

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

An Independent Agency of the Executive Branch

W. CHARLES SMITHSON
Executive Director
& Legal Counsel

510 East 12th, Suite 1A
Des Moines, Iowa 50319
Telephone 515-281-4028
Fax Line 515-281-4073
www.iowa.gov/ethics

BOARD MEMBERS:
James Albert, Chair
Gerald Sullivan
Betsy Roe
John Walsh
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Saima Zafar

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Brian Brown
Executive Director
National Organization for Marriage
1100 H Street NW, Ste. 700
Washington, DC 20005

Re: Clarification of Iowa Campaign Issues

Dear Mr. Brown:

The purpose of this letter is to clarify a couple of campaign issues and avoid potential problems in light of questions the Iowa Ethics and Campaign Disclosure Board has received concerning a solicitation statement made by your organization.

1. As part of the certification as a political corporation under rule 351—4.50, I want to remind you that an “insignificant and insubstantial amount” of NOM’s income is permitted to come from business corporations. Thus, as you solicit for your organization please keep this in mind in the event that you are going to continue to be active in Iowa elections.
2. The statement was made that your organization does not have to disclose donors. However, if you are going to engage in express advocacy activities in Iowa that is only partially correct. If people are going to donate to your organization for express advocacy activities in Iowa and those donations exceed \$750 in the aggregate in a calendar year, your organization will be required to form a PAC and disclose those contributors. The independent expenditure process in Iowa is not a vehicle to shield political contributors. It is a way for a group to disclose an expenditure it makes outside of a direct contribution to an Iowa committee. However, if you are accepting more than \$750 for political activities in Iowa, then you become a “permanent organization temporarily engaging in political activity” and would be required to disclose the contributors to your Iowa activities under Iowa Code sections 68A.402(9) and 68A.102(18). To continue to file an independent expenditure statement for future elections in Iowa would mean that your organization is not raising more than \$750 from outside sources for such purposes.

If you have any questions or concerns with this information, please notify me.

Sincerely,



W. Charles Smithson

Director & Counsel for the Board