



PRESIDENT
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CHAIR
KEN GROSSINGER

December 21, 2016

Honorable Chairwoman Jodi Remke
California Fair Political Practices Commission
428 J Street, 620
Sacramento, CA 95814
Via Email: pracomment@fppc.ca.gov

Re: Political Reform Act Revision Project

Dear Chairwoman Remke:

Alliance for Justice (AFJ) respectfully requests that the public be given more time to review and comment on Draft 2 of the Political Reform Act (PRA) Revision Project. In addition, we ask that the Fair Political Practices Commission (FPPC) respond in writing to public comments submitted on Draft 1 so organizations can better evaluate and respond to Draft 2.

Alliance for Justice is a national association of over 115 organizations, representing a broad array of groups committed to progressive values and the creation of an equitable, just, and free society. We believe that all Americans have the right to secure justice in the courts and to have their voices heard when government makes decisions that affect their lives. We promote active engagement in democratic processes and institutions by giving nonprofits the confidence to advocate effectively and by protecting their right to do so. Through our two California offices, we work with hundreds of California nonprofits every year that are regulated by the PRA since they advocate before state government or support or oppose ballot measures in the state. We are participating in the PRA Revision Project to ensure that nonprofits are aware of and can comment on any changes that may affect their ability to advocate in furtherance of their missions.

In recognition of the volume and scope of the PRA Revision Project, AFJ convened California nonprofits and attorneys who work with nonprofits to discuss the proposed revisions and their potential impact. Sierra Club, ACLU of California, and six other statewide or national nonprofits participated, as did attorneys from the California Political Attorneys Association; Remcho, Johansen & Purcell, LLP; Olson Hagel & Fishburn LLP; and other law firms that represent nonprofits in PRA compliance matters. The participants—including those who were able to submit comments on Draft 1 despite an extremely difficult deadline at the height of the election season—were in consensus that additional time to comment beyond the December 31st deadline would be necessary to allow them to thoroughly review the Draft 2 revisions.

In addition, various participants noted that the FPPC had not yet responded in writing to specific public comments. As a result, participants did not have the benefit of the FPPC's reasoning for modifying or not modifying certain sections of the code in Draft 1 or Draft 2. General written responses from the

FPPC about common themes among public comments would improve understanding about proposed changes to the code. We are grateful that FPPC staff has agreed to provide such written responses to the public.

Informed by this discussion and our own analysis, we respectfully maintain that the second comment period must be extended. Extending the comment period until at least February 15, 2017 will allow a broader cross-section of affected organizations to thoughtfully comment on changes to the PRA that directly impact their organizations and the communities they serve. We appreciate the time that the FPPC and its partners have invested in this project to improve the clarity and readability of the law, but additional time to ensure broad and informed public input is critical, given the potential unintended consequences of the sweeping proposed revisions.

Thank you for the opportunity to comment, and for your time and consideration to this important project. Please reach out should you have any further questions.

Sincerely,

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