify the source of the information which is the basis for the request, so that respondents and Commission staff may adequately respond to the request. A copy of any such written request will be promptly mailed to the candidate or organization alleged to have violated the statutory requirements. An official request will be placed on the agenda of the next Commission meeting. (underlining added)

D. An oral report of a violation, or a written request containing insufficient detail to specify the violation charged, does not constitute an official request for a Commission determination, and a person registering such a complaint will be so notified.

Request for Specific Information

Your e-mail alleges that the Stand for Marriage PAC is “trying to hide the true identities of those contributing to the campaign” by “directing all contributions to [intermediary organizations], who then gave the money to Stand for Marriage PAC.” You state affirmatively that “We believe that only Focus on the Family had money in its treasury. The other groups raised money expressly for the campaign to hire the professional signature gathering firm to qualify the referendum.”

In order to assist the Commission in determining whether there are sufficient grounds for believing a violation may have occurred, the Commission staff requests more specific information:

1. Please specify which organizational contributors to Stand for Marriage PAC you believe received funds from other sources for the purpose of initiating the people’s veto referendum.
2. Please state the factual basis for that belief.
3. To the extent that you know, please state the sources that you believe provided funds to the organizations referred to in question 1.
4. What is the specific basis for your allegation that of the PAC’s large organizational contributors “only Focus on the Family had money in its treasury”? In other words, what factual information would lead the Commission to doubt that the other organizational contributors had sufficient money in their treasuries to make the political contributions to Stand for Marriage PAC?

If any information you provide in response to these requests is not based on your personal knowledge, please identify the source of that information.

Non-Compliance Alleged

If you wish to state a view, please clarify whether you believe the Stand for Marriage PAC was required to report other sources of funds as its contributors, or whether you are alleging that the PAC’s organizational contributors (such as the National Organization for Marriage) should themselves be required to file campaign finance reports with the Commission as PACs (under 21-A M.R.S.A. §§ 1052(5) and 1058) or as ballot question committees (under 21-A M.R.S.A. § 1056-B) because they solicited and spent money to initiate the referendum?

Form of Your Request

This is to request that you re-submit your original e-mail asking for an investigation in the form of a signed letter with the specific information requested in this memo. You may e-mail the signed letter to me (Jonathan.Wayne@Maine.gov) as a pdf or fax it to the Commission at (207) 287-6775, provided that the signed original letter is sent in the United States mail. Also, for purposes of future correspondence, please provide a mailing address for your organization. It does not appear in your letter or on your organization's website.

Please telephone me at (207) 287-4179 if you have any questions about the Commission's consideration of this matter. Thank you.



RECEIVED

AUG 26 2009

MAINE ETHICS COMMISSION

August 24, 2009

Mr. Jonathan Wayne
Executive Director
State of Maine Commission on Governmental
Ethics and Elections Practices
135 State House Station
Augusta, Maine 04333-0135

Re: Request for Investigation of Stand for Marriage Maine

Dear Mr. Wayne:

I received your letter of August 14, 2009 in response to my letter of August 13, 2009.

You asked me to provide more detailed information on why I believe the four funders of Stand for Marriage Maine are merely conduits for those wishing to hide their contributions.

These entities are laundering money to evade the disclosure of the actual contributors to Stand for Marriage Maine.

By way of background, I have been a political consultant and corporate public relations executive for more than 30 years. I am very familiar with political campaigns, campaign finance and reporting. I have managed or had a major role in dozens of local, state and national campaigns throughout the United States.

In reviewing the Stand for Marriage Maine first quarterly filing of July 15, 2009, I noted that only 0.001% (\$400.00) of the \$343,689.50 raised came from individuals. The balance of \$343,289.50 came from religious organizations and Focus on the Family.

By way of comparison, last year, the Protect Marriage, Yes on Proposition 8 campaign in California disclosed more than 60,000 individual contributors of \$100 and above. Thousands more contributed under that amount to repeal same-sex marriage in that state.

During the qualification period in California, 1,492 individuals contributed at least \$100 to put Prop 8 on the ballot. Granted, California is a much larger state, and the qualification period was longer. But even taking that into account, only four individual contributors to Maine's effort to stop same-sex marriage seems highly unusual.

Led by the National Organization for Marriage, a federal law suit was filed in early January of this year against the California Attorney General, Secretary of State and all five member of the Fair Political Practices Commission (FPPC).to try to remove donor names from the Secretary of State's web site. The lawsuit asked the court to relieve them and "all similarly situated persons" from having to meet the state's campaign disclosure requirements for donors.

The judge refused their request. What they wanted to do in California is precisely what they are now doing in Maine- hiding the identities of contributors to Stand for Marriage Maine.

The four organizational donors that gave to Stand for Marriage Maine, with the possible exception of Focus on the Family, circumvented Maine's campaign reporting law to avoid disclosure of the true contributors.

National Organization for Marriage (NOM)

\$160,000 to Stand for Marriage Maine

I have tracked this two year old organization practically from the day it was formed in May 2007. It was created to qualify Proposition 8 for the ballot in California. It raised and spent over \$2 million to do so.

In California, it appears that NOM reported all of its contributors. NOM merely acted as a pass through organization. It raised big money to qualify Prop 8, and then, either paid the professional signature gathering firm directly, or gave the money it raised to Protect Marriage (another California Yes on 8 committee).

NOM was very successful in its fund-raising. It received 141 contributions during the Prop 8 qualification period between January 1 and May 31, 2008. It raised well over \$1 million during those five months. The average contribution was \$7,607. In Maine, the average contribution to Stand for Marriage Maine was \$34,368.00 from a total of ten donors.

As the largest donor to Stand for Marriage Maine, with a seat (Brian Brown) on its five member Executive Committee, NOM is, without doubt, likely going back to its past major contributors. Likely donors include Terry Caster, who gave \$293,000 to NOM, and \$400,000 to Protect Marriage, John Templeton of Philadelphia, who gave \$550,000 to NOM and \$550,000 to Protect Marriage. The Knights of Columbus even gave NOM \$250,000 in early money on February 4, 2008. It was the largest contributor to Prop 8, giving a total of \$1,425,000. Or

conceivably NOM's money is coming directly from the Church of Jesus Christ of Latter-day Saints (Mormon Church).

Mormon Church Created NOM

We have closely tracked the money that was raised to pass Proposition 8 in California last year. Californians Against Hate was the first to uncover the vast involvement by the Mormon Church. After much research, we discovered that Mormon Church members gave approximately 75% of the \$40 million that was raised to pass Prop 8.

By virtue of their significant financial investment in Prop 8, the Mormon Church took over every aspect of the campaign. It produced and used Church members in all of the television commercials, did all of the direct mail, and organized precinct walking every Saturday from August 16th through Election Day. They ran a speakers bureau, phone banks, web sites and brought in thousands of Church members for the final "surge to victory," the weekend before the election. We now know that all of this activity was directed from Salt Lake City, with several high ranking Church leaders traveling regularly to California.

On November 13, 2008, just nine days after the election, we filed a complaint with the Fair Political Practices Commission (FPPC), your counterpart in California. Our complaint alleged that the Mormon Church had spent far more than the \$2,200 it reported in non-monetary contributions.

We submitted evidence supporting our claim that the Mormon Church ran out-of-state phone banks, produced 27 slick commercials (that ranged from 30 seconds to 8 minutes long) and put them up on the elaborate web site the church created for all to see on PreservingMarriage.org. We also asked the Commission to investigate costs incurred by the Mormon Church to bus people from Utah to California to engage in precinct walking, for direct mail and numerous other activities.

The FPPC announced that it had launched an unprecedented investigation into the Mormon Church (Case # 08/735) as a result of our complaint. On January 30, 2009, the Mormon Church filed a report (long past the date when it was due) showing an additional \$190,000 in nonmonetary contributions. When we filed our complaint with the FPPC immediately following the election, the Church attacked me and stated that it had spent "zero dollars on Prop 8."

In February of this year, we received hundreds of purportedly "secret" Mormon documents showing exactly how involved the Mormon Church has been throughout the country in fighting same-sex marriage. The documents reveal how the Church established "front groups" in states to wage the electoral battles, and shield the Church from negative publicity.

After reviewing all the documents, we filed a supplemental complaint with the FPPC on March 19, 2009. We alleged that the Mormon Church established the National Organization for Marriage in May 2007 for the express purpose of qualifying Proposition 8 for the California ballot. This was done in conjunction with leading Catholic organizations such as the Knights of Columbus, the U.S. Conference of Catholic Bishops as well as James Dobson's Focus on the Family.

The Church of Jesus Christ of Latter-day Saints has been the leading voice against gay marriage in this country since 1988. This was done at the request of, and under the direction of then Church President, Gordon B. Hinckley. The Mormon Church appears to have played some role in all 30 state elections where gay marriage has been banned in this country. Now, Maine is the Church's latest target in their mission to stop same sex-marriage.

The Mormon Church does not deny its involvement in the Northeast. When asked in a May 29, 2009 [Washington Post](#) story about its activities in the Northeast, a Church spokeswoman declined comment, but said that Church leaders remain intent on preserving the "divine institution" of marriage between a man and a woman. "The faith holds that traditional marriage transcends this world and is necessary for the fullness of joy in the next life."

On our web site [Mormongate.com](#), we describe the formation of NOM by the President and the 12 Apostles of the Mormon Church.

In reviewing official Mormon documents, one can see exactly how the Church operated in Hawaii to skirt Hawaii's election laws. The Church funneled money through Hawaii's Future Today, which the Church created to fund and manage that state's campaign to ban same-sex marriage. In Hawaii as in California, the Mormon Church worked hand in hand with the Catholic Church.

The Church's pattern of establishing front groups, demonstrates how the Church established NOM. The purpose of the organization is to shield the Church's active involvement in paying for and running the campaigns. By qualifying Maine's referendum for the November 2009 ballot, the Church is participating in its 31st state campaign.

In press releases and direct mail, NOM has attempted to portray itself as the "victim". Attached to this letter is a sampling of emails and letters from NOM Executive Director Brian Brown.

Mr. Brown makes statements like, "And unlike in California, every dollar you give to NOM's Northeast Action Plan today is private, with no risk of harassment from gay marriage protestors." Or "Donations to NOM are not tax-deductible and they are NOT public information, either." Or "Your gift is confidential: no public disclosure!

Clearly, NOM is telling its donors to contribute to NOM and avoid disclosure. In doing so, NOM is clearly violating Maine's law.

NOM Active Around the Country

The National Organization for Marriage has become the most visible leader in opposing same-sex marriage throughout the United States. This year, it has surfaced to run campaigns against same-sex marriage in New York, New Jersey, Rhode Island, New Hampshire, Vermont, Connecticut, Iowa and Washington, DC.

Last week, NOM filed an independent expenditure report, signed by Brian Brown, with the Iowa Ethics and Campaign Disclosure Board, that it spent \$86,000 to buy television and radio ads supporting Iowa anti-gay marriage candidate Stephen Burgmeier.

Several months ago, NOM admitted to having spent more than \$6 million in states where same-sex marriage was before state legislatures. NOM aired slick television and radio commercials, produced millions of pieces of direct mail, conducted robo-calls, direct connects, and hired lobbyists, among other activities

NOM produced and spent \$1.5 million to air the infamous "Gathering Storm" television commercial in the Northeast. Incidentally, the commercial must have been made by the Mormon Church, because 10 of the 13 actors in that commercial have been positively identified as Mormon Church members. See Chino Blanco's findings: <http://www.dailykos.com/storyonly/2009/7/14/753343/-Knock,-Knock,-Anybody-NOM-Anybody-Mormon>

Finally, the National Organization for Marriage has violated federal reporting laws. It has steadfastly refused to release its IRS Form 990s despite repeated requests from several organizations, including ours and the news media. National Organization for Marriage, Inc. was formed in 2007 as a nonprofit corporation, exempt from taxation under section 501(c)4 of the Internal Revenue Code. In 2008, National Organization for Marriage Educational Fund, was formed as a nonprofit corporation exempt from taxation under section 501(c)3 of the Internal Revenue Code.

We have visited NOM's offices and sent certified letters requesting copies of what are supposed to be publicly available organizational reports. Yet, NOM refuses to release any of its federal financial documents, in violation of federal law.

Over its two year existence, Brian Brown and NOM president Maggie Gallagher have been the focus of the organization. These two super-humans are keeping very busy and they have been very successful. They must, however, abide by federal and state laws.

Diocese of Portland

\$100,000 to Stand for Marriage Maine

The other leading financial supporter of Stand for Marriage Maine is the Roman Catholic Diocese of Portland. While not as familiar with the Diocese, I have reviewed their finances through public documents, Diocesan financial reports and newspaper accounts. The Diocese appears to have substantial revenue, but it also has very high expenses. It reported losing \$7.5 million in 2008 from the "deteriorating financial market conditions." Its savings account appeared to contain only \$10,812 in its 2008 report.

Recently, the Trinity Catholic School laid off employees, and the Diocese plans to close two Catholic parishes in Lewiston, both due to declining revenue. Just today, the Diocese announced that they were closing three more churches because of tight finances.

Over the past several years, the Diocese has paid out millions of dollars to settle priest abuse claims.

In each annual report, there is a reference to the priest abuse payouts in their "Message from the Finance Officer." It's entitled "Cost for Sexual Abuse." It varies over the past four years that records are available. In 2005, it was reported as \$625,000; in 2006 it was \$624,000; in 2007 it was listed as \$832,000; and in 2008, it was reported as \$348,000.

Newspaper accounts report that the Portland Diocese has paid out \$2.6 million to 86 victims from 1976 to 2002. Recently, \$4.4 million was awarded to Steven Boyden by Justice Joseph Jabar in Kennebec County Superior Court. In January of last year, \$4.2 million was awarded to plaintiff William Picher.

The Diocese lists "Insurance Claims Payable" under "Financial Information" in its annual report. This amount is always in the millions, but it is unclear if these charges are related to the "Cost of Sexual Abuse." In the last two years, those amounts were \$2,567,731 (2008) and \$3,824,110 (2007).

The Diocese sent out a Bishop's Appeal to raise funds to pay these claims, perhaps they used a similar approach to raise the money it contributed to Stand for Marriage Maine.

There is no evidence that the Diocese has ever given substantial sums to other ballot question campaigns or PACs in Maine prior to the \$100,000 contribution on June 6th. Most organizations such as the Diocese budget all expenses one or two years in advance. The Diocese does not have hundreds of thousands of dollars sitting in their treasury. To make a donation, the Diocese would need to collect donations as part of a separate fund-raising appeal.

In a July 17, 2009 [Sun Journal](#) story, Marc Mutty, who is on leave from his work as Communications Director at the Portland Diocese, practically admitted that the Portland Diocese had raised new money for the campaign. He said parishioners should know the donated funds were not taken from the collection plate.

"The money is dedicated revenues that were provided by a donor for causes such as these and money from the collection basket or any of those types of things would never be used," he said.

Mutty said he only had limited details regarding the origins of the donation.

"It's my understanding the money was left to the Portland diocese for defending church dogma or policy, that sort of thing. It wasn't specific to this particular issue. Our application to this issue was our choice, but it fell within the general parameters of the donor's request," he said.

This certainly does not correspond to the Diocesan Financial Council Statement of November 2008, which looked to, "...achieving openness and transparency in diocesan financial reporting."

In Sunday's Kennebec Journal, Marc Mutty, chairman of Stand for Marriage Maine's executive committee, said, referring to the criticism by Californians Against Hate. "We are frustrated at the fact that it's yet one more distraction."

Knights of Columbus

\$50,000 to Stand for Marriage Maine

The Knights of Columbus is chartered as a fraternal benefit society headquartered in New Haven, CT. It is required to provide life insurance to its members. Founded in 1882, it has recently become the "political arm" of the Catholic Church. The Knights has supported constitutional amendments to ban same-sex marriage across the United States.

The Knights of Columbus is a nonprofit corporation, exempt under section 501(c)8 of the Internal Revenue Code. It is very difficult to evaluate its finances. What is unusual about their \$50,000 contribution to Maine is that such a substantial amount would come from Washington, DC. Historically, contributions from the Knights come from either the national headquarters in Connecticut or from the state chapter where the election is taking place.

In last year's California Prop 8 campaign the national Knights gave \$1,400,000 and the California Knights gave \$25,000. It would be very interesting to see why the Washington, DC Knights gave \$50,000 to Stand for Marriage. Because of its size and minimal reporting requirements, the Washington, DC chapter would be a likely recipient of laundered funds. Then they could then turn around and give it to a campaign.

The Knights, as is the case with religious organizations has suffered from severe losses in its investments and has seen its membership decline. Massive contributions to various state anti same-sex marriage campaigns derived from existing treasury funds are inconceivable.

Focus on the Family

\$31,000 to Stand for Marriage Maine

James Dobson's Focus on the Family has been experiencing tough times lately, too. While still a huge power among the religious right in this county, it is not the force it once was. Dr. Dobson has been eclipsed by Rick Warren, Pastor of Saddleback Church and other younger leaders. Last year Focus let go 202 employees. It received much criticism for the \$620,000 that it gave to qualify and fund Prop 8, as it was firing 20% of its staff.

Focus still reports \$141 million in revenue for 2007. It had a net loss of \$3 million that year, however. It has huge expenses to support its gigantic complex in Colorado Springs as well as Dr. Dobson's extravagant lifestyle.

It would be easy for James Dobson to reach out to some of his wealthy Board members and benefactors and ask them to give funds to Stand for Marriage Maine through Focus on the Family. Michigan's Elsa Prince, who is on the Board of Focus, gave \$450,000 to pass Prop 8 last year. Dr. Dobson has access to many donors who could donate directly rather than use money from the dwindling treasury.

Conclusion

Without question, there are irregularities in the financial disclosures of Stand for Marriage Maine that would warrant an immediate investigation into their funding sources. Unpaid obligations of \$145,000 remain, as do many unanswered questions.

Another campaign finance report is not due until October 13, 2009. By this late date, just three weeks before this crucial election, it will be too late to see if this pattern of attempting to hide the true identity of the contributors to Stand for Marriage Maine will continue.

We respectfully request that our allegations be heard at your next regularly scheduled Commission meeting on Tuesday, September 8, 2009.

That would allow the Commission on Governmental Ethics and Election Practices time to ensure an election that will enable Maine's voters to learn the actual sources of funds contributed to Stand for Marriage Maine.

Thank you very much for your consideration of our request.

Best regards,

A handwritten signature in black ink, appearing to read 'Fred Karger', with a long horizontal flourish extending to the right.

Fred Karger
Californians Against Hate
1278 Glenneyre, #20
Laguna Beach, CA 92651
619-592-2008

cc: Attorney General Janet Mills

Attachments: Appendices



RECEIVED

AUG 26 2009

MAINE ETHICS COMMISSION

Appendices

- Appendix #1 -- FPPC Letter Investigation Notification
- Appendix #2 -- New York Times Editorial
- Appendix #3 -- Prop 8 Legal Defense Remit Card
- Appendix #4 -- NOM Letter March 13, 2009
- Appendix #5 -- NOM Email March 31, 2009
- Appendix #6 -- NOM Letter April 3, 2009
- Appendix #7 -- NOM Letter July 3, 2009
- Appendix #8 -- Advocate Story May 4, 2009
- Appendix #9 -- Washington Post Story May 29, 2009
- Appendix #10 -- Portland Press Herald Story May 7, 2007
- Appendix #11 -- Sun Journal Story July 17, 2009
- Appendix #12 -- San Francisco Chronicle Story January 9, 2009
- Appendix #13 -- Iowa Ethics Commission NOM Filing
- Appendix #14 -- Diocese of Portland Financial Report

Post-It™ brand fax transmittal memo 7671		# of pages = 1
To <i>Fred Karger</i>	From <i>Keri Rindahl</i>	
Co.	Co. <i>FPPC</i>	
Dept.	Phone # <i>916 322-5660</i>	
Fax # <i>602-718-5550</i>	Fax #	



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

November 21, 2008

Fred Karger
1278 Gleneyre, #20
Laguna Beach, CA 92651

Re: FPPC File No. 08/735; Church of Jesus Christ of Latter-Day Saints aka the Mormon Church of Salt Lake City, Utah

Dear Mr. Karger:

This letter is to notify you that the Enforcement Division of the Fair Political Practices Commission (the "FPPC") will investigate the allegation(s), under the jurisdiction of the FPPC, of the sworn complaint you submitted in the above-referenced matter. You will next receive notification from us upon final disposition of the case. However, please be advised that at this time we have not made any determination about the validity of the allegation(s) you have made or about the culpability, if any, of the person(s) you identify in your complaint.

Thank you for taking the time to bring this matter to our attention.

Sincerely,

Roman G. Porter
Executive Director

RGP: tr

cc. Church of Jesus Christ of Latter-Day Saints aka the Mormon Church of Salt Lake City, Utah

New York Times

EDITORIAL

The Prop 8 Campaign Money

Published: November 29, 2008

California's fair-elections commission is investigating a complaint against the Mormon Church's role in campaigning for Proposition 8, which made marriage illegal between people of the same sex. Based on the facts that have come out so far, the state is right to look into whether the church broke state laws by failing to report campaign-related expenditures.

Proposition 8, which California voters passed on Nov. 4, overturned a ruling by the California Supreme Court and wrote discrimination against one particular group of people into the State Constitution. After it passed, tens of thousands of people rallied in cities across the country in support of same-sex marriage. The California Supreme Court said recently that it would review whether Proposition 8 was constitutional.

Mormons were a major force behind the ballot measure. Individual church members contributed millions of dollars and acted as campaign foot soldiers. The church itself also played an unusually large role. Michael R. Otterson, the managing director of public affairs for the Church of Jesus Christ of Latter-day Saints — the full name of the Mormons' church — said that while the church speaks out on other issues, like abortion, "we don't get involved to the degree we did on this."

Fred Karger, the founder of a group called Californians Against Hate, who filed the complaint, contends that the Mormon Church provided significant contributions to the pro-Proposition 8 campaign that it did not report, as state law requires. The Fair Political Practices Commission of California is investigating, among other things, commercials, out-of-state phone banks and a Web site sponsored by the church.

If the commission finds that the church violated state reporting laws, it could impose penalties of up to \$5,000 per violation, and sue for additional amounts. The Mormon Church, which says it is sending information to the commission, says it did nothing wrong.

Churches, which risk their tax-exempt status if they endorse candidates, have more leeway in referendum campaigns. Still, when they enter the political fray, they have the same obligation to follow the rules that nonreligious groups do.

PROP. 8 LEGAL DEFENSE FUND



YES, Andrew! We must provide a strong legal defense for Prop 8, and uphold the will of the voters! Enclosed is my donation of:

\$25 \$50 Other \$ _____

Make checks payable to: "Prop 8 Legal Defense Fund." To donate by credit card, see reverse.

***** AUTO MIXED ARDC 445



PLEASE NOTE:

- Your gift is confidential: no public disclosure!
- There are no limits on gifts to the Fund.
- Your gift is tax-deductible as allowed by law.

Thank you for your support!



DEC06H 101597

NOM Marriage News: California Edition March 13, 2009

Dear Friend of Marriage,

Churches under attack in Connecticut!

I asked you a few days ago to speak truth to two powerful Connecticut politicians who woke up one morning and decided they had a bright new idea to suppress the voice of Connecticut churches: amend corporation law to take over church assets. It was aimed at the Catholic church but who would be next?

We knew we had to stop this thing in its tracks.

And guess what? You came through big time: Within 24 hours of NOM's alert, more than 43,000 emails from NOM members flooded the offices of Connecticut legislature. Thank you. Thank you. I cannot express how deeply grateful I am for your prompt and powerful response.

Good news: The powerful politicians who pushed Bill 1098 have retreated, thanks be to God, with their tails between their legs. This was a trial balloon that exploded in their faces, thanks to you and all the fair-minded citizens of Connecticut who rose up in outrage once they were informed.

(Can you spare \$1 this week to help protect all our churches from the powerful politicians and special interest groups who are seeking to silence God's own truth about marriage? Go to <http://www.nationformarriage.org>. We depend on you to help us speak truth to power. If God has given you the means in this difficult economic climate, can you spare \$10, \$100, or even \$10,000 to protect marriage and religious liberty in this God-blessed land?)

A great big shout-out to the Family Institute of Connecticut, the Knights of Columbus, and the many Connecticut groups who lead this crusade for decency—to keep the government out of the church's business (literally!) and to speak out against the ugly politics of payback in our times. (You can see coverage of the rally March 11 below.)

As I told Kathryn Jean Lopez in an interview on National Review Online, "A couple of powerful state politicians are sending a warning message to a religious group: If you take positions we dislike, we can hurt you. It's a 'shot across the bow,' a way for politicians to try and manage the political process so that selected religious groups and people are frightened into silence."

This was not just a Connecticut matter, as I told National Review: "I really think this warning shot is intended for a national audience, not just Connecticut."

NOM's Chairman of the Board and founder, Princeton Prof. Robby George, went on national TV (the Glenn Beck Show) to highlight the many other religious groups and people who have experienced similar threats because they—because we—speak up for marriage as the union of one man and one woman.

Same-sex marriage is heating up against in New England—hearings in Vermont, great pushes in New Hampshire, and Maine. In Vermont, gay marriage advocates have purchased the largest media ad buy outside of an election ever seen in that state—about \$150,000. The ads are weak, because their messages are weak—quoting newspaper editorial boards to try to persuade Vermonters there's no point in resisting because nobody really cares about protecting marriage as one man and one woman.

They said that about California, too. You and I know what a myth that is—look for an announcement about NOM's response next week.

Can you believe politicians? In the middle of the greatest economic crisis in our generation,

Vermont politicians wasting their time pushing the divisive issue of same-sex marriage? When will these guys stop listening to special interests and start focusing on the people's priorities?

Here's NOM's bottom line: Some things are too important to leave to judges and politicians. Some truths are so core they must be defended.

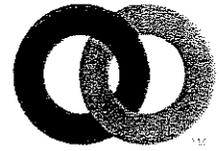
Thank you so much for giving me—and all of us here at NOM—the opportunity to defend you and your values. It is an honor, truly, that I cherish.

Don't forget us in your prayers this week.

God bless you and your family,

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: We need your help to defend marriage! Can you give \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage, by donating at <http://www.nationformarriage.org> ? Can you afford to pledge even \$1 a month to support marriage? Donations to NOM are not tax-deductible and they are NOT public information, either.

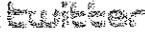


NATIONAL
ORGANIZATION
FOR MARRIAGE

NOM Launches Hard-Hitting New Radio Ad!

March 31, 2009

Donate



Facebook

Dear B,

Legalizing gay marriage has consequences for our kids – and if we don't act now, we'll all have to accept gay marriage "whether we like it or not."

That's the theme of a hard-hitting new radio ad that we're launching today as part of our 2009 Northeast Action Plan, and I wanted you to be one of the first to know about it. We're excited about the ad – our strongest and most hard-hitting ad yet – and I think you will be, too.

To listen to the new ad [click here](#).

To help support these ads on the air, [donate here](#).

Developed by Schubert Flint Public Affairs – the same group that successfully managed the Prop 8 campaign last year in California – our new "Consequences" ad emphasizes that "legalizing gay marriage has consequences for kids." The ad includes examples from Massachusetts and California, where 2nd graders are being taught that boys can marry boys, and 1st graders were taken to a same-sex wedding, calling it a "teachable moment."

We're excited about this new ad, but we need your help to keep these ads on the air, especially in states like Vermont, New Hampshire, Maine and New Jersey, where coordinated grassroots opposition to pending gay marriage legislation is urgently needed. Although the prices vary by market, on average it costs about \$400 each time an ad is aired.

These types of ads are a critical part of the campaign to stop same-sex marriage in the Northeast this year. There's no better way to shape public opinion and at the same time reach out to marriage supporters in targeted areas than radio and tv ads. And there's no more cost-effective medium than radio, especially for reaching out to potential marriage activists who listen to talk radio and will respond to a call to action on same-sex marriage.

Throughout the year, we'll be rolling out new ads as we work to identify and motivate marriage activists throughout the Northeast. Will you join our Northeast Action Team today with a gift of \$35, \$50, or perhaps even the \$400 needed to sponsor an entire ad? Even if you live in Kentucky, or Carolina, or especially California, we need your help. If the same-sex marriage foothold spreads throughout New England – and especially if it starts to be adopted in state legislatures -- it will become increasingly difficult to stop it from spreading across the country.

As the ad says – if our politicians adopt same-sex marriage, our rights won't matter much -- not parents, not people of faith, not any of us who will experience the consequences of redefining marriage. If we don't step up now, we'll all have to accept gay marriage -- "whether we like it or not."

Take a minute right now to listen to the radio ad for yourself, and then please make the most generous donation you can to help us keep these important ads on the air. [Use this hyperlink to make a secure online donation](#). And unlike in California, every dollar you give to NOM's Northeast Action Plan today is private, with no risk of harassment from gay marriage protestors.

Marriage is on the brink right now in Vermont and New Hampshire – and ads like these can help us stop it before it's too late. Will you stand with us?



God bless,

Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

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NOM Marriage News: California Edition

April 3, 2009

Donate



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Dear B,

This morning, the news is sad.

The Iowa state supreme court summarily rejected that state's marriage laws and imposed same-sex marriage.

As I told the press, "Injustice has been served today. The gay marriage movement today once again used the courts to push an untruth on unwilling Iowans: Same-sex unions are not marriages and Iowans should not be forced to treat them as such."

I also reminded the press: "The majority of courts as well as the majority of Americans have rejected the arguments the Iowa judges imposed." There is no more a constitutional right to gay marriage than there is a constitutional right to have your cat called a dog, because after all they are both small furry animals with four legs and a tail.

Reading the decision is like watching another bit of the fabric of our civilization unravel:

Why do same-sex couples need marriage? "The inability to obtain for themselves and for their children the personal and public affirmation that accompanies marriage." Translation: "Iowans don't think two guys pledging to a homosexual union are a marriage. So we, the guys with the fancy law school degrees and the black robes, the ones who know better than ignorant you, are going to give same-sex relationships the public affirmation the public hasn't."

The most heartbreaking sentence however is Footnote 26.

In Footnote 26 these justices conclude: "The traditional notion that children need a mother and a father to be raised into healthy, well-adjusted adults is based more on stereotype than anything else."

Justices? Injustices. I hate being right about something so sad: but gay marriage really is about rejecting the natural family, the importance of bringing together the two creators of the child, the mom and the dad, to raise their baby in love together. The Iowa court ruling once again makes that connection crystal clear.

Read it and weep.

Or if you are like me, read it and rise up to fight for the truth! Fight for justice for our children, fight for love of the core values of our own (and any decent) civilization.

Rep. Steven King in Iowa has issued a stinging rebuke to this court and a stirring call to the Iowa Democratic leaders to permit the people of Iowa to decide the future of marriage. We'll be partnering with him and other Iowans to urge the legislature to act now to reverse this injustice.

The battle ahead is immense. This is one of the legislatures "flipped" by gay billionaire Tim Gill—exactly in anticipation of this moment. If I have your support, I know the fight is worth it!

Can you help us at this critical time by giving \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage?

In Vermont, Gov. Jim Douglas has promised to veto the same-sex marriage bill passed by the legislature, and the margin in the House on Thursday was not enough to override his veto. But the Tim Gills and the Nancy Pelosis of the world will put immense pressure on Vermont Democrats to flip their votes, to override marriage. We will be fighting hard to be the voice of the Vermont people and so will grassroots organizations like Vermont Renewal and Take It to the People.

There is some good news this week: The New Hampshire vote was unexpectedly close, shocking LGBT advocates who were convinced they could move gay marriage easily. Congrats to Cornerstone Policy Research, and we'll help keep those politicians' feet to the fire!

And back to California, one of the leading gay marriage advocates just confessed to the *Dallas Voice* (a gay paper) that she is "98 percent certain" the California Supreme Court will uphold Prop 8. "We're going to lose," said Kate

Kendell, executive director of the National Center for Lesbian Rights, one of the organizations that filed the lawsuit challenging Prop 8.

"I think it was very clear from the oral arguments that the court intends to uphold Prop 8," Kendell added. "I've never seen a court so unequivocally telegraph their thinking."

I had good news also last weekend in Worcester, Massachusetts, where I was invited to address a Catholic men's breakfast. I walked into a convention center jam-packed with good men—more than 1000 people filled the room. I told them: This isn't a fight that we can give up on. We cannot permit ourselves to be embarrassed or afraid to speak truth to power—whether it's in the press as sometimes I get to do, or over the water cooler. Marriage means a husband and wife.

A thousand men stood and applauded. It was a very moving moment for me.

Some truths do not change. To make a marriage you need a husband and a wife. That was true 1000 years ago, and 1000 years from now it will still be true because it is a truth rooted in the nature of humanity itself. For Christians this anthropological truth about the important of man and woman contains a theological insight: In the union of male and female, we glimpse something about the nature of God Himself. "From the beginning, this was so," as Jesus told his befuddled disciples.

We human being are often befuddled, easily distracted, sometimes discouraged. But in this marriage fight, we ground our hopes on a truth that is not built upon shifting sands of fashion.

Each week I like to share with you news stories quoting NOM—we call it "NOM in the News." But there are too many this week for me to include them all. The *Wall Street Journal*, the Associated Press, Vermont public radio—the mainstream media is turning to NOM increasingly as a prime voice for the marriage movement.

Let me tell you, I never forget whose voices we really are: first and foremost the voice of truth, spoken fearlessly, to all the powers that be who seek to suppress God's own truth. Striving to speak out of that perfect love that casts out all fear. We seek to be your voice for our shared and timeless values.

Thanks so much for giving us this precious opportunity to witness to unchanging truths in these uncertain times.

I promise you: The good fight is never over. The next phase is just beginning.

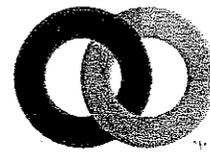
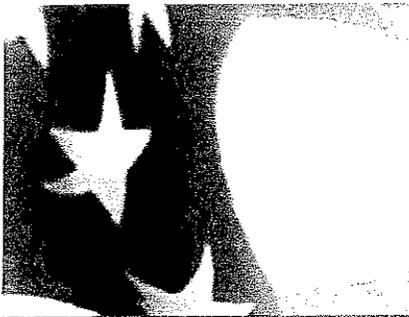
God bless you, and may God bless our great country,



Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: We need your help to defend marriage! Can you give \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage? Donations to NOM are not tax-deductible and they are NOT public information, either.



NATIONAL
ORGANIZATION
FOR MARRIAGE

NOM Marriage News: California Edition

July 3, 2009

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Dear B,

Happy birthday America!

233 years ago, a group of extraordinary men put America's founding creed into words. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness."

I was thinking of the Declaration this morning--one could search the world over and never find a more succinct declaration of the importance of the union of faith with reason.

We are a nation founded in truth--moral truth--and sustained in that commitment by our faith that we have a Creator to whom we are responsible. Truth is bigger than any one of us. Truth is the foundation of justice itself.

Dr. Martin Luther King understood that in his bones. In his famous Letter from the Birmingham Jail in 1963, he wrote, "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of Saint Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law."

Remember those words the next time someone asks you, "Isn't same-sex marriage a civil right?" Civil rights must be grounded in the eternal and natural law--the moral law that is not created by man and by which all of us are bound.

Justice must be grounded in truth. Same-sex unions are not marriages, and same-sex marriage is a misuse of the law: a civil wrong, not a civil right. (Can you help us promote a vision of marriage grounded in the truth? On this weekend as we celebrate our nation's founding, consider whether you can give--as little as \$10 or as much as \$1000--to ensure that the truth about marriage is passed on to the next generation of Americans.)

What a blessed nation we are to have been founded on this insight: Moral truth exists, so our rights are granted by our Creator and cannot be taken away by any government--they can only be ignored or trampled upon.

How blessed we are to have this example before our eyes: Some truths are worth fighting for. I recall talking to one woman--she would want to remain anonymous--

who faced a considerable harassment campaign after donating to Prop 8 in California. It was certainly disturbing to wake up and find that exercising her civil rights to participate in the political process lead to a flood of harassing and angry phone calls. But God bless her, she told me, "The Founding Fathers were willing to die for their beliefs; with this I changed my phone number and it all disappeared."

Thankfully, donations to NOM are not public information. So you can strengthen your voice in Washington and across the country by donating with privacy.

In an interview with The Public Discourse, NOM Chairman of the Board Prof. Robby George makes a point which Dr. Martin Luther King would have well understood: "Campaigns of intimidation succeed only if the victims of such campaigns permit themselves to be intimidated. They fizzle when people refuse to alter their behavior out of fear. As anyone who has ever confronted a school-yard bully knows, bullies are cowards." Be not afraid!

Marriage was made by God to serve His ends, ends which faith and reason can both look upon and say with confidence, "It is good."

Thank you for your courage, your compassion, your common sense, your decency. Thank you for your prayers, your phone calls, your emails, and for the financial sacrifices you have made in this great battle for marriage.

Thank you for caring about truth and for seeing through the campaign to turn truth on its head.

It is an honor to know and to serve the common good with people like you.

God bless you and your family as we celebrate American ideals!



Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

ADVOCATE

Antigay Group Hiding Mormon Cash?

The nonprofit National Organization for Marriage -- better known as the people behind the widely panned "Gathering Storm" commercials and as friends of "opposite marriage" supporter Miss California, Carrie Prejean -- is required by law to release its financial reports. According to the marriage-equality group Californians Against Hate, NOM is skirting that law, refusing to make its IRS 990 forms public.

By Neal Broverman

The nonprofit National Organization for Marriage -- better known as the people behind the widely panned "Gathering Storm" commercials and as friends of "opposite marriage" supporter Miss California, Carrie Prejean -- is required by law to release its financial reports. According to the marriage-equality group Californians Against Hate, NOM is skirting that law, refusing to make its IRS 990 forms public.

"Californians Against Hate had representatives go by the Princeton, New Jersey, offices of the National Organization for Marriage twice to get copies of their IRS 990 reports, to no avail," Fred Karger, CAH's president, wrote in a press release. "Then our representative, Ben Katzenberg, sent two certified letters to the NOM office on March 18, 2009, requesting its two 990 forms. Federal law requires NOM to furnish copies of these IRS filings within 30 days after the request has been received. And 40 days later, still no 990s."

CAH has filed a formal complaint with the IRS citing NOM's failure to comply with the federal public disclosure laws; NOM could be hit with penalties of up to \$10,000 if the group remains resistant to complying.

"They now claim to be spending \$1.5 million on their outrageous TV commercials," Karger said. "Where is that money coming from? How much are they personally paying themselves?"

Karger and his group believe NOM is a front group set up by the Church of Jesus Christ of Latter-day Saints to first qualify California's Proposition 8 for the ballot and, later, fight marriage equality around the nation. Six weeks ago CAH filed a formal complaint with the California Fair Political Practices Commission charging that the Mormon Church established NOM as a way to fund Proposition 8; the commission is now looking into the matter.

"How much 501(c)4 money did they raise to qualify and pass Prop. 8?" asked Karger. "These and many more questions need to be answered. Now."

May 04, 2009

Politics & The Nation

'The Mormons Are Coming!'

Supporters of Same-Sex Marriage Trumpet the Church's Work Against It

By KARL VICK
Washington Post Staff Writer

LOS ANGELES — As more states take up the debate on same-sex marriage, some advocates of legalization are taking a very specific lesson from California, where the Church of Jesus Christ of Latter-day Saints dominated both fundraising and door-knocking to pass a ballot initiative that barred such unions.

With the battle moving east, some advocates are shouting that fact in the streets, calculating that on an issue that eventually comes down to comfort levels, more people harbor apprehensions about Mormons than about homosexuality.

"The Mormons are coming! The Mormons are coming!" warned ads placed on newspaper Web sites in three Eastern states last month. The ad was rejected by sites in three other states, including Maine, where the Kennebec Journal informed Californians Against Hate that the copy "borders on insulting and denigrating a whole set of people based on their religion."

"I'm not intending it to harm the religion. I think they do wonderful things. Nicest people," said Fred Karger, a former Republican campaign consultant who established Californians Against Hate. "My single goal is to get them out of the same-sex marriage business and back to helping hurricane victims."

The strategy carries risks for a movement grounded in the concept of tolerance. But the demographics tempt proponents of same-sex marriage: Mormons account for just 2 percent of the U.S. population, and they are scarce outside the West. Nearly eight in 10 Americans personally know or work with a gay person, according to a recent Newsweek survey. Only 48 percent, meanwhile, know a Mormon, according to a Pew Research Center poll.

Many Mormons also acknowledge a problematic public profile that could make it difficult for them to lead the fight against same-sex marriage. A 2008 poll by Gary C. Lawrence, author of "How Americans View Mormonism: Seven Steps to Improve Our Image," found that for every American who expresses a strong liking for Mormons, four express a strong dislike. Among the traits widely ascribed to Mormons in the poll were "narrow-minded" and "controlling."

"We're upside down on our image," said Lawrence, who organized Mormon volunteers in California, where on a typical Saturday 25,000 turned out to knock on doors. "People have misperceptions of us because of ignorance, because of the history of polygamy, and because we organize quickly, which scares some people."

Mormon officials have tried to stay out of the controversy that followed the California vote, when the church's prominent role in the marriage fight became clear. A spokeswoman in Salt Lake City declined to say whether the church is involved in debates going on in states such as New Jersey and New York, except to say that leaders remain intent on preserving the "divine institution" of marriage between man and woman. The faith holds that traditional marriage "transcends this world" and is necessary for "the fullness of joy in the next life."

The church has a top-down hierarchy that answers to the First Presidency, who also holds the status of



Protesters gather to march on Salt Lake City's Mormon Temple last November after California's Proposition 8 passed.

prophet. Last June, congregations were read his letter urging that "you do all you can" to pass the California initiative, known as Proposition 8. Lawrence, who like Karger worked as a Republican political consultant, professed no concern about the effort to shift the focus away from the definition of marriage.

"He is demonizing the opposition. It's Political Consulting 101," Lawrence said of Karger. "The average guy does not know the extent to which the Mormon Church was involved on Prop. 8."

The proponents' strategy is grounded in a stubborn reality: While the number of states legalizing same-sex marriage is slowly increasing — Maine recently became the fifth — in every case the agent of change was either a court or a legislature. Voters have rejected the idea wherever it has appeared on a ballot.

The election results track public opinion nationwide. Polls consistently show that while a majority of Americans support some legal recognition of gay unions, more want to keep marriage reserved for a man and a woman.

The disparity is narrow and shrinking, however, and in California, Mormons may well have made the difference on Proposition 8, which nullified a decision by the state Supreme Court that legalized same-sex marriage.

A torrent of last-minute contributions from church members across the country financed well-framed TV ads in the final weekend of the campaign. Opponents' analysis of campaign-contribution reports indicated that Mormons contributed more than half of the campaign's \$40 million war chest.

"The church's position on the issue of same-sex marriage is well known and well documented," church spokeswoman Kim Farah said by e-mail. She declined to com-

ment on estimates from individual Mormons but emphasized that the church itself made no cash contribution. It reported "in-kind" contributions of \$190,000, mostly in the form of staff members' time.

Rick Jacobs, director of the Courage Campaign, an advocacy group that produced a TV ad drawing attention to the Mormons' role in the campaign, said, "We have zero interest in demonizing anybody who believes in any religion."

In the spot, a pair of Mormon missionaries knock on the door of a lesbian couple, rifle their drawers and shred their marriage certificate in front of them.

Mormons "exist and flourish in this country because of the concept of equal protection," Jacob said, noting the persecution that drove members of the church to Utah in the 19th century. "I find it just an irreconcilable hypocrisy that a group that rightly thrives within the essence of the American system would seek to repress and deny rights to another. And it's even a little worse, because I certainly didn't choose to be gay. People make choices to be Mormons, or any other religion."

Mormon officials issued statements calling for "civility" in the wake of Proposition 8. "The Church has refused to be goaded into a Mormons versus gays battle and has simply stated its position in tones that are reasonable and respectful," one statement said.

Suspensions that the church may be working behind the scenes in other states are encouraged by documents showing efforts by the church to cloak its participation in a late-1990s campaign that led to a ban on same-sex marriage in Hawaii.

"We have organized things so the Church contribution was used in an area of coalition activity that does not have to be reported," a senior Mormon official wrote in one docu-

ment Karger posted on his Web site, and the church has not disputed.

Mormon headquarters contributed \$400,000 in an effort to persuade Hawaiians against same-sex marriage but urged the Roman Catholics to take the lead in a group dubbed Hawaii's Future Today after polls showed that the other church had better public acceptance. A decade after the 1998 Hawaii vote against gay marriage, Lawrence wrote that the image problem remained: "The collection of negatives they are willing to apply to us suggests that they view us as a growing threat."

That works for Karger, whose specialty at his consulting group was opposition research. "People will vote for someone because they like so and so, or because they don't like the other guy," said Karger, who entered gay activism to preserve the Boom Boom Room, a gay bar in Newport Beach, Calif.

And favorability ratings declined for Mormons over the last year, Lawrence said, from 42 percent to 37.

"Is it fruitful to use the Mormon bogey?" said Mark Silk, a professor of religion and public life at Trinity College in Connecticut. "My sense is that there aren't great risks to it. Once a religious institution is going to inject itself into a public fight which the LDS did in a straight-up way, then I think people are prepared to say, 'Well, okay, you're on that side and we're against you.'"

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PAC donations from Utah raise doubts in Maine

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By KEVIN WACK, Staff Writer [Portland Press Herald](#) [Maine Sunday](#) [Celebrate](#) Sunday, May 6, 2007

At \$250,000, it was the largest private contribution of the 2006 Maine governor's race, helping to pay for TV commercials supporting Republican Chandler Woodcock in his bid to unseat Democratic Gov. John Baldacci.

But the money didn't come from a donor in Portland, Lewiston or Bangor. State records show that it came from a small city near Zion National Park in southwestern Utah, from a contributor listed as RECAF Inc.

What is RECAF Inc.? And why did it donate \$250,000 to a political action committee established in Maine by the national Republican Governors Association?

There is no sign of any such company at the firm's listed address. But the paper trail links RECAF to a controversial network of treatment centers for troubled teenagers affiliated with Robert B. Lichfield, a fundraiser for Republican Mitt Romney's presidential campaign. Among Maine political contributions, the RECAF payment stands out. It raises questions about the effectiveness of both Maine's Clean Elections law, which is designed to reduce the influence of money in politics, and of disclosure requirements, which are meant to identify donors to the public.

And it illustrates how the stream of unregulated money through the U.S. electoral system allows out-of-state donors with no apparent stake to have the potential to shape the outcome of Maine elections.

"There are always opportunities out there for contributors who are willing to shell out the cash," said Rachel Weiss, spokeswoman for the Institute on Money in State Politics, a nonpartisan group based in Helena, Mont.

SIGNIFICANT GOP DONOR

Lichfield, 53, describes himself on campaign disclosure forms as a self-employed consultant. But he's more than that.

He's also a trustee in the World Wide Association of Specialty Programs and Schools, a Utah-based organization affiliated with residential youth treatment centers around the country and abroad. The association has been the defendant in multiple lawsuits alleging abuse of children, a charge the association has denied.

In recent years, Lichfield has become a significant financial force in GOP circles, giving hundreds of thousands of dollars to Republicans in Utah and elsewhere.

In 2004, the Salt Lake Tribune reported that campaign contributions by Lichfield and his family and business associates totaled \$1.01 million during the 2002 and 2004 elections. The same story reported that a Utah bill that would have allowed state regulation of boarding schools for troubled teenagers was killed six days before Lichfield gave Utah House Speaker Marty Stephens a \$30,000 contribution for his gubernatorial campaign.

Lichfield did not respond to repeated requests for an interview. In 2004, he spoke with the Salt Lake Tribune and explained his political contributions this way: "We've been abundantly blessed, and when you're blessed, we feel you have a responsibility to bless others." Unlike in Utah, there is no obvious connection between Lichfield's business interests and public policy in the state of Maine.

No youth treatment facilities known to be associated with Lichfield are located here, and state officials say they do not place Maine children in any such facilities out of state. However, there are links between Lichfield and Romney, who last fall was chairman of the Republican Governors Association, the group whose Maine-based PAC received the \$250,000 contribution from RECAF.

Romney's job with the governors association included raising money on behalf of GOP gubernatorial candidates across the country.

Lichfield is now serving as co-chairman of the Utah finance committee for Romney's presidential campaign, which has an early fundraising lead over the other GOP contenders. In February, Lichfield helped organize a \$1,000-per-plate breakfast for the former Massachusetts governor.

Romney spokeswoman Sarah Pompei declined to say whether Romney was involved in soliciting RECAF's contribution to the Maine governor's race.

In an e-mailed statement, she downplayed the connection between Romney and the donor. "Mr. Lichfield has donated to numerous Republican candidates and committees," Pompei said in the statement, "and is just one of more than 34,000 donors to Governor Romney's campaign."

She referred other questions to the Washington-based Republican Governors Association, whose executive director, Nick Ayers, also declined to comment.

The RECAF contribution appears to fit a pattern in which party officials direct deep-pocketed party loyalists to give to specific races, Weiss said.

"You may not have a particular interest in that particular state," she said. "The party may say, 'These are the states we're kind of focusing on.'"

THE GOP PAC

Last fall's race between Woodcock, Baldacci, Green Independent Pat LaMarche and independent Barbara Merrill was watched closely by the Republican Governors Association, since Baldacci was seen as vulnerable in his re-election bid.

Unlike Baldacci, whose campaign was privately financed, Woodcock accepted public financing, so he was barred from receiving private contributions.

However, no such fundraising limits apply in Maine to political action committees. Their only limits are the size of contributors' wallets and their willingness to give.

The Republican Governors Association established its Maine PAC on Aug. 8, 2006.

According to campaign finance reports, its first contribution arrived on Aug. 24, a \$225,000 payment from RECAF. A second RECAF payment of \$25,000 came on Sept. 7.

Taken together, the two contributions were more than twice as big as the next-largest contributions, Republican or Democratic, involving the Maine governor's race.

During September, the Republican governors PAC took to the airwaves in Maine with a series of TV ads that criticized Baldacci while portraying Woodcock in a positive light.

"Chandler Woodcock's experience means new solutions for Maine's future," said the announcer in one of the commercials.

LaMarche, the Green Independent candidate, believed that these commercials and others by the Democrats should have triggered matching funds for herself and other taxpayer-funded candidates.

She filed a complaint with the Maine Commission on Governmental Ethics and Reform, arguing that the ads advocated for specific candidates.

But the ethics commission concluded that none of the ads expressly supported a clearly identified candidate. The state Supreme Judicial Court upheld that decision.

On Oct. 18, 2006, Romney arrived in Maine to stump for Woodcock. During a campaign stop in Westbrook, Romney said he would make sure that "hundreds of thousands of dollars" were spent on Woodcock's behalf.

By the end of the campaign, the GOP governors PAC in Maine had collected about \$714,000, more than one-third of which came from RECAF.

Woodcock, who lost to Baldacci by about 10 percentage points, referred questions about the RECAF contribution to Chris Jackson, his former campaign manager.

Jackson said he had never heard of RECAF Inc., but he emphasized that the Woodcock campaign, which received around \$1.1 million in taxpayer funds, did not coordinate with the Republican Governors Association.

"We don't have the first clue about how they raised their money or where their money came from," Jackson said.

He pointed out that the PAC's spending was legal.

"As long as the laws are written the way they're written, that's just the way it is," he said.

POSSIBLE VIOLATION

Still, there are questions about whether the reporting of the RECAF contribution violated Maine law.

It is a criminal misdemeanor, or a civil violation punishable by a fine of up to \$500, for a Maine political action committee to accept a campaign contribution from one entity and report it in the name of another, according to Jonathan Wayne, executive director of the state ethics commission.

The same penalties apply to any false statement made in campaign disclosure reports. In this case, the address listed for RECAF is 170 N. State St. in La Verkin, Utah.

However, the entire 100 block of North State Street is occupied by Cross Creek Programs, a youth treatment center that sits on land owned by a partnership in Lichfield's name.

There is no sign for RECAF outside the Cross Creek complex, and no evidence of a street address at 170 N. State. People working at Cross Creek expressed bafflement when asked about RECAF.

After being told that the newspaper could not find any sign of RECAF Inc. at the Utah address reported to the state, Wayne said that he plans to write a letter to the GOP political action committee asking it to clarify whether the contributor's name and address were accurately reported, as state law requires.

"Based on what I've heard so far, I would say it sounds like a matter of concern," Wayne said.

The rationale behind disclosure requirements is straightforward: While every American has the right to spend their own money in political races, the public also has a right to know who's giving, since contributions often lead to political access.

"If you're hiding your identity and you're trying to make a political change occur, to me that's counter to a democracy," LaMarche said.

Even if the Maine ethics commission finds that the RECAF contribution was reported accurately, the case stands as an example of a larger phenomenon: money flowing through the gaps in campaign-finance restrictions.

Maine has a \$500 limit on individual contributions to gubernatorial candidates, but it is one of only 13 states that does not limit the size of contributions to political action committees. House Speaker Glenn Cummings, D-Portland, has filed a bill that would cap PAC contributions at \$7,500, though some believe that such a limit would simply lead to cash being routed through different channels.

"Money always finds the path of least resistance," said Massie Ritsch, a spokesman for the Center for Responsive Politics, a nonpartisan group in Washington, D.C., that tracks money in politics.

RECAF was not the only large out-of-state contributor during last year's race for governor. National labor unions made big contributions to Democratic political action committees,

getting around the cap on contributions to Baldacci's privately financed re-election campaign, and corporations gave large sums to the Republican PAC. Merrill, the independent candidate for governor in 2006, said these contributions expose what she believes is the biggest loophole in Maine's Clean Elections law: Parties can raise unlimited sums and spend that money in support of candidates who are barred from private fundraising.

Merrill blames the two major political parties for the current situation.

"I just think both of the parties have made a complete farce out of the Clean Elections law," she said.

-- Staff Researcher Julia McCue contributed to this report

Staff Writer Kevin Wack can be contacted at 791-6365 or at:

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Mutty: Diocese political donation not from the collection plate

By Rebekah Metzler, Staff Writer Sun Journal

Published: Jul 17, 2009 12:00 am

LEWISTON — In the face of recent firings at the Trinity Catholic School and the plans for closing two Catholic parishes in Lewiston, both due to declining revenue, the revelation that the Roman Catholic Diocese of Portland had spent \$100,000 on efforts to repeal the recently passed same-sex marriage law took some Catholics by surprise.

"I saw that \$100,000 figure in the paper and it was very demoralizing," said David Webbert, an Augusta lawyer, who for years attended Auburn's St. Philip's Church with his family and now occasionally attends in Winthrop.

But Marc Mutty, a leader of the group seeking to repeal the law who is on leave from his work at the diocese, said parishioners should know the donated funds were not taken from the collection plate.

"The money is dedicated revenues that were provided by a donor for causes such as these and money from the collection basket or any of those types of things would never be used," he said.

Mutty said he only had limited details regarding the origins of the donation.

"It's my understanding the money was left to the Portland diocese for defending church dogma or policy, that sort of thing. It wasn't specific to this particular issue. Our application to this issue was our choice, but it fell within the general parameters of the donor's request," he said.

Maine Catholics have a variety of opinions when it comes to same-sex marriage and the church's role in the repeal effort, Mutty said.

"It's a mixed bag, no question," he said. "We are looking to spend a fair amount of time in the months to come educating Catholics about this fundamental teaching of the church and societal implications."

For Webbert, who stopped attending St. Philip's regularly in part because of the pedophilia scandals, the church's position regarding same-sex marriage just doesn't make sense.

"The Catholic Church is right on a lot of important social justice issues but they are very wrong on that one," said Webbert, who testified in favor of the new law at the legislative public hearing earlier this year. "These teachings just don't hold up to intellectual thought. The key point is that the relationship is not defined by the gender of the people but it's defined by whether they love each other or not."

Webbert said his family still contributes to the international Catholic charities work, in part because he knows it doesn't go to fight issues like same-sex marriage.

Mutty said he understands why people get upset when they see that the diocese spent money on this issue, regardless of where the money actually came from.

"There's no question that some would say that it's a shame we have to spend this kind of money on this kind of issue when we should be spending it on the poor or those kinds of things," he said.

Many Catholics, however, are supportive of the church's efforts.

Peter Bolduc of Lewiston said he's actually sorry to agree with the diocese for once. Bolduc is a school board member at the Trinity Catholic Church currently circulating his own petition asking the diocese to give more power to his board over school decisions.

"The code or formula in which I have been raised definitely includes a man and a woman in the union and I am fully supportive of that; I don't see any other way that nature's great cycle continues or works," he said.

"Is it a good use of money compared to all the other battles that the church has to fight? I think it's one of the last bastions."

Mutty agreed.

"We believe it is a fundamental issue that speaks to the good of society and the best interests of society and once it is lost, it is lost forever," he said.

rmetzler@sunjournal.com

San Francisco Chronicle

Prop. 8 supporters want donors anonymous

Bob Egelko, Chronicle Staff Writer

Friday, January 9, 2009

Sponsors of California's voter-approved ban on same-sex marriage asked a federal judge Thursday to overturn state laws that require disclosure of the names and employers of campaign donors of \$100 or more, saying the laws invite harassment and chill free speech.

The mandatory disclosure of thousands of contributors to Proposition 8 on the secretary of state's Web site has led to numerous acts of vandalism, boycotts and even death threats, lawyers for the Prop. 8 campaign said in a suit filed in U.S. District Court in Sacramento.

"This harassment is made possible because of California's unconstitutional campaign finance disclosure rules as applied to ballot measure committees where even donors of as little as \$100 must have their names, home addresses and employers listed on public documents," said Ron Prentice, chairman of ProtectMarriage.com, the Yes on 8 committee.

The suit also seeks to eliminate all campaign disclosure requirements for ballot measures after an election - barring the state from requiring any additional contribution reports, and requiring officials to purge all pre-election reports from their public files.

Whatever legitimate need the state might have to collect and publish information on contributors to a ballot measure campaign "ceases to exist the moment the last ballot is cast," the lawsuit said.

Prop. 8, which overturned a state Supreme Court ruling in May allowing gays and lesbians to marry, passed Nov. 4 with 52 percent of the vote. Opponents have returned to court to try to overturn the measure, held angry demonstrations outside churches that provided crucial support to the campaign, and organized boycotts and other actions against prominent Prop. 8 donors.

Lawyers in Thursday's suit blamed state disclosure laws for exposing their contributors to retaliation.

"Citizens shouldn't have to choose between being involved in the democratic process and subjecting themselves to acts of vengeance," said attorney Tim Chandler of the Alliance Defense Fund, a Christian legal organization representing the Prop. 8 campaign.

But one supporter of the disclosure laws said they're worth the discomfort they sometimes cause for contributors.

"I think California's law does a good job balancing the right to anonymous free speech with voters' right to make informed decisions," said Kim Alexander, president of the nonprofit California Voter Foundation, which promotes online access to campaign finance information. "Voters need to follow the money and find out who's backing a campaign."

The leader of a group that has organized boycotts against major contributors to Prop. 8 said sponsors of the measure knew the disclosure rules when they were gathering signatures.

"They started this fight in 30 states by going to the ballot and winning," said Fred Karger, founder of an organization called Californians Against Hate. "Now the gay community is fighting back and seeing who gave the money. People are choosing who they want to give their business to ... Now they're (the Prop. 8 campaign) looking for sympathy."

Mandatory disclosure of campaign contributions has been a central feature of California political regulation since the 1970s. All donors of \$100 or more to state or local campaigns must be publicly identified, along with their address, occupation and employer.

A 1997 law requiring the information to be posted on a state Web site exempted donors' addresses, but those are available at the secretary of state's office and sometimes can be gleaned from other sources.

The U.S. Supreme Court upheld mandatory campaign disclosure laws in 1976, including a requirement to identify donors of as little as \$10. That ruling cited the public's need to know about possible sources of corruption of political candidates, but comparable reasons also support disclosure of contributors to ballot measures, said Richard Hasen, a professor at Loyola Law School in Los Angeles and an authority on election law.

"If I hear that a ballot measure is being funded by Exxon or backed by the Sierra Club, that may be all I need to know to decide how to vote," he said.

Even after an election, Hasen said, contribution reports may reveal political corruption, allow researchers to study campaign financing and suggest ways to improve it, as well as provide a check on the truthfulness of campaign committees.

On the other hand, he said, organizations like the Prop. 8 committee may have a case for exemption from disclosure under a 1982 Supreme Court ruling that allowed the Socialist Workers Party to conceal its contributors because of past attacks and threats.

Lawyers in Thursday's suit cited the Socialist Workers case in seeking court orders that would excuse Prop. 8 supporters from filing a report of donors of \$100 or more on Jan. 31 and require the state to remove any pre-election financial disclosure reports from the public records.

Recent months have demonstrated a "pattern of hostility directed at persons because of their support" of Prop. 8, the suit said. "The threats, harassment and reprisals ... are a direct result of (the state law's) disclosure requirements."

E-mail Bob Egelko at begeiko@sfnonline.com.

Revised 06/08

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

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**INDEPENDENT EXPENDITURE
BY AN INDIVIDUAL OR PERMANENT ORGANIZATION WITHOUT PRIOR
APPROVAL OR COORDINATION WITH A CANDIDATE OR COMMITTEE**

Iowa Code section 68A.404 requires an individual or organization that expends in excess of \$100 in the aggregate to expressly advocate the nomination, election, or defeat of a candidate or the passage or defeat of a ballot issue to file a statement within 48 hours of the independent expenditure. This form is intended to serve those purposes.

ORGANIZATION OR INDIVIDUAL MAKING EXPENDITURE:

National Organization for Marriage	
Name	1100 H Street, NW, Suite 700
Mailing Address	Washington, D.C. 20005
	City, State, Zip Code
	1100 H Street, NW, Suite 700
	(888) 894-3604
Email Address (Optional)	Area Code & Telephone No

CONTACT PERSON FOR THE ORGANIZATION (IF APPLICABLE):

Brian S. Brown, Executive Director	
Name	1100 H Street, NW, Suite 700
Mailing Address	Washington, D.C. 20005
	City, State, Zip
	(888) 894-3604
Email Address (Optional)	Area Code & Telephone Number

COMMITTEE BENEFITING FROM THE EXPENDITURE (IF APPLICABLE):

Stephen Burgmeier for Iowa	August 19, 2009	\$ 86080.00
Name of Committee	Date of Expenditure	Amount (fair market)
2213 Wintergreen Blvd. Lockridge, IA 52635	For Candidate	
Mailing Address	Position of Communication (for or against candidate or ballot issue)	
stephenburgmeier@gmail.com 319-696-3791	Television and Radio Ads	
Email Address (if available)	Description of Communication	
Area Code & Telephone Number		
Criteria to use this form:		
1. One or more independent expenditures in excess of \$100 in the aggregate to advocate for or against a candidate or ballot issue		
2. Expenditure was made without prior approval or coordination with a candidate, candidate's committee or ballot issue committee.		
3. The individual or individuals making the expenditure are not a candidate, candidate's committee, or other committee.		

THIS FORM MUST BE FILED WITHIN 48 HOURS OF THE EXPENDITURE. FOR THIS PURPOSE, "DATE OF THE EXPENDITURE" IS THE DATE THE COST IS INCURRED.

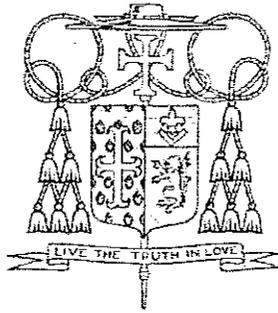
Persons making an independent expenditure shall also comply with the attribution requirement of Iowa Code section 68A.405.

Statement of Affirmation:

I, Brian S. Brown affirm that the independent expenditure reported above is accurate. I also affirm that this expenditure was made without the prior approval or in coordination with the benefiting committee. I understand that by filing this form, I am subject to the campaign laws in Iowa Code chapter 68A and administrative rules in chapter 351. I also understand that the failure to timely file this form leads to the imposition of civil penalties and the intentional failure to file the form may lead to additional civil and criminal sanctions.

Brian S. Brown
Signature

8/20/2009
Date



DIOCESE OF PORTLAND
OFFICE OF THE BISHOP

November 2008

My Dear Friends in Christ:

I am pleased to present this Annual Summary Report on the finances and operations of the Diocese of Portland for the twelve months ending June 30, 2008.

This report is intended to provide a better understanding of how the Church in Maine is a steward of the resources entrusted to her for the ongoing mission of Christ's work, and to express our gratitude to all whose personal stewardship of their gifts of time, talent and treasure make this work possible.

It is the generosity of the Catholic faithful in Maine that enables the Church to function at both the parish and diocesan levels. I am deeply grateful to all who contribute to the support of their parish, to the annual Bishop's Appeal, and to the needs of the Church in the rest of America and around the world.

We are blessed by the work of the devoted men and women on our Diocesan Finance Council who share their professional expertise and independent judgment for the management of the resources of the diocese. Likewise, the staff of the Diocesan Finance Office works diligently to ensure that the gifts you offer are used effectively and responsibly.

The mission of the Church, which is to evangelize, continues to move forward; however, we do so with a special awareness of the challenging economic times faced by everyone. More than ever, I am confident that the Lord is calling upon all of us to carry out his mission by sharing the Good News of salvation with all people through education, worship, and works of charity and justice.

We are blessed by the generosity of hundreds of parishioners who collaborate with their priests to better fulfill their respective vocations and ministries through the gifts that they offer. I thank God that together we can move forward in a spirit of profound hope and trust because of Maine Catholics committed to living as faithful disciples of our Lord.

May God bless you with His peace. Please know that you are in my prayers.

Yours sincerely in Christ,

(Signature Omitted for Security Purposes)

Most Reverend Richard J. Malone
Bishop of Portland

MESSAGE FROM THE DIOCESAN FINANCE COUNCIL

We are pleased to present you with this summary financial report for the Roman Catholic Diocese of Portland (including its parishes, schools and cemeteries) for the fiscal year ended June 30, 2008.

The Diocese of Portland Finance Council is one of the three major councils of the diocese, along with the Presbyteral Council and the Pastoral Council. It is a body required by canon law, established by the Bishop. Its membership consists of the Bishop, the Moderator of the Curia, the Chancellor and ten lay people with professional backgrounds in areas such as civil law, finance, fundraising, media, investments, insurance and real estate. Its purpose is to advise the Bishop on the development and implementation of strategies designed to ensure the financial soundness of the diocese, oversee (but not manage) diocesan financial operations and condition, and assist the Bishop in achieving openness and transparency in diocesan financial reporting. Consistent with these responsibilities, the Finance Council makes specific recommendations to the Bishop on policies, procedures and actions, and will monitor the implementation of recommendations that have been accepted by the Bishop.

(Signature Omitted for Security Purposes)

Peter Verrill, Finance Council Chair

The Finance Council has an Audit & Budget Committee of five lay people. Committee members are knowledgeable and experienced in accounting, auditing and financial management. The principal responsibilities of the Committee are to oversee development of the diocesan budget, monitor compliance with financial policies and to direct the annual audit process.

The Audit & Budget Committee meets with independent outside auditors to plan the scope of their annual examination of diocesan finances. At the completion of the audit, the Committee reviews with them their findings and recommendations. It also meets with the diocesan internal auditor to assure that internal audits of parishes, schools and cemeteries are adequately performed. The Committee reports the results of these meetings to the Finance Council and any action that may be called for to ensure sound financial accounting and management.

At all meetings we encourage open and frank discussions with everyone involved, and we are grateful for the commitment and level of participation of our members.

(Signature Omitted for Security Purposes)

Mary Arnold, Audit/Budget Committee

MESSAGE FROM THE FINANCE OFFICER

Overall, I would characterize Fiscal Year 2008 as a satisfactory year from a financial standpoint. Though the fiscal year started out strong, the turmoil in world financial markets dampened results later in the year. Total operating revenue was up only 1.8%. Parish offertory increased but not at a pace to fund programs at past, not to mention desired, levels. We worked effectively to hold operating expenses marginally above last year despite increasing fuel costs. Unfortunately, this caused us to curtail certain ministries.

The challenge we face as we move to a cluster structure is to make best use of our current resources and to increase them to meet new needs and opportunities. Revenue has increased in recent years because those who give have given more. Church attendance is down and, fortunately, those in attendance have been generous. Reliance on professional lay staff will continue to increase as the number of priests declines. The number of active diocesan priests is now in the low to mid sixties. We had not anticipated reaching that level until 2010. Providing adequate compensation for lay professional staff is a challenge that must be met.

Net revenue from operations reached \$11.9 million. However, a substantial portion of that amount can be attributed to sale of property, sale of investments and insurance company reimbursement for claims. Much of the net operating revenue was erased by property expenditures and an unrealized loss on investments of \$7.5 million, resulting from deteriorating financial market conditions toward the end of the year. Net assets increased by about \$900,000.

Costs for Sexual Abuse

The cost of sexual abuse is still with us. During Fiscal Year 2008, total costs were \$348,200 for settlements, victim assistance, victim counseling and legal expense. Of that amount, \$129,900 was for settlements. Of the \$348,200, \$274,000 was paid by the insurance program. The remaining balance, the vast majority being for victim assistance, was paid from diocesan reserves and investment income.

The Financial Statements

The Diocese of Portland operates under civil law as the Roman Catholic Bishop of Portland, a Corporation Sole. This Corporation includes all parish, parish school, parish cemetery and Chancery assets. It does not include separately incorporated entities such as Catholic Charities Maine or entities operated by religious communities.

A Combined Statement of Financial Position is shown in Exhibit I on the next page. Approximately 60% of the assets shown are parish assets. Though investment assets declined in value by more than \$5.4 million (net of \$7.5 million in unrealized losses and \$2.1 million in realized gains), the overall balance declined only slightly due to the influx of new money. Poor investment performance also caused an increase in the accrued pension obligation.

The Combined Statement of Activities shown in Exhibit II depicts the revenues and expenses for the diocese. Parish revenues and expenses comprise the bulk of diocesan revenues and expenses (approximately 90% of both). One can see the net operating revenue of \$11.9 million and the \$7.5 million unrealized loss on investments.

Property and equipment expenditures have such a large impact because the diocese does not capitalize and depreciate fixed assets. Property and equipment additions are immediately expensed. If the diocese were to depreciate (spread the expense over the assets' useful lives) those assets, current expense would be radically reduced and the change in Net Assets would be less.

Exhibit 3 provides some insight into the size of Chancery operations. Sources of revenue and functional expenses are depicted.

Commitment to Accountability

Our resources are provided through the generosity of the faithful. In return we must be accountable for the use of those resources. It is our intention to continue publishing similar information on an annual basis. I hope that this financial report is informative.

(Signature Omitted for Security Purposes)

David P. Twomey
Finance Officer

Exhibit 1: Combined Statement of Financial Position for the Roman Catholic Bishop of Portland, a Corporation Sole, for the years ended June 30, 2008 and 2007

	<u>ASSETS</u>	2008	2007
Assets			
Cash and cash equivalents		11,304,180	10,549,204
Investments		86,369,100	87,484,281
Due from affiliated organizations		735,645	686,093
Pledges receivable, net of reserve for uncollectible pledges		1,616,714	2,531,116
Accounts receivable		2,025,494	4,057,309
Accrued investment income		125,741	147,018
Other assets		1,616,405	1,215,215
Beneficial interests in trusts held by others		5,128,791	2,996,373
Total assets		108,922,070	109,666,609

LIABILITIES AND NET ASSETS

	2008	2007
Liabilities		
Accounts payable and accrued expenses	3,061,234	3,760,976
Other liabilities	1,859,300	2,266,433
Insurance claims payable	2,567,731	3,824,110
Reserve for insurance claims incurred but not reported	2,193,636	1,776,281
Accrued pension obligations	6,717,290	4,630,114
Accrued other postretirement benefits	9,870,917	11,022,568
Deferred revenue	1,728,381	2,385,746
Savings and loan deposits	<u>10,812</u>	<u>10,898</u>
Total liabilities	28,009,301	29,677,126
Net assets		
Unrestricted	28,869,876	27,831,323
Unrestricted - designated	1,399,772	1,375,545
Unrestricted - limited in use - cemetery perpetual care	10,921,446	10,365,331
Temporarily restricted	29,372,770	33,009,427
Permanently restricted	<u>10,348,905</u>	<u>7,407,857</u>
Total net assets	80,912,769	79,989,483
Total liabilities and net assets	108,922,070	109,666,609

(Management Compiled)

FINANCIAL INFORMATION

Exhibit 2: Combined Statement of Activities for the Roman Catholic Bishop of Portland, for the years ended June 30, 2008 and 2007

	2008	2007
Oper. revenues and support:		
Collections - freewill offerings	30,146,305	29,841,038
Capital campaign contributions	965,752	1,499,694
Other contributions and bequests	6,582,969	6,445,629
Interest and dividends	4,083,958	3,453,377
Parochial school revenue	15,065,933	14,193,903
Religious education revenues	724,984	376,468
Cemetery operating revenues	1,933,113	2,141,482
Charges for insurance to affiliates	1,369,580	1,906,882
Proceeds from sale of property	1,974,615	1,113,444
Gain/(loss) on sale of investments	2,159,935	1,666,212
Parish fundraising events	1,982,075	1,834,802
Rental income	413,339	591,742
Other revenue	<u>3,990,497</u>	<u>5,096,027</u>
Total operating revenue	71,392,055	70,160,700
Expenses:		
Program services:		
Pastoral	20,648,149	20,311,524
Educational	21,270,136	20,813,531
Social services	1,476,585	1,398,361
Religious pers. development	579,367	698,895
Cemeteries	1,968,363	2,415,690
Other	<u>674,161</u>	<u>587,163</u>
Total program services	46,616,761	46,225,164
Supporting services:		
General and administration	3,805,103	3,434,438
Insurance expense -	4,459,560	3,255,296
Insurance expense - health	4,119,883	4,935,475
Fundraising expenses	<u>457,345</u>	<u>367,741</u>
Total supporting services	12,841,991	11,992,950
Total expenses	59,458,552	58,218,114
Excess (deficiency) of revenue	11,933,403	11,942,586
Pension/health liability	155,059	(2,107,287)
Property and equipment	(3,633,221)	(4,829,637)
Unrealized gain/(loss) on investments	<u>(7,531,955)</u>	<u>5,988,093</u>
Change in unrestricted net assets	923,286	10,993,755
Net assets July 1, 2007	79,989,483	68,995,728
Net assets June 30, 2008	80,912,769	79,989,483

(Management Compiled)

Exhibit 3: Diocesan Statement of Activities for All Diocesan Departments for the years ended June 30, 2008 and 2007

	2008	2007
Revenues:		
Parish Assessments	1,857,807	1,807,643
Bishop's Appeal	3,432,052	3,545,178
Restricted Income	492,137	542,280
Trust Funds	738,384	725,108
Insurance Income	598,650	532,219
Investment Income	<u>285,509</u>	<u>172,881</u>
Total Revenue	7,404,539	7,325,309
Expenses:		
Chancellor's Office	404,170	456,514
Pastoral Planning	133,397	93,176
Catholic Schools	756,740	802,155
Finance	594,189	469,152
Property Management	50,256	59,630
Catechetics	298,481	278,635
Tribunal	220,678	226,241
Youth Ministry	239,241	228,080
Clergy Health & Pension	573,693	563,721
Indian Missions	71,130	84,416
Communications & Public Policy	471,018	481,504
Clergy Education & Development	122,749	160,975
Clergy Relief	239,822	216,718
Diocesan Charities	37,079	43,217
Counseling & Support	35,334	42,526
Bahamas Mission	12,000	12,000
Christian Life Center	21,700	21,700
Development	310,107	315,253
Parish Support	126,898	133,683
Hospital Chaplains	152,068	166,282
Campus Ministry	107,920	107,344
St. Andrew's Home	40,000	40,000
Catholic Charities Maine	813,206	813,206
Resource Center	47,066	49,933
Stewardship	64,663	63,957
Vocation Development & Seminarian Education	448,646	561,453
Hispanic Ministry	46,947	45,349
Risk Management	292,994	253,946
Safe Environment	235,600	209,207
Prof Responsibility	70,056	69,066
USCCB Assessment	<u>47,020</u>	<u>52,765</u>
Total Expenses	7,984,868	7,121,804
Excess of Revenue Over Expenses	319,671	203,505

(Management Compiled)

CHAPTER 13
CAMPAIGN REPORTS AND FINANCES

SUBCHAPTER I
GENERAL PROVISIONS

21A § 1001. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

- 1. Commission.** "Commission" means the Commission on Governmental Ethics and Election Practices established under Title 1, section 1002.
- 2. Election.** "Election" means any primary, general or special election for state, county or municipal offices as defined in Title 30-A, section 2502, subsection 1.
- 3. Person.** "Person" means an individual, committee, firm, partnership, corporation, association or organization.

21A § 1002. Meetings of commission

(REPEALED)

1. Meeting schedule. The commission shall meet in Augusta for the purposes of this chapter at least once per month in any year in which primary and general elections are held and every two weeks in the 60 days preceding an election. In the 28 days preceding an election, the commission shall meet in Augusta within one calendar day of the filing of any complaint or question with the commission. Agenda items in the 28 days preceding an election must be decided within 24 hours of the filing unless all parties involved agree otherwise.

2. Telephone meetings. The commission may hold meetings over the telephone if necessary, as long as the commission provides notice to all affected parties in accordance with the rules of the commission and the commission's office remains open for attendance by complainants, witnesses, the press and other members of the public. Notwithstanding Title 1, chapter 13, telephone meetings of the commission are permitted:

- A. During the 28 days prior to an election when the commission is required to meet within 24 hours of the filing of any complaint or question with the commission; or
- B. To address procedural or logistical issues before a monthly meeting, such as the scheduling of meetings, deadlines for parties' submission of written materials, setting of meeting agenda, requests to postpone or reschedule agenda items, issuing subpoenas for documents or witnesses and recusal of commission members.

3. Other meetings. The commission shall meet at other times on the call of the Secretary of State, the President of the Senate, the Speaker of the House or the chair or a majority of the members of the commission, as long as all members are notified of the time, place and purpose of the meeting at least 24 hours in advance.

4. Office hours before election. The commission office must be open with adequate staff resources available to respond to inquiries and receive complaints from 8 a.m. until at least 5:30 p.m. on the Saturday, Sunday and Monday immediately preceding an election, and from 8 a.m. until at least 8 p.m. on election day.

21A § 1003. Investigations by commission

1. Investigations. The Commission may undertake audits and investigations to determine the facts concerning the registration of a candidate, treasurer, political committee or political action committee and contributions by or to and expenditures by a person, candidate, treasurer, political committee or political action committee. For this purpose, the Commission may subpoena witnesses and records and take evidence under oath. A person or political action committee that fails to obey the lawful subpoena of the Commission or to testify before it under oath must be punished by the Superior Court for contempt upon application by the Attorney General on behalf of the Commission.

2. Investigations requested. A person may apply in writing to the Commission requesting an investigation concerning the registration of a candidate, treasurer, political committee or political action committee and contributions by or to and expenditures by a person, candidate, treasurer, political committee or political action committee. The Commission shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.

2-A. Confidentiality. (REPEALED)

3. State Auditor. The State Auditor shall assist the Commission in making investigations and in other phases of the Commission's duties under this chapter, as requested by the Commission, and has all necessary powers to carry out these responsibilities.

3-A. Confidential records. Investigative working papers of the commission are confidential and may not be disclosed to any person except the members and staff of the commission, the subject of the audit or investigation, other entities as necessary for the conduct of an audit or investigation and law enforcement and other agencies for purposes of reporting, investigating or prosecuting a criminal or civil violation. For purposes of this subsection, "investigative working papers" means documents, records and other printed or electronic information in the following limited categories that are acquired, prepared or maintained by the commission during the conduct of an investigation or audit:

- A. Financial information not normally available to the public;
- B. Information belonging to a party committee, political action committee, ballot question committee, candidate or candidate's authorized committee, that if disclosed, would reveal sensitive political or campaign information;

- C. Information or records subject to a privilege against discovery or use as evidence; and
- D. Intra-agency or interagency communications related to an audit or investigation.

4. Attorney General. Upon the request of the Commission, the Attorney General shall aid in any investigation, provide advice, examine any witnesses before the Commission or otherwise assist the Commission in the performance of its duties. The Commission shall refer any apparent violations of this chapter to the Attorney General for prosecution.

21A § 1004. Violations

The violation of any of the following subsections is a Class E crime.

1. Contributions and expenditures. A person, candidate, treasurer, political committee or political action committee may not knowingly make or accept any contribution or make any expenditure in violation of this chapter.

2. False statements. No person, candidate, treasurer or political action committee may make a false statement in any report required by this chapter.

3. Contributions in another's name. No person may make a contribution in the name of another person or knowingly permit his name to be used to accomplish such a contribution, and no person may knowingly accept a contribution made by one person in the name of another person.

4. Registration; political action committees. No political action committee required to be registered under section 1053 may operate in this State unless it is so registered.

21-A § 1004-A. Penalties

The commission may assess the following penalties in addition to the other monetary sanctions authorized in this chapter.

1. Late campaign finance report. A person that files a late campaign finance report containing no contributions or expenditures may be assessed a penalty of no more than \$100.

2. Contribution in excess of limitations. A person that accepts or makes a contribution that exceeds the limitations set out in section 1015, subsections 1 and 2 may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.

3. Contribution in name of another person. A person that makes a contribution in the name of another person, or that knowingly accepts a contribution made by one person in the name of another person, may be assessed a penalty not to exceed \$5,000.

4. Substantial misreporting. A person that files a campaign finance report that substantially misreports contributions, expenditures or other campaign activity may be assessed a penalty not to exceed \$5,000.

5. Material false statements. A person that makes a material false statement or that makes a statement that includes a material misrepresentation in a document that is required to be submitted to the commission, or that is submitted in response to a request by the commission, may be assessed a penalty not to exceed \$5,000.

When the commission has reason to believe that a violation has occurred, the commission shall provide written notice to the candidate, party committee, political action committee, committee treasurer or other respondent and shall afford them an opportunity to appear before the commission before assessing any penalty. In determining any penalty under subsections 3, 4 and 5, the commission shall consider, among other things, the level of intent to mislead, the penalty necessary to deter similar misconduct in the future and the harm suffered by the public from the incorrect disclosure.

21-A § 1005 Restrictions on commercial use of contributor information

Information concerning contributors contained in campaign finance reports filed by candidates, political action committees and party committees and reports filed under section 1056-B may not be used for any commercial purpose, including, but not limited to, the sales and marketing of products and services, or for solicitations of any kind not directly related to activities of a political party, so-called "get out the vote" efforts or activities directly related to a campaign as defined in section 1052. Any person obtaining contributor information from the reports is prohibited from selling or distributing it to others to use for commercial purposes and also is prohibited from making publicly available the mailing addresses of contributors. This section does not prohibit a political party, party committee, candidate committee, political action committee or any other organization that has obtained contributor information from the commission from providing access to such information to its members for purposes directly related to party activities, so-called "get out the vote" efforts or a campaign as defined in section 1052. A person who violates this section is subject to a fine of up to \$5,000. A person who knowingly violates this section commits a Class E crime.

SUBCHAPTER IV

REPORTS BY POLITICAL ACTION COMMITTEES

21A § 1051. Application

This subchapter applies to the activities of political action committees organized in and outside this State that accept contributions, incur obligations or make expenditures for the election of state, county or municipal officers, or for the support or defeat of any campaign, as defined in this subchapter.

This subchapter does not apply to any broadcast time concerning any referendum campaign, as defined in section 1, subsection 36, which is provided by a broadcaster in accordance with the requirements of the Federal Communications Act, United States Code, Title 47, Section 315, generally referred to as the "Fairness Doctrine."

21A § 1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Campaign. "Campaign" means any course of activities for a specific purpose such as the initiation, promotion or defeat of a candidate or question, including:

- A. The referendum procedure under the Constitution of Maine, Article IV, Part Third, Section 17;
- B. The initiative procedure under the Constitution of Maine, Article IV, Part Third, Section 18;
- C. An amendment to the Constitution of Maine under Article X, Section 4;
- D. Legislation expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;
- E. The ratification of the issue of bonds by the State or any agency thereof; and
- F. Any county or municipal referendum.

2. Committee. "Committee" means any political action committee, as defined in this subchapter, and includes any agent of a political action committee.

3. Contribution. "Contribution" includes:

- A. A gift, subscription, loan, advance or deposit of money or anything of value made to a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business is not included;
- B. A contract, promise or agreement, expressed or implied whether or not legally enforceable, to make a contribution to a political action committee;

C. Any funds received by a political action committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of promoting, defeating or initiating a candidate, referendum, political party or initiative, including the collection of signatures for a direct initiative, in this State; or

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a political action committee which is used by the political action committee to promote, defeat or initiate a candidate, campaign political party, referendum or initiated petition in this State.

4. Expenditure. The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination or election of any person to political office; or for the initiation, support or defeat of a campaign, referendum or initiative, including the collection of signatures for a direct initiative, in this State;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and

(3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or candidate's immediate family;

(2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$100 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election; and

(6) Any communication by any political action committee member that is not made for the purpose of influencing the nomination for election, or election, of any person to state or county office.

5. Political action committee. The term "political action committee:"

A. Includes:

- (1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to influence the outcome of an election, including a candidate election or ballot question;
- (2) **(REPEALED)**
- (3) **(REPEALED)**
- (4) Any organization, including any corporation or association, that has as its major purpose initiating, promoting, defeating or influencing a candidate election, campaign or ballot question and that spends more than \$1,500 in a calendar year for that purpose, including for the collection of signatures for a direct initiative or referendum in this State; and
- (5) Any organization that does not have as its major purpose promoting, defeating or influencing candidate elections but that spends more than \$5,000 in a calendar year for the purpose of promoting, defeating or influencing in any way the nomination or election of any candidate to political office.

B. Does not include:

- (1) A candidate or a candidate's treasurer under section 1013-A, subsection 1;
- (2) A candidate's authorized political committee under section 1013-A, subsection 2; or
- (3) A party committee under section 1013-A, subsection 3.

21A § 1053. Registration

Every political action committee, as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (4) that makes expenditures in the aggregate in excess of \$1,500 and every political action committee, as defined under section 1052, subsection 5, paragraph A, subparagraph (5), that makes expenditures in the aggregate in excess of \$5,000 must register with the Commission within 7 days of exceeding the applicable amount on forms prescribed by the Commission. These forms must include the following information and any additional information reasonably required by the Commission to monitor the activities of political action committees in this State under this subchapter:

1. Identification of committee. The names and mailing addresses of the committee, its treasurer, its principal officers, the names of any candidates and Legislators who have a significant role in fund raising or decision-making for the committee and all individuals who are the primary fund-raisers and decision makers for the committee;

2. Form of organization. The form or structure of organization, including cooperatives, corporations, voluntary associations, partnerships or any other structure by which the committee functions. The date of origin or incorporation must also be specified; and

3. Statement of support or opposition. A statement indicating the positions of the committee, support or opposition, with respect to a candidate, political committee, referendum, initiated petition or campaign, if known at the time of registration. If a committee has no position on a candidate, campaign or issue at the time of registration, the committee must inform the Commission as soon as the committee knows this information.

Every change in information required by this section must be included in an amended registration form submitted to the Commission within ten (10) days of the date of the change. The committee must file an updated registration form every two (2) years between January 1st and March 1st of an election year. The commission may waive the updated registration requirement for newly registered political action committees or other registered political action committees if it determines that the requirement would cause an administrative burden disproportionate to the public benefit of updated information.

At the time of registration, the political action committee shall file an initial campaign finance report disclosing all information required by section 1060.

21A § 1054. Appointment of treasurer

Any political action committee required to register under section 1053 must appoint a treasurer before registering with the commission. The treasurer shall retain, for a minimum of four (4) years, all receipts, including cancelled checks, of expenditures made in support of or in opposition to a campaign, political committee, political action committee, referendum or initiated petition in this State.

21A § 1055. Publication or distribution of political communications

A political action committee that makes an expenditure to finance a communication expressly advocating the election or defeat of a candidate or that names or depicts a clearly identified candidate is subject to the requirements of section 1014.

21A § 1056. Expenditure limitations

Any committee required to register under this chapter shall comply with the following expenditure limitations.

1. Aggregate expenditures. A committee may not make contributions in support of the candidacy of one person aggregating more than \$500 in any election for a gubernatorial candidate, or \$250 in any election for any other candidate.

2. Prohibited expenditures. No committee may make any expenditure for liquor to be distributed to or consumed by voters while the polls are open on election day.

21A § 1056-A. Expenditures by political action committees

A political action committee shall report all expenditures in cash or in kind made by the committee.

21A § 1056-B. Reports of contributions and expenditures by persons

Any person not defined as a political action committee who solicits and receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a report with the Commission. In the case of a municipal election, a copy of the same information must be filed with the clerk of that municipality. Within seven days of receiving contributions or making expenditures that exceed \$5,000, the person shall register with the Commission as a ballot question committee. For the purposes of this section, expenditures include paid staff time spent for the purpose of influencing in any way a ballot question. The Commission must prescribe forms for the registration, and the forms must include specification of a treasurer for the committee, any other principal officers and all individuals who are the primary fund-raisers and decision makers for the committee.

1. Filing requirements. A report required by this section must be filed with the Commission according to a reporting schedule that the Commission shall establish that takes into consideration existing campaign finance reporting schedule requirements in section 1059.

2. Content. A report must contain an itemized account of each expenditure made to and contribution received from a single source aggregating in excess of \$100 in any election; the date of each contribution; the date and purpose of each expenditure; and the name and address of each contributor, payee or creditor. The filer is required to report only those contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and only those expenditures made for those purposes. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

2.A. Contributions. For the purposes of this section, "contribution" includes, but is not limited to:

- A. Funds that the contributor specified were given in connection with a ballot question;
- B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;
- C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient's activities regarding a ballot question; and
- D. Funds or transfers from the general treasury of an organization filing a ballot question report.

3. Forms. A report required by this section must be on a form prescribed and prepared by the Commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

4. Records. A person filing a report required by this section shall keep records as required by this subsection for one year following the election to which the records pertain.

A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and all expenditures made for those purposes.

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

21A § 1057. Records

Any political action committee that makes expenditures which aggregate in excess of \$50 to any one or more candidates, committees or campaigns in this State shall keep records as provided in this section. Records required to be kept under subsections 1, 2 and 3 shall be retained by the political action committee until ten (10) days after the next election following the election to which the records pertain.

1. Details of records. The treasurer of a political action committee must record a detailed account of:

- A. All expenditures made to or in behalf of a candidate, campaign or committee;
- B. The identity and address of each candidate, campaign or committee;
- C. The office sought by a candidate and the district he seeks to represent, for candidates which a political action committee has made an expenditure to or in behalf of; and
- D. The date of each expenditure.

2. Receipts. The treasurer of a political action committee must retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

3. Record of contributions. The treasurer of a political action committee must keep a record of all contributions to the committee, by name and mailing address, of each donor and the amount and date of the contribution. This provision does not apply to aggregate contributions from a single donor of \$50 or less for an election or referendum campaign. When any donor's contributions to a political action committee exceed \$50, the record must include the aggregate amount of all contributions from that donor.

21A § 1058. Reports; qualifications for filing

A political action committee that is required to register with the Commission shall file a report on its activities in that campaign with the Commission on forms as prescribed by the Commission. A political action committee organized in this State required under this section to file a report shall file the report for each filing period under section 1059. A political action committee organized outside this State shall file with the Commission on Governmental Ethics and Election Practices of this State a copy of the report that the political action committee is required to file in the state in which the political action committee is organized. The political action committee shall file the copy only if it has expended funds or received contributions or made expenditures in this State. The copy of the report must be filed in accordance with the schedule of filing in the state where it is organized. If contributions or expenditures are made relating to a municipal office or referendum, the report must be filed with the clerk in the subject municipality.

21A § 1059. Report; filing requirements

Committees required to register under section 1053 shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the filing deadline.

1. Contents; quarterly reports and election year reports. (REPEALED)

2. Reporting schedule. Committees shall file reports according to the following schedule.

A. Quarterly reports must be filed:

- (1) On January 15th and must be complete as of January 5th;
- (2) On April 10th and must be complete as of March 31st;
- (3) On July 15th and must be complete as of July 5th; and
- (4) On October 10th and must be complete as of September 30th.

B. General and primary election reports must be filed:

- (1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date.

C. Reports of spending to influence special elections, referenda, initiatives, bond issues or constitutional amendments must be filed:

- (1) On the 11th day before the date on which the election is held and must be complete as of the 14th day before that date; and
- (2) On the 42nd day after the date on which the election is held and must be complete as of the 35th day after that date.

D. A committee that files an election report under paragraph B or C is not required to file a quarterly report when the deadline for that quarterly report falls within ten (10) days of the filing deadline established in paragraph B or C.

E. A committee shall report any expenditure of \$500 or more made after the 14th day before the election and more than 24 hours before 5:00 p.m. on the day of the election within 24 hours of that expenditure.

3. Report of expenditures made after the 11th day and more than 48 hours before any election. (REPEALED)

4. Special election reports. (REPEALED)

5. Electronic filing. Committees shall file each report required by this section through an electronic filing system developed by the Commission. The Commission may make an exception to this electronic filing requirement if a committee submits a written request that states that the committee lacks access to the technology or the technological ability to file reports electronically. The request for an exception must be submitted within 30 days of the registration of the committee. The Commission shall grant all reasonable requests for exceptions.

21A § 1060. Content of reports

The reports must contain the following information and any additional information required by the Commission to monitor the activities of political action committees:

1. Identification of candidates. The names of and offices sought by all candidates whom the committee supports, intends to support or seeks to defeat;

2. Identification of committees; parties. The names of all political committees or party committees supported in any way by the committee;

3. Identification of referendum or initiated petition. The referenda or initiated petitions that the committee supports or opposes;

4. Itemized expenditures. An itemization of each expenditure made on behalf of any candidate, campaign, political committee, political action committee and party committee or to support or oppose a referendum or initiated petition, including the date, payee and purpose of the expenditure; the name of each candidate, campaign, political committee, political action committee or party committee on whose behalf the expenditure was made; and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition, including, but not limited to, expenditures made during the signature-gathering phase; the reason for the expenditure; and the date of the expenditure. The Commission may specify the categories of expenditures that are to be reported to enable the Commission to closely monitor the activities of political action committees;

5. Aggregate expenditures. An aggregation of expenditures and cumulative aggregation of expenditures to a candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition;

6. Identification of contributions. Names, occupations, places of business and mailing addresses of contributors who have given more than \$50 to the political action committee in the reporting period and the amount and date of each contribution, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those contributions made to the organization for the purpose of promoting, defeating or influencing a ballot question or the nomination or election of a candidate to political office and all transfers to or funds used to support the political action committee from the general treasury of the organization; and

7. Other expenditures. Operational expenses and other expenditures in cash or in kind that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of promoting, defeating or influencing a ballot question or the nomination or election of a candidate to political office.

21A § 1061. Dissolution of committees

Whenever any political action committee determines that it will no longer solicit or accept any contributions, incur any obligations, make any expenditures to or on behalf of any candidate, political committee, party committee or political action committee to initiate, support, defeat or influence in any way the outcome of a referendum, initiated petition or election and the committee has no outstanding loans, debts or other obligations, the committee shall file a termination report that includes all financial activity from the end date of the previous reporting period through the date of termination with the commission. If a termination report is not filed, the committee shall continue to file periodic reports as required in this chapter.

21A § 1062. Failure to file on time (REPEALED)

21A § 1062-A. Failure to file on time

1. Registration. A political action committee required to register under section 1053 that fails to do so in accordance with section 1053 or that fails to provide the information required by the Commission for registration may be assessed a forfeiture of \$250.

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the Commission by 11:59 p.m. on the date it is due. Except as provided in subsection 6, the Commission shall determine whether a required report satisfies the requirements for timely filing. The Commission may waive a penalty if it is disproportionate to the level of experience of the person filing the report or to the harm suffered by the public from the late disclosure. The Commission may

(3) January 15th and be complete as of December 31st.

Sec. A-13. 21-A MRSA §1020-A, sub-§2, as amended by PL 2007, c. 443, Pt. A, §21, is further amended to read:

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 7, the commission shall determine whether a report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if the commission determines that the penalty is disproportionate to the size of the candidate's campaign, the level of experience of the candidate, treasurer or campaign staff or the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff;
- C. Failure to receive notice of the filing deadline; or
- D. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

Sec. A-14. 21-A MRSA §1020-A, sub-§5-A, ¶A, as amended by PL 2003, c. 448, §4, is further amended to read:

- A. Five thousand dollars for reports required under section 1017, subsection 2, paragraph B, C, D, E or H; section 1017, subsection 3-A, paragraph B, C, D, D-1 or F; section 1017, subsection 4; and section 1019-B, subsection 3;

Sec. A-15. 21-A MRSA §1051, 2nd ¶, as enacted by PL 1987, c. 280, is repealed.

Sec. A-16. 21-A MRSA §1052, sub-§5, ¶A, as amended by PL 2007, c. 477, §2, is further amended to read:

A. Includes:

(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization whose purpose is to influence the outcome of an election, including a candidate election or ballot question;

(4) Any organization, including any corporation or association, that has as its major purpose initiating, promoting, defeating or influencing a candidate election, campaign or ballot

question and that ~~spends~~ receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose, including for the collection of signatures for a direct initiative or referendum in this State; and

(5) Any organization that does not have as its major purpose promoting, defeating or influencing candidate elections but that ~~spends~~ receives contributions or makes expenditures aggregating more than \$5,000 in a calendar year for the purpose of promoting, defeating or influencing in any way the nomination or election of any candidate to political office; and

Sec. A-17. 21-A MRSA §1053, last ¶, as enacted by PL 2007, c. 443, Pt. A, §29, is repealed.

Sec. A-18. 21-A MRSA §1053-A is enacted to read:

§ 1053-A. Municipal elections

Organizations that qualify as political action committees under section 1052, subsection 5 and that are organized to influence elections on the municipal ballot in towns or cities with a population of 15,000 or more shall register and file reports with the municipal clerk as required by Title 30-A, section 2502. The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A political action committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality.

Sec. A-19. 21-A MRSA §1053-B is enacted to read:

§ 1053-B. Out-of-state political action committees

A political action committee organized outside of this State shall register and file reports with the commission in accordance with sections 1053 and 1058. The committee is not required to register and file reports if the committee's only financial activity within the State is to make contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and the committee has not raised and accepted any contributions during the calendar year to influence an election or campaign in this State.

Sec. A-20. 21-A MRSA §1056-B, as amended by PL 2007, c. 477, §4, is further amended to read:

§ 1056-B. Ballot question committees

Any person not defined as a political action committee who ~~solicits and~~ receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a ~~report~~ reports with the commission in accordance with this section. ~~In the case of a municipal election, a copy of the same information must be filed with the clerk of that municipality.~~ Within 7 days of receiving contributions or making expenditures that exceed \$5,000, the person shall register with the commission as a ballot question committee. For the purposes of this section, expenditures include paid staff time spent for the purpose of influencing in any way a ballot question.

The commission must prescribe forms for the registration, and the forms must include specification of a treasurer for the committee, any other principal officers and all individuals who are the primary fund-raisers and decision makers for the committee. In the case of a municipal election, the registration and reports must be filed with the clerk of that municipality.

1. Filing requirements. A report required by this section must be filed with the commission according to ~~the reporting schedule that the commission shall establish that takes into consideration existing campaign finance reporting schedule requirements~~ in section 1059. After completing all financial activity, the committee shall terminate its campaign finance reporting in the same manner provided in section 1061. The committee shall file each report required by this section through an electronic filing system developed by the commission unless granted a waiver under section 1059, subsection 5.

2. Content. A report must contain an itemized account of each expenditure made to and contribution received from a single source aggregating in excess of \$100 in any election; the date of each contribution; the date and purpose of each expenditure; and the name and address of each contributor, payee or creditor; and the occupation and principal place of business, if any, for any person who has made contributions exceeding \$100 in the aggregate. The filer is required to report only those contributions made to the filer for the purpose of initiating, promoting, defeating or influencing in any way a ballot question and only those expenditures made for those purposes. The definitions of "contribution" and "expenditure" in section 1052, subsections 3 and 4, respectively, apply to persons required to file ballot question reports.

2-A. Contributions. For the purposes of this section, "contribution" includes, but is not limited to:

- A. Funds that the contributor specified were given in connection with a ballot question;
- B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;
- C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient's activities regarding a ballot question; and
- D. Funds or transfers from the general treasury of an organization filing a ballot question report.

3. Forms. A report required by this section must be on a form prescribed and prepared by the commission. A person filing this report may use additional pages if necessary, but the pages must be the same size as the pages of the form.

4. Records. A person filing a report required by this section shall keep records as required by this subsection for ~~one year~~ 4 years following the election to which the records pertain.

- A. The filer shall keep a detailed account of all contributions made to the filer for the purpose of

initiating, promoting, defeating or influencing in any way a ballot question and all expenditures made for those purposes.

B. The filer shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50.

Sec. A-21. 21-A MRSA §1057, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

~~Any political action committee that makes expenditures which aggregate in excess of \$50 to any one or more candidates, committees or campaigns in this State is required to register under section 1053 or 1053-B shall keep records as provided in this section. Records required to be kept under subsections 1, 2 and 3 shall be retained by the political action committee until 10 days after the next election for 4 years following the election to which the records pertain.~~

Sec. A-22. 21-A MRSA §1058, as amended by PL 2007, c. 477, §5, is further amended to read:

§ 1058. Reports; qualifications for filing

~~A political action committee that is required to register with the commission under section 1053 or 1053-B shall file a report on its activities in that campaign reports with the commission on forms as prescribed by the commission according to the schedule in section 1059. A political action committee organized in this State required under this section to file a report shall file the report for each filing period under section 1059. A political action committee organized outside this State shall file with the Commission on Governmental Ethics and Election Practices of this State a copy of the report that the political action committee is required to file in the state in which the political action committee is organized. The political action committee shall file the copy only if it has expended funds or received contributions or made expenditures in this State. The copy of the report must be filed in accordance with the schedule of filing in the state where it is organized. If contributions or expenditures are made relating to a municipal office or referendum, the report must be filed with the clerk in the subject municipality.~~

Sec. A-23. 21-A MRSA §1059, first ¶, as amended by PL 2007, c. 571, §9, is further amended to read:

Committees required to register under section 1053, 1053-B or 1056-B shall file an initial campaign finance report at the time of registration and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the filing deadline.

Sec. A-24. 21-A MRSA §1059, sub-§2, ¶A, as amended by PL 2007, c. 443, Pt. A, §35, is further amended to read:

A. Quarterly reports must be filed:

- (1) On January 15th and must be complete as of ~~January 5th~~ December 31st;
- (2) On April 10th and must be complete as of March 31st;

(3) On July 15th and must be complete as of ~~July 5th~~ June 30th; and

(4) On October 10th and must be complete as of September 30th.

Sec. A-25. 21-A MRSA §1060, sub-§4, as amended by PL 2007, c. 443, Pt. A, §36, is further amended to read:

4. Itemized expenditures. An itemization of each expenditure made ~~on behalf of~~ to support or oppose any candidate, campaign, political committee, political action committee and party committee or to support or oppose a referendum or initiated petition, including the date, payee and purpose of the expenditure; the name of each candidate, campaign, political committee, political action committee or party committee ~~on whose behalf the expenditure was made~~ supported or opposed; and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition, including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of political action committees;

Sec. A-26. 21-A MRSA §1060, sub-§7, as amended by PL 2007, c. 477, §7, is further amended to read:

7. Other expenditures. Operational expenses and other expenditures ~~in cash or in kind~~ that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of promoting, defeating or influencing a ballot question or the nomination or election of a candidate to political office.

Sec. A-27. 21-A MRSA §1061, as amended by PL 2007, c. 443, Pt. A, §37, is further amended to read:

§ 1061. Dissolution of committees

Whenever any political action committee determines that it will no longer ~~solicit or accept~~ any contributions, ~~incur any obligations, or~~ make any expenditures ~~to or on behalf of any candidate, political committee, party committee or political action committee to initiate, support, defeat or influence in any way the outcome of a referendum, initiated petition or election and the committee has no outstanding loans, debts or other obligations,~~ the committee shall file a termination report that includes all financial activity from the end date of the previous reporting period through the date of termination with the commission. If a termination report is not filed, the committee shall continue to file periodic reports as required in this chapter. The committee must dispose of any surplus prior to termination. In the termination report, the committee shall report any outstanding loan, debt or obligation in the manner prescribed by the commission.

Sec. A-28. 21-A MRSA §1062-A, sub-§1, as enacted by PL 1995, c. 483, §21, is amended to read:

1. Registration. A political action committee required to register under section 1053 or 1053-B or a ballot question committee required to register under section 1056-B that fails to do so ~~in accordance with section 1053~~ or that fails to provide the information required by the commission for registration may be assessed a forfeiture ~~fine~~ of \$250.

Sec. A-29. 21-A MRSA §1062-A, sub-§2, as amended by PL 2007, c. 443, Pt. A, §38, is further amended to read:

2. Campaign finance reports. A campaign finance report is not timely filed unless a properly signed or electronically submitted copy of the report, substantially conforming to the disclosure requirements of this subchapter, is received by the commission by 11:59 p.m. on the date it is due. Except as provided in subsection 6, the commission shall determine whether a required report satisfies the requirements for timely filing. The commission may waive a penalty in whole or in part if it is disproportionate to the level of experience of the person filing the report or to the harm suffered by the public from the late disclosure. The commission may waive the penalty in whole or in part if the commission determines the failure to file a timely report was due to mitigating circumstances. For purposes of this section, "mitigating circumstances" means:

- A. A valid emergency of the committee treasurer determined by the commission, in the interest of the sound administration of justice, to warrant the waiver of the penalty in whole or in part;
- B. An error by the commission staff; or
- C. Other circumstances determined by the commission that warrant mitigation of the penalty, based upon relevant evidence presented that a bona fide effort was made to file the report in accordance with the statutory requirements, including, but not limited to, unexplained delays in postal service or interruptions in Internet service.

Sec. A-30. 21-A MRSA §1062-A, sub-§4, as enacted by PL 1995, c. 483, §21, is amended to read:

4. Maximum penalties. The maximum ~~penalties~~ penalty under this subchapter ~~are~~ is \$10,000 for reports required under section 1056-B or section 1059, subsection 2, paragraphs B, C and E and \$5,000 for reports required under section 1059, subsection 2, paragraph A.

Sec. A-31. 21-A MRSA §1062-A, sub-§8-A, as enacted by PL 2003, c. 628, Pt. A, §9, is amended to read:

8-A. Penalties for failure to file report. The commission may assess a civil penalty for failure to file a report required by this subchapter. The maximum penalty for failure to file a report required under section 1056-B or section 1059, subsection 2, paragraph B, C or E is \$10,000. The maximum ~~penalty for failure to file a report required under section 1059, subsection 2, paragraph A~~ is \$5,000.

PART B

Sec. B-1. 21-A MRSA §1122, sub-§7, as amended by PL 2007, c. 443, Pt. B, §2, is further amended to read:

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³admitted in Va.
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⁶admitted in Wis.
⁷admitted in Okla.
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SEP 22 2009

MAINE ETHICS COMMISSION

September 21, 2009

Jonathan Wayne
Executive Director
Commission on Governmental Ethics
135 State House Station
Augusta, ME 04333-0135
207-287-4179

Re: StandforMarriageMaine.com

Dear Mr. Wayne:

Please be advised that this firm represents StandforMarriageMaine.com and writes this letter on its behalf. This firm also represents the National Organization for Marriage. Thank you for your letter of August 27, 2009, advising of the allegations being made by Fred Karger and Californians Against Hate, and giving StandforMarriageMaine an opportunity to respond prior to the Commissions meeting on October 1, 2009.

As you know, StandforMarriageMaine.com is a registered Maine political action committee (hereinafter the "Maine PAC"). It is filing its reports in good faith compliance with Maine law after requesting and receiving specific legal advice before it began activities. It is identifying all contributors as required by Maine law. The allegations being made by Mr. Karger are false.

As you state in your letter, "Mr. Karger alleges that 'the four funders of Stand for Marriage Maine are merely conduits for those wishing to hide their contributions. These entities are laundering money to evade the disclosure of the actual contributors to Stand for Marriage Maine.'" Of course, use of the phrase "laundering money" is pejorative, and apparently intended

Mr. Jonathan Wayne
Commission on Governmental Ethics
September 21, 2009
Page 2

to allege that the PAC is not in compliance with Maine campaign finance law. He relies primarily on unfounded allegation and innuendo.

We respond to Mr. Karger's specific allegations/observations as follows:

1. Mr. Karger notes that several large contributions have been reported. Large contributions from churches and non-profit issue advocacy organizations are not evidence that the Maine PAC accepted unlawful contributions. Issue advocacy organizations may make contributions out of their general treasury without any special appeals for the Maine PAC, and without registering and reporting as a BQC.
2. Mr. Karger notes large contributions from the National Organization for Marriage (NOM). NOM is a national organization that is active in several states across the country. It makes large contributions from its general treasury in several states. By "general treasury" we mean funds not solicited or designated for any specific state or ballot measure.
3. Last week, Mr. Karger supplemented his complaint with copies of NOM emails. As explained in the response submitted by NOM, less than \$5,000 was received from contributions to support the Maine referendum.
4. Mr. Karger notes that in 2008 he filed a complaint against the Mormon Church with the California FPPC. This is irrelevant to his allegations against the Maine PAC, and, nearly a year later, no violations have been announced by the FPPC.

Mr. Karger calls the reporting of large contributions from these organizations "irregularities." But there is nothing irregular here, just unsupported accusations, assumptions, and guesses. Such baseless charges could be made against any referendum PAC that accepts corporate contributions and do not merit investigation. The Commission's Standards for Requests for Investigation detailed in your memo emailed to Fred Karger and dated August 14, 2009 require "setting forth *such facts with sufficient details as are necessary to specify the alleged violation . . . based on personal knowledge*" or other authoritative sources (emphasis added). This standard has not been met, thus, no investigation is justified by Mr. Karger's complaint.

In addition, if the Commission were to open an investigation prior to the election, the investigation itself would become an issue in the "Yes on Question 1" campaign. Mr. Karger, by his own admission, is a political consultant who supports legalization of homosexual marriage, and who specifically targets donors who support tradition marriage. He has produced television advertisements, raised funds, and openly encouraged harassment of donors who support

Mr. Jonathan Wayne
Commission on Governmental Ethics
September 21, 2009
Page 3

traditional marriage. Californians Against Hate operates a "dishonor roll" and encourages his supporters to contact traditional marriage supporters with threats and intimidation, and to boycott the businesses of donors who support traditional marriage.

If the Commission were to launch a pre-election investigation, Karger will likely run ads and issue press releases trumpeting the "news" that the "Yes on Question 1" campaign is under official investigation for "illegal" activities. The purpose of this would be to discredit the "Yes on 1" campaign with unsupported allegations and innuendo in the final weeks of the election. The Commission should not permit itself to be used in this matter, which could potentially impact the outcome of a free and fair election that is of crucial importance to the people of Maine.

Since Mr. Karger has not shown sufficient facts to justify the Commission's use of agency resources to investigate StandforMarriageMaine.com and its contributors, no investigation is warranted.

If I may be of further assistance in this matter, please contact me. Thank you.

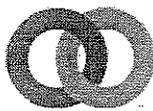
Sincerely,

BOPP, COLESON & BOSTROM



Barry A. Bostrom

enc.



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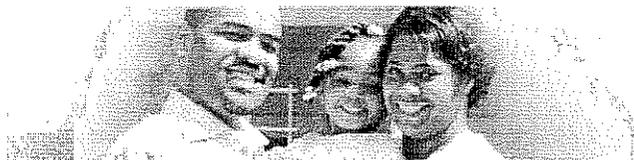
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September 2009

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If not please fill out the information below:

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-- please make a selection --

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³admitted in Va.
⁴admitted in Tex.
⁵admitted in Oh.
⁶admitted in Wis.
⁷admitted in Okla.
⁸admitted in Ill.

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MAINE ETHICS COMMISSION

September 21, 2009

Jonathan Wayne
Executive Director
Commission on Governmental Ethics
135 State House Station
Augusta, ME 04333-0135
207-287-4179

Re: National Organization for Marriage, Inc.

Dear Mr. Wayne:

Please be advised that this firm represents the National Organization for Marriage, Inc. (NOM) and writes this letter on its behalf. NOM has become aware of your letter of August 27, 2009, advising StandforMarriageMaine.com PAC of the allegations being made by Fred Karger and Californians Against Hate, and giving StandforMarriageMaine an opportunity to respond prior to the Commissions meeting on October 1, 2009. We also have also received copies of the emails you provided on September 16, 2009, submitted by Mr. Karger. This is NOM's response to Mr. Karger's allegations.

“‘Contribution’ [under Maine law] includes, but is not limited to:

- A. Funds that the contributor specified were given in connection with a ballot question;
- B. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating, promoting, defeating or influencing in any way a ballot question;
- C. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating, promoting, defeating or influencing in any way a ballot question when viewed in the context of the contribution and the recipient's activities regarding a

Mr. Jonathan Wayne
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- ballot question; and
- D. Funds or transfers from the general treasury of an organization filing a ballot question report.”

Section 1056-B.2.A. “Any person that is not a political committee who receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must [register as a Ballot Question Committee (BQC) within 7 days and] file reports with the Commission” Sec. 1056-B.

NOM is in Compliance with Maine Law

NOM is a Virginia nonprofit issue advocacy corporation, income tax exempt under IRC § 501(c)(4). It is conducting its Maine activities in good faith compliance with Maine law after requesting and receiving specific legal advice before it began activities. The allegations being made by Mr. Karger are false.

As you state in your letter, “Mr. Karger alleges that ‘the four funders of Stand for Marriage Maine are merely conduits for those wishing to hide their contributions. These entities are laundering money to evade the disclosure of the actual contributors to Stand for Marriage Maine.’” Of course, use of the phrase “laundering money” is pejorative, and apparently intended to allege that NOM is not in compliance with Maine campaign finance law. He relies primarily on unfounded allegation and innuendo.

We respond to Mr. Karger’s specific allegations/observations as follows: Mr. Karger notes large contributions from the National Organization for Marriage (NOM). NOM is a national organization that is active in several states across the country. Its projected budget for 2009 is \$7 million. The vast majority of donations are not designated for activities in any particular state. NOM makes large contributions to various state ballot measure committees from its general treasury and, with a few exceptions discussed below, did not solicit or accept designated contributions for Maine.

Specific mention in your letter is made of the March 13, and March 31, 2009 email solicitations from NOM that mention Maine. They also mention Connecticut, New Hampshire, and Vermont. The emails do not request designated donations for activities in Maine or any other state. The hyperlink, provided in the March 31 email, linked to a NOM donation web page that did not permit designation of donations for any particular project. *See attached copy of the NOM donation page linked at www.nationformarriage.org.* Further, just as a simple matter of chronology, these emails were sent before same-sex marriage passed the Maine legislature and before NOM was involved in any way with a referendum effort in Maine. At the time, NOM was

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only involved in grassroots lobbying efforts in Maine, which were not activities that required campaign disclosure of any kind.

Last week, Mr. Karger supplemented his complaint with copies of several NOM emails. We respond as follows: First, one email (7-24-09) doesn't mention Maine at all, thus, any contributions received from that email cannot be counted toward the BQC \$5,000 registration threshold.

Second, three emails don't discuss Maine activities or events, but merely mention Maine in a list with other states, and do not specifically reference the Maine referendum. One email (5-15-09) was devoted to discussing events in New Hampshire, had a general solicitation, and mentioned one time without specific comment Maine, Iowa, New York, New Jersey, and D.C. Another email (5-22-09) focuses on New Hampshire and New York, and has a one sentence general solicitation for activities in Maine. A third email (8-28-09) discusses a Washington Post article and events in Iowa, with a general solicitation for "Iowa, Maine, and everywhere across this great land." Any contributions received from these three emails cannot be counted toward the BQC \$5,000 registration threshold.

Third, three emails (7-8-09, 8-7-09, and 9-4-09) solicited contributions directly to StandforMarriageMaine.com. Two emails (7-24-09, 8-26-09) solicited contributions directly to the NOM NY PAC. And one email (8-26-09) solicited contributions to NOM for activities in New Jersey. Contributions, if any, that went directly to the ME PAC or NY PAC, cannot be counted toward the BQC registration threshold. Contributions solicited for activities in other states cannot be counted toward the BQC registration threshold.

Fourth, five emails (5-6-09, 5-8-09, 6-12-09, 7-10-09, and 8-7-09) solicited contributions for activities in Maine and other states. It is impossible to determine from the responses to these emails which state the contributor was desiring to contributing toward, if any. Since several states were discussed in these emails, the solicitation was not "specifically for the purpose of . . . influencing a [Maine] ballot question." 21-A M.R.S.A. 1056-B.2-A.B. Further, the donation page does not permit designation of contributions, so it is impossible to determine whether funds received were provided "for the purpose of . . . influencing in any way a [Maine] ballot question. 21-A M.R.S.A. 1056-B.2-A.C. For these reasons, any contributions received from these emails cannot be counted toward the BQC registration threshold.¹

Fifth, only two emails (7-17-09 and 7-31-09) may be interpreted to solicit contributions to NOM for the Maine referendum, and any contributions received as a result may count toward the

¹Even if the Commission disagrees with this interpretation, the total contributions to NOM received from these emails is less than the BQC \$5,000 threshold.

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BQC registration threshold. According to NOM's records, only \$295.00 in contributions were received in response to these two emails. No other solicitations were made for ballot measure activities in Maine by email, direct mail, or other means. *If and when the threshold is met, NOM will register as a BQC and file reports as required by Maine law.*

Mr. Karger calls the reporting of large contributions from these organizations "irregularities." But there is nothing irregular here, just unsupported accusations, assumptions, and guesses. Such baseless charges could be made against any referendum PAC that accepts corporate contributions and do not merit investigation. The Commission's Standards for Requests for Investigation detailed in your memo emailed to Fred Karger and dated August 14, 2009 require "setting forth *such facts with sufficient details as are necessary to specify the alleged violation . . . based on personal knowledge*" or other authoritative sources (emphasis added). This standard has not been met, thus, no investigation is justified by Mr. Karger's complaint.

Since Mr. Karger has not shown sufficient facts to justify the Commission's use of agency resources to investigate the National Organization for Marriage, no investigation is warranted.

Section 1056-B is Unconstitutional

In addition, Section 1056-B is unconstitutional because it burdens an association's First Amendment right of free speech by requiring such to register and report as if they were political action committees, when they are not political action committees, and when they do not have the major purpose of influencing a Maine ballot question. Organizations meeting the BQC definition must register with the Commission, appoint a treasurer, identify principal officers, primary fundraisers, and decisionmakers, keep itemized donor and expenditure records for at least four years, file campaign finance reports in the same manner as a PAC (including 24-hour Reports for some expenditures), and continue to file reports until they terminate in the same manner as a PAC. Failure to file a report is subject to a civil penalty of \$10,000.

Section 1056-B is subject to "exacting scrutiny" to ensure that it is "narrowly tailored" to an "overriding state interest." *Volle v. Webster*, 69 F. Supp. 2d 171, 172 (D.C. Me. 1999) (finding Maine's registration statute violates First Amendment) (quoting *McIntyre v. Ohio Elections Comm'n*, 514 U.S. 334 (1995)). NOM has received less than \$5,000 in contributions from solicitations for the Maine ballot question, and spent a minuscule amount for emails that solicit contributions for the Maine ballot question. Its projected budget of \$7 million for 2009² demonstrates that it does not have the major purpose of influencing a Maine ballot question.

²NOM's total expenditures for 2008 were approximately \$3.5 million.

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Thus, "Maine's registration statute goes considerably beyond what is permitted and is therefore unconstitutional" as it applies to NOM. 69 F. Supp. 2d at 176.

For the above reasons, no investigation is warranted. If I may be of further assistance in this matter, please contact me. Thank you.

Sincerely,

BOPP, COLESON & BOSTROM

A handwritten signature in black ink that reads "Barry A. Bostrom". The signature is written in a cursive style with a large, stylized initial "B".

Barry A. Bostrom

enc.



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Enter Donation Amount Here: \$

I would like to make a recurring gift.

Gift Amount*

Payment Frequency

\$

Monthly

NOTE: This transaction will count as the first payment toward your total gift amount.

Donor Information

First Name:*

Last Name:*

Email:

Address Line 1:*

Address Line 2:

City:*

State:*

ZIP/Postal Code:*

Phone:

Payment Information

Payment Method

Credit/Debit Cards

Cardholder's Name:*

Credit Card Number:*

CVV Number:*

Credit Card Type:*

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American Express



Credit Card Expiration:*

September 2009

Billing information

If the billing information is the same as the contact information check this box.
If not please fill out the information below:

Address Line 1:*

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City:*

State:

Province:

ZIP/Postal Code:*

Country:*

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STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 16, 2009

By E-Mail and Regular Mail

Brian S. Brown, Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, New Jersey 08542

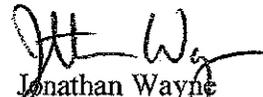
Dear Mr. Brown:

Thank you for your telephone call of today regarding the additional information provided by Fred Karger during September 12 - 15. The Commission staff has identified the attached e-mails as having relevance to Mr. Karger's contention that the National Organization for Marriage (NOM) raised money to initiate or promote the people's veto referendum on same-sex marriage legislation.

The e-mails were sent on or after May 6, 2009, the day Maine's Governor signed the legislation. They describe various aspects of NOM's efforts in Maine to promote the people's veto, and some of the e-mails request a monetary donation to support these efforts. Some of these e-mail solicitations could be viewed to support the contention that NOM led the donors into believing that their donations would be used specifically to initiate or promote the people's veto referendum in Maine. Thus, they could be relevant to determine whether NOM solicited and received contributions in excess of \$5,000 for the purpose of initiating or promoting the people's veto referendum, which is a trigger in 21-A M.R.S.A. § 1056-B for the requirement to register and file campaign finance reports as a ballot question committee.

The Commission staff would be interested in any additional information regarding these e-mails that NOM or its counsel may wish to provide. If NOM or its counsel needs additional time to respond to this letter, please feel free to submit the response on Friday, September 18 or no later than 2:00 Eastern time on Monday, September 21. Thank you again for the constructive telephone conversation today.

Sincerely,


Jonathan Wayne
Executive Director

cc: Joseph Keaney, Treasurer, Stand for Marriage Maine PAC
Marc Mutty, Chair, Stand for Marriage Maine PAC
Fred Karger
Assistant Attorney General Phyllis Gardiner

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

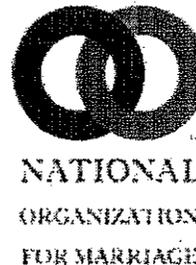
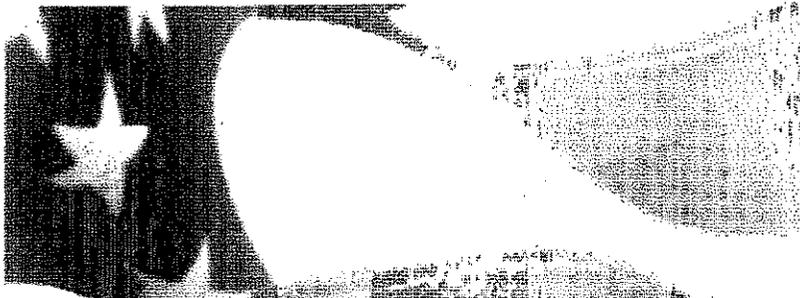
FAX: (207) 287-6775



Maine Voters Will Have Last Word on Same-Sex Marriage!

Wednesday, May 6, 2009 4:30 PM

"Brian Brown" <bbrown@nationformarriage.org>



Maine Voters Will Have Last Word on Same-Sex Marriage!

May 6, 2009



Dear [redacted]

I'm reading report after report describing Maine (where, as expected, the House of Representatives passed the same-sex marriage bill today) as coming "a step closer to being the fifth [state] in the nation to allow same-sex marriage." And while that storyline plays nicely into the "same-sex marriage is inevitable" message that gay marriage advocates are pushing, the reality couldn't be further from the truth!

I've yet to read one news report that even mentions the "people's veto," the referendum provision of the Maine Constitution that gives the people of Maine -- not legislators or the governor -- the final word on marriage.

And that's why today the National Organization for Marriage announced that it will join the Maine Marriage Coalition, pushing for a people's veto of the same-sex marriage bill if Governor Baldacci signs it into law.

The Coalition is headed by Robert Emrich of the Maine Marriage Alliance and Marc Mutty of the Roman Catholic Diocese of Portland. NOM will stand with our colleagues in Maine to give voters the ability to overturn the marriage bill passed by the House today, and will devote staff, volunteers and resources to the battle in Maine.

Qualifying a referendum for the ballot requires roughly 55,000 signatures of Maine voters, and NOM will work hard to ensure that the people of Maine have the opportunity to stand up for marriage just as the voters in 30 out of 30 other states have done when given the chance.

NOM was a pivotal player in the 2008 Proposition 8 campaign in California, where we were instrumental in helping secure the signature needed to place the measure on the ballot. While campaign details are yet to be worked out, we looking forward to working with our colleagues on the ground in Maine to stopping this misguided legislation.

Early financial support will be critical to the effort as the window for collecting signatures will short. Your support today will allow us to start the referendum process immediately when the law is signed, ensuring that the measure does not take effect before the people of Maine have had their say.

Can you afford a gift of \$35, \$50 or \$100 today to help stop same-sex marriage not just in Maine, but in New Hampshire, Iowa, and other states as well? Please use this hyperlink to make a secure online donation today!

MEDIA APPEARANCE:

Make plans to watch or record "Maggie vs. Perez" on Larry King Live on CNN at 9pm ET tonight! NOM President Maggie Gallagher will be on with Perez Hilton, calling Hilton to task for the character assassination and personal attacks he has leveled against Carrie Prejean. It will no doubt be a lively discussion as Maggie sets the record straight!

Faithfully,



Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

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To prevent mailbox filters from deleting mailings from Brian Brown, add bbrown@nationformarriage.org to your address book.

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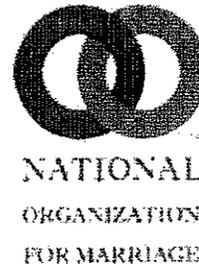
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NOM California Marriage News: May 8, 2009

Friday, May 8, 2009 2:44 PM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

May 8, 2009

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Dear [REDACTED]

All the news you never heard this week:

Black pastors in DC rise up when the city council passes a bill to recognize same-sex marriage performed outside the district. City Councilmember Marion Barry, the former mayor of DC, suddenly decides to switch his vote and vote "no." The rhetoric became a little hot for my taste, but the important message is what Barry told the Associated Press: "The black community is just adamant against this." Does the political establishment care? Or are they going to keep taking their most loyal voters for granted? One drama unfolding in our midst.

In Maine, politicians voted for same-sex marriage, knowing that they could please their base and still be safe from the voters' wrath because in Maine, voters have the People's Veto—it's not hard to get same-sex marriage before the people of Maine for a direct vote. A new coalition, the Maine Marriage Coalition, has been formed and we look forward to helping them fight to protect marriage in Maine. [\(You can fight back! Can you help defend marriage in Maine and across the country, by donating \\$5, \\$10, or even, if God has given you the means, \\$100 or \\$500?\)](#)

In New Hampshire, press reports indicate (and we've heard similar reports privately) that the state senate only narrowly passed a gay marriage bill under intense pressure from bigwig Democrats in Washington, D.C. What kind of pressure? Press reports say the Granite State was warned that the date of the first presidential primary might be switched away from New Hampshire. We can't say for sure whether that happened, but it would help explain the mystery: Why, given the incredible public outcry against same-sex marriage in New Hampshire, and the fact that pro-gay marriage candidates lost two special elections in a row in the last few weeks—why are New Hampshire Democrats pushing this issue on the voters at this time?

Gov. John Lynch, a Democrat, may yet save the people of New Hampshire from this unfair imposition of the "base's" values and priorities over those of the majority of the people. As I write, he has not yet publicly said whether he will veto the gay marriage bill in New Hampshire. NOM and the Cornerstone Policy Research Action have launched a new ad, "Promises," showing all the times the Governor has repeatedly told the voters he opposes same-sex marriage. Will he be a man of his word? Here's another important drama—and another area where we need your help. [Can you consider making a monthly donation of as little as \\$5?](#)

But the biggest drama of the week is what gay marriage activists are doing to Carrie Prejean. You can see links below to me and Maggie talking about the attacks on Carrie on national TV. Here's the point I want to make to you: This young woman is not being smeared and attacked for anything she did wrong; she is being viciously attacked for one great thing she did right. She spoke up for marriage, honestly, with great decency and kindness. For this she is under assault by a movement which does not want to debate; they want to silence and harass--so the next person tempted to speak up for truth will be afraid.

We need more young men and women with courage--and a community that backs them up. Do you know a fine young man or woman who wants to speak up for marriage and for life? NOM is cosponsoring (with the Ruth Institute) a student conference with students from all over the country, coming together to figure out how to stand up to the bullies, to find the courage in community to continue to speak for truth on some of the most hostile territory in America--college campuses. Help us find next-gen leaders who want to mine the intellectual resources of The Ruth Institute's Dr. Jennifer Roback Morse and other top scholars in the marriage movement, and to learn how to articulate the pro-marriage message on their campuses. To sign up, visit the [Ruth Institute's website](#) or fill out the [online application](#). The conference is being held at the University of San Diego, August 6-9th. Best news: It's free to students. Some travel assistance is also available. Questions? Email Jamie Gruber, Executive Director of the Ruth Institute, at jgruber@ruthinstitute.org.

Stay strong, and would you please do this for me? Pray for Carrie, and for the many (less famous) others in California and elsewhere who are being hatefully attacked not for their shortcomings but solely for their virtues--because they dared to stand for God's truth about marriage. This is a movement which no longer appears to believe that tolerance is a two-way street; a movement that tries to hurt people who've never hurt anyone, in order to intimidate and prevent anyone from speaking up for marriage. They want to divide and distract our attention from the real issue: Gay marriage has consequences.

God's blessing on you and your family always,



Brian S. Brown
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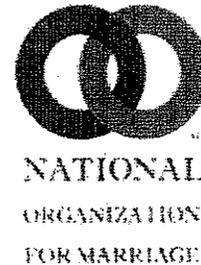




NOM California Marriage News: May 16, 2009

Friday, May 15, 2009 3:19 PM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

May 15, 2009

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Dear [REDACTED]

If it's Tuesday this must be Maine! I know it's Maine because I saw a moose!

If it's Wednesday, I think I'm in New Hampshire!

Today Maggie's in D.C., but she's talking to the New York Times Albany reporter about NOM's amazing entry into the tough, tight battle for marriage in the New York state senate. The vote is very close, even though Democrats control all branches of government. Once again, this push for gay marriage in Albany is playing to the base on the part of the Democratic party--and a lot of Democrats don't like it. Let me tell you something: These politicians are going to hear from their voters what the people think about same-sex marriage. Thanks for all your help! (Can you help us continue to be your voice on marriage? Can you give \$5, \$50, or even, if you have the means in these difficult times, \$1000 to protect marriage for this generation and the ones to come?)

Welcome to our crazy world. Of course I wish nobody had to do what I do for a living: fight gay marriage. You and I didn't decide that now is the time to impose gay marriage on unsuspecting voters in the Northeast. But let me tell you something: The people who did are in for an unexpected fight!

In New Hampshire, Gov. John Lynch is trying to weasel his way out of his repeated commitment to the people of New Hampshire, by saying he'll sign a gay marriage bill if they go back and put in some religious-liberty protections. I mean, don't get me wrong: It's nice that Gov. Lynch personally at least doesn't want to use same-sex marriage to go after churches (unlike some of the base in his party). But politicians who get elected saying one thing are supposed to keep their word. Our press release says it best:

"Governor John Lynch has repeatedly promised voters that he opposes same-sex marriage. When he signed the civil union legislation into law, he told people, 'I still think marriage is between a man and a woman.' Voters believed him, but now he claims that he must look at the issue through a broader 'lens' than being a man of his word. This so-called lens is really just weasel words to explain away why he is breaking his word to voters. It is really unfortunate that he is proving himself to be just another politician who cannot keep his promises. Unfortunately, New Hampshire children and families will pay the price for this betrayal." (We will need your help to defend marriage, in New Hampshire and around the country--can you possibly help us out today?)

His language does nothing to stop schools from taking young children to celebrate a lesbian wedding, as happened in California. His language does nothing to protect photographers and other professionals from being fined because they refuse to participate in something they morally oppose, as happened in New Mexico. Nor does it protect medical professionals who object to procedures like artificial insemination of a lesbian couple.

And it doesn't protect the voters in New Hampshire from a runaway government that doesn't seem to care what they think about the future of marriage. You want to change the definition of marriage in New Hampshire? Put it on the ballot and let the people decide! The only reason not to do that is because your base knows: The people don't want it.

We will fight to be your voice in New Hampshire, Maine (more on that next week), Iowa, New York, New Jersey, D.C. and all across this great and God-blessed country of ours.

Thank you. You are why I do what I do—you, and all our children and grandchildren yet unborn.

God bless you, and until next week, keep fighting the good fight!



Brian S. Brown
Executive Director
National Organization for Marriage
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Princeton, NJ 08542
bbrown@nationformarriage.org

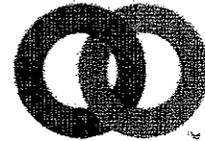




NOM California Marriage News: May 22, 2009

Friday, May 22, 2009 9:50 AM

"Brian Brown" <bbrown@nationformarriage.org>



NATIONAL ORGANIZATION FOR MARRIAGE

NOM Marriage News: California Edition

May 22, 2009

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Dear [REDACTED]

A funny thing happened on the way to inevitability--instead of rolling over, the people of New Hampshire fought back!

Remember, what makes this battle necessary is that New Hampshire is now a blue state. Tim Gill's money flowed into New Hampshire (just like Iowa) to flip the legislature in preparation for this week: Both houses in New Hampshire right now are Democrat-controlled and the Governor is also a Democrat.

When the gay marriage movement decided now was the time to pull the trigger, to crush opposition to gay marriage once and for all...they pushed one big message: The fight is over. Give up. Despair.

But you didn't give up--you fought back! Kudos to Kevin Smith of Cornerstone Policy Research, a tremendous young leader for marriage whom we at NOM are so proud to stand beside. The victory in New Hampshire was tremendous--but of course the battle isn't over yet.

But nobody expected that we could fight the Gill machine in New Hampshire at all. If we can fight for marriage deep in blue-state territory, what could we do in other states if we had the resources? What could we do in North Carolina , where Gill money is blocking passage of a state marriage amendment? Or in Pennsylvania , Indiana , and other great states where Americans understand that marriage is not created by government, and government has no right to redefine it?

Another thing we know from New Hampshire : Gay marriage advocates are serious about treating you, and me and every faithful Christian (as well as those of other traditional faiths) like a bigot. One openly gay legislator explained his vote against religious liberty protection this way: "This bill entrenches homophobia in statute, and I will never vote for something that does that."

As one New Hampshire activist said to me, "If they think the people of New Hampshire are upset their politicians are wasting time pushing gay marriage now, wait until November!"

Can you help us continue the fight in New Hampshire , and across the country? Can you possibly spare \$10, \$50, or \$100 [for marriage today?](#)

I'm back in Maine today--we'll keep you updated on progress in building the coalition to push back gay

marriage in Maine . We will need your help--all the help you can spare!

In New York , a massive protest of at least 10,000 people (the police estimate) led by Hispanic and African-American pastors flooded the streets in front of Gov. Paterson's office, demanding an end to the push for same-sex marriage in New York. A pro-gay marriage rally on the same day drew a few hundred folks at most--did any of the media report the disjunction?

The National Organization for Marriage is working directly in New York swing districts, using the same methods and messages that worked so well in Connecticut and New Hampshire, to make sure the people know what their politicians are up to: playing to the base, ignoring the people's priorities, plunging New York into a divisive culture war at a time when they can't figure out how to balance a megabillion budget hole. Thanks for helping us fight. We truly need any help you can give to be your voice for marriage; why not consider making a monthly donation of just \$5 a month, or \$15 a month... or even, if God has given you the means, \$200 a month?

Maggie Gallagher, our fearless President, just published her syndicated column featuring new data NOM has released about the effects of gay marriage in Massachusetts . Five years later the people of Massachusetts are still divided over the issue--43 percent in favor of gay marriage to 44 percent opposed. But worse, a big chunk of Massachusetts voters who support marriage report feeling afraid to speak up:

For example, 36 percent of all Massachusetts voters agreed with the statement, "Some people I know personally would be reluctant to admit they oppose gay marriage because they would worry about the consequences for them or their children." (Twenty-four percent agreed strongly.) ...

Fifteen percent of voters who oppose gay marriage say they personally know someone who experienced harassment or intimidation because of their belief that marriage involves a man and a woman.

Don't let this happen to you or your children. Let us be your voice for your values--to protect marriage and religious liberty.

Finally, one lone prominent liberal voice comes forward to defend Carrie Prejean from the abuse heaped upon her for her courage in speaking up for God's vision of marriage.

Michael Kinsley writes in the Washington Post:

In Hollywood , especially, they ought to know better than to try to destroy the career of a professional beauty contestant because she spoke out--ever so politely and tentatively, and only when asked--against gay marriage. During the blacklist period, people's careers were destroyed because, as members of the Communist Party....

The Hollywood communists of the 1930s and '40s might have found the idea of gay marriage more bizarre and offensive than Miss California does. ... This shows how far the gay rights movement has come, and how fast. Has it been so far and fast that people have forgotten when being gay could cost a person his or her job and career? Outside of Hollywood , that still happens. Defeating this discrimination would be a better use of activist energy than demanding discrimination against people who disagree.

Now, on the one hand I appreciate it that Michael doesn't want Carrie's life or career destroyed because of her views. It is, however, bizarre that in order to defend Carrie's right to speak for marriage as one man and one woman, Kinsley must obliquely compare support for marriage with support for murderous Stalinist regimes.

Kinsley goes on to say:

So what am I saying? That mindless bigotry always must be tolerated?

What about racism? Should an overt racist be allowed to wear the crown of Miss California , and even to compete for the title of Miss USA ? No, not an overt racist, and

not an overt homophobe. And no, I can't tell you exactly where to draw the line between bigotry that's intolerable and bigotry that ought to be tolerated, at least to the extent of not ruining someone's life because of a bigoted remark. But that line is somewhere north of Miss California .

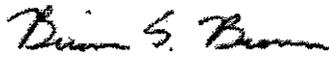
So there you have it: That's what one of the more tolerant gay marriage supporters around believes. That you and me are mindless bigots because we don't support gay marriage, but we aren't quite like overt homophobes so maybe we should be allowed to make a living.

I don't find that kind of "tolerance" all that comforting--do you?

This week, gay marriage advocates are showing their true colors, and it's not exactly a festival of love and tolerance out there, is it?

We know that in the end Truth and Love will prevail over lies and hate. It's my privilege to work with you and for you on behalf of marriage and religious liberty in America today.

Until next week, stay in God's love... and pray for me?



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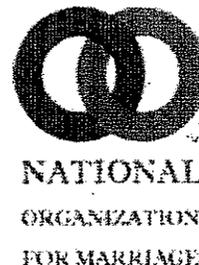




NOM California Marriage News: June 12, 2009

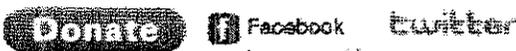
Friday, June 12, 2009 9:53 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

June 12, 2009



Dear [REDACTED]

There's a lot happening this week. First, New York.

We were feeling pretty good about New York. Thanks to your help we have flooded the offices of half the state senate with phone calls and emails. Our new "Same-sex Marriage in New York?" radio and TV ad campaign provoked controversy--and, by the way, considerably upped the number of calls into politicians' offices. Maggie Gallagher was scheduled to speak along with New York pastors and leaders (and Tony Perkins!) at a June 9 rally that ended up being attended by hundreds on a rainy day.

The word we got was that same-sex marriage was dead for this session, which normally ends in late June. We were looking forward to letting you know: You won a great victory!

Then one of those truly strange New York things happened: Two Democrat senators, both facing legal troubles, abruptly switched sides to vote with the GOP to unseat Democratic majority leader Malcolm Smith and replace him with GOP minority leader Dean Skelos. These two Dems were not known to oppose gay marriage. Tom Golisano, the maverick billionaire, disgusted with the Democrats' policies on good governance and taxes, appeared to have given the green light and helped make the switch happen.

Even better news, we thought at first. But the situation now is so fluid, so confused and so chaotic that it simply isn't clear whether we are headed for a vote on gay marriage. Insiders are floating stories that more Democrats may switch sides to build a coalition government--including possibly the chief sponsor of the gay marriage bill, Tom Duane of Manhattan.

So we are now redoubling our efforts to make sure these politicians know: The voters of New York don't want you selling out on marriage--not now, not next week, not ever! Will you help us get the message out? Can you give \$10, \$20, or as much as \$200 so that your voice can be heard in New York?

In Maine, I've joined the board of the new coalition to fight to overturn the gay marriage law. It's called StandforMarriageMaine.com. If you live in Maine, go there right now and find out how you can sign a petition, or collect signatures to get marriage to the ballot this November. Another great surprising victory in a blue state is on the horizon! I was up in Maine this week and the signature gathering effort is gathering great steam. (To help us in Maine and all 50 states, can you make a monthly donation? Whether it's as little as \$5 a month or, if God has given you the means, \$100 a month, your money makes a difference in the battles ahead.)

In DC this week, I attended a meeting of the Board of Elections with the new Stand for Marriage DC Coalition. Bishop Harry Jackson and a group of DC pastors have filed a referendum to overturn a new law passed by the council requiring recognition of out-of-state same-sex unions as marriages. We know gay marriage advocates do everything possible to keep the people from being able to decide these issues. So we shouldn't have been shocked by what happened next. The head legal honcho for DC declared illogically and peremptorily that the referendum somehow violates DC's human rights code. How can that be, when marriage itself in DC is still defined as the union of one man and one woman? But that illogical and lawless opinion by the guy in charge of enforcing DC's laws did mean signature gathering could not proceed. Instead the referendum was routed to the Board of Elections for an opinion.

So Wednesday morning I found myself in a chamber room crowded with black pastors and DC citizens clamoring for the right to

vote on marriage. The decision is expected shortly--today even.

I'm not optimistic, given the political fix in DC. We expect the matter will have to go to court--all of which is designed to run out the time period for gathering signatures. Stay tuned.

You heard the news about Carrie Prejean of course. The same guys who attacked her from day one are continuing the relentless attacks--even going after Carrie's own pastor, Miles McPherson, for his willingness to defend her.

When will these kinds of attacks stop? When you and I are joined by millions of other Americans to say: This madness has to end. No good can come of a law based on a lie, and same-sex unions are not marriages. "Tolerance should be a two-way street" as Carrie put it on the Today show.

I can promise you one thing: We will never quit fighting the good fight for you (and with you!) on behalf of this simple and wonderful truth: Male and female He made us. Marriage is the way God wants to bring together the two halves of his creation into a union that is far bigger than its mortal human parts. Through this union, life itself is created, sustained and connected to its creators. Male and female. Mothers and fathers. Life is created and sustained and connected to its Creator.

To me, what could be more worth fighting for?

Thanks again for all you've done to help us fight for marriage. And may God bless you for it!



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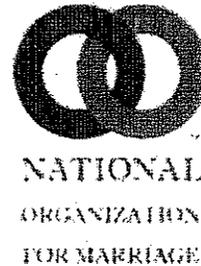
Stand for Marriage Maine!

"Brian Brown" <bbrown@nationformarriage.org>

Wednesday, July 8, 2009 7:26 AM



Stand for Marriage Maine!



July 8, 2009

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Dear [REDACTED]

This spring, out-of-touch politicians in Maine pushed a same-sex marriage bill through the legislature — ignoring the will of their constituents.

Fortunately, under the Maine Constitution, legislators can't pull a stunt like that and get away with it. With a "people's veto," the people of Maine can have the final say on any bill passed by the legislature.

And that people's veto effort is well underway on the same-sex marriage bill. With your help, the people of Maine will have the chance to vote up or down on the same-sex marriage bill this November.

Stand for Marriage Maine!

Leading the charge is Stand for Marriage Maine, a coalition of grassroots activists and pro-family groups (including NOM) formed to allow Maine voters to restore the definition of marriage under Maine law.

[Visit StandforMarriageMaine.com for the latest campaign updates and to see how you can join the effort to save marriage in Maine.](#)

Your help is needed as we take our pro-marriage message to every corner of the state. Right now, we're in the signature-gathering phase of the campaign, and with your help we'll far exceed the 55,000 signatures needed to put the same-sex marriage issue on the November ballot.

But time is short. Here's what I need you to do today:

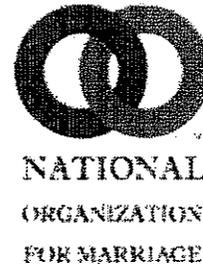
- 1) [Visit StandforMarriageMaine.com](#), and consider how you can help protect marriage in Maine! Join the [Facebook](#) group, or follow Maine4Marriage on [Twitter!](#)
- 2) [Make an online donation at StandforMarriageMaine.com](#) to make sure we have the resources needed for collecting tens of thousands of signatures in a short window of time. Your donation of \$20, \$35, or \$50 or more will help ensure success!
- 3) **Forward this message** to everyone you know that lives in Maine! We're reaching out to voters all across the state, and we need your help to spread the word! Do it right now!



NOM California Marriage News: July 10, 2009

Friday, July 10, 2009 9:46 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

July 10, 2009

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Dear [REDACTED]

So the great Brown family Road Trip Across America has ended! Thanks to all of you who asked how my family and I survived. (Let's face it: For six kids under the age of ten, looking for America involves quite a lot of driving across flat, straight, monotonous roads, and hearing Dad say once again, "No, we aren't going to stop at that particular McDonald's at a roadside strip mall right now.")

The kids were great. The highlight for them was Yellowstone Park. Mountains! Bears! Geysers!

Maggie tells me she and her family arrived home safe and sound from a quick trip to Spain, where celebrating the 4th of July also involved soaring geysers--but in her family's case, the kind that involved muchos Mentos and Diet Coke!

We're settled into our new home outside of Washington D.C. now, oh yes, still surrounded by boxes, but excited by the prospects ahead.

Here's great news on the marriage front: The people of Maine are going to have the final word on marriage! In just four short weeks, tens of thousands of Maine friends and neighbors signed petitions insisting on the right to repeal Maine's hastily enacted gay marriage statute.

The National Organization for Marriage worked hard with [StandforMarriageMaine](#) to make this happen. But it could not have happened without your help! You are the ones who made this happen... and we need you to help secure this victory. Can you help us with \$10, \$25, or \$100 so that Maine--and our country--can recover the true meaning of marriage?

The people of Maine will vote in November. Meanwhile the gay marriage statute, which would have gone into effect Sept. 12, will be put on mothballs pending the outcome of the vote. Another victory for you--for democracy--for the common good--for common sense!

It's going to be a big fight in Maine; we understand that. But if you will help, together we can show the naysayers and the doomsday predictors that even in blue states like Maine, the American people do not want judges and politicians messing around with marriage.

Even gay marriage advocates recognize that the speed with which pro-marriage forces were able to collect these signatures is a very bad sign for them. You remember Perez Hilton? Of course you do. He's the "celebrity blogger" who asked Carrie Prejean the gay marriage question, and then went on to trash and smear her publicly for her simple, decent, sweet answer. (To see the NOM ad featuring Perez's twisted hateful attacks [go here.](#)) Well, this morning Perez featured the bad news: "Judging by the amount of people who signed the petition, we might have a problem. The Stand for Marriage Maine coalition collected more than 55,087 signatures in a month on the petition to put marriage to a vote."

"It's the Prop 8 situation all over again," whined Perez. (To see Maggie debating Perez Hilton on *Larry King Live* [go here.](#)) That's the voice of the new gay marriage movement for you--smearing and attacking all the good and decent Americans who believe that to make a marriage you need a husband and a wife.

Of course the mainstream media is hardly reporting the good news. That's why I look forward to a chance to tell you personally each week what is really happening in the marriage wars. Keep the prayers and emails coming! To send this email to a friend, and spread the word about marriage, click [here](#).

In New York we have more provisional good news. Democrats regained shaky control of the state Senate, but Manhattan State Sen. Tom Duane appears to be conceding that the gay marriage bill will not be brought up for a vote--at least not immediately. Thank you to each one of you who called or emailed your state legislator or who donated to make NOM's highly effective media and robocalling campaign a reality.

We remain deeply concerned, however--given the influx of Tim Gill's money--that politicians will ignore the will of their constituents and push this divisive culture war on unwilling New Yorkers. NOM's new NOM PAC New York will be one way we can hold their feet to the fire: We've committed to using the first \$500,000 to providing a serious primary challenge to any GOP senator who abandons marriage. And we're looking to find energetic young Democrats who want to buck the party line on principle, too. To help us, just click [here](#) to make a donation. As little as \$10 a month can make a difference for marriage!

Here's another piece of news you won't find in the *New York Times*: A civil war has broken out between the group going to court to overturn Prop 8 and the rest of the gay-rights legal establishment.

According to the July 9 *Washington Blade*, Lambda Legal, the National Center for Lesbian Rights, and the American Civil Liberties Union earlier this week sought to intervene in the American Foundation for Equal Rights' suit against Prop 8. But a letter from AFER board president Chad Griffin urges the groups not to intervene in *Perry v. Schwarzenegger* and accuses them of trying to undermine the lawsuit.

"You have unrelentingly and unequivocally acted to undermine this case even before it was filed," Griffin writes. "In light of this, it is inconceivable that you would zealously and effectively litigate this case if you were successful in intervening. Therefore, we will vigorously oppose any motion to intervene."

Griffin cites the public statements LGBT groups have made opposing the lawsuit (which they consider premature).

On May 27, LGBT groups asked Californians not to file federal litigation against Prop 8. In one example, Griffin notes that Matt Coles, LGBT project director for the ACLU, was quoted in the *Advocate* as saying that AFER's lawsuit "is an attempt to short-circuit the process" of obtaining marriage rights for gay couples.

"Having gone to such great lengths to dissuade us from filing suit and to tar this case in the press, it seems likely that your misgivings about our strategy will be reflected -- either subtly or overtly -- in your actions in court," Griffin writes.

The once tightly disciplined gay marriage legal establishment may be losing control. We'll monitor the situation and keep you informed.

One final bit of news most of the press has ignored. The National Education Association unexpectedly punted on plans to wholeheartedly endorse gay marriage. This is rather surprising given how left-wing and radical the NEA's official positions are--and how far they have strayed from the diverse views of ordinary teachers. Why the nation's teachers' unions as a group would endorse abortion is of course hard to see, but that's ancient history now. But apparently the NEA's pro-gay-marriage stance threatened to cost it dues-paying members.

The *Baptist News* reports that instead of the full-throated endorsement of gay marriage that was expected, the leadership had to settle for an endorsement of civil unions, domestic partnerships or gay marriage "based upon the cultural, social, and religious values of its citizenry."

According to the *Baptist News*, "One state leader got up and said he's a liberal who supports 'gay rights' but doesn't believe the NEA should be involved in the issue because they're losing members over it."

Consider it one more small piece of evidence that concern for marriage transcends ordinary politics. We are the true rainbow coalition--people of every race, creed and color coming together across party lines to say that marriage is worth fighting for. The One who designed marriage knew what He was doing. And we will never sit back passively and permit our own government to teach our own children a lie. Same-sex unions are not marriage. Same-sex marriage is not a civil right, it is a civil wrong.

Together we can make sure your voice is heard.

Do you know how grateful I am for your help, your support, your prayers, and your friendship?

Until next week, keep fighting the good fight.

And God bless you.



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NOM in the News

"Ballot Effort to Restore Marriage in Maine Collects More Than 55,000 Signatures"

July 8, 2009

Catholic News Agency

The group Stand for Marriage Maine has announced it has collected more than the 55,087 signatures required to place on the 2009 ballot a People's Veto of a state law implementing same-sex "marriage."

"San Francisco Agenda"

July 5, 2009

Concord Monitor

When Democratic leaders were pushing hard for the state's new gay marriage law, Republican Party Chairman John H. Sumunu blasted them for promoting a "San Francisco agenda."

The National Organization for Marriage played backup, buying \$45,000 worth of ads on WMUR in a failed attempt to scuttle the law.

"Stand for Marriage Maine Coalition Launches Web Site"

Press release

Stand for Marriage Maine, a broad-based coalition formed to pass a Peoples' Veto to overturn the recent gay marriage law, announced the launch of their Web site today.

The Web site serves as the campaign's online headquarters for supporters of traditional marriage to receive petitions, send in their donations, get the latest information about the campaign, and learn how to volunteer for the People's Veto effort.

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NOM California Marriage News: July 17, 2009

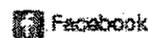
Friday, July 17, 2009 11:23 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

July 17, 2009



Dear [REDACTED]

Three national polls now confirm an astonishing truth: Support for gay marriage is not growing. Strong majorities continue to oppose gay marriage.

As Maggie Gallagher recently told the press: "Three recent polls (Pew, Gallup and CBS News/NYT) confirm that strong majority of Americans continue to oppose gay marriage, despite the recent push for gay marriage in Iowa and the northeast. Strong majorities of Republicans and independents oppose gay marriage according to the latest Pew poll. Even 41 percent of Democrats oppose gay marriage. Our challenge--and it's an exciting one--is to build an organization that helps translate public opinion into an effective political force, one that helps the views of ordinary Americans get heard here on Capitol Hill and across the country." (You can find links to all three polls at the bottom of this letter.)

Do you realize how revolutionary this news is? These polls turns the conventional wisdom on its head. Gay marriage is inevitable. "they" say, and the media trumpet: there are no arguments against it.

But the truth is very different: After six years of public scrutiny and debate, gay-marriage advocates have failed to persuade the American people. (Help us get the word out! Send this good news to three of your friends.)

And that's in spite of the mainstream media, in spite of the recent court decision, in spite of the massive top-down push to ram gay marriage through blue-state legislatures in New England.

Through it all, the truth shines out. Americans know the difference between hatred and common sense, between the evil of bigotry and the profound good of marriage. Between two dudes, however lovingly committed to each other, and a man who is willing to take on the responsibility of becoming husband to a wife and their children.

Facts are stubborn things. Maybe you have already heard about the big joint statement by Equality California and two other gay rights groups: They will not try to get an amendment overturning Prop 8 on the ballot in 2010. They urge other gay-marriage supporters to abandon the attempt. Why? Because they are afraid they will lose.

According to the *LA Times*, Ron Buckmire, president of one of the groups which signed the joint statement, said he made his decision after his group went door to door to talk to voters about same-sex marriage in South Los Angeles. "It was a huge success. We had 70 volunteers, working for five hours, knocked on 1,200 doors," he said. And yet after that massive effort, how many hearts and minds were they able to change? Just 50 people. Buckmire said. "Do the math."

Even in the bluest of blue states like California, the American people just don't buy this gay marriage thing.

The Supreme Court looms ever larger in the mind of the gay-marriage movement, a movement dedicated to imposing their values whether we like it or not.

So this week in Washington, I paid special attention, as hearings with Supreme Court nominee Judge Sonia Sotomayor wrapped up.

In public, Judge Sotomayor was channeling her inner Scalia. She's having no truck with any living constitution. That constitution is dead, written in stone, as far as she's concerned. All she does is apply the law to the facts.

But Judge Sotomayor suddenly clammed up at the oddest moments. Sen. Chuck Grassley raised the issue of DOMA. And then Sen. Lindsey Graham tried to get her to say something, anything, about how she and the Supreme Court should decide what is a "fundamental right." Graham pointed out the disparity: Ask the good judge about, say, "*stare decisis*" and she can ramble on at length. Ask her how the Supreme Court decides what a "fundamental right" is... and suddenly she can't say anything at all!

Judge Sotomayor wasn't going to say anything at all that might clue the American people in to her views.

As NOM president Maggie Gallagher told the press, "By refusing to answer basic questions about her views of the Constitution, Judge Sotomayor is not displaying the kind of honesty we expect from judges. All Americans who support marriage as the union of husband and wife--and every American who treasures democracy and freedom--has reason to be concerned."

Kudos to Senators Grassley and Graham for raising the marriage issue. It's probably the single most important case Judge Sotomayor is likely to influence in our lifetime. And remember: The Supreme Court reads election returns. (To help us fight to protect marriage, can you give as little as \$5 a month? Or, if a one-time donation is easier, we can use any help you can give us--\$10, \$20, \$250, whatever you can spare--to amplify your voice in Washington and around the country.)

I had my first quintessential Washington moment this week. I was sitting actually in a smoke-filled room (literally! cigars!) talking on the phone about the harassment and intimidation people who speak up for marriage face. The guy sitting next to me, a distinguished-looking man of 70 years or so, says to me, "Excuse me, I couldn't help overhearing you. Can I talk to you about this marriage thing?"

I move over to chat. I explain why marriage matters--it's a universal human social institution, necessary in a way that no other relationship is. When a baby is born, I tell him, there's bound to be a mother somewhere close by, but marriage is how we attach the father to the mother-child bond, so we can make sure men live up to our responsibilities in family and in society.

That struck a big chord. "You are right," he said, "Men are promiscuous." (That's his words, not mine!) "Thank you," he tells me, "I never heard that argument before; that makes a lot of sense."

Meanwhile, this being a Washington scene, every now and again we were interrupted by folks who wanted to say a few words to my new friend. I couldn't help noticing that they kept addressing him as "Congressman."

"I'm a Democrat," he told me. "I'm not going to vote with you on most things, but this gay marriage thing... maybe that goes too far."

Truth is powerful. The only way they can win is if they succeed in silencing and intimidating us. Thank you so much for all you do to encourage and help me--and all of us here at NOM--fight for marriage.

A final note of good news. Next week, I believe marriage forces will be announcing a huge victory in Maine: The people will get a chance to repeal the gay-marriage bill rammed through the legislature this spring. The gay-marriage juggernaut has been halted in its tracks in Maine (thanks to your help!) and the people will decide the future of marriage this November.

And right out of the box, the press is reporting that marriage advocates are taking a fundraising lead. It's a broad coalition. Stand for Marriage Maine, with many players. But we are very, very proud to announce that thanks to your help, NOM has played a key role in pulling together a big chunk of early money to make this happen--\$160,000 so far. As the *Bangor Daily News* put it, "The National Organization for Marriage in New Jersey, which helped defeat a gay marriage movement in California, chipped in another \$160,000."

This is great news! But it's just the beginning. If we want really good news to come out of Maine, we'll need your help--all the help you can give us. We'll need your prayers, your vocal support, and your financial sacrifices. I know these are tough times... but we have tough battles ahead. Whether you can spare \$5 or \$500, we will work to turn your money into more positive, pro-marriage headlines.

We will not be silenced. We will not be intimidated. Be not afraid! Common sense and kindness endures.

We will never ever be afraid to stand up for God's truth about marriage, or for the children who deserve a world where grownups dare to speak truth to power: Marriage is about drawing together men and women in love to make the future happen.

God's blessings upon you and your family--for your friendship and courage and common sense in standing up for marriage.

Until next week, my friend.



Brian S. Brown



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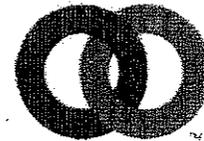
PS: NOM needs your help to get the word out! Do you have a few friends who might like to know more about protecting marriage? Here's an easy way to forward this message to them.



NOM California Marriage News: July 24, 2009

Friday, July 24, 2009 10:48 AM

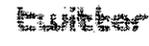
"Brian Brown" <bbrown@nationformarriage.org>



NATIONAL ORGANIZATION FOR MARRIAGE

NOM Marriage News: California Edition

July 24, 2009



Dear [redacted]

I don't "title" these letter to you--because I feel like I'm writing to a friend. But if I were going to title this Friday's letter, I'd call it "Ted Olson, David Boies and Me."

David Boies is the big-name, uberliberal lawyer who is in charge of the federal lawsuit seeking to overturn Prop 8. (Ted Olson is his libertarian partner in crime.) That suit is not just about California, it's about the future of marriage in all these United States. Because the only real legal ground for saying Californians aren't allowed to define marriage as the union of husband and wife is the argument that any law defining marriage in that way is grounded in only bigotry, discrimination, and violation of equal protection, that it's the legal equivalent of racism (or at least sexism)--a denial of rights no rational person would withhold.

Lo and behold, David Boies was not content to wait and tell all that to the Supreme Court; instead he decided to give a preview of his views on the pages of the *Wall Street Journal*.

When I heard that two such high-powered lawyers were involved, I admit I was a little nervous, what with the strange way some courts are acting. But really, after reading his *WSJ* op-ed I thought: is this the best he can do?

"The Supreme Court has repeatedly held that the right to marry the person you love is so fundamental that states cannot abridge it," Boies declares.

Well, no, actually the Supreme Court has upheld numerous restrictions on the right to marry someone you love. If that person is judged too young, or too closely related by blood (or even marriage!), or if the person you love happens to be already married to someone else. (There is actually a very famous Supreme Court decision upholding the federal government's right to restrict polygamy, *Reynolds v. United States*.)

FACT: No Supreme Court has ever suggested the fundamental right to marry includes the right to same-sex marriage.

"There is no legitimate state policy underlying Proposition 8," Boies declares.

Please, there are many good reasons why states do not have an obligation to recognize same-sex unions as if they were marriages, especially the fact that same-sex unions cannot serve the primary public purpose of marriage: responsible procreation. Marriage, from the government's point of view, is about bringing moms and dads together to protect children. That's why government goes to the trouble of trying to create something called civil marriage in the first place.

FACT: Almost every time an Attorney General has been willing to assert that the core state interest in marriage is creating stable sexual unions that can create new life and limit fatherlessness, courts have upheld marriage. The only state court cases that have ever found a right to gay marriage are cases where the attorney general (like the former "Gov. Moonbeam," Jerry Brown, in California) has refused to make this argument to the court.

If the state purpose of marriage is only "tradition" Boies would be right--that's not a reason. But responsible procreation is a good

reason why marriage is limited to unions of man and wife.

"The occasional suggestion that marriages between people of different sexes may somehow be threatened by marriages of people of the same sex does not withstand discussion," Boies sniffs

Au contraire. It is perfectly easy to see why, if the government declares that same-sex unions are "no different" than marriage, the idea that marriage matters because children need a mom and dad will be effectively overruled in the public square.

FACT: Once gay marriage is law, our taxpayer money will be used to teach our own children and grandchildren that our view of marriage is now discarded bigotry. Marriage, they will be taught, is no longer about sex difference in the service of children and the common good.

"Even if depriving lesbians of the right to marry each other could force them into marrying someone they do not love but who happens to be of the opposite sex, it is impossible to see how that could be thought to be as likely to lead to a stable, loving relationship as a marriage to the person they do love." Boies goes on.

FACT: Nobody is trying to force lesbians to do anything. Gay people in these cases are saying they do not want to marry, they want to do a different kind of relationship. That's their right. But neither they nor David Boies nor the judges have the right to tell Americans we must redefine marriage to accommodate these private and personal views.

"It is precisely where a minority's basic human rights are abridged that our Constitution's promise of due process and equal protection is most vital," says Boies.

The most basic right is the right to be treated fairly by courts which respect the rule of law. David Boies wants to go into federal court and overturn the civil rights of the 7 million Californians who voted to protect marriage because he personally thinks we are all irrational bigots.

And that's wrong. It's also deeply offensive thing to say and do. Like I said, this morning I'm taking it personally.

If you take these attacks on marriage personally as well, then fight back! Whether you can give \$5 or \$500, we can use all the help we can get to respond to Boies and others who misunderstand and look down on our marriage traditions.

"The argument in favor of Proposition 8 ultimately comes down to no more than the tautological assertion that a marriage is between a man and a woman. But a slogan is not a substitute for constitutional analysis. Law is about justice, not bumper stickers."

David, at last you say something I agree with. Law is about justice, not bumper stickers. That's why I'm getting up every day to fight for the truth about marriage. "There is none so blind as he who will not see."

We know the court will hear the powerful voice of David Boies. Will they hear your voice as well? Your donations help us bring your voice to Washington--and everywhere marriage is threatened.

When courts get into the business of making up new civil rights to accommodate people's private and personal desire, where are they going to stop? In a July 23 story called "Some See Polyamorous Marriage as the Next Civil Rights Movement," ABC News gives us one idea:

"Ashara Love" is another woman who is hoping others will eventually understand her unconventional family. ...

"Many of us adopt another name because it provides us with protection from being outed," she said. "We are the next generation after the gay and transgender communities."

The most vocal polyamorists want the right to marry -- as a cluster.

"We have rights to love any way we want unless we are harming other people," said Love. "Like the air we breathe, we have a right to be and do and say whatever is our full expression, and this to me is a civil right."

The story also profiles a case of a "polyamorous" gay couple (I admit I hadn't considered that marriage possibility) who ended up in the news because a man was killed in their home, and nobody is quite sure how or why.

When does a desire become a right? Where do we draw the line?

One firm place to stand is on the great and noble truth: Human beings are born of men and women, we are born male and female, and the great organizing principle of marriage is the need to bring together men and women to make and raise the next generation.

Good news about of New Hampshire: Even a poll done by a liberal group shows that the majority of New Hampshire people reject gay marriage, 49 percent to 41 percent, with a suspiciously big chunk of people refusing to tell the pollsters either way. We could have told you that, based on the thousands of phone calls that the National Organization for Marriage (working with the feisty young Kevin Smith of Cornerstone Policy Research) generated in response to the outrageous pressure from national politicians and big donors on the Granite State. Just a reminder that we are going to keep fighting for marriage in every state in this union. (Maggie Gallagher has asked me to make a special request this week: if you can give \$10 to marriage, will you give it to NOM PAC New York? A donor has promised to match the first \$500 we receive following this newsletter. So if you give \$10 that will turn in \$20. If you give \$100 that's \$200. If you cannot give money, will you offer a special prayer for the success of this new PAC? Click here to

donate.)

Some things are too important to leave to judges and politicians. Some things are too precious to mess up for our children and grandchildren.

God bless you this week and each week as we journey together to an America where no one is afraid to speak up for something as good as God's vision of marriage.



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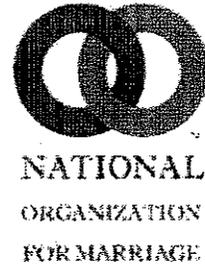




NOM California Marriage News: July 31, 2009

Friday, July 31, 2009 11:35 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

July 31, 2009

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Dear [REDACTED]

Fabulous news!

StandforMarriageMaine.com has turned in an extraordinary 100,000 signatures to overturn gay marriage. That's an enormous outpouring of volunteer effort and energy, and the Maine leadership of this coalition was crucial.

But you helped too! This is your victory! NOM's goal is to gather together an army of marriage supporters from around the country who can help each other, wherever help is needed.

In the process of fighting each local battle, we will build a national movement the powerful cannot ignore. And thanks to you, it's working!

Thanks to you, NOM was able at very short notice to go to Maine and help Maine leaders put together this extraordinary effort.

NOM helped with our expertise, experience and relationships, but it is your financial sacrifices which have made our initial victory possible. When you donate to NOM, you're creating the next round of good news! Can you give \$5, \$25, or even \$100 today to win the next victory for marriage?

Here's the first amazing thing you did by helping NOM help Maine: You stopped gay marriage in Maine in its tracks! That's right--the gay marriage law, passed hastily by politicians beholden to out-of-state special interests, would have gone into effect on Sept. 12. But now, the law is suspended pending the outcome of the "people's veto"!

30 out of 30 times the people have had the chance to vote, they've spoken: Marriage is the union of a husband and wife. It's going to be a big battle, but it's a battle that together we can win!

Maine is about more than Maine. In her fabulous cover story, "The Carrie Effect," in this week's *National Review*, NOM president Maggie Gallagher lays out why gay-marriage advocates are pushing bills through this tiny number of small states right now. Well, one answer to "why" is: Tim Gill says so. Tim Gill is the gay billionaire misusing his financial muscle to impose gay marriage on the American people, whether we like it or not. What Maine will prove to the doubting Thomases and the politicians standing on the sideline is that there is no majority for gay marriage anywhere in these United States. The push for gay marriage is pure politics, being played with our most sacred institution--hardball politics where money is being used to push politicians away from the people's priorities.

But ordinary people like you can still make a difference! Even a small donation--maybe a monthly pledge of just \$10--can help us make your voice heard.

As Maggie writes in "The Carrie Effect," "Gay marriage did not start passing legislatures as the result of a sudden wave of populist sentiment for it. Public sentiment has not shifted one bit toward gay marriage since last November, when voters in a blue state (California), a purple state (Florida), and a red state (Arizona) once again affirmed that the majority of Americans oppose it.

"A Gallup poll released in late May demonstrates the surprising stability of opposition to gay marriage: 'Americans' views on same-sex marriage have essentially stayed the same in the past year': 57 percent opposed, 40 percent in favor. 'Though support for legal same-sex marriage is significantly higher now than when Gallup first asked about it in 1996, in recent years support has appeared to stall.' Gallup asked voters whether gay marriage would make the country better off, make it worse off, or make no difference. Only 13 percent of Americans said gay marriage would help the country; 48 percent said it would make the country worse off."

Maggie concludes by saying: "The urgent job facing marriage advocates is to take an issue on which we have the agreement of almost 60 percent of the American people and translate that into politically effective organizations that can elect our friends and defeat our enemies." That's what I get up every morning to do: transform despair into realistic hope, take decent Americans who feel isolated and marginalized and bring us together into a powerful movement, one that can really make a difference!

And Maggie also reminds me one reason I fight so hard: "If we continue to fail to do so, our political opponents will use their cultural power to create an America in which traditional religious groups are redefined by the government as the moral and legal equivalent of racists."

You and I know the truth, right? We know same-sex unions are not marriages. We understand what is at stake in this debate, and we can see a pathway to victory together! ([Click here to pass this message of hope on to a friend!](#))

The letter is a little short this morning. That's because this morning, as I write, a *Washington Post* reporter is here at home talking to my wife Sue. Weird, huh? I'll let you know how that story turns out too!

But know one thing: I will never stop thanking God for the privilege of being your voice for God's truth in every state in this great country--and now, with NOM's new national office, in the marble halls of Washington D.C. too.

Thanks again, and until next week, please remember me and my family in your prayers.

Take care,



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NOM California Marriage News: August 7, 2009

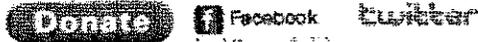
Friday, August 7, 2009 3:45 PM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

August 7, 2009



Dear [Redacted]

In Maine, the battle is on! Jesse Connolly, the campaign manager for No on One, Protect Maine Equality, thought he had a great PR stunt up his sleeve: he asked the Stand for Marriage Maine campaign (which you can visit and contribute to at www.standformarriagemaine.com) to pledge that the fight for marriage in Maine this fall would be conducted ethically and in compliance with all Maine statutes. Of course, marriage supporters learned about this from the news media, because Jesse couldn't actually wait for a reply. Like I said, it was a publicity stunt. Gay marriage advocates want to raise the question of campaign ethics? Good. Let me share with you the powerful response from Maine leaders Marc Muty and Bob Emerich, who just sent out this reply:

*Mr. Jesse Connolly, Campaign Manager
No on One, Protect Maine Equality*

Dear Jesse:

We are aware from media reports today that you have sent a "pledge" to conduct an ethical campaign consistent with Maine practice and statutes for Frank Schubert of Schubert/Flint to sign. We are pleased that your campaign has finally responded to our long-standing call for both sides of this issue to conduct an honest, civil and respectful campaign. We are pleased you have accepted our challenge.

Stand for Marriage Maine will be signing the campaign conduct pledge form you provided.

We were delighted to see your commitment to "uphold the right of every qualified voter to free and equal participation in the election process." This is quite a change of direction given the extraordinary efforts made by Equality Maine and your allies to prevent Maine voters from having any say on this issue whatsoever during the Legislative session.

In addition to conducting an honest and forthright campaign, we hope that you will agree with us on the following principles.

** Agree to at least one public debate with the media invited to cover it live. The voters deserve to hear from both sides of this important issue in a forum that allows for a full discussion of the ramifications of LD 1020.*

** Agree that no contributor, volunteer or staff member will be harassed due to their participation in the campaign. Regrettably, supporters of marriage in California and other states were repeatedly harassed by gay marriage activists including posting their*

personal information on the Web, having their employers called, and subjecting them to various forms of intimidation.

* Agree that property will not be destroyed, as has happened elsewhere. This includes destroying or defacing campaign signs, damaging vehicles containing bumper stickers and defacing churches that are active in the campaign.

* Agree that churches on both sides of the issue will be dealt with respectfully and no attempt will be made to interfere with their lawful expression of beliefs or discussion with their members and the public.

We hope you can join us in making this pledge Jesse for the well being and safety of all and for the opportunity to have a fact-filled and honest debate over this important issue.

In the future we urge you to address your concerns to those that are charged with the decision making responsibility for our campaign. As I think you already know, Schubert/Flint are under contract with our campaign but it is the Executive Committee, Bob Emrich, Brian Brown, and myself as chair, that make the final call.

Sincerely,

Marc R Mutty, Chair, Executive Committee
Bob Emrich, Executive Committee

You can fight back against the bullies! [Visit StandForMarriage Maine.com today to make your contribution in the fight to protect marriage in Maine!](#)

I know many bystanders read my letter to you each week, and that includes the gay press. This week Tips-Q.com GLBT News Service headlined a piece by David Hart called "NOM Continues to Demonize Tim Gill." Well if by "demonize" you mean, point out the way one, rich, powerful gay Colorado billionaire is pushing politicians to ignore their constituents and pay attention to Tim's priorities instead, yes we are going to continue to call people's attention to Tim Gill's agenda!

According to the gay press, Tim's attempt to buy politicians is more legitimate than NOM's political organizing, because he's spending his own money, while NOM is a grassroots organization that depends on the contributions of thousands of ordinary Americans to make our voices and values heard. (We've gone from 8,000 donors at the start of this year to 30,000 and counting! Thanks to all of you who have made NOM's work possible. I cannot tell you how grateful I am, personally, for your support—and even more importantly what your support helps us do: fight to protect marriage and religious liberty.)

The most telling thing, though, in David Hart's piece critiquing my last letter to you, was his response to this statement I made:

And Maggie also reminds me one reason I fight so hard: "If we continue to fail to do so, our political opponents will use their cultural power to create an America in which traditional religious groups are redefined by the government as the moral and legal equivalent of racists."

David's reaction? "I have a simple suggestion for them; Don't act like racists and you won't be treated like racists."

It's hard to believe that we could wake up in an America and find our faith communities have been redefined by the government as racist threats to America. I mean, how can an idea like "Marriage is the union of husband and wife" be treated as the legal equivalent of racism? Reluctantly, I've come to accept that people like David are quite serious about using the law to impose their view of morality on the rest of us.

Thank God we still live in the freest, the most democratic, and God-blessed countries on the face of this Earth. Even (especially!) when our most cherished ideals are threatened, we come together as a people to stand for what we believe. Today the fight is over marriage and religious liberty, and with your help we can win. Will you stand with us today? [Use this hyperlink to help support NOM's work not only in Maine but around the country, wherever the need arises.](#)

On a happier note, take a look at this syndicated column by National Review Online editor Kathryn Jean Lopez, she writes:

The fact is that however you spin it, gay unions are not marriage. . . [NOM president Maggie] Gallagher writes: "Same-sex unions are really not just like opposite-sex unions when marriage is in question. Celebrating all forms of adult romantic love equally is not a very good justification for redefining a fundamental institution whose public purposes reach far beyond the affirmation of romance."

... According to a recent CBS/New York Times poll, support for gay marriage has dropped nine percentage points from a 42 percent historic high. According to Gallup, only 13 percent of Americans believe that gay marriage would make us better off, while 48 percent believe it would be change for the worse. While Republicans were tripping over themselves to pose with the party's Log Cabin branch and join the march of inevitability, a beauty queen made it OK to confidently acknowledge reality, in a loving and beautiful and even tolerant way."

Thanks Kathryn,

Until next week, keep me in your prayers will you? And not just me, please remember all the good people in all the different organizations fighting for the future of marriage.

Yours,



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NOM PAC New York Marriage News: August 26, 2009

Wednesday, August 26, 2009 8:51 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM PAC New York



August 26, 2009



Dear [REDACTED]

Is New Jersey next on the gay marriage target list?

We listened in to a panel of pro-gay-marriage experts at the "netroots nations" conference discussing what they need to win. (You can listen and see it [here](#).)

Monica Hooflinger, who works for LGBT Mentoring in Maine, made a big concession: "Nationally, voters' attitudes on marriage equality have plateaued... While we made really important gains in the early part of this decade, for the last four or five years they have essentially been stagnant."

Monica knows her stuff.

In spite of four or five years of public protests, hundreds of millions spent by the top gay rights groups, attacks on donors to Prop 8, and a sympathetic press, the American people are just not on board on this gay marriage thing. People's views have stopped "evolving" in the direction Monica hopes.

Monica goes on to admit: "We have never successfully defended [gay] marriage at the ballot box. ...The good news is that as a national community I believe that we care about this more than they do."

Really, Monica? At NOM, we beg to differ. AT NOM we are 500,000 people who believe in standing up straight and tall together, for God's truth about marriage in Maine and all across this great country.

Monica's conclusion: "It is very critical we do everything we possibly can do. ...As Maine goes, so goes the nation." NOM has put enormous effort and resources into helping the people of Maine fight for marriage. But not just Maine.

Here's the thing: About 50 minutes into the panel at Netroots Nation a woman from New Jersey stands up. She identifies herself as a documentary filmmaker, but she makes it clear that her goal is to produce a "documentary" to show to New Jersey legislators right before the gay marriage vote in the Garden State.

When exactly will that vote take place?

"New Jersey will vote in the lame duck, after the election is over," she says bluntly. That's the word on the street to gay rights groups.

This November.

Why after the election? Because like Monica, the Trenton politicians know the people aren't behind this effort. They want to minimize your chance to make your voice heard.

The New Jersey docu lady goes on to say something else interesting: "But we're having a huge, really hard time finding subjects for our documentary who are members of the quote-unquote 'minority community.' ...I would like some advice about how I can get those people to be a part of it ... a Latino or an African-American. ...I've been doing my best to get them on board and they almost get there and then they 'chicken out.' I'd like some advice on how I can get these people to see the bigger picture."

Maybe they do see the bigger picture: Maybe they understand that it's just plain wrong for government to mess around with the meaning of marriage. Maybe New Jersey minority community members understand that the ideal for children is a husband and wife

working together in marriage, and that gay marriage will change what all our kids are taught by our own government. Maybe they do not want to see the moral education of New Jersey's black or Latino children co-opted to serve the interests of wealthy donors to the Democratic Party. Maybe they understand that there is something wrong when "civil rights" is taken over to mean the right of two men to insist that we all view their relationship as a marriage, whether we like it or not.

Here's one thing I can promise you: We will be focusing like a laser on attempts by GOP politicians to sell out marriage voters. We've already promised to raise \$500,000 and use it for a primary challenge to any GOP senator in New York who betrays his constituents by voting for gay marriage. Do New Jersey politicians need a similar warning? Fight back against Trenton insider politics! By pledging just \$20 this week, you can make an impact in New Jersey--and remember, the earlier we get moving to protect marriage, the more likely we are to succeed!

In New York, the special election race for the 23rd Congressional district has yet to be announced, but already Dede Scozzafava is catching heat for her extremely liberal views. Over at the Red State website, Erick Erickson writes, "I am on record repeatedly saying that disaffected conservatives should not agitate for a third party. ... There are, however, some situations where exceptions must be made in order to pressure the Republican Party of a particular state into doing what is right.

"Now the race in NY-23 pits two liberals against each other in the two major parties. Sadly, the person furthest to the left is the Republican, Dede Scozzafava.

"Dede Scozzafava is to the left of the party on abortion, taxes, spending, marriage, guns, everything. She is a terrible candidate. The New York GOP had a chance to do right by the people of NY-23. They failed."

We're staying on top of this race looking at all the alternatives. We're going to make sure every politician knows: You care about marriage, and you vote! (To help us get your voice heard in New York, can you donate to our New York PAC? Whether you can give \$5, \$50, or more, it all makes a difference!)

Marriage is not a partisan issue. It's not about party politics--it is about doing what's right. Thank you for all you have done to help us make a difference for you, your family, and our shared values.

God bless you!



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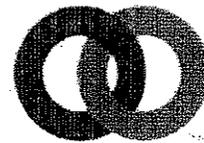
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NOM California Marriage News: August 28, 2009

Friday, August 28, 2009 12:56 PM

"Brian Brown" <bbrown@nationformarriage.org>



NATIONAL ORGANIZATION FOR MARRIAGE

NOM Marriage News: California Edition

August 28, 2009

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Dear [redacted]

Marriage is one of the big huge truths in life--much bigger than any one person.

Certainly, the National Organization for Marriage is not about me personally. (That's why, when some of our opponents write to tell me, er, rather forcefully about my perceived sins and shortcomings, I try to use the moment to reflect on the ways they might be right: Vox populi, vox Dei. All of us have fallen short of the glory of God. Me especially--just ask my wife!)

So when I saw that the *Washington Post* published a profile of me and my wife Sue this morning I was going to just pass it over lightly.

But Maggie said, "No way!"

"OK, you write the newsletter this morning," I countered.

Interlude: From Maggie Gallagher, president of NOM:

I don't know if you've had the chance to meet Brian personally. I consider working with Brian one of the great honors of my life--and a pleasure too. The *Washington Post* profile just nailed him!

"This country is made up of a movable middle, reasonable people looking for reasonable arguments to assure them that their feelings have a rational basis. Brian Brown speaks to these people. He has a master's degree from Oxford, and completed course work for a doctorate in history from UCLA," writes the reporter. "The reason Brian Brown is so effective is that he is pleasantly, ruthlessly sane."

Oh yes and Brian is something else too: "Instantly likable. He's a thoughtful talker, especially when discussing his 'opposition,'" *WaPo* writes.

I could add a few more adjectives that come to mind when thinking about Brian: superbly competent, committed, articulate, persuasive, charismatic in that low-key way. ("Instantly likable," yes!) And also generous. Generous, giving, sacrificing, chivalrous, disciplined, and fun-loving. He is the only executive director of a major social conservative organization I know of who has been known to surf with potential major donors. (That's not a metaphor. I mean literally in the ocean with a board.)

But if Brian ever decides to retire, his wife Sue would be a good candidate to take his place making the case for marriage to the heartland--if the six kids she's homeschooling would ever give her the time!

"Connecticut was really hard," she told the reporter, who noted. "In Connecticut, they lived on a street with two sets of lesbian parents. One summer a mutual acquaintance threw a neighborhood party. Brian wasn't invited at all, and Sue's invitation came with a note: 'We know what Brian does. If your views are not the same, you can

come to the party.' Sue stayed home.

"I get how [gays and lesbians] feel,' she says. 'I get that.'

"...She has thought through it. She supports her husband. I can only go by my own experience, and I believe there's a huge difference in gender.' The kids don't need Brian 'walking in the door because he's another person. They need him because he's a man.'"

Okay, that's enough about Brian. Let's go back to the important thing: What the *Washington Post* says about NOM's key role in this marriage fight. That's not about us. That's about you and what you have helped us make happen.

The reporter calls the National Organization for Marriage "the preeminent organization dedicated to preventing the legalization of same-sex marriage."

"Brian has been the foremost grass-roots leader who has been involved in the marriage debate," says Chuck Donovan, a senior vice president at the conservative Family Research Council. "He's one of the more effective leaders out there."

Our opponents acknowledged as much: "You have to take them seriously," says Peter Montgomery, a senior fellow for the liberal People for the American Way. "They've raised a tremendous amount of money that they're funneling into various states. They're mostly responsible for putting the Maine veto on the bill."

Help us fight to protect marriage in Iowa, Maine and everywhere across this great land--donate today!

In less than two years you, coming together with hundreds of thousands of other Americans, have helped build NOM into a major, powerful, intelligent, and effective force fighting to protect marriage and religious liberty! From the bottom of my heart, thank you. As they say on TV, back to you Brian....

Thanks Maggie.

A few quick notes on other issues: You can see in NOM in the News that the Iowa race is attracting a lot of attention. The *Des Moines Register's* political reporter outdid himself in unprofessional, biased reporting on the *Des Moines Register's* website. What were his editors thinking? It's embarrassing--to the paper, (usually a credible news organization).

Under the headline "Anti-gay, Mormon-funded group spreading lies and fear in Iowa," a political reporter for the *Des Moines Register* basically just republished a press release from gay-marriage groups charging that NOM's new ad in Iowa's hotly contested district 90 race represents "lies and fear" spread by "religious extremists."

As I told the press, "This tactic will backfire. Iowans are fair-minded and decent people who know the politics of hatred and religious bigotry when they see it and will not appreciate seeing it applied to their friends and neighbors who support letting the people vote on marriage."

NOM's ad tells the fair-minded truth: Voters in Iowa are upset that the governor and other leading politicians are "reluctant" to let the people of Iowa vote for marriage. Implying that Americans who believe marriage is the union of husband and wife are somehow "extremists," much less "religious extremists," is really below the belt, hateful politics at its worse.

As for the charges that NOM is a "Mormon-based" group? Well, it's not really a "charge" at all in our heads, but it just isn't true, either. (See the *Mormon Times* response below). At NOM we welcome people of every faith (and none!) who want to fight for the idea that marriage means a husband and wife. Besides, those bloggers should all get together and decide to which religious conspiracy they want to attribute NOM's success. The same week the *Des Moines Register* issued its baseless charge, another blogger accused us of being a front group for a Catholic religious order. Make up your minds, fellas!

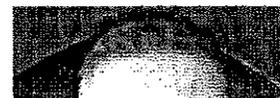
You and I know there is no conspiracy and no extremism: just decent, loving, courageous Americans standing up for the truth about marriage.

Singling out a religious minority is an especially ugly tactic which we also saw in California. It shouldn't happen in America, but sadly, it is happening without a peep of protest from the credentialed protectors of minorities in America. But I know you won't be intimidated--and neither will we! Speak up for your beliefs. And help us speak up as well; we need your support!

Until next week, please pray for Sue and all my family. I pray every week that God will bless you and protect you all.

Keep fighting the good fight!

Brian S. Brown



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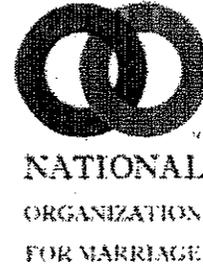
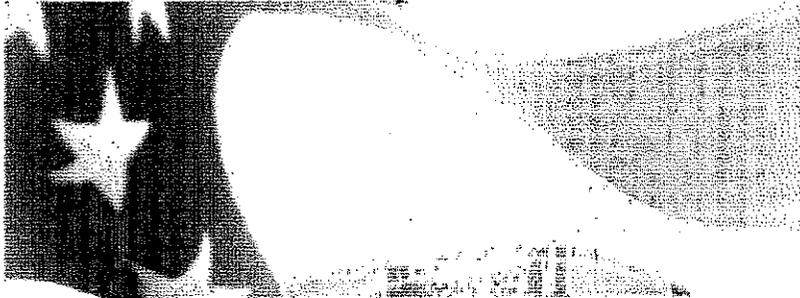
P.S. You've seen the headlines: NOM gets results! Can you help us? Whether you can spare \$5 or \$500, or anything in between, we'll use it to be your voice for your values. Thank you!



NOM California Marriage News: September 4, 2009

Friday, September 4, 2009 10:32 AM

"Brian Brown" <bbrown@nationformarriage.org>



NOM Marriage News: California Edition

September 4, 2009

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Dear [redacted]

Good news! Marriage is now officially on the ballot in Maine this November.

Mainers turned in more than 100,000 signatures asking for the People's Veto to repeal the gay marriage law. (Vote Yes on One!) After verifying 60,000 signatures the state actually stopped counting!

Money is going to be critical to getting the message out; the campaign needs to make ad buys *this week*. so if you can possibly spare just \$10 or \$100 this week, do not give it to me -- go to StandforMarriageMaine.com and fight back!

Maggie and I were both in Maine this week. Maggie did a radio show this morning--it's the Maine equivalent of Hannity and Colmes--the Ken and Mike Morning News show.

Maggie pointed out that you cannot say both that gay marriage is about "equality" and then turn around and claim that "it's not going to affect anyone else." Equality arguments don't lead to live-and-let-live tolerance. They lead to the expansion of government power to repress "bigotry"--i.e., the traditional understanding of marriage.

Gay marriage has real consequences. That's because gay marriage represents a government's endorsement of a new moral dogma: There is no difference between same-sex and opposite-sex unions. Maggie pointed out that when gay-marriage advocates repeatedly say the word "equality," we should pay attention: It means people like you and me, who think the ideal for a child is a mom and dad united in marriage, are going to start getting treated like bigots who oppose interracial marriage.

Ethan (a substitute host filling in for Ken) had a real hard time hearing what Maggie was saying.

I'm not surprised. A certain kind of liberal imagines that he is a diverse, cosmopolitan, and tolerant sort of guy--but too often actually it turns out he lives in a narrow social world filled with people who think just like him. Faced with real diversity--a difference of opinion--he is shocked, shocked that anyone can disagree with him!

"What you are saying sounds like bigotry to me," he more or less told Maggie. (I'm doing this from memory; I don't have a transcript, so forgive me!)

Most people get fazed, naturally enough, when they hear that--but not Maggie. "I've come to understand, reluctantly," she told him, "that people like you do hear ideas like 'Marriage is a union of husband and wife because kids need a mom and dad' as bigoted. That's why I want everyone else listening to understand very clearly: When they say 'equality, equality, equality,' they are telling you that gay marriage is going to have real consequences for everyone who disagrees with the government's new definition of marriage."

We are going to fight hard to protect marriage and religious liberty in Maine and throughout this great country. Thank you for all you do to make the Truth heard loud and clear! (And don't forget to [donate what you can to StandforMarriageMaine at this crucial time!](#))

I have a question for you: What if they announced gay marriage and no one showed up? That's the question being raised by Vermont's tumultuous passage of a gay marriage law last spring.

After all the brouhaha, when gay marriages were permitted, only a handful of couples showed up to take advantage--or even to get a license for a future union. (See the AP story "Slow Start: No Rush for Same-Sex Weddings in Vermont," below.)

We are seeing the same pattern repeated in other jurisdictions which allow gay marriage. When the law is first changed in a country, there is a spurt of symbolic interest. But that quickly dies down as gay marriage is "normalized." Very few gay marriages take place.

Gay-marriage advocates argued publicly that there is somehow a "conservative case for gay marriage." Other gay-marriage advocates argued that gay marriage would NOT limit the sexual freedom of gay people or gay culture--it would instead transform the marriage culture.

So far in Vermont, the conservative case for gay marriage is looking pretty anemic.

Meanwhile, in Iowa this week we came within a sliver of knocking off the Democratic candidate for a seat in the state assembly. 100 votes!

My friends will tell you: I'm a guy who hates to lose.

Iowa--just 100 votes. But something really important happened in Iowa's 90th district: Marriage won!

As I told the press, "Voters in Iowa's 90th House District voted yesterday to elect Democrat Curt Hanson in a narrow victory of just over 100 votes only after he publicly pledged to support placing such an amendment before the voters of Iowa. The National Organization for Marriage launched an independent expenditure in support of Republican Stephen Burgmeier after he made an early pledge to support placing a pro-marriage constitutional amendment on the ballot. The NOM advertising focused on the marriage issue and the people's right to vote. In response to NOM elevating marriage as a central issue in the campaign, Curt Hanson made a similar pledge to support placing the issue before voters, which helped cement his narrow victory in a district that has traditionally been a strong Democratic voting district. For example, President Obama carried the district last year by over 1,400 votes."

With both candidates supporting giving the voters the right to restore marriage in Iowa, marriage was the big winner yesterday. We at NOM appreciate Curt Hanson's commitment to giving Iowans the right to vote on this issue, and let me promise you: We will be following up with him to help him keep his pledge when the issue next comes up in Des Moines.

A fellow named Adam sent us an email asking some questions. Listen guys, I can't respond to every blogger who want speak to me, so let me just answer now once and for all:

NOM is an independent organization that is not officially associated with any church. We work with people of all faiths, and with all organizations and communities, religious or secular, who are willing to work to protect marriage as activists, as donors, and as board members. Yes, we welcome and have welcomed the help of LDS church members in all three capacities. The bulk of our supporters tend to be evangelicals and Catholics because the majority of American marriage supporters are Protestant or Catholic.

But we do not ask people's religious affiliations before accepting their help. "Have you now or have you ever been a Mormon?" is a sort of religious test for participation in democracy which I find personally repugnant and contrary to the spirit of the First Amendment.

Let me be crystal clear: The LDS church is not responsible for NOM's formation, and NOM has never received any promise of assistance from Salt Lake. We would welcome such assistance, as we would from other faith communities. But Salt Lake is not responsible for NOM's activities and the continued press suggestions are unfair to the the LDS church leadership and to Mormons in America generally.

Fake complaints take time and energy away from investigating real and serious abuses of the political process. NOM has retained the top legal firm of Bopp and Bostrum to provide us with legal counsel in every state that we operate in. Thanks to their expertise and our firm determination to meet our legal obligations, NOM has never been found to violate any state or federal election law.

Until next week, may God bless you for all your courageous efforts to stand up for marriage!



Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542



bbrown@nationformarriage.org



P.S. Once more, please head over to StandforMarriageMaine.com and help them with their good work! They need your support today.



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

September 15, 2009

By E-Mail and Regular Mail

Joseph A. Keaney, Treasurer
Stand for Marriage Maine PAC
One Monument Way, Second Floor
Portland, Maine 04101

By E-Mail and Regular Mail

Brian S. Brown, Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542

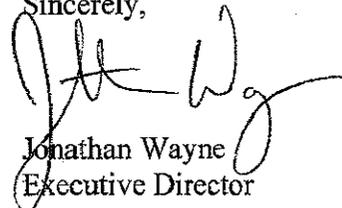
NOTICE OF ADDITIONAL INFORMATION FROM FRED KARGER

Dear Sirs:

This is to notify you that the staff of the Maine Commission on Governmental Ethics and Election Practices has received additional information from Fred Karger to supplement his request for an investigation. The information was in the form of five e-mail communications dated September 12 - 15. In case you wish to respond to the information, it is attached to my e-mail that will accompany this cover letter.

Thank you.

Sincerely,



Jonathan Wayne
Executive Director

cc: Marc Mutty, Chair, Stand for Marriage Maine PAC
Fred Karger
Assistant Attorney General Phyllis Gardiner

Wayne, Jonathan

From: Reprak@aol.com
Sent: Saturday, September 12, 2009 2:59 AM
To: Wayne, Jonathan
Subject: Brian Brown Correspondence

Mr. Wayne – got this email from Brian Brown today. In paragraph #7 he brags about NOM being "the largest single donor to the effort to protect marriage in Maine." <http://nomblog.com/?p=426>

Fred Karger
Founder
Californians Against Hate
<http://californiansagainsthate.com>



NATIONAL ORGANIZATION FOR MARRIAGE

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- SSM
- States
- California
- Connecticut
- Iowa
- Maine
- New Hampshire
- New York
- Rhode Island
- Vermont

Dear Friends of Marriage,

This week in D.C. a man came into my office. He was very distinguished-looking, with white hair, and he had a distinguished past to match. "I was on the front lines marching against the war in Viet Nam," he told me. "I want to help you fight to protect marriage."

This combination would probably blow the minds of the Washington Post. But it's no longer a surprise to me. "I fought the war because I thought it was an important moral issue," he told me. "So is marriage." (If you agree, why not consider a small weekly or monthly contribution? Can you sacrifice even \$5 a month to protect God's own precious and sacred institution?)

Among the great joys and privileges of being in this position, as a leader of this grand new marriage movement, are the people I get to meet all over the country. It's amazing. Marriage is drawing together Americans across all different political, racial, religious and ethnic lines.

The fights for marriage are accelerating across this country. District of Columbia, New York, New Jersey, Maine--and now the gay press is reporting that House Democrats plan shortly to introduce the repeal of the federal Defense of Marriage Act.

The needs on NOM are expanding rapidly. I am so profoundly grateful to each of you who have donated your time, your ear, and your treasure to this great and good fight. If in these tough economic times you cannot afford to give, I understand. Would you pass on this newsletter to a friend? We need to reach out and build--from half a million activists to more than a million in the next few months. I need your help.

If God has given you the means, can you step forward to help us replenish our coffers? We are the largest single donor to the effort to protect marriage in Maine. We are the only national organization fighting to protect marriage in New York and New Jersey, and we need your help to fight for your values.

Flaggie Gallagher, NOM's president, had a great column this week called "Gay Marriage Rage." You can read it in its entirety below. But I want to pull out one big thought: Gay-marriage advocates have stopped persuading. Public opinion polls are no longer moving in their direction. And so they are responding with the politics of hate: attempting to intimidate and silence opposition by raising the cost of speaking for the Truth.

I can promise you that here at NOM, no matter what efforts they make, we will not be silenced. We will be your voice for your values. Together we will make a difference.

Let's not forget that this morning is the anniversary of 9/11. Please join me in praying for the souls of the thousands of Americans who gave their lives in a war they did not even know had been declared on our beloved country. Of all the mysteries, the mystery of evil is the most unfathomable.

"Truth and love will prevail over lies and hate." That is our solace and our Hope.

God bless you and your family.

Brian S. Brown
 Executive Director
 National Organization for Marriage
 20 Nassau Street, Suite 242
 Princeton, NJ 08542
 bsbrown@nationalfor marriage.org



Archives

- September 2009
- August 2009
- July 2009
- June 2009
- May 2009
- April 2009

Wayne, Jonathan

From: Regrak@aol.com
Sent: Monday, September 14, 2009 12:17 PM
To: Wayne, Jonathan
Subject: National Organization for Marriage -- Brian Brown Emails
Attachments: Brian Brown Emails #2.doc

Mr. Wayne – here is the link to all of Brian Brown's emails from November 14, 2008 to present. They are on a large pdf that takes a few minutes to download, but they are all there.

<http://www.stat.ucla.edu/~cocteau/all.pdf>

Separately, I have attached the four emails from Brian Brown that are more Maine and Northeast specific dated March, 17, March 27, March 31 and April 8, 2009.

I look forward to speaking with you today at 3:00 pm (EDT).

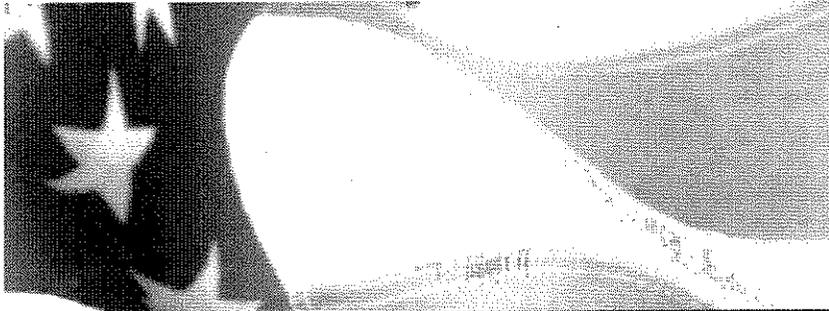
Best regards,

Fred Karger
Founder
Californians Against Hate
<http://californiansagainsthate.com>

cell 310-666-9119

Brian Brown Emails #2

Email A – March 17, 2009



NATIONAL
ORGANIZATION
FOR MARRIAGE

NOM Launches Northeast Action Plan!

March 17, 2009

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Dear B,

After watching the way things have developed over the past several weeks, I'm faced with a stark reality in the Northeast: **If we don't act now, one or more New England state legislatures is likely to adopt same-sex marriage this year.**

The threat is urgent and immediate. A same-sex marriage bill in Maine now has 60 co-sponsors – 40% of the state house members. In New Hampshire and Vermont, gay marriage advocates have been gradually building support for years. A leading gay marriage group in the Northeast believes they will achieve same-sex marriage in all 6 New England states by 2012 – their "6 by 12" plan.

But I'm confident that with your help we can turn things around, and that's why yesterday NOM launched its 2009 Northeast Action Plan.

With same-sex marriage legislation pending in Maine, Vermont, and New Hampshire, the first phase of the plan kicked off with a round of radio ads airing throughout those three states, urging voters to contact their state legislators in opposition to the same-sex marriage bills. The ads are timed to coincide with a week of hearings on same-sex marriage in Vermont as well as upcoming committee votes in Maine and New Hampshire.

The ads are the first in what will be a series of targeted advertising buys throughout the Northeast throughout 2009 as legislatures consider measures to redefine marriage. The ads not only help to organize grassroots opposition, but also serve notice to state legislators that their support for gay marriage will not go unnoticed.

Will you help fund our Northeast Action Plan? Use this hyperlink to make a secure online donation of \$35, \$50, or \$100 today!

The ads open with a child asking questions about same-sex marriage: "If my Dad married a man, who would be my Mom?" Listeners then hear an urgent marriage alert, asking them to contact their legislators in opposition to the same-sex marriage bills pending in the three states.

To listen to one of the ads, click here.

Donate

While California was the focus throughout 2008, the Northeast promises to be ground zero in the marriage debate throughout 2009 and 2010, as state legislatures in not only Vermont, New Hampshire and Maine, but also in Rhode Island, New Jersey and New York, consider bills to legislative create same-sex marriage in those states.

WE NEED YOUR HELP!

If you live in one of the Northeast states, and haven't yet contacted your legislators, please do so today! Visit www.nationformarriage.org to get started. In five minutes or less you can make your voice heard with an email to your own legislators, as well as the committee members considering the marriage bills.

But there's work for all of us to do! **Even if you don't live in the Northeast, we need your help to stop one of these states from becoming the first state to legislatively adopt same-sex marriage.** Same-sex marriage affects all of us -- already gay marriage advocates are using same-sex marriages from Massachusetts to challenge the federal Defense of Marriage Act.

We know that the American people don't want gay marriage -- they've rejected it now in 30 out of 30 states where they've had a chance to vote. But many elected officials, especially in New England, think that people just don't care enough about same-sex marriage, and that they can vote for same-sex marriage to please a vocal minority without any real opposition from the majority that oppose it.

So tell your friends in New England to visit www.nationformarriage.org to send a letter to their elected officials.

And please make a generous donation to our Northeast Action Plan today! We were all able to stand together in California and succeed where few thought it possible. We need your help again today to stop same-sex marriage before it gets started in New England state legislatures. And unlike in California, gifts to NOM's Northeast Action Plan are not publicly disclosed.

Will you please make your most generous contribution today? Your gift of \$35, \$50 or even more will go a long way to making sure that we have the resources to succeed in Maine, Vermont, New Hampshire, New York, New Jersey, Rhode Island and elsewhere. Perhaps you could afford \$10 or \$20 a month for the rest of 2009 -- think one less meal out per month -- in order to help save marriage! Please click on the button below to make your generous donation today!

We're working to raise \$1 million to finish funding our Northeast Action Plan for 2009. This will allow us to work with state groups on the ground in these critical states, providing the resources needed to help organize the grassroots, provide targeted online contact capability for reaching elected officials, and offer public messaging consultation based on research from California and elsewhere.

Will you stand with us again today?



God bless,

Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: Please forward this message to five friends -- asking them to join our network of online marriage activists today!

©2009 National Organization for Marriage

To prevent mailbox filters from deleting mailings from Brian Brown, add bbrown@nationformarriage.org to your address book.

[Remove yourself from this mailing.](#)

[Remove yourself from all mailings from National Organization for Marriage.](#)

[Modify your profile.](#)

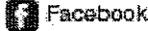
Email B – March 27, 2009



NOM Marriage News: California Edition

March 27, 2009

Donate



Taking Aim at Prop 8

Two amendments have been filed to overturn Prop 8. One is an amateur effort by students which would abolish marriage itself. The second is more potentially formidable, because it's been filed.

So here's the question: Do either of these amendments have a shot? Have the wave of protests, the name-calling, the threats to people, the anguished cri de cœur changed Californians' opinions on marriage?

This week we got the answer: NO, according to two new polls.

Two Calif. Polls Show Increasing Support for Prop 8

You haven't heard a lot about these polls--because they are not good news for gay marriage advocates.

The Field Poll shows Californians about equally divided on an Amendment to overturn Prop 8.

Why is that good news for us and for Prop 8? Experts know that anything less than 50 percent support signals big problems for an amendment. It's much easier getting people to vote "no" than to vote "yes" on new proposition.

Moreover, the Field poll has significantly underestimated voters' support for marriage in both 2000 (with Prop 22) and in 2008 (with Prop 8), by 5 to 7 percentage points.

Compare this poll with the last Field poll before the November elections, and ask what is the trend. Here's the totally unreported good news you won't get anywhere else: Public support for protecting marriage as the union of husband and wife is increasing!

The Public Policy Institute of California's latest poll also reports the same basic result: increasing public support for marriage and against same-sex marriage. Forty-nine percent of Californians now say they would oppose legalizing gay marriage, compared to 44 percent who say they favor it. That's about a 5 percent jump in support for protecting marriage compared to PPIC's last poll in October before the elections.

And remember: Both Field and PPIC polls consistently under-counted support for Prop 8 last November. PPIC predicted just 44 percent of Californians would vote for Prop 8, while 52 percent actually did!

Clearly there's a public backlash against the campaign of intimidation being waged, and a new willingness to stand up for marriage.

Thanks to the *Washington Times* ("Pestered Prop 8 Donors File Suit," March 23, 2009), our side of the story of that harassment campaign is getting out. Our own Chuck LiMandri spoke for thousands of Californians when he described what unexpectedly happened after he donated money to support Prop 8.

"I got about two dozen e-mails and hate phone calls. They were calling me Nazi, homophobe, bigot." Chuck's emails are now among the hundreds of exhibits in a landmark case challenging the misuse of California's election disclosure laws to harass and sometimes threaten Californians who participated in the political process. The *Washington Times* reports accurately that these ranged from hassles to death threats. I told the reporter, "Anybody who's in California knows that it's very widespread. Every donor has a story. I talked to a \$100 donor the other day who had a note in his mailbox that said, 'I know where you live and you're going to pay.'"

"These are just hardworking people who believe marriage is a union of a man and a woman and who never expected to be threatened in their homes," I told this national newspaper.

Thanks to each of you who responded to our call to get the truth out there--to the courts and to the media. I get up every day determined to be YOUR voice for God's truth about marriage--and it's your

help, swelled by the thousands of others working tirelessly to protect marriage, that makes everything we do possible.

Northeast Action Plan

NOM's vision has always included creating a great movement of marriage supporters of every race and creed who can help each other across this great nation. And we're seeing the power of that vision come true in New England, where local leaders Kevin Smith of Cornerstone Policy Research in New Hampshire, and Craig Benson of Take It to the People and Steve Cable of Vermont Renewal in Vermont, are fighting back against politicians who are trying to push same-sex marriage instead of focusing on the people's priorities.

Thanks to your help, we've been able to launch a series of "Don't Mess with Marriage" ad campaigns as the launch of our new Northeastern 2009 Action Plan! The battle is tight. Pray for marriage and for all the frontline workers for marriage in these states. But we have good news to report: The Vermont governor has promised to veto the same-sex marriage bill--and gay marriage advocates are NO LONGER predicting they have the votes to overturn it.

In New Hampshire, Democrat leaders were shocked by the degree and intensity of public outcry. Their slam dunk has turned into a hard-fought battle such that the Democratic governor of the state, John Lynch, has promised to veto the bill, and along with Vermont's governor is urging legislators to get back to the people's business. Stay tuned--we'll keep you informed.

Next week I'll have an announcement about the next phase in our Northeast Action Plan--two new radio ads created by some of the best in this business. (Can you give us \$10 this week so we can keep these powerful ads running? If God has gifted you with means, can you spare \$100, or \$1000 to protect marriage today?) Remember, the marriage battles in Vermont and New Hampshire are part of a larger national strategy--to give Pres. Obama an excuse for repealing the federal Defense of Marriage Act (DOMA), which is the ONLY federal law protecting marriage as the union of husband and wife. We cannot let folks in New England fight alone. Not when gay marriage advocates have deep-pocketed billionaires from around the country funding their push to use the law to impose their values on the rest of us.

But we can fight back!

These New England politicians are shocked, shocked and appalled--not by the threats, harassment and intimidation against marriage supporters like you and me--but by the people's unexpected courage in speaking truth to power:

Marriage means a husband and wife. We don't want politicians or judges changing that. Not for our kids. Not for our grandkids.

I thank God every day we live in a country where the elites pushing this strange new culture war on the American people do not have (not yet anyway) the power to shut down the debate, to prevent your voice and your values from being heard.

With God, all things are possible. Amazing things have already happened, things nobody predicted. I thank Him every day for your friendship, and your fellowship, and your support in this great work, this good--so good!--fight.

God bless you, and may God bless our great country,

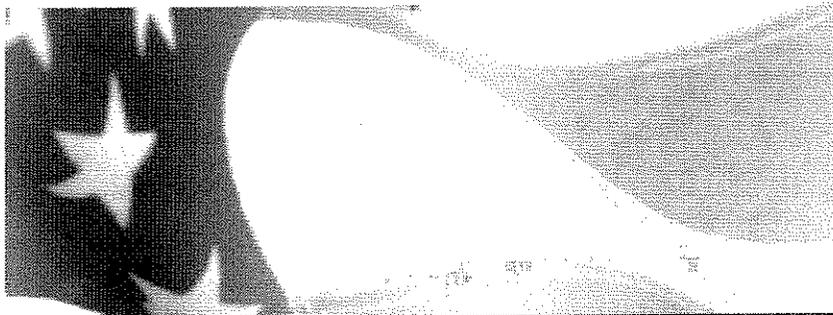


Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: We need your help to defend marriage! Can you give \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage? Donations to NOM are not tax-deductible and they are NOT public information, either.

Email C – March 31, 2009



NATIONAL
ORGANIZATION
FOR MARRIAGE

NOM Launches Hard-Hitting New Radio Ad!

March 31, 2009

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Dear B,

Legalizing gay marriage has consequences for our kids -- and if we don't act now, we'll all have to accept gay marriage "whether we like it or not."

That's the theme of a hard-hitting new radio ad that we're launching today as part of our 2009 Northeast Action Plan, and I wanted you to be one of the first to know about it. We're excited about the ad -- our strongest and most hard-hitting ad yet -- and I think you will be, too.

To listen to the new ad [click here](#).

To help support these ads on the air, [donate here](#).

Developed by Schubert Flint Public Affairs -- the same group that successfully managed the Prop 8 campaign last year in California -- our new "Consequences" ad emphasizes that "legalizing gay marriage has consequences for kids." The ad includes examples from Massachusetts and California, where 2nd graders are being taught that boys can marry boys, and 1st graders were taken to a same-sex wedding, calling it a "teachable moment."

We're excited about this new ad, but we need your help to keep these ads on the air, especially in states like Vermont, New Hampshire, Maine and New Jersey, where coordinated grassroots opposition to pending gay marriage legislation is urgently needed. Although the prices vary by market, on average it costs about \$400 each time an ad is aired.

These types of ads are a critical part of the campaign to stop same-sex marriage in the Northeast this year. There's no better way to shape public opinion and at the same time reach out to marriage supporters in targeted areas than radio and tv ads. And there's no more cost-effective medium than radio, especially for reaching out to potential marriage activists who listen to talk radio and will respond to a call to action on same-sex marriage.

Throughout the year, we'll be rolling out new ads as we work to identify and motivate marriage activists throughout the Northeast. Will you join our Northeast Action Team today with a gift of \$35, \$50, or perhaps even the \$400 needed to sponsor an entire ad? Even if you live in Kentucky, or Carolina, or especially California, we need your help. If the same-sex marriage foothold spreads throughout New England -- and especially if it starts to be adopted in state legislatures -- it will become increasingly difficult to stop it from spreading across the country.

As the ad says -- if our politicians adopt same-sex marriage, our rights won't matter much -- not parents, not people of faith, not any of us who will experience the consequences of redefining marriage. If we don't step up now, we'll all have to accept gay marriage -- "whether we like it or not."

Take a minute right now to listen to the radio ad for yourself, and then please make the most

generous donation you can to help us keep these important ads on the air. Use this hyperlink to make a secure online donation. And unlike in California, every dollar you give to NOM's Northeast Action Plan today is private, with no risk of harassment from gay marriage protestors.

Marriage is on the brink right now in Vermont and New Hampshire -- and ads like these can help us stop it before it's too late. Will you stand with us?



God bless,

A handwritten signature in cursive script that reads "Brian S. Brown".

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

©2009 National Organization for Marriage

Email D – April 8, 2009



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Dear B,

In just a few minutes, NOM President Maggie Gallagher and I will hold a press conference in Trenton, NJ, announcing an ambitious new nationwide "2 Million for Marriage" (2M4M) initiative.

Over the next two years, we will be organizing two million marriage activists from every state in the nation to form an online army of marriage activists willing to stand up for marriage on a moment's notice, sending emails and making phone calls to legislators whenever marriage is threatened.

The initiative represents the most ambitious effort ever of its kind, using a combination traditional TV and radio advertising and direct mail, coupled with the internet technology and social networking tools that President Obama used so effectively in his presidential campaign. To assist with this ambitious new initiative, we've enlisted the expertise of Schubert Flint Public Affairs -- the same group that managed the Prop 8 Campaign in California last year.

"A Gathering Storm"

The centerpiece of the new initiative is a \$1.5 million nationwide ad campaign launched today highlighting the threat that same-sex marriage poses to the core civil rights of all Americans who believe in marriage as the union of a husband and wife.

Please take a minute today to watch our new "Gathering Storm" TV ad. ([Click here or on the ad below to watch.](#))



The ad begins airing today in selected markets all across the country, and I'm convinced it will be an important tool in helping to awaken Americans to some of the threats posed by same-sex marriage.

Here's the question I hear over and over again as I participate in debates and interviews on same-sex marriage: How does same-sex marriage hurt you?

And here are the answers of everyday Americans who have felt the impact of same-sex marriage:

"I'm a California doctor who must choose between my faith and my job."

"I'm part of a New Jersey church group punished by the government because we can't support same-sex marriage."

"I am a Massachusetts parent helplessly watching public schools teach my son that gay marriage is OK."

Help make "2 Million for Marriage" a Reality!

We're excited about our new marriage activist initiative, and the potential it has to bring together an unstoppable team of marriage activists who can really make a difference in marriage battles across the nation. But we can't do it alone.

Tell a friend. Perhaps the most important part of this effort is the word-of-mouth recommendation you give your friends and family. If each of us recruits 5 people to join our Marriage Activist Team, we'll be well on our way to our goal of 2 million activists by the end of 2010. Remind your friends that it doesn't cost them anything -- we're simply looking for people willing to be notified of the latest marriage threats, and then take 3-5 minutes in order to send an email to their elected officials. **[Click here to forward this message to as many as 20 friends!](#)**

Ask them to visit **www.nationformarriage.org** and enter their email address in the box to Sign Up for e-Alerts to join our Marriage Activist Team today!

Online Social Networking. For those of you who are already online with social networking tools such as Facebook, Myspace or Twitter -- use those networks to invite your friends to join our 2 Million for Marriage initiative. And if you haven't yet visited **[NOM's Facebook page](#)**, do it today to receive the latest NOM updates and alerts via Facebook.

Help support the "Gathering Storm" TV Ad Campaign. We're also working to raise funds needed to expand our initial TV ad buy into more time slots and additional markets. Each airing of the ad on cable TV costs about \$1,000. Some of you may be in a position to sponsor an entire ad. Perhaps others can sponsor part of an ad -- or better yet, team up with friends or family to sponsor an ad together. **[Use this link to sponsor a "Gathering Storm" TV ad today!](#)**

Today is a brand new day for the future of marriage!



God bless,

A handwritten signature in cursive script that reads "Brian S. Brown".

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

Wayne, Jonathan

From: Regrak@aol.com
Sent: Tuesday, September 15, 2009 2:52 AM
To: Wayne, Jonathan
Subject: Church Collections

Mr. Wayne -- here is the piece that I saw on the second collection Sunday at the Cathedral of the Immaculate Conception in Portland. looks like lots of cash mixed in with remit envelopes in those collection plates, and that is with a TV camera present.

http://www.youtube.com/watch?v=DHkwysvd_KU&feature=player_embedded

Fred Karger
Founder
Californians Against Hate
<http://californiansagainsthate.com>

Wayne, Jonathan

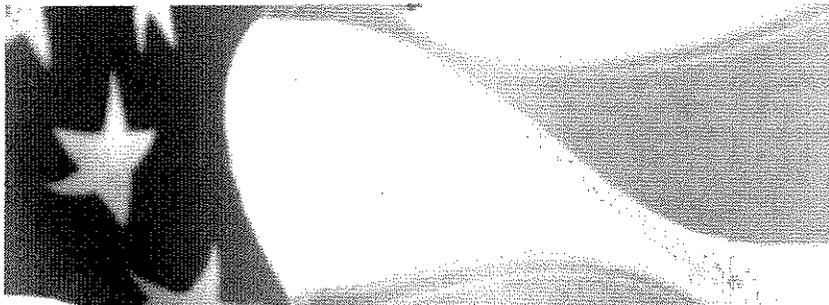
From: Regrak@aol.com
Sent: Tuesday, September 15, 2009 3:40 AM
To: Wayne, Jonathan
Subject: 3 More Brian Brown Emails
Attachments: Brian Brown Emails #3.doc

attached.

Fred Karger
Founder
Californians Against Hate
<http://californiansagainsthate.com>

Brian Brown Emails #3

Date: Friday, July 3, 2009, 9:59 AM



NOM Marriage News: California Edition

July 3, 2009

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Dear B,

Happy birthday America!

233 years ago, a group of extraordinary men put America's founding creed into words. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness."

I was thinking of the Declaration this morning--one could search the world over and never find a more succinct declaration of the importance of the union of faith with reason.

We are a nation founded in truth--moral truth--and sustained in that commitment by our faith that we have a Creator to whom we are responsible. Truth is bigger than any one of us. Truth is the foundation of justice itself.

Dr. Martin Luther King understood that in his bones. In his famous Letter from the Birmingham Jail in 1963, he wrote, "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of Saint Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law."

Remember those words the next time someone asks you, "Isn't same-sex marriage a civil right?" Civil rights must be grounded in the eternal and natural law--the moral law that is not created by man and by which all of us are bound.

Justice must be grounded in truth. Same-sex unions are not marriages, and same-sex marriage is a misuse of the law: a civil wrong, not a civil right. (Can you help us promote a vision of marriage grounded in the truth? On this weekend as we celebrate our nation's founding, consider whether you can give--as little as \$10 or as much as

\$1000--to ensure that the truth about marriage is passed on to the next generation of Americans.)

What a blessed nation we are to have been founded on this insight: Moral truth exists, so our rights are granted by our Creator and cannot be taken away by any government--they can only be ignored or trampled upon.

How blessed we are to have this example before our eyes: Some truths are worth fighting for. I recall talking to one woman--she would want to remain anonymous--who faced a considerable harassment campaign after donating to Prop 8 in California. It was certainly disturbing to wake up and find that exercising her civil rights to participate in the political process lead to a flood of harassing and angry phone calls. But God bless her, she told me, "The Founding Fathers were willing to die for their beliefs; with this I changed my phone number and it all disappeared."

Thankfully, donations to NOM are not public information. So you can strengthen your voice in Washington and across the country by donating with privacy.

In an interview with The Public Discourse, NOM Chairman of the Board Prof. Robby George makes a point which Dr. Martin Luther King would have well understood: "Campaigns of intimidation succeed only if the victims of such campaigns permit themselves to be intimidated. They fizzle when people refuse to alter their behavior out of fear. As anyone who has ever confronted a school-yard bully knows, bullies are cowards." Be not afraid!

Marriage was made by God to serve His ends, ends which faith and reason can both look upon and say with confidence, "It is good."

Thank you for your courage, your compassion, your common sense, your decency. Thank you for your prayers, your phone calls, your emails, and for the financial sacrifices you have made in this great battle for marriage.

Thank you for caring about truth and for seeing through the campaign to turn truth on its head.

It is an honor to know and to serve the common good with people like you.

God bless you and your family as we celebrate American ideals!



Brian S. Brown

Brian S. Brown
Executive Director
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PS: NOM needs your help to be your voice for marriage. Please consider whether you can make a financial sacrifice to stand up for marriage!

NOM Interview of the Week

"National Organization for Marriage plots course in gay marriage debate"

Peter Elliott

July 1, 2009

Everyday Christian

Brian Brown has as much of a background -- and as much at stake -- in the ongoing debate over gay marriage as anyone.

Brown is the executive director of the National Organization for Marriage (NOM) which strongly advocates in favor of traditional marriage. NOM has a noticeable television advertising presence in states where gay marriage is an issue and flexes its political muscle with legislators and voters alike.

Brown discussed a wide range of gay marriage-related topics with Everyday Christian including future battlegrounds and counter-arguments to gay marriage proponents.

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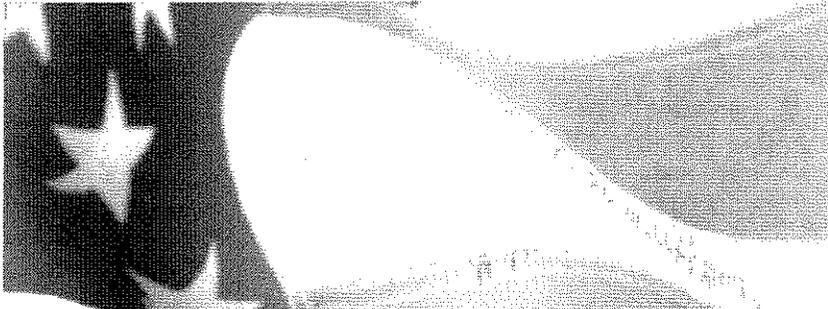
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Date: Friday, April 3, 2009, 11:28 AM



NOM Marriage News: California Edition

April 3, 2009

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Dear B,

This morning, the news is sad.

The Iowa state supreme court summarily rejected that state's marriage laws and imposed same-sex marriage.

As I told the press, "Injustice has been served today. The gay marriage movement today once again used the courts to push an untruth on unwilling Iowans: Same-sex unions are not marriages and Iowans should not be forced to treat them as such."

I also reminded the press: "The majority of courts as well as the majority of Americans have rejected the arguments the Iowa judges imposed." There is no more a constitutional right to gay marriage than there is a constitutional right to have your cat called a dog, because after all they are both small furry animals with four legs and a tail.

Reading the decision is like watching another bit of the fabric of our civilization unravel:

Why do same-sex couples need marriage? "The inability to obtain for themselves and for their children the personal and public affirmation that accompanies marriage." Translation: "Iowans don't think two guys pledging to a homosexual union are a marriage. So we, the guys with the fancy law school degrees and the black robes, the ones who know better than ignorant you, are going to give same-sex relationships the public affirmation the public hasn't."

The most heartbreaking sentence however is Footnote 26.

In Footnote 26 these justices conclude: "The traditional notion that children need a mother and a father to be raised into healthy, well-adjusted adults is based more on stereotype than anything else."

Justices? Injustices. I hate being right about something so sad: but gay marriage really is about rejecting the natural family, the importance of bringing together the two creators of the child, the mom and the dad, to raise their baby in love together. The Iowa court ruling once again makes that connection crystal clear.

Read it and weep.

Or if you are like me, read it and rise up to fight for the truth! Fight for justice for our children, fight for

love of the core values of our own (and any decent) civilization.

Rep. Steven King in Iowa has issued a stinging rebuke to this court and a stirring call to the Iowa Democratic leaders to permit the people of Iowa to decide the future of marriage. We'll be partnering with him and other Iowans to urge the legislature to act now to reverse this injustice.

The battle ahead is immense. This is one of the legislatures "flipped" by gay billionaire Tim Gill—exactly in anticipation of this moment. If I have your support, I know the fight is worth it!

Can you help us at this critical time by giving \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage?

In Vermont, Gov. Jim Douglas has promised to veto the same-sex marriage bill passed by the legislature, and the margin in the House on Thursday was not enough to override his veto. But the Tim Gills and the Nancy Pelosis of the world will put immense pressure on Vermont Democrats to flip their votes, to override marriage. We will be fighting hard to be the voice of the Vermont people and so will grassroots organizations like Vermont Renewal and Take It to the People.

There is some good news this week: The New Hampshire vote was unexpectedly close, shocking LGBT advocates who were convinced they could move gay marriage easily. Congrats to Cornerstone Policy Research, and we'll help keep those politicians' feet to the fire!

And back to California, one of the leading gay marriage advocates just confessed to the *Dallas Voice* (a gay paper) that she is "98 percent certain" the California Supreme Court will uphold Prop 8. □ "We're going to lose," said Kate Kendell, executive director of the National Center for Lesbian Rights, one of the organizations that filed the lawsuit challenging Prop 8.

"I think it was very clear from the oral arguments that the court intends to uphold Prop 8," Kendell added. "I've never seen a court so unequivocally telegraph their thinking."

I had good news also last weekend in Worcester, Massachusetts, where I was invited to address a Catholic men's breakfast. I walked into a convention center jam-packed with good men—more than 1000 people filled the room. I told them: This isn't a fight that we can give up on. We cannot permit ourselves to be embarrassed or afraid to speak truth to power—whether it's in the press as sometimes I get to do, or over the water cooler. Marriage means a husband and wife.

A thousand men stood and applauded. It was a very moving moment for me.

Some truths do not change. To make a marriage you need a husband and a wife. That was true 1000 years ago, and 1000 years from now it will still be true because it is a truth rooted in the nature of humanity itself. For Christians this anthropological truth about the importance of man and woman contains a theological insight: In the union of male and female, we glimpse something about the nature of God Himself. "From the beginning, this was so," as Jesus told his befuddled disciples.

We human beings are often befuddled, easily distracted, sometimes discouraged. But in this marriage fight, we ground our hopes on a truth that is not built upon shifting sands of fashion.

Each week I like to share with you news stories quoting NOM—we call it "NOM in the News." But there are too many this week for me to include them all. The *Wall Street Journal*, the Associated Press, Vermont public radio—the mainstream media is turning to NOM increasingly as a prime voice for the marriage movement.

Let me tell you, I never forget whose voices we really are: first and foremost the voice of truth, spoken fearlessly, to all the powers that be who seek to suppress God's own truth. Striving to speak out of that perfect love that casts out all fear. We seek to be your voice for our shared and timeless values.

Thanks so much for giving us this precious opportunity to witness to unchanging truths in these uncertain times.

I promise you: The good fight is never over. The next phase is just beginning.

God bless you, and may God bless our great country,



Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
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Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: We need your help to defend marriage! Can you give \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage? Donations to NOM are not tax-deductible and they are NOT public information, either.

NOM in the News:

Same-Sex Marriage Effort Shifts Back to Northeast

Associated Press
March 26, 2009

... But for now, the focus on legal recognition of same-sex relationships has returned to northern New England .

"There is not an easy way to get the issue on the ballot and before the voters so that it can be decided directly by the people," said Maggie Gallagher, president of the National Organization for Marriage, which opposes same-sex marriage and is underwriting a radio campaign against it. "Therefore, it is more a creature of special-interest politics and legislative deal making. These are small states which can be influenced by fairly large amounts of outside money coming in. And it's very hard for regular people to feel that they can have a voice on this issue in these states." [Read More >>](#)

Same-Sex Marriage Bill Passes House 95-52

Rutland (Vt.) Herald
April 2, 2009

Brian Brown, the executive director of the National Organization for Marriage, said

his group has placed calls to about 200,000 households in the state this week, urging residents to call their state representative to oppose the bill.

The automated call -- which includes the name of the household's state representative and their phone number -- asks residents to tell their lawmaker to stand with Gov. James Douglas, who said he will veto the bill if it passes.

"A lot of our supporters in Vermont were really concerned about this issue, especially the speed that it was debated," Brown said. "All we are doing is helping them contact their local representative and tell them how they feel." [Read More >>](#)

Advocates on Both Sides of Marriage Debate Wage Media Campaigns
Vermont Public Radio
April 2, 2009

...Host: Even before the debate in the House, advocates on both sides of the issue were waging media campaigns to influence legislators -- and to sway public opinion.

VPR's John Dillon has more on that story:

(Dillon) On Wednesday night during the dinner hour, about 200,000 phones in Vermont rang almost simultaneously.

The caller was a computer, and it played a version of this message:

(Call) "Hello, please call your representative Janet Ancel ... today and ask her to join Governor Jim Douglas in opposing the same sex marriage bill. Thank you for your time and support, the National Organization for Marriage."

... (Dillon) Brian Brown is executive director of the National Organization for Marriage. The group was heavily involved in a California referendum that repealed that state's same sex marriage law.

Brown says the Vermont media campaign is a relatively low budget operation.

(Brown) "We send emails, too and that's not a high cost. \$10 - \$15,000, maybe a little more now. But it's not been a capital intensive campaign. It's been a grassroots campaign." [Read More >>](#)

Vermont Gay Marriage Vote Near
Wall Street Journal
April 3, 2009

...The Vermont House of Representatives late Thursday was poised to vote on a bill that would legalize gay marriage, a divisive measure that has drawn a veto threat from the governor. ...

Opponents of gay marriage say the legislative efforts in Vermont and elsewhere in

New England are part of a lobbying campaign to hasten the demise of the Defense of Marriage Act.

"They are trying to provide new reasons for the repeal," said Maggie Gallagher, president of the conservative National Organization for Marriage. [Read More >>](#)

Men Hear Message

Catholic Free Press
April 2009

More than 1,000 men from Worcester County and beyond packed a DCU Center conference hall March 28 for the 9th Annual Worcester Diocesan Catholic Men's Conference, drawing inspiration from a wide variety of speakers -- and from each other. ...

Highlights included prepared talks by former pro football player Joe Klecko, New Jersey lay evangelist Bill Wegner, National Organization for Marriage Executive Director Brian Brown and 1986 U.S. Teacher of the Year Guy Doud. ...

Brown, the National Organization for Marriage leader, talked about marriage's importance to society and about how government's backlash against Catholics' objections to gay marriage represents an attack against religious liberty.

Brown noted how states are equating Catholic opposition to gay marriage to racism. He raised the example of how Massachusetts denied Catholic Charities the ability to facilitate adoptions because the state ruled that the group's stance against providing children to gay couples is discriminatory.

"Do you understand what's at stake?" Brown asked the crowd. "At stake is that our form of religious belief is being labeled a form of bigotry."

Brown, whose group led the fight against gay marriage in California, noted that African Americans in the Golden State rejected the bigotry argument and "voted overwhelmingly" to support the referendum to overturn the gay marriage statute.

Brown urged the crowd to "stand up and not accept that argument, and not ever feel ashamed of what we believe." [Read More >>](#)

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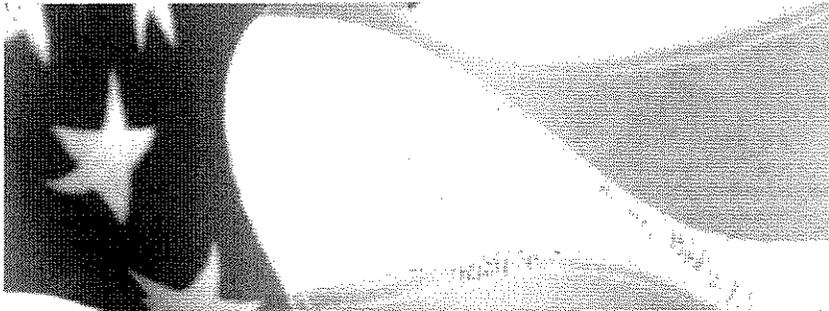
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Date: Friday, March 13, 2009, 11:11 AM



NOM Marriage News: California Edition

March 13, 2009

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Dear B,

Churches under attack in Connecticut!

I asked you a few days ago to speak truth to two powerful Connecticut politicians who woke up one morning and decided they had a bright new idea to suppress the voice of Connecticut churches: amend corporation law to take over church assets. It was aimed at the Catholic church but who would be next?

We knew we had to stop this thing in its tracks:

And guess what? You came through big time: Within 24 hours of NOM's alert, more than 43,000 emails from NOM members flooded the offices of Connecticut legislature. Thank you. Thank you..I cannot express how deeply grateful I am for your prompt and powerful response.

Good news: The powerful politicians who pushed Bill 1098 have retreated, thanks be to God, with their tails between their legs. This was a trial balloon that exploded in their faces, thanks to you and all the fair-minded citizens of Connecticut who rose up in outrage once they were informed.

(Can you spare \$1 this week to help protect all our churches from the powerful politicians and special interest groups who are seeking to silence God's own truth about marriage? [Click here](#). We depend on you to help us speak truth to power. If God has given you the means in this difficult economic climate, can you spare \$10, \$100, or even \$10,000 to protect marriage and religious liberty in this God-blessed land?)

A great big shout-out to the Family Institute of Connecticut, the Knights of Columbus, and the many Connecticut groups who lead this crusade for decency--to keep the government out of the church's business (literally!) and to speak out against the ugly politics of payback in our times. (You can see coverage of the rally March 11 below.)

As I told Kathryn Jean Lopez in an interview on National Review Online, "A couple of powerful state politicians are sending a warning message to a religious group: If you take positions we dislike, we can hurt you. It's a 'shot across the bow,' a way for politicians to try and manage the political process so that selected religious groups and people are frightened into silence."

This was not just a Connecticut matter, as I told National Review: "I really think this warning shot is intended for a national audience, not just Connecticut."

NOM's Chairman of the Board and founder, Princeton Prof. Robby George, went on national TV (the Glenn Beck Show) to highlight the many other religious groups and people who have experienced similar threats because they--because we--speak up for marriage as the union of one man and one woman.

Same-sex marriage is heating up against in New England--hearings in Vermont, great pushes in New Hampshire, and Maine. In Vermont, gay marriage advocates have purchased the largest media ad buy outside of an election ever seen in that state--about \$150,000. The ads are weak, because their messages are weak--quoting newspaper editorial boards to try to persuade Vermonters there's no point in resisting because nobody really cares about protecting marriage as one man and one woman.

They said that about California, too. You and I know what a myth that is--look for an announcement about NOM's response next week.

Can you believe politicians? In the middle of the greatest economic crisis in our generation, Vermont politicians wasting their time pushing the divisive issue of same-sex marriage? When will these guys stop listening to special interests and start focusing on the people's priorities?

Here's NOM's bottom line: Some things are too important to leave to judges and politicians. Some truths are so core they must be defended.

Thank you so much for giving me--and all of us here at NOM--the opportunity to defend you and your values. It is an honor, truly, that I cherish.

Don't forget us in your prayers this week.

God bless you and your family,



Brian S. Brown

Brian S. Brown
Executive Director
National Organization for Marriage
20 Nassau Street, Suite 242
Princeton, NJ 08542
bbrown@nationformarriage.org

P.S.: We need your help to defend marriage! Can you give \$50, \$500, or even, if God has given you the means, \$5,000 to support marriage? Can you afford to pledge even \$1 a month to support marriage? Donations to NOM are not tax-deductible and they are NOT public information, either.

NOM in the News:

Marriage Moment
Kathryn Jean Lopez
National Review Online
March 10, 2009

Last week in Connecticut, two state legislators introduced a bill that would, in the words of Archbishop Henry Mansell of Hartford, "force a radical reorganization of the legal, financial, and administrative structure of [Catholic] parishes" in Connecticut. The bill is believed to be an act of political retribution for the Catholic church's opposition to gay marriage.

Brian Brown is executive director of the National Organization for Marriage, the largest single donor to Proposition 8 in California , whose mission is "protecting marriage and the faith communities that sustain it." He talked to *National Review Online* editor Kathryn Jean Lopez about the Connecticut confrontation and the ongoing Proposition 8 campaign in California. [Read More >>](#)

Catholics Protest "Maltreatment" by Connecticut Leaders

Susan Haigh

Associated Press

March 11, 2009

Thousands of Roman Catholics descended on the Connecticut statehouse Wednesday, as simmering resentment over bills they consider anti-Catholic reached a boiling point with a recent legislative attempt to give parishioners more say over parish financing. [Read More >>](#)

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Wayne, Jonathan

From: Regrak@aol.com
Sent: Tuesday, September 15, 2009 2:57 AM
To: Wayne, Jonathan
Subject: NOM's 2007 -- 990
Attachments: NOM-2007-Form-990.pdf

the pdf is attached.

best regards,

Fred Karger
Founder
Californians Against Hate
<http://californiansagainsthate.com>

Form **990**

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

OMB No 1545-0047

2007

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

The organization may have to use a copy of this return to satisfy state reporting requirements.

A For the 2007 calendar year, or tax year beginning **05-01**, 2007, and ending **12-31**, 20**07**

B Check if applicable:
 Address change
 Name change
 Initial return
 Termination
 Amended return
 Application pending

C Name of organization: **National Organization for Marriage Inc.**
 Number and street (or P.O. box if mail is not delivered to street address) Room/suite: **20 Nassau Street 242**
 City or town, state or country, and ZIP + 4: **Princeton, New Jersey 08542**

D Employer identification number: **26 0240498**
E Telephone number (It "888"): **(888) 894-3604**
F Accounting method: Cash Accrual
 Other (specify) _____

G Website: **www.nationformarriage.org**

J Organization type (check only one): 501(c) (4) (insert no) 4947(a)(1) or 527

K Check here if the organization is not a 509(a)(3) supporting organization and its gross receipts are normally not more than \$25,000. A return is not required, but if the organization chooses to file a return, be sure to file a complete return.

L Gross receipts. Add lines 6b, 8b, 9b, and 10b to line 12: **518,667**

H and **I** are not applicable to section 527 organizations.
H(a) Is this a group return for affiliates? Yes No
H(b) If "Yes," enter number of affiliates: _____
H(c) Are all affiliates included? Yes No (If "No," attach a list. See instructions.)
H(d) Is this a separate return filed by an organization covered by a group ruling? Yes No
I Group Exemption Number: _____

M Check if the organization is not required to attach Sch. B (Form 990, 990-EZ, or 990-PF)

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions.)

1 Contributions, gifts, grants, and similar amounts received:			
a	Contributions to donor advised funds	1a	
b	Direct public support (not included on line 1a)	1b	471,549
c	Indirect public support (not included on line 1a)	1c	
d	Government contributions (grants) (not included on line 1a)	1d	
e	Total (add lines 1a through 1d) (cash \$ _____ noncash \$ _____)	1e	471,549
2	Program service revenue including government fees and contracts (from Part VII, line 93)	2	
3	Membership dues and assessments	3	
4	Interest on savings and temporary cash investments	4	1,352
5	Dividends and interest from securities	5	
6a	Gross rents	6a	
b	Less: rental expenses	6b	
c	Net rental income or (loss). Subtract line 6b from line 6a	6c	
7	Other investment income (describe _____)	7	
8a	Gross amount from sales of assets other than inventory	(A) Securities	(B) Other
b	Less: cost or other basis and sales expenses	8a	
c	Gain or (loss) (attach schedule)	8b	
d	Net gain or (loss). Combine line 8c, columns (A) and (B)	8c	
8d	Net gain or (loss) (attach schedule). If any amount is from gaming, check here <input type="checkbox"/>	8d	
9a	Gross revenue (not including \$ _____ of contributions reported on line 1b)	9a	
b	Less: direct expenses other than fundraising expenses	9b	
c	Net income or (loss) from special events. Subtract line 9b from line 9a	9c	
10a	Gross sales of inventory, less returns and allowances	10a	
b	Less: cost of goods sold	10b	
c	Gross profit or (loss) from sales of inventory (attach schedule). Subtract line 10b from line 10a	10c	
11	Other revenue (from Part VII, line 103)	11	45,766
12	Total revenue. Add lines 1e, 2, 3, 4, 5, 6c, 7, 8d, 9c, 10c, and 11	12	518,667
13	Program services (from line 44, column (B))	13	376,054
14	Management and general (from line 44, column (C))	14	47,623
15	Fundraising (from line 44, column (D))	15	49,163
16	Payments to affiliates (attach schedule)	16	
17	Total expenses. Add lines 16 and 44, column (A)	17	472,840
18	Excess or (deficit) for the year. Subtract line 17 from line 12	18	45,827
19	Net assets or fund balances at beginning of year (from line 73, column (A))	19	0
20	Other changes in net assets or fund balances (attach explanation)	20	
21	Net assets or fund balances at end of year. Combine lines 18, 19, and 20	21	45,827

SCANNED JUL 13 2009

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25

Part II Statement of Functional Expenses All organizations must complete column (A). Columns (B), (C), and (D) are required for section 501(c)(3) and (4) organizations and section 4947(a)(1) nonexempt charitable trusts but optional for others. (See the instructions.)

Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I.		(A) Total	(B) Program services	(C) Management and general	(D) Fundraising
22a	Grants paid from donor advised funds (attach schedule) (cash \$ _____ noncash \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>				
22b	Other grants and allocations (attach schedule) (cash \$ _____ noncash \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>				
23	Specific assistance to individuals (attach schedule)				
24	Benefits paid to or for members (attach schedule)				
25a	Compensation of current officers, directors, key employees, etc. listed in Part V-A	65,625	45,381	9,172	11,072
25b	b Compensation of former officers, directors, key employees, etc. listed in Part V-B				
25c	c Compensation and other distributions, not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
26	Salaries and wages of employees not included on lines 25a, b, and c	13,617	13,617		
27	Pension plan contributions not included on lines 25a, b, and c				
28	Employee benefits not included on lines 25a - 27				
29	Payroll taxes				
30	Professional fundraising fees				
31	Accounting fees	12,544		12,544	
32	Legal fees	10,183		10,183	
33	Supplies				
34	Telephone	3,552	2,628	427	497
35	Postage and shipping	214	182	32	
36	Occupancy	18,383	13,611	2,207	2,575
37	Equipment rental and maintenance				
38	Printing and publications				
39	Travel	8,942	6,617	1,073	1,252
40	Conferences, conventions, and meetings				
41	Interest				
42	Depreciation, depletion, etc. (attach schedule)	5,061		5,061	
43	Other expenses not covered above (itemize):				
a	Attached	334,709	294,018	6,924	33,767
b	-----				
c	-----				
d	-----				
e	-----				
f	-----				
g	-----				
44	Total functional expenses. Add lines 22a through 43g. (Organizations completing columns (B)-(D), carry these totals to lines 13-15)	472,840	376,054	47,623	49,163

Joint Costs. Check if you are following SOP 98-2
 Are any joint costs from a combined educational campaign and fundraising solicitation reported in (B) Program services? Yes No
 If "Yes," enter (i) the aggregate amount of these joint costs \$ _____, (ii) the amount allocated to Program services \$ _____,
 (iii) the amount allocated to Management and general \$ _____, and (iv) the amount allocated to Fundraising \$ _____

Part III Statement of Program Service Accomplishments (See the instructions.)

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization's programs and accomplishments.

What is the organization's primary exempt purpose? Education and Advocacy All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.)	Program Service Expenses (Required for 501(c)(3) and (4) orgs. and 4947(a)(1) trusts, but optional for others.)
a This was the first year of the Organization and operations were initiated in the following areas. Solicitation and organization of a national membership primarily through direct mail campaign and e-newsletter. Education of the general public on importance of marriage between one man and one woman in law and society. Create and assist state organizations to protect marriage and the faith communities that support it. (Grants and allocations \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>	376,054
b _____ _____ _____ _____ _____ (Grants and allocations \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>	
c _____ _____ _____ _____ _____ (Grants and allocations \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>	
d _____ _____ _____ _____ _____ (Grants and allocations \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/>	
e Other program services (attach schedule) (Grants and allocations \$ _____) If this amount includes foreign grants, check here <input type="checkbox"/> f Total of Program Service Expenses (should equal line 44, column (B), Program services) ▶	376,054

100308992

Part IV Balance Sheets (See the instructions.)		(A)	(B)
Notes: Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.		Beginning of year	End of year
Assets	45 Cash—non-interest-bearing		45 6,353
	46 Savings and temporary cash investments		46
	47a Accounts receivable 47a 14,254		
	b Less: allowance for doubtful accounts 47b 0		47c 14,254
	48a Pledges receivable 48a		
	b Less: allowance for doubtful accounts 48b		48c
	49 Grants receivable		49
	50a Receivables from current and former officers, directors, trustees, and key employees (attach schedule)		50a
	b Receivables from other disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) (attach schedule)		50b
	51a Other notes and loans receivable (attach schedule) 51a		
	b Less: allowance for doubtful accounts 51b		51c
	52 Inventories for sale or use		52
	53 Prepaid expenses and deferred charges		53
	54a Investments—publicly-traded securities <input type="checkbox"/> Cost <input type="checkbox"/> FMV		54a
	b Investments—other securities (attach schedule) <input type="checkbox"/> Cost <input type="checkbox"/> FMV		54b
	55a Investments—land, buildings, and equipment: basis 55a		
	b Less: accumulated depreciation (attach schedule) 55b		55c
	56 Investments—other (attach schedule)		56
	57a Land, buildings, and equipment: basis 57a 25,334		
	b Less: accumulated depreciation (attach schedule) 57b 5,061		57c 20,273
	58 Other assets, including program-related investments (describe ► Attached)		58 4,947
	59 Total assets (must equal line 74). Add lines 45 through 58		59 45,827
Liabilities	60 Accounts payable and accrued expenses		60
	61 Grants payable		61
	62 Deferred revenue		62
	63 Loans from officers, directors, trustees, and key employees (attach schedule)		63
	64a Tax-exempt bond liabilities (attach schedule)		64a
	b Mortgages and other notes payable (attach schedule)		64b
	65 Other liabilities (describe ►)		65
	66 Total liabilities. Add lines 60 through 65		66 0
Net Assets or Fund Balances	Organizations that follow SFAS 117, check here <input checked="" type="checkbox"/> and complete lines 67 through 69 and lines 73 and 74.		
	67 Unrestricted		67 45,827
	68 Temporarily restricted		68
	69 Permanently restricted		69
	Organizations that do not follow SFAS 117, check here <input type="checkbox"/> and complete lines 70 through 74.		
	70 Capital stock, trust principal, or current funds		70
	71 Paid-in or capital surplus, or land, building, and equipment fund		71
	72 Retained earnings, endowment, accumulated income, or other funds		72
	73 Total net assets or fund balances. Add lines 67 through 69 or lines 70 through 72. (Column (A) must equal line 19 and column (B) must equal line 21)		73 45,827
	74 Total liabilities and net assets/fund balances. Add lines 66 and 73		74 45,827

Part IV-A Reconciliation of Revenue per Audited Financial Statements With Revenue per Return (See the instructions.)

a	Total revenue, gains, and other support per audited financial statements	a	518,667
b	Amounts included on line a but not on Part I, line 12:		
1	Net unrealized gains on investments	b1	
2	Donated services and use of facilities	b2	
3	Recoveries of prior year grants	b3	
4	Other (specify):	b4	
	Add lines b1 through b4	b	0
c	Subtract line b from line a	c	518,667
d	Amounts included on Part I, line 12, but not on line a:		
1	Investment expenses not included on Part I, line 6b	d1	
2	Other (specify):	d2	
	Add lines d1 and d2	d	0
e	Total revenue (Part I, line 12) Add lines c and d	e	518,667

Part IV-B Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

a	Total expenses and losses per audited financial statements	a	472,840
b	Amounts included on line a but not on Part I, line 17:		
1	Donated services and use of facilities	b1	
2	Prior year adjustments reported on Part I, line 20	b2	
3	Losses reported on Part I, line 20	b3	
4	Other (specify):	b4	
	Add lines b1 through b4	b	0
c	Subtract line b from line a	c	472,840
d	Amounts included on Part I, line 17, but not on line a:		
1	Investment expenses not included on Part I, line 6b	d1	
2	Other (specify):	d2	
	Add lines d1 and d2	d	0
e	Total expenses (Part I, line 17) Add lines c and d	e	472,840

Part V-A Current Officers, Directors, Trustees, and Key Employees (List each person who was an officer, director, trustee, or key employee at any time during the year even if they were not compensated) (See the instructions.)

(A) Name and address	(B) Title and average hours per week devoted to position	(C) Compensation (if not paid, enter -0-)	(D) Contributions to employee benefit plans & deferred compensation plans	(E) Expense account and other allowances
Robert George 20 Nassau Street, Ste. 242, Princeton NJ 08542	Chairperson, 10	0	0	0
Neil Corkery 20 Nassau Street, Ste. 242, Princeton NJ 08542	Secretary Treasurer, 20	0	0	0
Maggie Gallagher 20 Nassau Street, Ste. 242, Princeton NJ 08542	President, 30	8,333	0	0
Charles Stetson 20 Nassau Street, Ste. 242, Princeton NJ 08542	Director, 2	0	0	0
Luis Tellez 20 Nassau Street, Ste. 242, Princeton NJ 08542	Director, 2	0	0	0
Matthew S. Holland 20 Nassau Street, Ste. 242, Princeton NJ 08542	Director, 2	0	0	0
Ken Von Kohorn 20 Nassau Street, Ste. 242, Princeton NJ 08542	Director, 2	0	0	0
Brian Brown 20 Nassau Street, Ste. 242, Princeton NJ 08542	Executive Director, 40	57,292	0	0

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Part VI Other Information (continued)		Yes	No
82a	Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value?		<input checked="" type="checkbox"/>
b	If "Yes," you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions in Part III.)		
	82b		
83a	Did the organization comply with the public inspection requirements for returns and exemption applications?	<input checked="" type="checkbox"/>	
b	Did the organization comply with the disclosure requirements relating to <i>quid pro quo</i> contributions?	<input checked="" type="checkbox"/>	
84a	Did the organization solicit any contributions or gifts that were not tax deductible?		<input checked="" type="checkbox"/>
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		
	84b		
85a	501(c)(4), (5), or (6). Were substantially all dues nondeductible by members?	<input checked="" type="checkbox"/>	
b	Did the organization make only in-house lobbying expenditures of \$2,000 or less? If "Yes" was answered to either 85a or 85b, do not complete 85c through 85h below unless the organization received a waiver for proxy tax owed for the prior year.		<input checked="" type="checkbox"/>
c	Dues, assessments, and similar amounts from members		
	85c		
d	Section 162(e) lobbying and political expenditures		
	85d		
e	Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices		
	85e		
f	Taxable amount of lobbying and political expenditures (line 85d less 85e)		
	85f		
g	Does the organization elect to pay the section 6033(e) tax on the amount on line 85f?		
	85g		
h	If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax year?		
	85h		
86	501(c)(7) orgs. Enter: a Initiation fees and capital contributions included on line 12.		
	86a		
b	Gross receipts, included on line 12, for public use of club facilities		
	86b		
87	501(c)(12) orgs. Enter: a Gross income from members or shareholders		
	87a		
b	Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)		
	87b		
88a	At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Part IX.		<input checked="" type="checkbox"/>
b	At any time during the year, did the organization, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Part XI.		<input checked="" type="checkbox"/>
89a	501(c)(3) organizations. Enter: Amount of tax imposed on the organization during the year under: section 4911 section 4912 section 4955		
b	501(c)(3) and 501(c)(4) orgs. Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach a statement explaining each transaction		<input checked="" type="checkbox"/>
c	Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		0
d	Enter: Amount of tax on line 89c, above, reimbursed by the organization		0
e	All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction?		<input checked="" type="checkbox"/>
	89e		
f	All organizations. Did the organization acquire a direct or indirect interest in any applicable insurance contract?		<input checked="" type="checkbox"/>
	89f		
g	For supporting organizations and sponsoring organizations maintaining donor advised funds Did the supporting organization, or a fund maintained by a sponsoring organization, have excess business holdings at any time during the year?		<input checked="" type="checkbox"/>
	89g		
90a	List the states with which a copy of this return is filed		0
b	Number of employees employed in the pay period that includes March 12, 2007 (See instructions.)		0
	90b		
91a	The books are in care of National Organization for Marriage Inc. Telephone no. (888) 894-3604 Located at 20 Nassau Street, Ste. 242, Princeton, New Jersey ZIP + 4 08542		
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country		<input checked="" type="checkbox"/>
	91b		
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		

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Part VI Other Information (continued)

c At any time during the calendar year, did the organization maintain an office outside of the United States? **91c** Yes No

If "Yes," enter the name of the foreign country ▶

92 Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041—Check here and enter the amount of tax-exempt interest received or accrued during the tax year ▶ | **92** |

Part VII Analysis of Income-Producing Activities (See the instructions.)

Note: Enter gross amounts unless otherwise indicated.

	Unrelated business income		Excluded by section 512, 513, or 514		(E) Related or exempt function income
	(A) Business code	(B) Amount	(C) Exclusion code	(D) Amount	
93 Program service revenue:					
a					
b					
c					
d					
e					
f Medicare/Medicaid payments					
g Fees and contracts from government agencies					
94 Membership dues and assessments					
95 Interest on savings and temporary cash investments			14	1,352	
96 Dividends and interest from securities					
97 Net rental income or (loss) from real estate:					
a debt-financed property					
b not debt-financed property					
98 Net rental income or (loss) from personal property					
99 Other investment income					
100 Gain or (loss) from sales of assets other than inventory					
101 Net income or (loss) from special events					
102 Gross profit or (loss) from sales of inventory					
103 Other revenue: a Reimbursements					45,766
b					
c					
d					
e					
104 Subtotal (add columns (B), (D), and (E))				1,352	45,766
105 Total (add line 104, columns (B), (D), and (E))					47,118

Note: Line 105 plus line 1e, Part I, should equal the amount on line 12, Part I.

Part VIII Relationship of Activities to the Accomplishment of Exempt Purposes (See the instructions.)

Line No.	Explain how each activity for which income is reported in column (E) of Part VII contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes)
103a	Reimbursements for expenses provided by Grantee Trust

Part IX Information Regarding Taxable Subsidiaries and Disregarded Entities (See the instructions.)

(A) Name, address, and EIN of corporation, partnership, or disregarded entity	(B) Percentage of ownership interest	(C) Nature of activities	(D) Total income	(E) End-of-year assets
	%			
	%			
	%			
	%			

Part X Information Regarding Transfers Associated with Personal Benefit Contracts (See the instructions.)

(a) Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? Yes No

(b) Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? Yes No

Note: If "Yes" to (b), file Form 8870 and Form 4720 (see instructions).

Part XI Information Regarding Transfers To and From Controlled Entities. Complete only if the organization is a controlling organization as defined in section 512(b)(13).

106 Did the reporting organization make any transfers to a controlled entity as defined in section 512(b)(13) of the Code? If "Yes," complete the schedule below for each controlled entity. Yes No

	(A) Name, address, of each controlled entity	(B) Employer Identification Number	(C) Description of transfer	(D) Amount of transfer
a				
b				
c				
Totals				

107 Did the reporting organization receive any transfers from a controlled entity as defined in section 512(b)(13) of the Code? If "Yes," complete the schedule below for each controlled entity. Yes No

	(A) Name, address, of each controlled entity	(B) Employer Identification Number	(C) Description of transfer	(D) Amount of transfer
a				
b				
c				
Totals				

108 Did the organization have a binding written contract in effect on August 17, 2006, covering the interest, rents, royalties, and annuities described in question 107 above? Yes No

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Please Sign Here
 Signature of officer: *Neil Corkery* Date: *11-13-8*
 Type or print name and title: **Neil Corkery, Secretary Treasurer**

Paid Preparer's Use Only
 Preparer's signature: *Thomas R. Conlon* Date: *11-13-8* Check if self-employed:
 Firm's name (or yours if self-employed), address, and ZIP + 4: **Conlon CPA** EIN: **52 1374706**
P.O. Box 6213, Silver Spring, MD 20916-6213 Phone no: **(301) 598-6851**

SCHEDULE A
(Form 990 or 990-EZ)

Organization Exempt Under Section 501(c)(3)

(Except Private Foundation) and Section 501(e), 501(f), 501(k), 501(n),
or 4947(a)(1) Nonexempt Charitable Trust

Supplementary Information—(See separate instructions.)

OMB No 1545-0047

2007

Department of the Treasury
Internal Revenue Service

▶ **MUST be completed by the above organizations and attached to their Form 990 or 990-EZ**

Name of the organization National Organization for Marriage Inc.	Employer identification number 26 : 0240498
--	---

Part I Compensation of the Five Highest Paid Employees Other Than Officers, Directors, and Trustees
(See page 1 of the instructions. List each one. If there are none, enter "None.")

(a) Name and address of each employee paid more than \$50,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances
None				
Total number of other employees paid over \$50,000 ▶		0		

Part II-A Compensation of the Five Highest Paid Independent Contractors for Professional Services
(See page 2 of the instructions. List each one (whether individuals or firms). If there are none, enter "None.")

(a) Name and address of each independent contractor paid more than \$50,000	(b) Type of service	(c) Compensation
Design 4 106 North Collins Street, Plant City, FL 33563	Media Placement	55,000
Common Sense America Inc. PO Box 292, Princeton, NJ 08542	Consulting - Program	166,000
Total number of others receiving over \$50,000 for professional services ▶		0

Part II-B Compensation of the Five Highest Paid Independent Contractors for Other Services
(List each contractor who performed services other than professional services, whether individuals or firms. If there are none, enter "None." See page 2 of the instructions.)

(a) Name and address of each independent contractor paid more than \$50,000	(b) Type of service	(c) Compensation
None		
Total number of other contractors receiving over \$50,000 for other services ▶		0

For Paperwork Reduction Act Notice, see the Instructions for Form 990 and Form 990-EZ.

Cat No 11285F

Schedule A (Form 990 or 990-EZ) 2007

Part III Statements About Activities (See page 2 of the instructions.)		Yes	No
1	During the year, has the organization attempted to influence national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum? If "Yes," enter the total expenses paid or incurred in connection with the lobbying activities ▶ \$ _____ (Must equal amounts on line 38, Part VI-A, or line i of Part VI-B.)		✓
Organizations that made an election under section 501(h) by filing Form 5768 must complete Part VI-A. Other organizations checking "Yes" must complete Part VI-B AND attach a statement giving a detailed description of the lobbying activities			
2	During the year, has the organization, either directly or indirectly, engaged in any of the following acts with any substantial contributors, trustees, directors, officers, creators, key employees, or members of their families, or with any taxable organization with which any such person is affiliated as an officer, director, trustee, majority owner, or principal beneficiary? (If the answer to any question is "Yes," attach a detailed statement explaining the transactions.)		
a	Sale, exchange, or leasing of property?	2a	✓
b	Lending of money or other extension of credit?	2b	✓
c	Furnishing of goods, services, or facilities?	2c	✓
d	Payment of compensation (or payment or reimbursement of expenses if more than \$1,000)?	2d	✓
e	Transfer of any part of its income or assets?	2e	✓
3a	Did the organization make grants for scholarships, fellowships, student loans, etc.? (If "Yes," attach an explanation of how the organization determines that recipients qualify to receive payments.)	3a	✓
b	Did the organization have a section 403(b) annuity plan for its employees?	3b	✓
c	Did the organization receive or hold an easement for conservation purposes, including easements to preserve open space, the environment, historic land areas or historic structures? (If "Yes," attach a detailed statement)	3c	✓
d	Did the organization provide credit counseling, debt management, credit repair, or debt negotiation services?	3d	✓
4a	Did the organization maintain any donor advised funds? If "Yes," complete lines 4b through 4g. If "No," complete lines 4f and 4g	4a	✓
b	Did the organization make any taxable distributions under section 4966?	4b	✓
c	Did the organization make a distribution to a donor, donor advisor, or related person?	4c	✓
d	Enter the total number of donor advised funds owned at the end of the tax year ▶		0
e	Enter the aggregate value of assets held in all donor advised funds owned at the end of the tax year ▶		0
f	Enter the total number of separate funds or accounts owned at the end of the tax year (excluding donor advised funds included on line 4d) where donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts ▶		0
g	Enter the aggregate value of assets held in all funds or accounts included on line 4f at the end of the tax year ▶		0

Part IV Reason for Non-Private Foundation Status (See pages 4 through 8 of the instructions.)

I certify that the organization is not a private foundation because it is (Please check only ONE applicable box.)

- 5 A church, convention of churches, or association of churches. Section 170(b)(1)(A)(i)
- 6 A school. Section 170(b)(1)(A)(ii) (Also complete Part V)
- 7 A hospital or a cooperative hospital service organization. Section 170(b)(1)(A)(iii)
- 8 A federal, state, or local government or governmental unit. Section 170(b)(1)(A)(v).
- 9 A medical research organization operated in conjunction with a hospital. Section 170(b)(1)(A)(iii) Enter the hospital's name, city, and state ▶
- 10 An organization operated for the benefit of a college or university owned or operated by a governmental unit. Section 170(b)(1)(A)(iv). (Also complete the Support Schedule in Part IV-A.)
- 11a An organization that normally receives a substantial part of its support from a governmental unit or from the general public. Section 170(b)(1)(A)(vi). (Also complete the Support Schedule in Part IV-A.)
- 11b A community trust. Section 170(b)(1)(A)(vi). (Also complete the Support Schedule in Part IV-A.)
- 12 An organization that normally receives (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its charitable, etc., functions—subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Also complete the Support Schedule in Part IV-A.)
- 13 An organization that is not controlled by any disqualified persons (other than foundation managers) and otherwise meets the requirements of section 509(a)(3). Check the box that describes the type of supporting organization:
 Type I Type II Type III-Functionally Integrated Type III-Other

Provide the following information about the supported organizations. (See page 8 of the instructions.)

(a) Name(s) of supported organization(s)	(b) Employer identification number (EIN)	(c) Type of organization (described in lines 5 through 12 above or IRC section)	(d) Is the supported organization listed in the supporting organization's governing documents?		(e) Amount of support
			Yes	No	
Total					

- 14 An organization organized and operated to test for public safety. Section 509(a)(4) (See page 8 of the instructions.)

Part IV-A Support Schedule (Complete only if you checked a box on line 10, 11, or 12) *Use cash method of accounting.*
 Note: You may use the worksheet in the instructions for converting from the accrual to the cash method of accounting.

Calendar year (or fiscal year beginning in)	(a) 2006	(b) 2005	(c) 2004	(d) 2003	(e) Total
15 Gifts, grants, and contributions received. (Do not include unusual grants. See line 28.)					
16 Membership fees received					
17 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to the organization's charitable, etc., purpose					
18 Gross income from interest, dividends, amounts received from payments on securities loans (section 512(a)(5)), rents, royalties, income from similar sources, and unrelated business taxable income (less section 511 taxes) from businesses acquired by the organization after June 30, 1975					
19 Net income from unrelated business activities not included in line 18					
20 Tax revenues levied for the organization's benefit and either paid to it or expended on its behalf					
21 The value of services or facilities furnished to the organization by a governmental unit without charge. Do not include the value of services or facilities generally furnished to the public without charge					
22 Other income. Attach a schedule. Do not include gain or (loss) from sale of capital assets					
23 Total of lines 15 through 22					
24 Line 23 minus line 17					
25 Enter 1% of line 23					
26 Organizations described on lines 10 or 11: a Enter 2% of amount in column (e), line 24					26a
b Prepare a list for your records to show the name of and amount contributed by each person (other than a governmental unit or publicly supported organization) whose total gifts for 2003 through 2006 exceeded the amount shown in line 26a. Do not file this list with your return. Enter the total of all these excess amounts					26b
c Total support for section 509(a)(1) test: Enter line 24, column (e)					26c
d Add: Amounts from column (e) for lines 18 19 _____ 22 _____ 26b _____					26d
e Public support (line 26c minus line 26d total)					26e
f Public support percentage (line 26e (numerator) divided by line 26c (denominator))					26f %
27 Organizations described on line 12: a For amounts included in lines 15, 16, and 17 that were received from a "disqualified person," prepare a list for your records to show the name of, and total amounts received in each year from, each "disqualified person." Do not file this list with your return. Enter the sum of such amounts for each year. (2006) _____ (2005) _____ (2004) _____ (2003) _____					
b For any amount included in line 17 that was received from each person (other than "disqualified persons"), prepare a list for your records to show the name of, and amount received for each year, that was more than the larger of (1) the amount on line 25 for the year or (2) \$5,000 (include in the list organizations described in lines 5 through 11b, as well as individuals.) Do not file this list with your return. After computing the difference between the amount received and the larger amount described in (1) or (2), enter the sum of these differences (the excess amounts) for each year. (2006) _____ (2005) _____ (2004) _____ (2003) _____					
c Add: Amounts from column (e) for lines 15 _____ 16 _____ 17 _____ 20 _____ 21 _____					27c
d Add: Line 27a total _____ and line 27b total _____					27d
e Public support (line 27c total minus line 27d total)					27e
f Total support for section 509(a)(2) test: Enter amount from line 23, column (e)					27f
g Public support percentage (line 27e (numerator) divided by line 27f (denominator))					27g %
h Investment income percentage (line 18, column (e) (numerator) divided by line 27f (denominator))					27h %
28 Unusual Grants: For an organization described in line 10, 11, or 12 that received any unusual grants during 2003 through 2006, prepare a list for your records to show, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the nature of the grant. Do not file this list with your return. Do not include these grants in line 15					

Part V Private School Questionnaire (See page 9 of the instructions.)
 (To be completed **ONLY** by schools that checked the box on line 6 in Part IV)

	Yes	No
29 Does the organization have a racially nondiscriminatory policy toward students by statement in its charter, bylaws, other governing instrument, or in a resolution of its governing body?		
30 Does the organization include a statement of its racially nondiscriminatory policy toward students in all its brochures, catalogues, and other written communications with the public dealing with student admissions, programs, and scholarships?		
31 Has the organization publicized its racially nondiscriminatory policy through newspaper or broadcast media during the period of solicitation for students, or during the registration period if it has no solicitation program, in a way that makes the policy known to all parts of the general community it serves? If "Yes," please describe, if "No," please explain (If you need more space, attach a separate statement.)		
32 Does the organization maintain the following:		
a Records indicating the racial composition of the student body, faculty, and administrative staff?	32a	
b Records documenting that scholarships and other financial assistance are awarded on a racially nondiscriminatory basis?	32b	
c Copies of all catalogues, brochures, announcements, and other written communications to the public dealing with student admissions, programs, and scholarships?	32c	
d Copies of all material used by the organization or on its behalf to solicit contributions?	32d	
If you answered "No" to any of the above, please explain (If you need more space, attach a separate statement.)		
33 Does the organization discriminate by race in any way with respect to:		
a Students' rights or privileges?	33a	
b Admissions policies?	33b	
c Employment of faculty or administrative staff?	33c	
d Scholarships or other financial assistance?	33d	
e Educational policies?	33e	
f Use of facilities?	33f	
g Athletic programs?	33g	
h Other extracurricular activities?	33h	
If you answered "Yes" to any of the above, please explain (If you need more space, attach a separate statement.)		
34a Does the organization receive any financial aid or assistance from a governmental agency?	34a	
b Has the organization's right to such aid ever been revoked or suspended? If you answered "Yes" to either 34a or b, please explain using an attached statement	34b	
35 Does the organization certify that it has complied with the applicable requirements of sections 4 01 through 4 05 of Rev. Proc. 75-50, 1975-2 C.B. 587, covering racial nondiscrimination? If "No," attach an explanation	35	

100308992

Part VI-A Lobbying Expenditures by Electing Public Charities (See page 11 of the instructions.)
 (To be completed ONLY by an eligible organization that filed Form 5768)

Check a if the organization belongs to an affiliated group Check b if you checked "a" and "limited control" provisions apply

Limits on Lobbying Expenditures		(a) Affiliated group totals	(b) To be completed for all electing organizations
(The term "expenditures" means amounts paid or incurred)			
36	Total lobbying expenditures to influence public opinion (grassroots lobbying)	36	
37	Total lobbying expenditures to influence a legislative body (direct lobbying)	37	
38	Total lobbying expenditures (add lines 36 and 37)	38	
39	Other exempt purpose expenditures	39	
40	Total exempt purpose expenditures (add lines 38 and 39)	40	
41	Lobbying nontaxable amount Enter the amount from the following table— If the amount on line 40 is— The lobbying nontaxable amount is— Not over \$500,000 20% of the amount on line 40 Over \$500,000 but not over \$1,000,000 \$100,000 plus 15% of the excess over \$500,000 Over \$1,000,000 but not over \$1,500,000 \$175,000 plus 10% of the excess over \$1,000,000 Over \$1,500,000 but not over \$17,000,000 \$225,000 plus 5% of the excess over \$1,500,000 Over \$17,000,000 \$1,000,000	41	
42	Grassroots nontaxable amount (enter 25% of line 41)	42	
43	Subtract line 42 from line 36 Enter -0- if line 42 is more than line 36	43	
44	Subtract line 41 from line 38 Enter -0- if line 41 is more than line 38	44	

Caution: If there is an amount on either line 43 or line 44, you must file Form 4720

4-Year Averaging Period Under Section 501(h)

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below
 See the instructions for lines 45 through 50 on page 13 of the instructions)

Calendar year (or fiscal year beginning in) ▶	Lobbying Expenditures During 4-Year Averaging Period				
	(a) 2007	(b) 2006	(c) 2005	(d) 2004	(e) Total
45	Lobbying nontaxable amount				
46	Lobbying ceiling amount (150% of line 45(e))				
47	Total lobbying expenditures				
48	Grassroots nontaxable amount				
49	Grassroots ceiling amount (150% of line 48(e))				
50	Grassroots lobbying expenditures				

Part VI-B Lobbying Activity by Nonelecting Public Charities

(For reporting only by organizations that did not complete Part VI-A) (See page 14 of the instructions.)

During the year, did the organization attempt to influence national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:	Yes	No	Amount
a Volunteers		✓	
b Paid staff or management (Include compensation in expenses reported on lines c through h.)		✓	
c Media advertisements		✓	
d Mailings to members, legislators, or the public		✓	
e Publications, or published or broadcast statements		✓	
f Grants to other organizations for lobbying purposes		✓	
g Direct contact with legislators, their staffs, government officials, or a legislative body		✓	
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means		✓	
i Total lobbying expenditures (Add lines c through h.)			0

If "Yes" to any of the above, also attach a statement giving a detailed description of the lobbying activities

26-0240498

National Organization for Marriage Inc.
Form 990, Year Ended December 31, 2007

Part II, Line 43, Other Expenses:

Classification	Total	Program	General	Fundraising
Bank charges	\$ 193	\$ -	\$ 193	\$ -
Direct mail	47,486	23,743	-	23,743
Dues and subscriptions	2,050	-	2,050	-
Fundraising	8,995	-	-	8,995
Health insurance	7,350	5,439	882	1,029
Miscellaneous	6	2	4	-
Office expense	2,181	-	2,181	-
Program cost - consultant	189,210	187,596	1,614	-
Program cost - media placement	55,000	55,000		
Research	21,680	21,680		
Web development	558	558		
Total	\$334,709	\$294,018	\$6,924	\$33,767

Part IV, Line 57, Equipment:

The cost of the website is capitalized at a cost of \$25,334. There is accumulated amortization of \$5,061. It is amortized on a straight-line basis over an estimate five-year life.

Part IV, Line 58, Other Assets:

This represents security deposit held by other.

Wayne, Jonathan

From: Paul Kendrick [kendrickpt@aol.com]
Sent: Monday, September 14, 2009 10:52 PM
To: Wayne, Jonathan
Subject: Mr. Wayne, please consider the content of this letter at the hearing on Oct. 1st

Begin forwarded message:

From: Paul Kendrick <kendrickpt@aol.com>
Date: September 14, 2009 22:48:09 EDT
To: "info@gobeils.com" <info@gobeils.com>
Cc: "marc.mutty@portlanddiocese.org" <marc.mutty@portlanddiocese.org>
Subject: Question for Ron Gobeil

Dear Mr. Gobeil,

By what means or methods have you contributed money to the campaign(s) opposing same sex marriage in Maine?

To what PACs or other groups that oppose same sex marriage have you donated money?

Have you contributed money to any organization with the knowledge that your donation would be sent on to a PAC that opposes same sex marriage?

It is not possible, Mr. Gobeil, that you have not contributed money in some manner to Stand for Marriage Maine.

You were one of the founders of the original group called the Maine Marriage Initiative.

You were the spokesperson for the group opposing same sex marriage at a Muskie School breakfast.

You appeared in a video on the Maine Marriage Initiative web site.

You have the financial resources to be a major donor.

I look forward to your response.

Sincerely,
Paul Kendrick
Freeport, Maine
207 838 1319

=

Wayne, Jonathan

From: Paul Kendrick [kendrickpt@aol.com]
Sent: Monday, September 14, 2009 2:05 PM
To: Wayne, Jonathan
Subject: Fwd: Where is record of contributions by Ron Gobeil?

Dear Mr. Wayne,

Here is a copy of a message I sent earlier today to Marc Muty, CEO of Stand for Marriage Maine.

I can assure you that Mr. Muty will not respond to my inquiry.

Therefore, I urge you to include my question as part of your ethics committee hearing on October 1st.

Sincerely,
 Paul Kendrick
 92 Kelsey Ridge Road
 Freeport, Maine 04032
 207 838 1319 (cell)

From: Paul Kendrick <kendrickpt@aol.com>
Date: September 14, 2009 12:31:07 EDT
To: "marc.muty@portlanddiocese.org" <marc.muty@portlanddiocese.org>
Cc: "info@gobeils.com" <info@gobeils.com>
Subject: Where is record of contributions by Ron Gobeil?

Dear Marc,

How can I find out how much money has been contributed to Stand for Marriage Maine by Mr. Ron Gobeil (former owner of Gobeil's Furniture).

Is Mr. Gobeil the benefactor of the \$100,000 in "restricted funds" that were donated by the Roman Catholic Diocese of Portland to the SFMM campaign?

Or, has Mr. Gobeil been channeling his contributions through NOM?

Thank you for your attention to this matter.

Sincerely,
 Paul Kendrick
 Freeport, Maine
 207 838 1319



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

ADDITIONAL MATERIALS
Agenda Item # 3
October 1, 2009

To: Commissioners

From: Jonathan Wayne, Executive Director

Date: September 29, 2009

Re: Staff Recommendation on Fred Karger's Request for an Investigation

Fred Karger's Request for an Investigation

On August 13, 2009, the Maine Commission on Governmental Ethics and Election Practices received correspondence via email from Fred Karger of Californians against Hate regarding the Stand for Marriage Maine political action committee (PAC). Stand for Marriage Maine is the PAC formed to promote the people's veto referendum to prevent the 2009 same-sex marriage law (P.L. 2009, Chapter 82) from taking effect.

The following day (August 14), the Commission staff requested that he re-submit his request with more specific information pursuant to Chapter 1, Paragraph 4(2)(C) of the Commission Rules. Mr. Karger provided supplementary materials dated August 24th.

Mr. Karger alleges that the four major contributors to Stand for Marriage Maine raised money from other sources to fund the people's veto referendum, and are concealing those other sources. The four contributors are the National Organization for Marriage (NOM), the Roman Catholic Diocese of Portland, the Knights of Columbus, and Focus on the Family. Mr. Karger alleges that:

[T]he four funders of Stand for Marriage Maine are merely conduits for those wishing to hide their contributions. These entities are laundering money to evade the disclosure of the actual contributors to Stand for Marriage Maine.

About Californians Against Hate

In arguing against an investigation, Stand for Marriage Maine PAC draws your attention to the nature of the activities of Californians Against Hate, which Mr. Karger founded in 2008. In November 2008, California voters considered Proposition 8, an amendment to the California constitution stating that only marriage between a man and a woman would be recognized by the state government. The political committee formed in support of Proposition 8 was named "Yes on Proposition 8." NOM formed a separate committee in California that raised \$1,870,134 in contributions, much of which was donated to the Yes on Proposition 8 committee.

The website of Californians Against Hate offers the following description of the organization:

Californians Against Hate was established in July 2008 to draw attention to the major donors to the Yes on Proposition 8 campaign. These contributors gave \$40 million to amend the California Constitution to take away the right of same-sex couples to marry.

If our opponents want to take away our rights, then we will fight back. We will let the world know who these donors are.

I have attached the homepage of the website. The organization publicizes the largest donors to the Yes on 8 committee and has organized economic boycotts of the donors' businesses to pressure them. It has also engaged in telephone campaigns to exert

pressure, and has made a video “commercial” of one widow who made a large donation. Stand for Marriage Maine views these activities as harassment, and urges you not to encourage this style of activism in the November 3, 2009 people’s veto referendum.

Standards for Requests to the Commission for an Investigation

Under 21-A M.R.S.A. § 1003(2), a person may apply to the Commission to investigate a PAC’s reporting of campaign finance activity. Under this provision, the Commission “shall review the application and shall make the investigation if the reasons stated for the request show sufficient grounds for believing that a violation may have occurred.”

Chapter 1, Paragraphs 4(2)(C) and (D) of the Commission’s Rules require that a request for investigation provide specific information regarding the alleged violation:

C. Reports of noncompliance with the provisions of the campaign registration and reporting laws or the Maine Clean Election Act that may come to the attention of the Commission staff from any source other than review of the reports filed will be reported to the Commission Chair. Any person ... may make an official request for a Commission investigation or determination by filing a written request at the Commission's office, setting forth such facts with sufficient details as are necessary to specify the alleged violation. Statements should be made upon personal knowledge. Statements which are not based upon personal knowledge must identify the source of the information which is the basis for the request, so that respondents and Commission staff may adequately respond to the request. A copy of any such written request will be promptly mailed to the candidate or organization alleged to have violated the statutory requirements. An official request will be placed on the agenda of the next Commission meeting. (underlining added)

D. An oral report of a violation, or a written request containing insufficient detail to specify the violation charged, does not constitute an official request for a Commission determination, and a person registering such a complaint will be so notified.

Compliance Issues Related to Stand for Marriage Maine PAC

Stand for Marriage Maine PAC registered on June 4, 2009. Marc Mutty, who is on leave from the Roman Catholic Diocese of Portland, is the Chair of the organization. The PAC has an executive committee that includes Mr. Mutty, Brian S. Brown, and Robert Emrich. Mr. Brown is also the Executive Director of the National Organization for Marriage (NOM), discussed below. The PAC's treasurer is Joseph A. Keaney, a certified public accountant with an office in Portland.

The PAC has filed one campaign finance report dated July 15, 2009 and includes financial activity through July 5, 2009. Its four largest contributors are the Roman Catholic Diocese of Portland, NOM, the Focus on the Family, and the Knights of Columbus.

Fred Karger's Allegation that Stand for Marriage Maine PAC has Misreported its Contributors

All PACs are required to report the names and addresses of contributors who have given more than \$50 to the PAC. (21-A M.R.S.A. § 1060(6)) In addition, under 21-A M.R.S.A. §§ 1004(3) and 1004-A(3), it is illegal for a PAC to knowingly accept a contribution made by one person in the name of another person.

Mr. Karger appears to be stating that Stand for Marriage Maine PAC has encouraged unidentified sources to fund the PAC's activities, and has accepted funds in the names of the four contributors in order to conceal the true sources of the funds. In support of this contention, he notes that in the PAC's July 15th report, only \$400 came from individuals

and \$343,289 came from organizations. As evidence that opponents of same-sex marriage are attempting to conceal their funders, Mr. Karger also cites a civil action brought in U.S. District Court in California in which plaintiffs sought to prevent publication on the Secretary of State's web site of the names and addresses of donors to the Yes on Proposition 8 campaign. NOM was one of the plaintiffs in that suit.

Response from Stand for Marriage Maine PAC

Stand for Marriage Maine PAC has engaged the firm of Bopp, Coleson & Bostrom of Terre Haute, Indiana as legal counsel. Attorney Barry Bostrom submitted a letter on behalf of the PAC dated September 21, and will attend your October 1 meeting along with representatives of the PAC.

In the September 21 letter, Stand for Marriage Maine argues that the PAC is "filing its reports in good faith compliance with Maine law after requesting and receiving specific legal advice before it began activities. It is identifying all contributors as required by Maine Law." It notes that there is nothing irregular about the PAC's receipt of large contributions from organizations. The PAC argues that Mr. Karger's request does not meet the Commission's own standards for complaints because it does not set forth sufficient details to specify a violation based on personal knowledge or other authoritative sources. The PAC urges the Commission not to launch any pre-election investigation because the investigation itself would become an issue in the people's veto referendum.

Staff Recommendation as to Stand for Marriage Maine PAC

After considering the submissions of both sides and reviewing the information available, the staff believes that Fred Karger has not presented sufficient grounds to believe that Stand for Marriage Maine may have violated Maine's campaign finance law. It is not surprising that the PAC was largely funded by organizations and not individuals. There are obviously large national organizations on both sides of the same-sex marriage issue that have been prepared to spend large sums to influence the Maine referendum. The California litigation provides little or no support for the proposition that the Maine-based PAC has attempted to conceal its funders. We believe that Mr. Karger has not met the standard in 21-A M.R.S.A. § 1003(2), and therefore recommend against initiating any investigation of Stand for Marriage Maine PAC at this time.

Compliance Issues Related to National Organization for Marriage

The National Organization for Marriage (NOM) is an organization formed in 2007 to oppose same-sex marriage laws in various states. Its activities are not limited to influencing ballot questions, such as in California and in Maine. It has also lobbied state legislatures and acted to influence state candidate elections. According to NOM's website, earlier this year NOM has engaged in the following activities:

- NOM urged voters in New York to contact state senators to keep same-sex marriage off of the agenda in an anticipated special budget session to be held in September 2009. NOM also attempted to influence Republican leaders in the state not to nominate an individual who supports gay marriage to be the Republican nominee in a vacant congressional seat.
- NOM encouraged supporters to write to the U.S. President and Attorney General to encourage a more effective defense of the 1996 federal Defense of Marriage Act which is being litigated in federal courts.

- In Iowa, NOM asked voters to pressure their legislators to put a question on the statewide ballot to amend the state constitution.
- NOM urged supporters to contact members of the City Council of Washington D.C. not to support same-sex marriage legislation, which NOM anticipates later in 2009.
- In Delaware, NOM sponsored a petition to legislators in support of current marriage statutes.
- NOM encouraged supporters in Connecticut to contact legislators with regard to legislation that NOM believes would support religious liberty of Connecticut residents.
- In New Jersey, NOM is urging voters to e-mail Legislators regarding same-sex legislation that is expected after the November 3, 2009 general election.

On its website, NOM describes itself as follows:

The National Organization for Marriage (NOM) is a nonprofit organization with a mission to protect marriage and the faith communities that sustain it.

Founded in 2007 in response to the growing need for an organized opposition to same-sex marriage in state legislatures, NOM serves as a national resource for marriage-related initiatives at the state and local level. For decades, pro-family organizations have educated the public about the importance of marriage and the family, but have lacked the organized, national presence needed to impact state and local politics in a coordinated and sustained fashion. NOM seeks to fill that void, organizing as a 501(c)(4) nonprofit organization, giving it the flexibility to lobby and support marriage initiatives across the nation.

Consistent with its 501(c)(4) nonprofit status, NOM works to develop political messaging, build its national grassroots email database of voters, and provide political intelligence and donor infrastructure on the state level, with a focus on developing new strategies for increasing influence in the Northeast and West Coast, where marriage is most under threat.

Fred Karger's Factual Contentions

In the July 15, 2009 campaign finance report of the Stand for Marriage Maine PAC, the PAC reported receiving two contributions totaling \$160,000 from NOM, dated June 3 and 22, 2009. Other information received by the Commission staff indicates that the PAC has received at least another \$90,000 from NOM. So, NOM's contributions to the PAC total at least \$250,000.

Mr. Karger makes various allegations concerning NOM, including "money laundering," on pages 2-5 of his August 24, 2009 letter. He describes the organization's success in raising money to support Proposition 8. He alleges that persons associated with the Church of Jesus Christ of Latter-Day Saints (the Mormon Church) created NOM and contends that the Mormon Church made substantial in-kind contributions to the proponents of Proposition 8 that were never disclosed. Mr. Karger has created a website (www.Mormongate.com) dedicated to the proposition that NOM was formed by the Mormon Church (discussed below). He describes NOM as "the most visible leader in opposing same-sex marriage throughout the United States. (8/24/09 letter, page 5) For all of these reasons, Mr. Karger argues that NOM is serving as a conduit for those wishing to support the people's veto referendum in Maine.

Duty to Form a Ballot Question Committee¹

Under 21-A M.R.S.A. § 1056-B, organizations which do not meet the definition of political action committee (PAC) may be required to file campaign finance reports with the Commission if they raise or spend more than \$5,000 to promote or to oppose a ballot question:

Ballot Question Committees. Any person not defined as a political action committee who solicits and receives contributions or makes expenditures, other than by contribution to a political action committee, aggregating in excess of \$5,000 for the purpose of initiating, promoting, defeating or influencing in any way a ballot question must file a report with the Commission. ... Within seven days of receiving contributions or making expenditures that exceed \$5,000, the person shall register with the Commission as a ballot question committee. For the purposes of this section, expenditures include paid staff time spent for the purpose of influencing in any way a ballot question. The Commission must prescribe forms for the registration, and the forms must include specification of a treasurer for the committee, any other principal officers and all individuals who are the primary fund-raisers and decision makers for the committee.

1. Filing requirements. A report required by this section must be filed with the Commission according to a reporting schedule that the Commission shall establish that takes into consideration existing campaign finance reporting schedule requirements in section 1059. ...

Qualifying as a Ballot Question Committee through Soliciting Contributions

An organization may qualify as a ballot question committee if it “solicits and receives contributions ... aggregating in excess of \$5,000 for the purpose of initiating [or] promoting ... a ballot question.” (emphasis added) If an organization has solicited and received less than the \$5,000 threshold for those purposes, the receipt of those contributions does not trigger the requirement to file campaign finance reports.

¹ In the view of the Commission staff, NOM would not qualify as a political action committee under 21-A M.R.S.A. § 1052(5)(A) because the “major purpose” of NOM is not “initiating, promoting, defeating or influencing” a candidate election or ballot question in the state of Maine. Thus, the primary compliance question presented by Mr. Karger’s correspondence is whether NOM must register and report its contributions and expenditures as a ballot question committee under 21-A M.R.S.A. § 1056-B.

Qualifying through expenditures. Under Section 1056-B, non-PAC organizations are also required to file campaign finance reports as a ballot question committee if they make expenditures – other than by contribution to a PAC – totaling more than \$5,000 for purpose of defeating a ballot question. If an organization makes contributions to a PAC to support or oppose a ballot question, those expenditures do not count toward the \$5,000 threshold to become a ballot question committee. (See first sentence of § 1056-B.)

Evidence that a Violation May Have Occurred

In the opinion of the Commission staff, Mr. Karger's August 13th and 24th correspondence pointed to a few factual circumstances which could be relevant to whether a violation has occurred:

- NOM is a 501(c)(4) tax-exempt organization that is roughly two years old. Based on the information that is presently available to the Commission staff, it appears that NOM has contributed at least \$250,000 to the Stand for Marriage Maine PAC. This is a large amount of funding, which could suggest that NOM solicited and received funds for the purpose of initiating or promoting the referendum.
- NOM has demonstrated the capability to raise a significant amount of funds to support a referendum on same sex marriage. In 2008, NOM formed a committee in California that raised \$1,870,134 to support Proposition 8.
- Mr. Karger has provided the Commission with some fundraising solicitations from NOM stating to potential donors that the funds would be used to oppose the legalization of same sex marriage in New England. Some of the solicitations promised NOM's donors anonymity.

On the basis of those facts, on August 27th the staff of the Maine Ethics Commission invited NOM to submit a response to Mr. Karger's request for an investigation.

Responses from NOM

NOM responded through a September 21, 2009 letter from its attorney, Barry Bostrom and through a September 26th affidavit from Brian Brown which Mr. Bostrom submitted in response to a specific request from the Commission's staff.

With respect to how NOM has financed its large contributions to Stand for Marriage Maine, NOM responds

[NOM's] projected budget for 2009 is \$7 million. It is a national organization with activities in all fifty states. NOM solicits and receives most of its funds as undesignated donations from major donors and national organizations. The remainder of its funds are received primarily as undesignated donations from direct mail solicitations. Except for the above mentioned e-mails correspondence, NOM has not solicited donations specifically for the Maine referendum. Further, NOM does not accept donations designated for the Maine referendum. (9/26/09 Affidavit of Brian S. Brown, paragraph 4)

Mr. Brown also states under oath that "NOM has not made expenditures totaling \$5,000 for the purpose of initiating or promoting the people's veto referendum in Maine, other than by contribution to Stand for Marriage Maine PAC." (9/26/09 Affidavit of Brian S. Brown, paragraph 5)

NOM has offered an analysis of the e-mails which the Commission staff attached to its September 16 letter (described below). It argues that even if the e-mails are deemed to be solicitating contributions in support of the people's veto effort in Maine, the amount of contributions received did not exceed \$5,000 threshold for NOM to become a ballot question committee. Through its counsel, NOM also argues that the reporting requirement in 21-A M.R.S.A. 1056-B is unconstitutional. The Commission's counsel

has specifically considered this contention and disagrees. If necessary, she is prepared to defend the constitutionality of the statute in the courts.

Mr. Karger is asking the state of Maine to use its investigatory powers (including, potentially, its subpoena authority) to compel NOM, a private non-profit organization, to provide information and documents regarding its overall fundraising. These documents and information would become public unless covered by one of the Commission's narrow confidentiality provisions in 21-A M.R.S.A. § 1003(3-A). In this context, the Commission must carefully apply the standard in 21-A M.R.S.A. § 1003(2) of whether Mr. Karger has "show[n] sufficient grounds for believing that a violation may have occurred."

Major fundraising by NOM. It is undisputed that NOM has been very successful in fundraising in its two-year history. Under Section 1056-B, however, an organization is only required to register as a ballot question committee if the organization "solicits and receives contributions ... for purposes of initiating [or] promoting ... a ballot question." Subsection 2-A of the statute (enacted in 2008) specifies various categories of solicited funds that must be reported. According to the September 26, 2009 Affidavit of Brian S. Brown, "NOM has not solicited donations specifically for the Maine referendum. Further, NOM does not accept donations designated for the Maine referendum." Mr. Karger has not presented any specific evidence that the major donations received by NOM were solicited and received for purposes of initiating or promoting the people's veto referendum in Maine. (The e-mail solicitations raised by Mr. Karger are discussed

in the following section.) The reasons that Mr. Karger has presented to support an investigation are overwhelmingly circumstantial. The Commission staff does not believe that, in the aggregate, they present sufficient grounds for believing that a violation may have occurred.

E-Mail Solicitations by NOM

During September 12-15, Fred Karger provided e-mail solicitations sent by NOM that mentioned the organization's activities in Maine. On September 16, 2009, the Commission staff presented to NOM 14 of those e-mails that most directly related to NOM's activities in Maine.² NOM has responded to these e-mails on pages 3-4 of Mr. Bostrom's September 21 letter. NOM notes that some of the e-mails invite donors to contribute directly to Stand for Marriage Maine, not NOM. It argues that only two of the e-mails may be interpreted to solicit contributions to NOM for the Maine referendum, and states that the contributions received in response to these two e-mails totaled only \$295.00. NOM also identifies five other e-mails that solicited activities in Maine and other states. It argues that it is impossible to distinguish which states' activities the contributors intended to support, and that in any case the contributions resulting from these e-mails do not exceed the \$5,000 threshold.

The Commission staff has not invited any response from Mr. Karger relating to these e-mails. On the basis of information available, the Commission staff does not believe NOM's e-mail solicitations present sufficient grounds to believe that NOM has

² The staff accidentally included in the September 16 letter an e-mail dated July 24, 2009 that did not relate to Maine.

committed a reporting violation because it solicited and received more than \$5,000 in contributions related to people's veto referendum.

Expenditures by NOM

NOM is clearly coordinating its expenditures with the Stand for Marriage Maine PAC. Brian Brown is on the executive committee of the PAC. In its July 15, 2009 report, the PAC reported receiving roughly \$4,400 in paid staff time from NOM and \$4,600 in travel expenditures from NOM. Brian Brown has made a sworn statement that "NOM has not made expenditures exceeding \$5,000 for the purpose of initiating or promoting the people's veto in Maine, other than by contribution to Stand for Marriage Maine PAC." Mr. Karger has presented no evidence to disbelieve this sworn statement.

Staff Recommendation Concerning NOM

It is understandable that advocates such as Mr. Karger are attempting to shed light on NOM as an organization that has become a national leader in opposing same-sex marriage. It may be that in the long term, Mr. Karger's investigative efforts will uncover evidence that suggests that NOM's funders must be disclosed under various states' campaign finance and lobbyist disclosure laws. The task before the Commission, however, is to focus on the one reporting statute in Maine law that arguably could apply to NOM (21-A M.R.S.A. § 1056-B). In the view of the Commission staff, the reasons for an investigation presented by Mr. Karger do not "show sufficient grounds for believing that" NOM "may have violated" Section 1056-B.

Compliance Issues Related to Roman Catholic Diocese of Portland

Mr. Karger also questions whether the Roman Catholic Diocese of Portland has complied with Maine's campaign finance laws. In particular, he questions the source of the \$100,000 contribution that the Diocese made to the Stand for Marriage PAC on June 9, 2009. Mr. Karger draws information from various public sources and concludes that "The Diocese does not have hundreds of thousands of dollars sitting in their treasury." He notes that the Diocese sent out an appeal from the bishop to raise funds to pay insurance claims of abuse, and speculates that "perhaps they used a similar approach to raise the money it contributed to Stand for Marriage Maine." In a Lewiston Sun Journal article dated July 17, 2007, Marc Mutty offered an explanation of the source of the \$100,000 contribution. He stated that it was derived from a gift to the church for the general purpose of defending church dogma or policy and not specific to this issue. Mr. Karger presents no specific evidence to disbelieve this explanation.

The financial activities of the Diocese in support of people's veto referendum will be reported to the Commission in two ways. First, the Diocese is cooperating with the Stand for Marriage Maine PAC, and in its July 15, 2009 campaign finance report the PAC reported various in-kind contributions from the Diocese:

Salaries	\$6,093.00
Printing and miscellaneous	\$2,888.73
Meals/lodging	\$458.00

Second, the Church registered a ballot question committee on July 23, 2009.

Presumably, this means that in the week before that date, the Diocese received contributions or made expenditures in connection with the people's veto referendum that

exceeded \$5,000. The Diocese will file its first financial report on October 13, 2009, which will include contributions received by the Diocese and expenditures made by the Diocese with respect to the people's veto referendum.

I have personally discussed the reporting responsibilities of the Diocese with Marc Mutty and with Peter McPartland. Mr. McPartland is a certified public accountant who is the Director of Parish Financial Services for the Diocese. He will be involved in preparing the campaign finance reports of the Diocese. In the course of those conversations, both Mr. Mutty and Mr. McPartland demonstrated an understanding of campaign finance reporting responsibilities.

At this time, the Commission staff recommends the view that Mr. Karger has not provided sufficient reasons to believe that the Diocese may have violated the ballot question committee reporting requirements, particularly when the Diocese has not even filed its first report.

Other Contributors: Focus on the Family and Knights of Columbus

Mr. Karger makes similar allegations regarding money provided by Focus on the Family and the Knights of Columbus to the Stand for Marriage Maine PAC. The staff refers you to the last three pages of his August 24 submission. The staff does not believe that these allegations provide reason to believe that these organizations violated Maine's campaign finance laws.

Last week, Mr. Karger mentioned by telephone to the Commission's new PAC Registrar, Cindy Sullivan, that he had conversations with a representative of the Knights of Columbus which indicated that the organization had specifically raised contributions to influence the people's veto referendum in Maine. She advised him that if he provided his information in writing, I would check with the Commission Chair whether the Commission could consider the new information at the October 1 meeting. Mr. Karger has not provided any information to the Commission in writing regarding his conversation with the Knights of Columbus representative.

Conclusion by Commission Staff

For the reasons expressed above, the Commission staff does not recommend an investigation of Stand for Marriage Maine PAC or its contributors. We are, of course, willing to engage in any further preliminary fact-gathering or investigation desired by the Commissioners.

Thank you for your consideration of this memorandum.

RECEIVED

SEP 28 2009

MAINE ETHICS COMMISSION

AFFIDAVIT

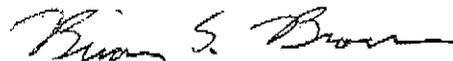
Brian S. Brown, being first duly sworn on his oath states:

1. I am over eighteen years of age and have personal knowledge of the facts stated herein.
2. I am the Executive Director of the National Organization for Marriage, Inc., a Virginia non-stock corporation.
3. Other than funds received from the e-mails that have been discussed in the September 16 and September 21 correspondence, NOM has received no funds in the following categories set forth in 21-A M.R.S.A. § 1056-B(2-A):
 - a. Funds that the contributor specified were given in connection with the people's veto referendum in Maine to repeal the 2009 same-sex marriage law (P.L. 2009, Ch. 82);
 - b. Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically for the purpose of initiating or promoting the people's veto referendum in Maine;
 - c. Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiative or promoting the people's veto referendum in Maine.

For purposes of this response, I assume these provisions should be interpreted in accordance with the decisions of the U.S. Supreme Court in *Buckley vs. Valeo*, 424 U.S. 1 (1976), and its progeny, protecting issue advocacy from unconstitutional burdens, i.e., I assume that 3.a. and 3.c. refer to funds received where a donor expressly designated the donation for support of the people's veto referendum in Maine; and that 3.b. refers to communications from NOM expressly soliciting funds for support of the people's veto referendum in Maine.

4. NOM's projected budget for 2009 is \$7 million. It is a national organization with activities in all fifty states. NOM solicits and receives most of its funds as undesignated donations from major donors and national organizations. The remainder of its funds are received primarily as undesignated donations from direct mail solicitations. Except for the above mentioned email correspondence, NOM has not solicited donations specifically for the Maine referendum. Further, NOM does not accept donations designated for the Maine referendum. See sample response device and disclosure attached hereto.
5. NOM has not made expenditures exceeding \$5,000 for the purpose of initiating or promoting the people's veto referendum in Maine, other than by contribution to Stand for Marriage Maine PAC.

Further affiant sayeth not.



Brian Brown, Executive Director
National Organization for Marriage, Inc.

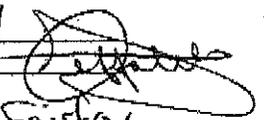
JEFFREY CAELLO
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES FEB 28, 2012
COMMISSION # 7161895

STATE OF Virginia)
COUNTY OF Fairfax) : SS

Before me, Jeffrey Catello, a Notary Public in and for said County and State, personally appeared Brian S. Brown who acknowledged the execution of the foregoing instrument.

Witness my hand and notarial seal on the 26 day of September, 2009.

My Commission Expires:
Feb 28, 2012

Printed: Jeffrey Catello / 
Notary Public
Resident of Great Falls County, VA, Fairfax

This instrument was prepared by Barry A. Bostrom, attorney at law, BOPP, COLESON & BOSTROM, 1 South Sixth Street, Terre Haute, Indiana 47807-3510.

CALIFORNIANS AGAINST HATE

NEWS BLOG DISHONOR ROLL ABOUT US

Californians Against Hate was established in July 2008 to draw attention to the major donors to the Yes on Proposition 8 campaign. These contributors gave \$40 million to amend the California Constitution to take away the right of same-sex couples to marry.

If our opponents want to take away our rights, then we will fight back. We will let the world know who these donors are.

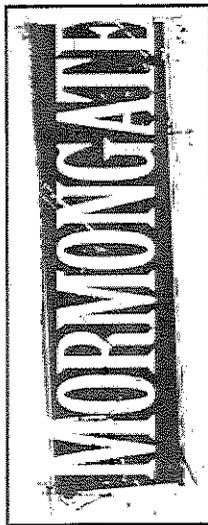
CLICK HERE for

Our Statement on Our Future, Post-Supreme Court Decision

BLOG ENTRIES

CLICK HERE to View our Most Recent Blog Entries

OUR CAMPAIGNS



BoycottManchesterHotels.com
BoycottA-1SelfStorage.com

WATCH OUR COMMERCIAL



Help us identify and take action against those who want to deny us our equal rights. Please contribute today!



Join Our Facebook Group!



Sign up for Email Alerts

Dishonor Roll

Below is a list of the Top 12 contributors to the Yes on Proposition 8 campaign that took away marriage equality in California. Click on the names for more information.

Knights of Columbus, New Haven, CT
\$1,435,000

Howard Ahmanson, Jr., Irvine, CA
Fieldstead & Co.
\$1,395,000

John Templeton, Bryn Mawr, PA
John Templeton Foundation, Chairman/President
\$1,100,000

National Organization for Marriage,
Princeton, NJ
\$1,041,134.80

Alan Ashton, Lindon, UT
\$1,000,000

Terry Caster & Family, San Diego, CA
\$599,000

Robert Hunt, Orange, CA
\$550,000

Focus On the Family, Colorado Springs, CO
\$539,643.66

American Family Association, Tupelo, MS
\$500,000

Claire Reiss, La Jolla, CA
Reisung Enterprises
\$500,000



LATEST NEWS

Washingtonpost.com: The Mormons Are Coming!

New York Times Editorial: The Prop 8 Campaign Money

Time Magazine: What Happens if You're on the Gay 'Enemies List'

Los Angeles Times: Proposition 8 Protesters Target Businesses

New York Times: Mormon Aid on Gay Marriage Ban Generates Complaint

The Salt Lake Tribune: LDS Church Didn't Report Prop 8 Aid, Group Says

USA Today: Gay-marriage Supporters Plan Prop-8 Protests

Washingtonpost.com: Protesters Target Supporters of Gay Marriage Ban

Prop. 8's Battle Lessons

Wall Street Journal: Gay Activists Target Businesses

The New York Times: Donation to Same-Sex Marriage Foes Brings Boycott Calls

[More news >](#)

National Organization for Marriage,

Princeton, NJ
\$1,041,134,000

Alan Ashton, Lindon, UT

\$1,000,000

Terry Caster & Family, San Diego, CA

\$550,000

Robert Hurtt, Orange, CA

\$550,000

Focus On the Family, Colorado Springs, CO

\$339,643,666

American Family Association, Tupelo, MS

\$500,000

Claire Reiss, La Jolla, CA

Reisung Enterprises

\$500,000

Elsa Prince, Holland, MI

\$450,000

Concerned Women for America, Washington

DC

\$409,000

[Click for Detailed Info on All Donors](#)

READ CALIFORNIANS AGAINST HATE FOUNDER, FRED WARGERS' COLUMNS ON THE HUFFINGTON POST

[Boycott A-1 Self Storage Company](#)

[Norman Power: Grab! It's Tearing Families Apart](#)

[Californians Against Hate Releases It's Dishonor: Roll](#)

[California Boycott—Fighting Back Against Hate](#)

This is the print preview. [Back to normal view](#) »



Fred Karger

Posted: November 20, 2008 06:40 PM

Boycott A-1 Self Storage Company

Read More: [Afa, Don Wildmon, Gay Marriage, Terry Caster, Politics News](#)

Why would someone contribute \$693,000 to take away the rights of an entire minority group in California? Terry Caster and his family did just that. Caster, his 8 children and many of their spouses gave a total of \$293,000 to help qualify Proposition 8 for the ballot earlier this year. Then when the plea went out for more money from the Yes on 8 campaign in late October, Caster opened up his checkbook and gave an additional \$400,000 to take away same-sex marriage in California. That's \$693,000 to Yes on 8! Terry Caster was the 2nd largest contributor in California to the Yes on 8 campaign.

Caster told the *San Diego Union-Tribune* in May that marriage equality threatens society. "Without solid marriage, you are going to have a sick society," he said.

Terry Caster owns San Diego-based A-1 Self Storage Company which has 30 locations throughout California.

Today Californians Against Hate officially kicks off its **Boycott of A-1 Self Storage Company** because of Terry Caster's enormous contribution to the Yes on 8 campaign. We are launching a new boycott website and believe that the gay community and our millions of friends will support this **Boycott of A-1 Self Storage**.

If you are a current customer of A-1, we hope that you will move your belongings to another company. There are hundred of other self storage business to choose from. Those who are looking to rent a new storage unit, we encourage you to go to any one the many other options available.

This will be the third boycott called by Californians Against Hate over the last four months, and we are determined to make this our most successful.

Of the other two boycotts, one is ongoing and the other was settled. On July 18, 2008 Californians Against Hate announced its first boycott at the March on Manchester, a demonstration and rally in San Diego against Doug Manchester, Manchester owns two hotels in San Diego, The Manchester Grand Hyatt Hotel and the Grand del Mar Resort. Manchester gave \$125,000 to the Yes on 8 campaign. Many groups and individuals have honored this boycott, and it has received a tremendous amount of media coverage.

On September 19th our "Don't Buy Bolthouse" campaign was kicked-off at a demonstration in front of Ralph's Supermarket in Hollywood. At that time, we asked consumers not to buy products produced by Bakersfield, CA based Bolthouse Farms. William Bolthouse, Jr. the company's former CEO had made a personal contribution of \$100,000 to Yes on 8. On October 9th "Don't Buy Bolthouse" was ended after 3 weeks when an agreement was reached with new Bolthouse CEO, Jeff Dunn. Bolthouse Farms embarked on a comprehensive diversity program designed to support inclusiveness in its dealings with all stakeholders including the LGBT community. Additionally, they agreed to financially support several LGBT organizations.

Californians Against Hate began a "Call Terry Caster" campaign complete with its own web site on August 8th. The campaign asked people to call Caster personally to ask him why he gave so much money. The 800 numbers to his personal office and to A-1 Self Storage were posted on our site. This campaign continued through yesterday, and will now be replaced by the **Boycott of A-1 Self Storage**.

We will be primarily conducting the **Boycott of A-1 Self Storage** virtually. It will be done through web sites, social and business networking sites and through the blogosphere. We have a link to Yelp on the **Boycott** website and will be asking people to go to Yelp and leave a comment next to the A-1 Self Storage facility near them.

Boycotts have had a place in civil rights movements for a long time. In the last 20 years they have mostly been done by conservative Christians. There was a wonderful story written by Bill Ayersouth of the *San Diego Union-Tribune* on July 28th on the history of boycotts, and their effects.

We have answers.
Somewhere in America, Siemens has already answered the nation's toughest questions in energy, industry and healthcare.

[See how](#)

SIEMENS



Terry Caster owns San Diego-based A-1 Self Storage Company which has 30 locations throughout California.

Today Californians Against Hate officially kicks off its **Boycott of A-1 Self Storage Company** because of Terry Caster's anonymous contribution to the Yes on 8 campaign. We are launching a new boycott website and believe that the gay community and our millions of friends will support this **Boycott of A-1 Self Storage**.

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The King of Boycotts has been the American Family Association (AFA) headquartered in Tupelo, Mississippi. Their web site includes a whole page on the "Homosexual Agenda." AFA is headed by the father and son team of Don and Tim Wildmon. They own 190 radio stations and have an annual budget of \$24 million. AFA began targeting big companies that had any connection to gay or lesbian activities in the early 90's.

AFA ran an 8 year boycott against Disney because it dared to rent out its Disney World Theme Park for an annual gay party, and they offered benefits to same-sex partners of employees. In 2003, AFA boycotted Abercrombie & Fitch, calling on it to stop using pornography in its quarterly catalog. In 2005, the AFA boycotted the company American Girl, the maker of dolls and accessories, because the company supported the charity Girls, Inc., which the AFA called "a pro-abortion, pro-lesbian advocacy group." Also in 2005, AFA boycotted Kraft Foods for being a sponsor of the 2005 Gay Games in Chicago. In spring 2005, the AFA launched a boycott of Ford for advertising in gay magazines, donating to gay-rights organizations, and sponsoring gay pride celebrations. In 2006, the AFA urged its members to condemn Sears for running commercials on Logo, an LGBT cable channel.

Then by no coincidence, on Memorial Day this year, AFA announced a world-wide boycott of McDonalds for contributing a mere \$20,000 to the National Gay and Lesbian Chamber of Commerce. The timing was intentional. It came as soon as it was known that Proposition 8 had qualified for the November ballot. The boycott of McDonalds was sent as a warning to corporate American that you better not contribute to the No on 8 campaign or we will boycott you, too.

And then the most ridiculous of them all, on August 25th, AFA called for a boycott of Hallmark Cards, because they now sold same-sex wedding cards.

AFA has boycotted over 25 companies for their support of issues and organizations in which they believe.

Well, Californians Against Hate strongly believes that we should boycott Terry Caster's A-1 Self Storage company because of his \$693,000 contribution to take away equality from an entire class of people in California. And we will.

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