

S T E F A N S H A R K A N S K Y

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Internal Revenue Service
Criminal Investigation
Fresno, CA
93888-0002

Dear Sirs:

This letter memorializes my recent report to the IRS Tax Fraud telephone hotline regarding Foolproof Performing Arts ("Foolproof"), located at 513 20th Ave E, Seattle, Washington. Foolproof identifies itself as a 501(c)(3) and solicits contributions with the promise that "All donations are fully tax-deductible". Nevertheless, Foolproof is engaged in a pattern of numerous and repeated violations of IRS regulations pertaining to political activity by non-profit entities, as described in IRS document IR-2004-59, April 28, 2004.

Foolproof sponsors a lecture series dedicated to political issues and incorporates voter registration and appeals to "get out the vote" into these events. Nearly all of this year's Foolproof lecturers are prominent critics of the Bush administration who are actively campaigning against the President's re-election. These lecturers have included Ambassador Joseph C. Wilson, former Texas Governor Ann Richards, former Secretary of Labor Robert Reich, Harper's editor Lewis Lapham and authors Gore Vidal, Kevin Phillips, Gloria Steinem and Arianna Huffington.ⁱⁱ

Foolproof is currently advertising an "Evening with Michael Moore", to be held October 19, 2004. The enclosed advertisement appeared in the *Seattle Times* on September 26, 2004, page K2. It is apparent from the advertisement that the purpose of the event is a "get out the vote" rally led by Mr. Moore. Numerous press reports indicate that Michael Moore is campaigning against President Bush. From an Associated Press article, October 9, 2004ⁱⁱⁱ:

Filmmaker and political activist Michael Moore delivered a message of certainty, comedy and Bush-bashing Saturday to about 2,200 people during his visit to the smallest city on his "Slacker Uprising Tour."

Moore's stop at Northwest Missouri State University was sponsored by the school's Young Democrats organization. It's one of 60 visits he'll make nationwide in an effort to convince more people to vote, and he's hoping they'll secure Democratic presidential candidate John Kerry's victory.

Michael Moore's official website lists the Foolproof event as a stop on his "Slacker Uprising Tour"^{iv}

It is clear from the content of the other Foolproof lectures that they are not merely informational lectures by individuals who happen to share a particular affiliation. The Foolproof lectures are thinly veiled campaign rallies, conveying an unambiguous preference against the same candidate, President Bush. Video recordings of many of these lectures are available on the website of the City of Seattle cable television channel^v. The following are representative quotes from the first few minutes of some of these lectures.

- Ambassador Joseph Wilson, May 1, 2004:
"I love Seattle. This is the city that did me justice by making national the term I used in my Town Hall meeting here: "frog march Karl Rove out of the White House in handcuffs.". Since then, of course, I've been equally provocative about other members of the administration. ... Russert says "I understand you were out in Iowa and you called the Vice-President..." and he looked down at his note and he said "you called him a lying S.O.B." And I leaned forward and I said "Tim, that's probably about the nicest thing I've had to say about the Vice-President in several months, at least."

- Secretary Robert Reich, May 11, 2004:
“... the next President is going to be John Kerry. [applause] I am sure, I am sure that there are some, although I don't hear you, there must be some Republicans in the audience. [silence, followed by laughter] [Reich smiles and points to one person] I am so proud of you for your courage. And I'll tell you something. If there are any Republicans here, I respect you. I don't like you, but I respect you. [laughter]
- Foolproof Executive Director Marilyn Raichle, introducing Kevin Phillips, author of the book *American Dynasty: Aristocratic, Fortune and the Politics of Deceit in the House of Bush*, January 16, 2004:
“In 1982 the Wall Street Journal hailed him as the nation's leading conservative electoral analyst, the man who invented “The Sun Belt”, named the “New Right” and prophesized the emerging Republican majority. You may wonder why we have him here tonight [Raichle giggles, audience laughs]. But as I said he's a man of integrity.”

Some recent references to Foolproof and Marilyn Raichle in the Seattle press and on local websites confirm that the intent of the lecture series is to help elect candidates whom Raichle supports:

- *Seattle Weekly*, August 4-10, 2004:
“This year, she is focusing on November's election, using her series as a soapbox to get people involved in the political process. When people accuse her of preaching to the choir, she responds proudly, “C'mon, let's get the choir cracking!”^{vi}
- On the website of “No Vote Left Behind”, which describes itself as “a hard money PAC that reports to the Federal Election Commission ...our goal: removing George W. Bush from office”:^{vii}, August 5, 2004:
“We here at No Vote Left Behind have been very fortunate to enjoy a high level of support from our community at large and other activist groups in particular. One of those supporters, Marilyn Raichle of Foolproof, is organizing a symposium on Humor and Politics ...”^{viii}
- *The Stranger*, February 5, 2004
“As the political climate became more harrowing, I was having more and more trouble finding things that made me want to laugh,” says Marilyn Raichle. ... “So this last fall, I thought, I'm just going to present the people I want to hear”--all of whom were politically left-of-center speakers, not comedians, from documentarian Michael Moore to satirist Al Franken... Raichle cheerfully makes clear her intentions: “This series is designed to motivate people to get involved in the political process”^{ix}

The above article goes on to report that Raichle is “currently working on a series of dialogues between advocates on both sides of the political fence”, but there is no indication that this series has been realized.

According to Foolproof's website, it solicits contributions, under the guise that it is a legitimate charitable organization, in order to subsidize its political advocacy*:

ticket sales and other earned income cover only a portion of the costs of underwriting American Voices' programs including a National Speakers' Series, Author Forums, Roundtable Discussions & Seminars and Citizenship Programs. Private and Corporate contributions help make these programs possible.

The material presented in this letter shows that the Foolproof lectures exist primarily for the purpose of encouraging the audience to vote for the Democratic presidential nominee. Such activities are clearly in violation of IRS restrictions on charitable organizations. I encourage the IRS to act immediately against Foolproof, to revoke its tax-exempt status and assess the maximum tax and penalties for its current and past activities.

Sincerely,

Stefan Sharkansky

Enclosure

ⁱ <http://www.foolproof.org/2004-2005/support/support.cfm>

ⁱⁱ <http://www.foolproof.org/2004-2005/season/press.html>

ⁱⁱⁱ <http://www.kansascity.com/mld/kansascity/news/local/9880856.htm>

^{iv} <http://www.michaelmoore.com/>

^v http://www2.cityofseattle.net/media/DispVideoList_SC.asp?CatID=62

^{vi} http://www.seattleweekly.com/features/0431/040804_bestof_people_critics.php

^{vii} <http://www.novoteleftbehind.net/about.php>

^{viii} <http://www.novoteleftbehind.net/wordpress/index.php?m=20040805>

^{ix} <http://www.thestranger.com/2004-02-05/theater2.html>

^x <http://www.foolproof.org/2004-2005/support/support.cfm>