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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OFFICE OF THE CHAIRMAN

September 3, 2009

The Honorable Darrell E. Issa
Ranking Minority Member
Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Congressman Issa:

On behalf of the Federal Election Commission, this letter is in response to your letter of August 11, 2009, requesting information, opinions and analysis from the Commission.

The Federal Election Commission is an independent regulatory agency responsible for administering, enforcing and formulating policy with respect to federal campaign finance statutes.

Your letter advises that staff of the Committee on Oversight and Government Reform have been investigating the Association of Community Organizations for Reform Now ("ACORN"), and your letter identifies 11 other entities and describes them as ACORN "affiliates" or "political affiliates." Because "affiliates" is a term of art under the Federal Election Campaign Act ("FECA") that may not apply to the other named entities, this response will refer to the other entities as "Identified Entities." The Identified Entities are: Project Vote/Voting for America Inc.; Citizens Consulting Inc. ("CCI"); Citizens Services Inc.; ACORN Housing Corporation; ACORN Community Labor Organizing Center; American Institute for Social Justice; SEIU Local 100; SEIU Local 880; ACORN Institute; ACORN Votes; and Communities Voting Together ("CVT").

For your convenience, we restate the questions in your August 11, 2009, letter and provide our responses following the questions.

Question 1: It is my understanding that FECA or FEC regulations require political funds to be separate and segregated from other corporate accounts. The ACORN Report¹ disclosed an audit by ACORN's outside counsel, finding ACORN and its political affiliates lack protective walls separating their various activities and CVT, a § 527 organization, is "treated like a pot of money available to ACORN to carry out state-level political work." Does ACORN's lack of protective walls and use of § 527 funds as a "pot of money" constitute violations of FECA?

Question 2: CCI, a taxable nonprofit, simultaneously managed the accounts of political and private donor-funded organizations.

- a. Does CCI's co-management of various tax-exempt and non-exempt affiliate accounts, many of which receive federal funds and some of which are 527s, violate FECA?**
- b. If so, has the FEC taken steps to prevent CCI's co-management of affiliate accounts that are legally required to be separate and segregated?**

FEC Response: Questions 1 and 2 seek an opinion from the Commission regarding whether conduct by ACORN and the Identified Entities violates the FECA. Our responses to questions 1 and 2 are consolidated, because both questions seek an opinion on whether violations of FECA have occurred, and with respect to CCI, if such violations have occurred, what steps, if any, have been taken with regard to such violations. Unfortunately, the Commission is precluded from providing an opinion on such issues because doing so would conflict with at least two provisions of FECA.

First, the Commission lacks jurisdiction, outside of the enforcement process, to issue formal opinions on possible violations of FECA. The Commission may, however, issue advisory opinions to requestors seeking advice on how to conform the requestors' conduct prospectively to the applicable law. FECA prohibits the Commission and its employees from issuing an "opinion of an advisory nature" except in accordance with FECA's requirements for issuing an advisory opinion. *See* 2 U.S.C. § 437f(b). FECA authorizes the Commission to issue advisory opinions in response to written requests regarding the application of FECA or Commission regulations only "with respect to a specific transaction or activity *by the person*" requesting the opinion. *See* 2 U.S.C. § 437f(a)(1) (emphasis added). The Commission has adopted regulations concerning the issuance of advisory opinions, and these regulations provide a mechanism for the development of the factual basis for the advisory opinion and also requires a representation that the "requesting person plans to undertake or is presently undertaking and intends to undertake in the future" the specific transaction or the activity described in the request. *See* 11 CFR Part 112. Because questions 1 and 2 do not meet the statutory

¹ Minority staff report, *Is ACORN Intentionally Structured As a Criminal Enterprise?* COMM. OVERSIGHT AND GOV'T REFORM (2009), available at: <http://republicans.oversight.house.gov/media/pdfs/20090723ACORNReport.pdf>.

or regulatory requirements, we cannot consider it an advisory opinion request; accordingly, the Commission is precluded from issuing an advisory opinion.

Second, in the enforcement context, FECA specifies in detail the process the Commission must follow prior to finding reason to believe, and, after that, finding probable cause to believe that any person has committed a violation of FECA. This process includes an initial opportunity for the person to respond to the allegations. *See* 2 U.S.C. § 437g; *see also* Notice of Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, 74 FR 38617 (Aug. 4, 2009). If the Commission determines there is “reason to believe” a violation may have occurred, FECA then authorizes the Commission to conduct an investigation in order to develop the necessary factual basis to determine whether the Commission has probable cause to believe that FECA has been violated. Under FECA, an investigation cannot proceed until the Commission has made a finding that there is reason to believe a violation has occurred. *See* 2 U.S.C. § 437g. Following any investigation, and prior to a Commission finding of probable cause to believe FECA has been violated, FECA provides the respondent with another opportunity to respond to a legal brief from the Commission’s General Counsel on the legal and factual issues of the case. *See* 2 U.S.C. § 437g(a)(3). Following a probable cause finding, FECA also requires the Commission to attempt to resolve the matter by conciliation prior to filing suit in Federal district court. If the Commission is unable to resolve the matter through conciliation, the Commission may vote to file suit in Federal district court, which would seek a judicial determination that FECA was violated and imposition of appropriate penalties. *See* 2 U.S.C. § 437g(a)(4) and (a)(6). These proceedings are subject to the confidentiality provisions of FECA and our regulations. *See* 2 U.S.C. § 437g(a)(12)(A); 11 CFR § 111.20; 11 CFR § 111.21.

Thus, the Commission cannot issue an opinion about whether or not any particular conduct complies with FECA in response to questions 1 and 2.

Question 3: How does the FEC classify ACORN?

FEC Response: The Association of Community Organizations for Reform Now Voter Action (“ACORN Voter Action”) ² filed a Statement of Organization (FEC Form 1) with the FEC on April 26, 2007. This document indicates that ACORN Voter Action is a “separate segregated fund” (or SSF), which is commonly known as a corporate political action committee (or PAC). The document also specifies that ACORN is the “connected organization” for this SSF, and that ACORN is a membership organization. This Statement of Organization is available on the Commission’s website, and a copy is Attachment 1. The Reports of Receipts and Disbursements (FEC Form 3X) filed by ACORN Voter Action are available on the Commission’s website, and a copy of the most recent report covering the period January 1, 2009 to June 30, 2009 is Attachment 2.

² The regulations regarding political activity by corporate and labor organizations, including the establishment and administration of a corporate political action committee, or separate segregated fund (“SSF”), are found at 11 CFR Part 114.

Is it a qualified nonprofit corporation (“QNC”) under FECA?

FEC Response: Corporations that qualify as Qualified Nonprofit Corporations (“QNCs”)³ certify to the Commission that the corporation is eligible for the QNCs exemption. *See* 11 CFR § 114.10(e)(1). QNCs make this certification when and if a QNC files reports with the FEC disclosing independent expenditures or electioneering communications that are not exempt under 11 CFR § 114.15. *See* 11 CFR § 114.10(e)(1). The regulatory exemption in 11 CFR § 114.15 implements a Supreme Court decision that created an exception to the prohibition on corporations funding electioneering communications. *See FEC v. Wisconsin Right to Life*, 551 U.S. 449 (2007).

ACORN filed a Notice of Disbursement/Obligation for Electioneering Communications (FEC Form 9) on October 31, 2008. This document indicates that ACORN is a corporation, labor organization or QNC making communications under 11 CFR § 114.15. On this document, ACORN did not respond to question 7, which asks: “If the filer is an individual, unincorporated association, or a qualified nonprofit corporation, were the disbursements made exclusively from donations to a segregated bank account?” Filers can check boxes indicating “yes” or “no” in response to this question. Question 7 provided ACORN with an opportunity to indicate that it claims QNC status, and ACORN did not so indicate. This Notice of Disbursement/Obligation for Electioneering Communications is available on the Commission’s website, and a copy is Attachment 3.

Are any of ACORN’s affiliates QNCs?

FEC Response: Neither ACORN nor any of the Identified Entities has filed any report of independent expenditures or electioneering communications that is not exempt under *FEC v. Wisconsin Right to Life* and 11 CFR § 114.15. Thus, ACORN and the Identified Entities have not indicated to the Commission whether any of the organizations is eligible for the QNC exemption. For your convenience, the Commission has compiled the relevant disclosure reports that ACORN and the Identified Entities have filed with the FEC. In addition to the filings mentioned elsewhere in this response, one other document has been filed with the FEC from ACORN or the Identified Entities. In 2009, SEIU Local 880 filed a Report of Communication Costs by Corporations and Membership Organizations (FEC Form 7). This document is available on the Commission’s website and a copy is Attachment 4.

³ Although corporations and labor organizations are prohibited under the Act from making contributions or expenditures in connection with federal elections, a limited exception allows certain QNCs to make independent expenditures and electioneering communications. To qualify as a QNC, an organization must meet the criteria set forth at 11 CFR § 114.10(c)(1)-(5).

Question 4a: Identify the number of times the FEC has conducted a formal investigation or Commission audit, issued a committee report, responded to complaints, referrals from other government agencies, or issued an enforcement decision or matter under review (“MUR”) concerning ACORN or its affiliates from 2004 to the present.

FEC Response: In responding to your inquiry, the Commission searched on the Commission’s website in its publicly available databases for ACORN and each of the Identified Entities, using the names provided. The results show that ACORN and the Identified Entities have been respondents in four matters under review (or “MURs”) that are concluded and therefore no longer subject to FECA’s confidentiality provisions discussed above. *See* 2 U.S.C. § 437g(a)(12). Each of these MURs began with a complaint filed with the Commission; none resulted from a referral from another government agency. The results of our search of records in the Commission’s publicly available databases also do not show that either ACORN or any of the Identified Entities has been the subject of a Commission audit, an administrative fine, or an alternative dispute resolution case.

Question 4b: For each identified, summarize the subsequent allegations and action by the FEC, including penalties, fines, reports, memoranda or other assessments made against ACORN.

FEC Response: With respect to the four MURs described above, the chart below: (i) states the MUR number and the name of the MUR, (ii) identifies whether ACORN or one of the Identified Entities was a respondent; (iii) provides the final Commission disposition with respect to each respondent; and (iv) provides the date and vote of the Commission disposition.

MUR Number and Name	Respondent	Final Commission disposition	Date and Vote
MUR 5820 (ACORN)	ACORN	The Commission <i>found no reason to believe</i> that ACORN failed to register as a political committee and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).	Oct. 10, 2007 5-0
MUR 5820 (ACORN)	Project Vote/ Voting for America	The Commission <i>found no reason to believe</i> that Project Vote/Voting for America failed to register as a political committee and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).	Oct. 10, 2007 5-0

MUR Number and Name	Respondent	Final Commission disposition	Date and Vote
MUR 5843 (ACORN)	ACORN	The Commission <i>voted to dismiss the allegations</i> that ACORN failed to register as a political committee and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).	Oct. 10, 2007 5-0
MUR 5859 (ACORN and Lois Murphy for Congress Committee)	ACORN	The Commission <i>found no reason to believe</i> that ACORN violated 2 U.S.C. § 441b.	Oct. 10, 2007 5-0
MUR 5970 (Donna Edwards for Congress)	ACORN	The Commission <i>found no reason to believe</i> that ACORN violated FECA.	Oct. 22, 2008 6-0
MUR 5970 (Donna Edwards for Congress)	Citizens Consulting Inc.	The Commission <i>found no reason to believe</i> that Citizens Consulting Inc. violated FECA.	Oct. 22, 2008 6-0
MUR 5970 (Donna Edwards for Congress)	Citizens Services Inc.	The Commission <i>found no reason to believe</i> that Citizens Services Inc. violated FECA.	Oct. 22, 2008 6-0
MUR 5970 (Donna Edwards for Congress)	SEIU Local 100	The Commission <i>found no reason to believe</i> that SEIU Local 100 violated FECA.	Oct. 22, 2008 6-0
MUR 5970 (Donna Edwards for Congress)	Communities Voting Together	The Commission <i>found no reason to believe</i> that Communities Voting Together violated 2 U.S.C. § 441a(a)(1).	Oct. 22, 2008 6-0

Question 4c: Provide any documents reflecting ACORN's response to any FEC Commission audit, committee report, complaint, referral, enforcement decision or MUR.

FEC Response: For each of the four MURs identified above, the following documents are included in Attachments 5, 6, 7 and 8: (i) complaints, (ii) responses from ACORN or any of the Identified Entities, (iii) certifications of Commission votes referenced in the chart above, (iv) Factual and Legal Analysis issued to ACORN or any of the Identified Entities, and (v) with respect to MUR 5843, two Statement of Reasons issued by Commissioners. The Factual and Legal Analyses are prepared by the Office of General Counsel and approved by a Commission vote; these documents explain the basis for the Commission's action. Each Commissioner may also issue Statements of Reasons that further explain the reasoning behind his or her vote. All of the documents provided are also available on the Commission's website in its enforcement query system available at <http://eqs.nictusa.com/eqs/searcheqs>.

Question 5: Produce relevant audits, reports, complaints, referrals, enforcement decisions and MURs determining whether ACORN, a taxable nonprofit corporation, and its 501(c) and non-501(c) affiliates, comply with [§ 441b] of FECA.

FEC Response: As stated above, we are construing your reference to its “501(c) and non-501(c) affiliates” to constitute one or more of the Identified Entities. In MURs 5859 and 5970, the Commission considered allegations that ACORN or the Identified Entities violated 2 U.S.C. § 441b. As described above, the relevant documents are included in Attachments 7 and 8.

Question 6: Provide all documents showing ACORN/CCI’s transfer of political contributions and dues met the requirements that

Question 6a: The § 501(c) uses procedures that satisfy federal and state campaign laws;

Question 6b: The § 501(c) organization maintains adequate records to show the transferred monies and political contributions and dues (not investment income); and

Question 6c: The transferred monies were not used to earn investment income for the § 501(c) organization.

FEC Response: This document request appears to be premised on the assumption that the Commission has reached conclusions or opinions about whether ACORN and the Identified Entities are in compliance with various legal requirements. It raises issues related to federal tax law and state campaign finance laws, both of which are beyond the Commission’s jurisdiction. With respect to the Federal campaign finance issues raised, the Commission is precluded from issuing an opinion about whether or not particular conduct complies with FECA for the same reasons provided in the response to questions 1 and 2 above.

As the enclosed documents reflect, and as mentioned above, the Commission either found no reason to believe a violation occurred or dismissed the allegations, and therefore did not commence an investigation in any of the four MURs described above in which ACORN or Identified Entities have been named as respondents. Therefore, in connection with those MURs, the documents available to the Commission would be limited to publicly available documents or documents provided in a complaint or response from a respondent. In response to question 4, we are providing the complaints and the responses filed by ACORN or the Identified Entities in each of the four MURs in Attachments 5, 6, 7 and 8.

Finally, in response to question 3 and question 7 below, we have referenced all of the FEC disclosure reports filed by ACORN or any of the Identified Entities, and all of these reports are available at www.fec.gov/disclosure.shtml.

Question 7: On February 13, 2009, the FEC requested that ACORN produce an updated FORM 7 concerning ACORN's \$13,096 spent on communications to its members in support of Barack Obama for President of the United States. Provide a copy of ACORN's updated FEC FORM 7.

FEC Response: On December 4, 2008, ACORN filed an FEC Form 7 disclosing several communications made to its membership during October 2008. On February 13, 2009, an FEC Campaign Finance Analyst sent a Request for Additional Information (RFAI) to ACORN's treasurer. The RFAI requested ACORN to amend its December 4, 2008 filing to include election designation information for each of the communications disclosed. On July 1, 2009, ACORN filed an amended FEC Form 7, which is available on the Commission's website and a copy is Attachment 9.

In addition to the paper copies of the attachments, electronic versions will also be provided to Committee staff. We hope that the information provided herein and the accompanying documents are helpful to you and your Committee. We will be pleased to continue to cooperate with your Committee on any matter within our jurisdiction. Should you or your staff wish to communicate further on these or any other matters, please do not hesitate to contact me directly at (b) (2) or [swalthc\(b\) \(2\)](mailto:swalthc(b) (2)@fec.gov), or Duane Pugh, the Commission's Director of Congressional Affairs at (b) (2) or [dpugh\(b\) \(2\)](mailto:dpugh(b) (2)@fec.gov)

On behalf of the Commission,



Steven T. Walther
Chairman

Enclosures

cc (w/encl.):

The Hon. Edolphus Towns
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives

**Attachment 1
FEC Form 1
“Statement of Organization”**

Filed on April 26, 2007 by
Association of Community Organizations for Reform
Now Voter Action (“Acorn Voter Action”)

RECEIVED
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2007 APR 25 AM 11:45

FEC
FORM 1

STATEMENT OF
ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: if typing, type over the lines. 12PE4M5

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM
NOW VOTER ACTION (ACORN VOTER ACTION)

ADDRESS (number and street) 1024 ELYSIAN FIELDS AVENUE

(Check if address is changed) NEW ORLEANS LA 70117

CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS

COMMITTEE'S WEB PAGE ADDRESS (URL)

COMMITTEE'S FAX NUMBER
504 943 3842

2. DATE 04 25 2007

3. FEC IDENTIFICATION NUMBER C

4. IS THIS STATEMENT X NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer PAUL SATRIANO

Signature of Treasurer Paul Satriano

Date 4-25-2007

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only						For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100	FEC FORM 1 (Revised 02/2003)
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FE3AN042.PDF

27029432194

5. TYPE OF COMMITTEE (Check One)

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Candidate Party Affiliation	Office Sought:	House	Senate	President	State District
-----------------------------	----------------	-------	--------	-----------	----------------

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party.

- (e) This committee is a separate segregated fund.

- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee.

6. Name of Any Connected Organization or Affiliated Committee

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW

Mailing Address 1024 ELYSIAN FIELDS AVENUE

NEW ORLEANS LA 70117

CITY ▲ STATE ▲ ZIP CODE ▲

Relationship CONNECTED

Type of Connected Organization:

- | | | |
|---|--|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Corporation w/o Capital Stock | <input type="checkbox"/> Labor Organization |
| <input checked="" type="checkbox"/> Membership Organization | <input type="checkbox"/> Trade Association | <input type="checkbox"/> Cooperative |

270394219

Write or Type Committee Name:

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW VOTER ACTION

7. Custodian of Records: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records.

Full Name DONNA PHARR

Mailing Address 1024 ELYSIAN FIELDS AVENUE

NEW ORLEANS LA 70117

Title or Position CITY STATE ZIP CODE

ASSISTANT TREASURER Telephone number 504 943 5954

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer PAUL SATRIANO

Mailing Address 2214 HIGHLAND AVENUE

SAINT PAUL MN 55119

Title or Position CITY STATE ZIP CODE

TREASURER Telephone number 651 340 7869

Full Name of Designated Agent DONNA PHARR

Mailing Address 1024 ELYSIAN FIELDS AVENUE

NEW ORLEANS LA 70117

Title or Position CITY STATE ZIP CODE

ASSISTANT TREASURER Telephone number 504 943 5954

27029432190

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

WHITNEY NATIONAL BANK OF NEW ORLEANS

Mailing Address

P.O. BOX 61260

NEW ORLEANS

LA 70161

CITY ▲

STATE ▲

ZIP CODE ▲

Name of Bank, Depository, etc.

Mailing Address

CITY ▲

STATE ▲

ZIP CODE ▲

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Federal Election Commission
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Jel
 PREPARER
 (3/2005)

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Attachment 2
FEC Form 3X
“Report of Receipts and Disbursements”

Filed on July 30, 2009 by
Association of Community Organizations for Reform
Now Voter Action (“Acorn Voter Action”)

2009 AUG -3 AM 11:26

FEC
FORM 3X

REPORT OF RECEIPTS
AND DISBURSEMENTS
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT Example: If typing, type over the lines. 12FE4M5

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW VOTES

ADDRESS (number and street) 2600 CANAL STREET

Check if different than previously reported. (ACC)

NEW ORLEANS LA 70119

2. FEC IDENTIFICATION NUMBER CITY STATE ZIP CODE

00434282

3. IS THIS REPORT NEW OR AMENDED (N) (A)

4. TYPE OF REPORT (Choose One) (b) Monthly Report Due On: Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11) (Non-Election Year Only)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)

X

July 31 Mid-Year Report (Non-election Year Only) (MY)

Termination Report (TER)

(c) 12-Day PRE-Election Report for the: Primary (12P) General (12G) Runoff (12R) Convention (12C) Special (12S)

Election on in the State of

(d) 30-Day POST-Election Report for the: General (30G) Runoff (30R) Special (30S)

Election on in the State of

5. Covering Period 01 01 2009 through 06 30 2009

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer CAROL HEMINGWAY

Signature of Treasurer

Carol Hemingway Date 7/30/09

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office Use Only

FEC FORM 3X
Rev. 12/2004

FEGAN029

29030140111

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Association of Community Organizations for Reform Now Votes

Report Covering the Period: From:

01 01 2009

To:

06 30 2009

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2009		983.59
(b) Cash on Hand at Beginning of Reporting Period.....	983.59	
(c) Total Receipts (from Line 19).....	763.78	763.78
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	1,747.37	1,747.37
7. Total Disbursements (from Line 31).....	0.00	0.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	1,747.37	1,747.37
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

The committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

FRAN:22

29030140112

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3X (Rev. 06/2004)

Page 3

Write or Type Committee Name

Association of Community Organizations for Reform Now Votes

Report Covering the Period: From:

01 01 2009

To:

06 30 2009

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	0	0
(ii) Unitemized.....	763.78	763.78
(iii) TOTAL (add Lines 11(a)(i) and (ii)).....▶	763.78	763.78
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contributions (add Lines 11(a)(ii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶	763.78	763.78
12. Transfers From Affiliated/Other Party Committees.....	0.00	0.00
13. All Loans Received.....	0.00	0.00
14. Loan Repayments Received.....	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 5).....	0.00	0.00
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.).....	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H3).....	0.00	0.00
(b) Levin Funds (from Schedule H5).....	0.00	0.00
(c) Total Transfers (add 18(a) and 18(b))..	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c)).....▶	763.78	763.78
20. Total Federal Receipts (subtract Line 18(c) from Line 19).....▶	763.78	763.78

FEGAT035

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DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	0.00
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	0.00
22. Transfers to Affiliated/Other Party Committees	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees	0.00	0.00
24. Independent Expenditures (use Schedule E)	0.00	0.00
25. Coordinated Party Expenditures (2 U.S.C. §441a(d)) (use Schedule F)	0.00	0.00
26. Loan Repayments Made	0.00	0.00
27. Loans Made	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	0.00	0.00
29. Other Disbursements	0.00	0.00
30. Federal Election Activity (2 U.S.C. §431(2))		
(a) Allocated Federal Election Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	0.00	0.00
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31)	0.00	0.00

FERAN026

29030140114

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 3X (Rev. 02/2003)

Page 5

III. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) (from Line 11(d), page 3)	763.78	763.78
34. Total Contribution Refunds (from Line 28(d))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	763.78	763.78
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	0.00	0.00
37. Offsets to Operating Expenditures (from Line 15, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	0.00	0.00

FEC-40276

29030140115

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

29030140118

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input checked="" type="checkbox"/> USPS Express Mail	Postmarked 7/31/09
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
Next Business Day Delivery <input type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

	8/3/09
PREPARER	DATE PREPARED

(3/2005)

Attachment 3
FEC Form 9
“24-Hour Notice of Disbursement/Obligation
for Electioneering Communication”

Filed on October 31, 2008 by
Association of Community Organizations for Reform Now, Inc.

FEC FORM 9

24 HOUR NOTICE OF DISBURSEMENTS/OBLIGATIONS FOR ELECTIONEERING COMMUNICATIONS

1. Person Making the Disbursements/Obligations

(a) Name Association of Community Organizations for Reform Now, Inc.

(b) Address (number and street) check if different than previously reported
2609 Canal St. - Legal Dept. 3rd Floor

(c) City, State and ZIP Code
New Orleans, LA 70119

(d) Name of Employer or Principal Place of Business _____ (e) Occupation _____

2. FEC Identification Number
C

3. Is This Statement New or Amended

4. Covering Period 10/29/2008 through 10/30/2008

5. (a) Date of Public Distribution(s) 10/30/2008 (b) Communication Title "Not This Time"

6. The filer is a(n): (a) Individual (b) Unincorporated Organization (c) Qualified Nonprofit Corporation (11 CFR 114.10)
(d) Corporation, Labor Organization or Qualified Nonprofit Corporation making communications under 11 CFR 114.15
(e) Other, specify: _____

7. If the filer is an individual, unincorporated organization or qualified nonprofit corporation, were the disbursements made exclusively from donations to a segregated bank account? Yes No

8. Custodian of Records

(a) Name Jessica Kudji

(b) Address (number and street) 2609 Canal - 4th Floor

(c) City, State and ZIP Code New Orleans, LA 70119

(d) Name of Employer or Principal Place of Business _____ (e) Occupation Citizen Consulting Inc.

9. Total Donations This Statement 0.00

10. Total Disbursements/Obligations This Statement 99,987.67

Under penalty of perjury, I certify that this statement is true, correct and complete.

TYPE OR PRINT NAME OF PERSON COMPLETING FORM

SIGNATURE

[Handwritten Signature]

STEVEN KEST

DATE

10/31/08

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this statement to the penalties of 2 U.S.C. §437g.

FEC FORM 9 (REV. 12/2007)

Attachment 3
FEC Form 9
24-Hour Notice of Disbursements
for Electioneering Communications
Page 2 of 17

28039910993

SCHEDULE 9-A
Donation(s) Received

PAGE OF

A. Full Name of Donor	Date of Receipt
Mailing Address of Donor	<input type="text"/> / <input type="text"/> / <input type="text"/>
City State Zip	Amount
	<input type="text"/>

B. Full Name of Donor	Date of Receipt
Mailing Address of Donor	<input type="text"/> / <input type="text"/> / <input type="text"/>
City State Zip	Amount
	<input type="text"/>

C. Full Name of Donor	Date of Receipt
Mailing Address of Donor	<input type="text"/> / <input type="text"/> / <input type="text"/>
City State Zip	Amount
	<input type="text"/>

D. Full Name of Donor	Date of Receipt
Mailing Address of Donor	<input type="text"/> / <input type="text"/> / <input type="text"/>
City State Zip	Amount
	<input type="text"/>

E. Full Name of Donor	Date of Receipt
Mailing Address of Donor	<input type="text"/> / <input type="text"/> / <input type="text"/>
City State Zip	Amount
	<input type="text"/>

SUBTOTAL of Donations This Page (optional) ----->	<input type="text"/> 000
TOTAL This Period (last page this line number only) -----> (carry total from last page to Line 9)	<input type="text"/> 000

28039910994

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

PAGE 1 OF 11

11. Person(s) Sharing/Exercising Control

A. (a) Name
Maude Hurd

(b) Address (number and street)
60 Edson St.

(c) City, State and ZIP Code
Dorchester, MA 55125

(d) Name of Employer or Principal Place of Business

(e) Occupation

B. (a) Name
Maxine Nelson

(b) Address (number and street)
4308 West 9th St.

(c) City, State and ZIP Code
Pine Bluff, AR 71603

(d) Name of Employer or Principal Place of Business

(e) Occupation

C. (a) Name
Johnnie Pugh

(b) Address (number and street)
2500 S. Booker St.

(c) City, State and ZIP Code
Little Rock, AR 72204

(d) Name of Employer or Principal Place of Business

(e) Occupation

D. (a) Name
Alicia Russell

(b) Address (number and street)
2256 E. Williams Dr.

(c) City, State and ZIP Code
Phoenix, AZ 85024

(d) Name of Employer or Principal Place of Business

(e) Occupation

E. (a) Name
Charlotte Pepper

(b) Address (number and street)
515 E. Grant Rd. # 141-194

(c) City, State and ZIP Code
Tucson, AZ 85705

(d) Name of Employer or Principal Place of Business

(e) Occupation

28039910995

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Alicia Gaddis</u>	
(b) Address (number and street) <u>7226 Lamer Way</u>	
(c) City, State and ZIP Code <u>Sacramento, CA 95828</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Giselle Quezada</u>	
(b) Address (number and street) <u>142 Farallones St.</u>	
(c) City, State and ZIP Code <u>San Francisco, CA 94112</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Emeline Bravo - Blackwood</u>	
(b) Address (number and street) <u>176 Bunnell St.</u>	
(c) City, State and ZIP Code <u>Bridgeport CA 06608</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Sharon Patterson - Stallings</u>	
(b) Address (number and street) <u>42 Clark St.</u>	
(c) City, State and ZIP Code <u>Hartford, CT 06120</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Jose Jurado</u>	
(b) Address (number and street) <u>3698 Pontiac St.</u>	
(c) City, State and ZIP Code <u>Denver, CO 80207</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039910996

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Marcel Reid</u>	
(b) Address (number and street) <u>P.O. Box 15491</u>	
(c) City, State and ZIP Code <u>Alexandria, VA 22309</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Louise Davis</u>	
(b) Address (number and street) <u>238 Congress St., SE</u>	
(c) City, State and ZIP Code <u>Washington, DC 20032</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Hugh Alleyne</u>	
(b) Address (number and street) <u>617 East 8th St.</u>	
(c) City, State and ZIP Code <u>Wilmington, DE 19801</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Angela Walker</u>	
(b) Address (number and street) <u>308 West 26th St.</u>	
(c) City, State and ZIP Code <u>Wilmington, DE 19802</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Tamecka Pierce</u>	
(b) Address (number and street) <u>PO Box 618607</u>	
(c) City, State and ZIP Code <u>Orlando, FL 32861</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039910997

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name
Leroy Bell

(b) Address (number and street)
19 W. Celeste St.

(c) City, State and ZIP Code
Apopka FL 32703

(d) Name of Employer or Principal Place of Business

(e) Occupation

B. (a) Name
Mary Sears

(b) Address (number and street)
4802 Bertrand Rd.

(c) City, State and ZIP Code
Indianapolis, IN 46222

(d) Name of Employer or Principal Place of Business

(e) Occupation

C. (a) Name
Sarah Lott-Edwards

(b) Address (number and street)
3053 N. 22nd St.

(c) City, State and ZIP Code
Kansas City, KS 66104

(d) Name of Employer or Principal Place of Business

(e) Occupation

D. (a) Name
Bulah Labastrie

(b) Address (number and street)
3227 Belfort St.

(c) City, State and ZIP Code
New Orleans, LA 70119

(d) Name of Employer or Principal Place of Business

(e) Occupation

E. (a) Name
Vanessa Gueringer

(b) Address (number and street)
827 Tupelo St.

(c) City, State and ZIP Code
New Orleans, LA 70117

(d) Name of Employer or Principal Place of Business

(e) Occupation

28039910998

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Angie Wilkerson</u>	
(b) Address (number and street) <u>199 Woodward Ave.</u>	
(c) City, State and ZIP Code <u>Dorchester, MA 02124</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Sandra Ramgeet</u>	
(b) Address (number and street) <u>2 Castello Cir.</u>	
(c) City, State and ZIP Code <u>South Boston, MA 02127</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Sonia Merchant-Jones</u>	
(b) Address (number and street) <u>911 Gorsuch</u>	
(c) City, State and ZIP Code <u>Baltimore, MD 21218</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Gloria Swieringa</u>	
(b) Address (number and street) <u>P.O. Box 441543</u>	
(c) City, State and ZIP Code <u>Washington, MD 20749</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Jamesie Morgan</u>	
(b) Address (number and street) <u>25041 Five mile Rd.</u>	
(c) City, State and ZIP Code <u>Redford MI 48239</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039910999

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Adrianna Jones</u>	
(b) Address (number and street) <u>842 Logan SE</u>	
(c) City, State and ZIP Code <u>Grand Rapids, MI 49506</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Sunday Alabi</u>	
(b) Address (number and street) <u>1201 22nd St.</u>	
(c) City, State and ZIP Code <u>Minneapolis, MN 55404</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Karen Inman</u>	
(b) Address (number and street) <u>690 La Fond Ave</u>	
(c) City, State and ZIP Code <u>St. Paul, MN 55104</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Mary Hutchinson</u>	
(b) Address (number and street) <u>908 Bayard</u>	
(c) City, State and ZIP Code <u>St. Louis, MO 63108</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Patricia Williams</u>	
(b) Address (number and street) <u>4300 College Ave.</u>	
(c) City, State and ZIP Code <u>Kansas City, MO 64130</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039911000

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Valerie Berry</u>	
(b) Address (number and street) <u>555 E. Woodrow Wilson Blvd.</u>	
(c) City, State and ZIP Code <u>Jackson, MS 39216</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Steven C. Simmons</u>	
(b) Address (number and street) <u>516 Lorenz Blvd.</u>	
(c) City, State and ZIP Code <u>Jackson, MS 39216</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Yvonne Stafford</u>	
(b) Address (number and street) <u>1018 Everett Place</u>	
(c) City, State and ZIP Code <u>Charlotte, NC 28205</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Pedro Rivas</u>	
(b) Address (number and street) <u>661 E. 24th St. #2-S</u>	
(c) City, State and ZIP Code <u>Patterson, NJ 07504</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Millie Sharpe</u>	
(b) Address (number and street) <u>17 Richlieu</u>	
(c) City, State and ZIP Code <u>Newark, NJ 07106</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039911001

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>Beatriz Quinones</u>	
(b) Address (number and street) <u>312 Charleston SE #1</u>	
(c) City, State and ZIP Code <u>Albuquerque, NM 87108</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Frank Beaty</u>	
(b) Address (number and street) <u>3470 Middle View Dr.</u>	
(c) City, State and ZIP Code <u>Las Vegas, NV 89129</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
C. (a) Name <u>Veronica Dunn-Jones</u>	
(b) Address (number and street) <u>1025 Lawry Ave</u>	
(c) City, State and ZIP Code <u>Las Vegas, NV 89106</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name <u>Maria Polanco</u>	
(b) Address (number and street) <u>390 Grand Concourse H7</u>	
(c) City, State and ZIP Code <u>Bronx, NY 10451</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name <u>Marie Pierre</u>	
(b) Address (number and street) <u>121 Watkins St., 1st Floor</u>	
(c) City, State and ZIP Code <u>Brooklyn, NY 11212</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039911002

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name
Coya Mobley

(b) Address (number and street)
346 Kenwood Ave.

(c) City, State and ZIP Code
Dayton, OH 45405

(d) Name of Employer or Principal Place of Business

(e) Occupation

B. (a) Name
Linda Scammica

(b) Address (number and street)
906 Racine Ave.

(c) City, State and ZIP Code
Columbus, OH 43204

(d) Name of Employer or Principal Place of Business

(e) Occupation

C. (a) Name
Cassandra Patterson

(b) Address (number and street)
16405 E. Burnside St #102

(c) City, State and ZIP Code
Portland, OR 97233

(d) Name of Employer or Principal Place of Business

(e) Occupation

D. (a) Name
Dathen Moorman

(b) Address (number and street)
16405 E. Burnside St #102

(c) City, State and ZIP Code
Portland, OR 97233

(d) Name of Employer or Principal Place of Business

(e) Occupation

E. (a) Name
Carol Hemingway

(b) Address (number and street)
1723 Tasker

(c) City, State and ZIP Code
Philadelphia, PA

(d) Name of Employer or Principal Place of Business

(e) Occupation

28039911003

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name
Kosa Chacon

(b) Address (number and street)
1168 Mulberry St.

(c) City, State and ZIP Code
Harrisburg, PA 17104

(d) Name of Employer or Principal Place of Business
(e) Occupation

B. (a) Name
Stephanie Cannady

(b) Address (number and street)
58 Julian St., Apt. #2

(c) City, State and ZIP Code
Providence, RI 02909

(d) Name of Employer or Principal Place of Business
(e) Occupation

C. (a) Name
Mary Scott

(b) Address (number and street)
94 Burnside St.

(c) City, State and ZIP Code
Providence, RI 02905

(d) Name of Employer or Principal Place of Business
(e) Occupation

D. (a) Name
Bonnie Mathias

(b) Address (number and street)
904 Luffkin St.

(c) City, State and ZIP Code
Dallas, Tx 75217

(d) Name of Employer or Principal Place of Business
(e) Occupation

E. (a) Name
Toni McElroy

(b) Address (number and street)
3307 Wentworth

(c) City, State and ZIP Code
Houston, Tx 77004

(d) Name of Employer or Principal Place of Business
(e) Occupation

28039911004

List of Person(s) Sharing/Exercising Control
(use additional pages as necessary)

11. Person(s) Sharing/Exercising Control

A. (a) Name <u>John Jones</u>	
(b) Address (number and street) <u>8321 49th Ave South</u>	
(c) City, State and ZIP Code <u>Seattle, WA 98118</u>	
(d) Name of Employer or Principal Place of Business	(e) Occupation
B. (a) Name <u>Bertha Lewis</u>	
(b) Address (number and street) <u>2-4 Nevins</u>	
(c) City, State and ZIP Code <u>Brooklyn, NY 11217</u>	
(d) Name of Employer or Principal Place of Business <u>ACORN</u>	(e) Occupation <u>Chief Organizer</u>
C. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation
D. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation
E. (a) Name	
(b) Address (number and street)	
(c) City, State and ZIP Code	
(d) Name of Employer or Principal Place of Business	(e) Occupation

28039911005

SCHEDULE 9-B

Disbursement(s) Made or Obligation(s)

A. Full Name (Last, First, Middle Initial) of Payee Fenton Communications, Inc.		Date of Disbursement or Obligation 10 / 29 / 2008	
Mailing Address of Payee 1000 Vermont Ave, NW - 2nd Floor		Amount 47,987.67	
City Washington	State DC	Zip Code 20005	Communication Date 10 / 30 / 2008
Name of Employer Fenton Communications, Inc.		Occupation [Blank]	
Purpose of Disbursement (including title(s) of communication(s)) Television Production Costs - "Not This Time"			
Name of Federal Candidate John McCain	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input checked="" type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) >
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) >
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) >
B. Full Name (Last, First, Middle Initial) of Payee Fenton Communications, Inc.		Date of Disbursement or Obligation 10 / 29 / 2008	
Mailing Address of Payee 1000 Vermont Ave, NW - 2nd Floor		Amount 15,000.00	
City Washington	State DC	Zip Code 20005	Communication Date 10 / 30 / 2008
Name of Employer Fenton Communications, Inc.		Occupation [Blank]	
Purpose of Disbursement (including title(s) of communication(s)) Creative & Consulting Fees			
Name of Federal Candidate John McCain	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input checked="" type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) >
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) >
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	State: _____ District: _____	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) >
SUBTOTAL of Disbursements/Obligations This Page (optional)		[Blank]	
TOTAL This Period (last page this line number only) (carry total from last page to Line 10)		[Blank]	

28039911006

SCHEDULE 9-B

Disbursement(s) Made or Obligation(s)

A. Full Name (Last, First, Middle Initial) of Payee Buying Time, LLC		Date of Disbursement or Obligation 10 29 2008
Mailing Address of Payee 2715 M Street NW - Suite 400		Amount 37,000.00
City Washington	State DC	Zip Code 20007
Name of Employer _____		Occupation _____
Purpose of Disbursement (including title(s) of communication(s)) Media Buy: Targeted Cable - "Not This Time"		
Name of Federal Candidate John McCain	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input checked="" type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
B. Full Name (Last, First, Middle Initial) of Payee _____		Date of Disbursement or Obligation _____
Mailing Address of Payee _____		Amount _____
City _____	State _____	Zip Code _____
Name of Employer _____		Occupation _____
Purpose of Disbursement (including title(s) of communication(s)) _____		
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
Name of Federal Candidate _____	Office Sought: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> President	Disbursement/Obligation For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▶
SUBTOTAL of Disbursements/Obligations This Page (optional)		_____
TOTAL This Period (last page this line number only) (carry total from last page to Line 10)		99,987.67

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**Federal Election Commission
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N/A
 PREPARER
 (5/2004)

Attachment N/A
 DATE PREPARED
24 Hour Notice of Disbursements
 for Electioneering Communications
 Page 17 of 17

Attachment 4
FEC Form 7
“Report of Communication Costs by
Corporations and Membership Organizations”

Filed on April 15, 2009 by
SEIU Local 880

Federal Election Commission
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Jm A
 PREPARER
 (3/2005)

4/15/08
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Attachment 5
MUR 5820
Association of Community Organizations for Reform Now
(“ACORN”)

Document	Date	Page
Complaint	9/19/2006	2
Response from Association of Community Organizations for Reform Now and Project Vote/Voting for America	11/16/2006	121
Response from Association of Community Organizations for Reform Now and Project Vote/Voting for America	11/17/2006	219
Notification with Factual and Legal Analysis to Association of Community Organizations for Reform Now and Project Vote/Voting for America	11/06/2007	221
Vote Certification	10/10/2007	227

Manuel E. Iglesias
12300 Old Cutler Road, Pinecrest, Florida 33156
Telephone: (786) 247-0227

2006 SEP 21 P 12:17

September 19, 2006

General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

MUR # 5820

2006 SEP 21 P 1:30

Re: **Complaint against the Association of Community Organizations for Reform Now ("Acorn") And Acorn Affiliated Entity, Project Vote**

Dear Sir:

Pursuant to 2 U.S.C. § 437g, and upon information and belief, this complaint concerns violations of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 *et seq.* ("the Act"), and Commission regulations at 11 C.F.R. § 1.1 *et seq.*, by the Association of Community Organizations for Reform Now ("Acorn") and its affiliated entity Project Vote.

Specifically, based upon publicly available information found on Acorn's web site, depositions and exhibits filed in the federal case *Mac Stuart v. Acorn*, and press coverage of Acorn and affiliated organization, there is reason to believe that Acorn and Project Vote must file the independent expenditure reports required by 2 U.S.C. § 434(c) and 11 C.F.R. §§ 104.4(c), 104.5(c)(2) and 109.2 from 2004 through the current reporting period. Further, Acorn and Project Vote have apparently received contributions or made expenditures whose aggregate value is in excess of \$1,000 during a calendar year and yet they have violated the registration requirements for political committees under the Act and Commission regulations. See 2 U.S.C. §§ 431(4)(A), 433(a); 11 C.F.R. §§ 100.5(a), 102.1(d).

I. STATEMENT OF THE FACTS

A. *In the 2004 General Election Acorn Engaged In A Coordinated Campaign With The Express Purpose of Defeating Republican Candidates for Federal Office and Supporting Democrat Candidates For Federal Office.*

In October 2003 Acorn prepared a campaign plan called "Floridians for All". (Tab 1). In this campaign plan Acorn states as their objective to "defeat George W. Bush and other Republicans by increasing Democrat turnout in a close election*** A targeted campaign that *** would not only make the difference for the Democrat Presidential candidate but also lend significant support to Congressional and local races. *** [this campaign plan] will result in a cohesive strategy to retake the White House in 2004 and rebuild the Florida Democrat Party." The specific stated "goal" of

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this campaign plan was "To increase voter turnout of working class, mainly Democrat voters *without increasing opposition turnout.*" (emphasis supplied).

Acorn's campaign plan was coordinated with other organizations, "We will mobilize a set of organizations in the state and in support of the campaign *** We have already received the endorsements of the two largest labor organizations in Florida, the Florida AFL-CIO and the Florida Education Association *** This major institutional support is only the beginning of our coalition building around the state which will result in the endorsements of over 500 organizations statewide. *** Realizing that no one organization is large enough to run a ballot campaign alone, our coalition will rely on mobilizing our membership and coordinating our message."

These same organizations were also signatories to the "Victory 2004 Florida Coordinated Plan" dated September 3, 2004. (Tab 3). Specifically, the following additional organizations were not just parties to this coordinated plan but actually signed the "Coordinated Plan" agreement affirming that, "I hereby agree to participate in the coordinated campaign, Florida Victory 2004, and to contribute field and fundraising help at the levels ascribed below." The signatories to this coordinated campaign plan included the "Democrat National Committee, Tom, Shea of the Kerry Edwards 2004, Scott Maddox of the Florida Democrat Party, Congressman Kendrick Meek, Kerry-Edward co-chair, Cindy Hall, Florida AFL-CIO, Ken Robinson, Florida Victory 2004, Andy Ford, Florida Education Association, Alexander Clem, Academy of Florida Trial Lawyers and Monica Russo, Florida SEIU."

Part of the Acorn campaign plan was carried out through Acorn's 501(c) (3) subsidiary organization, Project Vote and an affiliated organization, the SEIU. (See, Tab 6 – Acorn's Web site identifying affiliation with Project Vote and SEIU. See also, Tab 4, Plaintiff's Exhibit 4 – "Joint Effort Agreement" between Acorn and Project Vote/Voting for America, Inc. and Tab 11, SEIU press release "Anatomy of an Election Strategy" describing SEIU's coordinated campaign efforts and support for American Families United, Voting Is Power and other 501(c)(3) organizations.) Brian Kettering, Acorn employee and author of the Floridians For All, testified that, "Project Vote is a national voter registration organization. They focus on voter registration in minority communities across the country. They often work very closely with ACORN, so we know them quite well." (Tab 2, p 10).

Acorn's campaign document describes not just a targeted Democrat voter registration and get-out-the-vote effort but also a media strategy. "Developing a strong message through paid but also earned media will be pivotal to the success of our campaign."

While this campaign plan referenced a minimum wage initiative, it was expressly stated to be a get-out-the-vote effort intended to support Democrat candidates and in opposition to Republican candidates, including President Bush. Indeed, the primary purpose and stated goal of this campaign was to defeat President Bush and increase the turnout of only those voters that supported Democrat candidates for federal and state office. The minimum wage initiative was expressly stated to be a subordinate objective to the primary objective of increasing Democrat voter

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turnout in a federal election. This campaign plan states that it was expressly coordinated with other organizations, SEIU and AFL-CIO and was coordinated with American Families United.

Acorn's 2004 political campaign activity was not limited to Florida. Acorn was active in other "battleground" states as well. See, Lancaster Newspapers, "Lancaster County, PA. *** Get-out-the-vote, or GOTV, drives may be the most critical element of a campaign. In a presidential campaign whose focus is on the ground game, expect local GOTV efforts to be record in scope. *** In a boost for the Democrats, a team from the Association of Community Organizations for Reform Now, or Acorn, has been doing voter contact in the city in recent days. Acorn held a registration drive in Lancaster just before the Oct. 4 deadline. One resident described the Acorn workers as "really aggressively tracking down voters. They are all from out of town. I have never seen this intensity in my neighborhood." (Tab 7).

B. Acorn's Campaign Plan Was Funded with Undisclosed and Unlimited Contributions (Including Contributions to Public Charities) and Funds from American Families United.

Acorn's campaign was funded through monies contributed to 501(c)(3) and 501(c)(4) organizations. These funds were not disclosed or reported to the Federal Election Commission under any provision of federal campaign finance law. Acorn wrote, "We will raise sufficient funds to drive our field and GOTV strategies, pay for campaign necessities, and not compete substantially with other Democrat causes. Through a combination of 501c3 (sic) and 501c4 (sic) dollars, we will raise the necessary funds to facilitate voter registration and voter mobilization statewide, and educate our voters ** We are currently in the process of assembling a national fundraising committee, which includes foundation officers, major Democrat fundraisers and other key Progressive allies. This committee will help us raise funds from both the foundation 501c3 (sic) world for education and outreach, as well as 501c4 (sic) political money for partisan outreach."

Acorn and Project Vote also received contributions from American Families United to support this campaign plan and such contributions were not reported to the Federal Election Commission. (Tab 2, p. 63 lines 20 – p. 64, line 6. Deposition of Acorn employee Frank Houston. See also, Tab 4, Plaintiff's Exhibit 10 -.) Acorn's 2004 Florida campaign plan was part of a coordinated national campaign plan supervised by Acorn and Project Vote. (Tab 2, p. 78 – 80)

The voter registration and get-out-the-vote efforts of Acorn and Project Vote in the 2004 campaign were *not* a non-partisan effort but rather were clearly and expressly stated to be part of a coordinated national campaign to elect Democrat candidates and defeat Republican candidates for federal office. The stated "goal" of the Acorn campaign plan was "To increase voter turnout of working class, mainly Democrat voters *without increasing opposition turnout.*" Mac Stuart – former Acorn coordinator – testified that Acorn was fraudulently withholding Republican voter registrations." (Tab 5. P. 63.)

By reference to the Federal Election Commissions' web site, neither Acorn nor Project Vote have filed any reports or disclosure with the Federal Election Commission for their activity in 2004 or current activity.

C. *Acorn Has A Past History Of Engaging In Illegal Political Activity.*

In the past Acorn (or its affiliated entities) has been found to have engaged in illegal campaign activity directly or through its subsidiary and affiliate organizations. The U.S. House of Representatives issued a report (104-875) stating that Acorn and Acorn's affiliated Housing Corporation engaged in illegal campaign activity using federal funds. (Tab 9). According to this report, in 1995 AmeriCorps gave a large grant to an advocacy group called ACORN. AmeriCorp recruits were assigned to lobby for legislation, collect dues, register voters, and participate in political demonstrations. *** The Acorn Housing Corporation was forced to return a \$1.1 million grant.

For further discussion of Acorn's use of federal and tax -exempt funds for federal campaign activity See *Acorn & the Money Tree, Taxpayer money helps fund voter fraud.* Meghan Clyne, National Review. (Tab 8)

D. *Acorn and Project Vote Are Currently Engaged In A Coordinated Campaign To Effect The Outcome Of A Number Of U.S. Senate and Congressional Races In the 2006 General Election, Especially in Pennsylvania and Ohio among other states.*

Acorn and Project Vote appear to be engaged in federal campaign activity in Pennsylvania, Ohio and other states that appears similar to their activity in 2004. See, Pennsylvania Acorn and Project Vote Election Administration Action Agenda, March 29, 2005 in which Acorn and Project Vote jointly state, "During the 2004 Presidential Election, Pennsylvania ACORN members and canvassers registered more than 132,710 voters across the state in 15 counties and increased voter participation by 35% over the 2000 election. *** We are dedicated to providing quality voter education and conducting mass voter registration and mobilization of voters in Pennsylvania." (Tab 12, p. 12).

Project Vote on their web site (<http://projectvote.org/about-us/our-staff.html>) identifies their staff. Zach Polett is identified as the current Executive Director. Mr. Polett was identified by Mr. Kettering in the Mac Stuart litigation as the individual with most knowledge of how Acorn and Project Vote coordinated their activity in that case. (Tab 2, p.33). The Project Vote web site identifies Mr. Polett and other individuals as involved in Project Vote's current campaign activity in Pennsylvania, Michigan, Maryland, Ohio and Florida as well as other states. Many of these individuals are specifically identified for their experience as campaign operatives. To wit:

Zach Polett, *Project Vote Executive Director*, has spent the past 28 years as a full-time community, labor and electoral organizer. Mr. Polett graduated cum laude from Harvard College with a B.A. in Government & Philosophy, and spent two years at Stanford University School of Medicine before starting full-time organizing in 1975. He has served as a community organizer with Arkansas ACORN, as founding

organizer of Louisiana ACORN, as an ACORN head organizer and regional director in several states and as ACORN's national director of political operations. In this capacity, he has coordinated voter registration drives in most ACORN states and has worked on a series of campaigns to eliminate obstacles to voter registration, including a major Arkansas campaign in the 1980's that led to the ACORN v. Clinton voter registration lawsuit, in which plaintiffs were represented by Lani Guinier and Deval Patrick of the NAACP Legal Defense Fund. Starting in 1985 he built a union of low-wage health care and service workers, Local 100A of the Service Employees International Union, AFL-CIO, that won the first homecare collective bargaining agreement in the South."

"Jehmu Greene, *National Director, Project Vote*. Jehmu's extensive background in public service and issue advocacy has propelled her to become one of the nation's leading experts on empowering disenfranchised citizens through voting and activism. Prior to Project Vote, Jehmu served as President and Executive Director of Rock the Vote where under her leadership, Rock the Vote's membership grew from 1,500 to 1 million and the organization registered 1.4 million new voters. She previously served as the Director of Women's Outreach and Southern Political Director at the Democratic National Committee (DNC) and has worked on numerous political campaigns. She currently serves on the Board of Directors of the American Prospect Magazine, Demos, and Young Voter PAC. ***

Shawn Carter, Pennsylvania Election Administration Coordinator. From coordinating voter registration drives on college campuses to advocating for children and low-income families, Shawn brings a varied set of experiences to Project Vote. Shawn has served as Deputy Director of the Pittsburgh Young Voter Alliance, and Deputy Field Director then Deputy Political Director for Councilman Bill Peduto's mayoral and council re-election campaigns. ***

Brian Mellor, Regional Director and Counsel brings to Project Vote a wide array of legal and campaign experience. Prior to attending law school, he worked for two years as a community organizer with ACORN. After graduating from Boston University Law School in 1983, he worked as a field representative with the National Treasury Employees Union, as a junior partner in a small progressive law firm, and in a top management position with the Neighborhood Assistance Corporation (NACA). With NACA, Mr. Mellor participated in a number of high profile campaigns against predatory lending practices.

Michael Slater, Director, Election Administration Program, has thirteen years of community, labor and faith-based organizing experience. He has previously served as Political Director for SEIU Local 503 in Oregon, Executive Director of the Nevada Interfaith Council for Worker Justice, Organizing Team Leader for SEIU District 1199 Ohio, West Virginia and Kentucky, and Head Organizer for Minnesota ACORN. A sample of his contributions include passage in Minneapolis and St. Paul

of two of the country's first living wage ordinances, *** Michael began his career in progressive politics as an intern for United States Senator Paul Wellstone. ***"

Acorn sponsored voter registration efforts have involved fraudulent voter registrations. The *Columbus Dispatch* reported on August 11, 2006 that "Workers paid by a liberal group to register voters in Franklin County have turned in more than 500 forms with nonexistent addresses and potentially fake signatures, election officials said yesterday. *** All the questionable cards were turned in by workers for Ohio Acorn, a group that is also paying people to gather signatures for a proposed November ballot initiative to raise the state's minimum wage." (Tab 10).

Similarly, the Acorn affiliate SEIU states that it paid \$1 Million to the 501(c)(3) organization Voting Is Power for a "registration project in Florida and Pennsylvania" that included 78 full time workers. (Tab 11 SEIU Press Release, p.3) Voting Is Power is the organization that was reported to have been involved in a vote fraud scheme in Philadelphia involving non-citizens. (See, Tab 13, *Wall Street Journal* article and copies of source documents.)

II. LEGAL ANALYSIS

A. *Acorn and Project Vote must file the independent expenditure reports required by the Act and Commission regulations.*

Commission regulations provide that any person who makes independent expenditures aggregating must file a signed statement or report on FEC Form 5 with the Commission. See 11 C.F.R. § 109.2.

The expenditures associated with the Acorn campaign activity in 2004 as part of the Floridians for All campaign and their current and continuing campaign activity constitute "expenditures" under the Act and Commission regulations, 2 U.S.C. § 431(9) and 11 C.F.R. § 100.8, because Acorn's expenditures were expressly made for the purpose of influencing an election for Federal office, namely defeating President Bush expressly supporting the election of Democrat candidates for federal office. Therefore, the costs associated with www.gwbush.com constitute "expenditures" under the Act and Commission regulations.

Accordingly, Acorn and Project Vote must file the semi-annual independent expenditure reports required by the Act and Commission regulations for the 2004 activity and any similar continuing election and campaign activity. See 11 C.F.R. §§ 109.2(a)(2) & 104.5(c)(2). Failure to file the required independent expenditure reports constitutes a violation of the Act and Commission regulations and would warrant a through investigation by the Commission.

B. *Acorn and Project Vote have violated the Act and Commission regulations by failing to register as a political committee.*

The Act and Commission regulations define a "political committee" as a committee, club, association or other group of persons which receives contributions or makes expenditures

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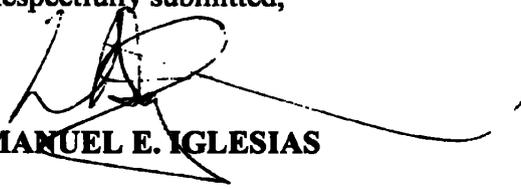
aggregating in excess of \$1,000 during a calendar year. See 2 U.S.C. § 431(4); 11 C.F.R. § 100.5. The costs associated with activity described in the Floridians For All coordinated campaign plan and related communications that advocate the election or defeat of a clearly identified federal candidate constitute expenditures under the Act and Commission regulations. See 11 C.F.R. § 109.1. If a group of individuals satisfy the definition of a political committee, they are required to file a Statement of Organization within ten days of qualifying. See 11 C.F.R. § 102.1(d).

A review of the Commission's web site indicates that neither Acorn nor Project Vote have filed a Statement of Organization with the Commission. If the costs associated with the Floridians For All campaign in 2004 and the cost of continuing similar activity of Acorn and Project Vote in 2006 exceed \$1,000 in any year, then they are required to file a Statement of Organization. This failure to file such a statement constitutes a violation of the Act and requires further investigation by the Commission.

III. CONCLUSION

Acorn and Project Vote's failure to comply with the Act and Commission regulations warrants further investigation and enforcement by the Commission. Therefore, the Commission should immediately investigate this matter and find reason to believe that Acorn and Project Vote have violated the Act and Commission regulations for the reasons set forth herein.

Respectfully submitted,


MANUEL E. IGLESIAS

STATE OF FLORIDA)
)
MIAMI-DADE COUNTY)

SWORN TO AND SUBSCRIBED before me on this 20th day of sept, 2006.


Notary Public

My Commission Expires:

Attachments

NOTARY PUBLIC-STATE OF FLORIDA
 Patricia L. Llano
Commission # DD435257
Expires: JULY 16, 2009
Bonded Through Atlantic Bonding Co., Inc.

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ACORN's Political Activity

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TAB 1

Floridians for All

Campaign Plan for a November 2004 Minimum Wage Constitutional Amendment Initiative

October 1, 2003

Prepared by:

Florida ACORN
Association of Community Organizations for Reform Now
1830 49th St. South
St. Petersburg, FL 33707
www.acorn.org

For More Information Contact:

Brian Kettenring
Florida ACORN Head Organizer

2006 SEP 21 P 1:31
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RAL

(727) 692-7215
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Campaign Strategy

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Traditional

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Signature Gathering Phase
Fundraising
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Frequently Asked Questions
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Introduction

A Florida constitutional amendment initiative to create a minimum wage of \$6.15 with indexing will help defeat George W. Bush and other Republicans by increasing Democratic turnout in a close election, will deliver wage gains to at least 300,000 Floridians, and will catalyze the construction of permanent progressive political infrastructure that will help redirect Florida politics in a more progressive, Democratic direction.

The 2004 election in Florida is shaping up to be just as close as 2000, which Al Gore won by 537 votes. Although there have been demographic changes and growth through out Florida when the 2000 total are adjusted for 2004 it is still razor thin. Unofficial NCEC analysis shows that Gore's adjusted margin is 404, combined with the 2004 adjusted Nader voter- 25,138 (assuming 25% stay home, 25% vote for Bush and 50% vote for Gore). The 2004 adjusted margin is 25,542-too close for comfort.

The 2004 projections indicate addition turnout of 370,000 a total of 6.4 million, increasing the vote goal by 200,000 in order to have a winning margin. The other significant change in preliminary analysis is that the electorate will have 10% fewer ticket splitters than 2000. With less persuadable voters, the need to increase base voters and turning out more infrequent voters is critical to reach the vote goal in Florida.

Given that turnout is down when the economy it bad, since our voters are more discouraged, the need for a exciting ballot initiative strategy that works to address the needs of the most economically needy, and also likely Democratic voters, is a fundamental part of a winning strategy in Florida.

Florida ACORN is building a coalition, called Floridians for All, that will unite labor unions, community and civil rights organizations, the faith community, elected officials, sectors of the business community, political organizations, and thousands of grassroots activists behind the proposed strategy. At the same time, we are building the infrastructure to carry out the campaign and ensure the accomplishment of our objectives.

The empirical evidence from other states indicates that initiatives generally increase voter turnout, and that minimum wage initiatives can significantly increase the turnout of supporters without increasing turnout from the opposition. ACORN's own experience running municipal and state minimum wage ballots [Denver, Houston (1996), Missouri (1996), New Orleans (2002)] supports the conclusion that these efforts are highly motivating to low-wage voters. In 2000, 6.1 million voters came to the polls in Florida, a turnout of approximately 70%. A targeted campaign that works to turn out 1% of that electorate, approximately 61,000 voters, would not only make the difference for the Democratic Presidential candidate but also lend significant support to Congressional and local races. As an example, Congressional District 5 was won by conservative Republican Ginny Brown-Waite, by little over 4,000 votes. From the top of the ticket on down, a ballot initiative strategy which mobilizes infrequent voters and energizes

unregistered Democratic constituency will help defeat George W. Bush and allow Floridians to vote themselves a raise.

An estimated 300,000 Florida workers would receive a direct raise from our proposal. Moreover, thousands more would receive residual raises because of their wage level just above the new minimum. Floridians sorely need this proposed raise. In 2001, over 28% of Florida's workers earned less than the poverty line (approximately \$8.70 an hour). A full 20% of those workers earned less than \$7.69 an hour, a result that can be partially explained by the concentration of workers in the lowest wage job sectors – retail and service. A whopping 37.3% of the state's workforce is employed in service sector jobs, with another 19.6% in the low wage retail sector. The additional earnings of minimum wage workers, almost \$700 million in the first year alone, would be directly pumped back into the economy, helping to stimulate the stagnant economy created under the watch of Bush's destructive tax cuts. Not only is this proposal beneficial to Florida's economy, it also helps to seed a mass constituency for future change.

Because we are starting this campaign early, and because we have a plan, the Floridians for All Campaign will challenge the institutional forces for progressive and Democratic change in the state to build permanent political capacity. This is particularly important to rehabilitating the long-term prospects of our side. In a state where Democrats control only 53 of 160 legislative seats, and zero Constitutional offices, the need to rebuild infrastructure and capacity to win, has never been more important. For example, the signature gathering phase of the campaign will lead to the construction of a vast database of hundreds of thousands of economic justice activists and voters in the state. These are the same voters the Democratic Party must court and win to regain a presence in state politics. The campaign will also force organizations like ACORN to build massive field capacity to deliver these necessary signatures and GOTV. A vast network of activists and voters, combined with a sophisticated field campaign will act as a unifying force among Democratic electoral forces. The combined strength of community, labor, and faith organizations committed to mobilizing their members and leaders at the grassroots level, will result in a cohesive strategy to retake the White House in 2004 and rebuild the Florida Democratic Party.

Campaign Goals

The goals of this campaign are threefold:

1. To increase voter turnout of working class, mainly Democratic voters without increasing opposition turnout;
2. To increase the power of progressive constituencies by moving a mass agenda, putting together the capacity to get on the ballot and win, and by putting our side on the offensive;
3. To deliver a wage increase to hundreds of thousands of Floridians.

Increasing turnout is crucial to a successful 2004 electoral strategy from the top of the ticket all the way down, through the many key races in Florida that include not only the

Presidency, but also a key Senate race, Congressional seats and also significant turnover in the Florida Legislature. Given these many key races, exciting and mobilizing constituency has never been more important, but in order to do this there must be a compelling issue on the ballot. Though presidential year elections always result in higher turnout, the 2000 elections demonstrate the importance of every vote in Florida, and we do not want to leave turnout to chance. These turnout figures from the most recent Florida elections demonstrate the overall decline in voter participation and the need to refocus efforts on mobilizing and motivating our base.

1992	83%
1994	66%
1996	67%
1998	49%
2000	70%
2002	55%

General Election Turnout Statistics from the Florida Secretary of State
<http://election.dos.state.fl.us/online/voterpercent.shtml>

Giving our constituency the opportunity to vote themselves a raise is probably the most compelling reason to go the ballot box. Candidates will make many promises, but turning out to vote for a higher minimum wage is a voter's guaranteed chance to affect real change at the ballot box.

The process of building a statewide network of progressive forces can be accelerated greatly through the use of the minimum wage ballot initiative. Though there are many groups that represent and advocate for the needs of social justice, civil liberties, and environmental concerns, the strength of these forces is limited through a lack of coordination amongst these groups. While the groups promote diverse agendas, a coalition of necessity is required in the face of organized and unilateral support amongst opposition groups. This ballot initiative will bring together progressive forces from around the state around a common goal: increasing turnout in the 2004 election in order to support campaigns which represent the interests of all our groups.

Approximately 303,000 workers would be directly affected by a minimum wage increase, putting millions of dollars into the pockets of working families across Florida. In addition to the workers who are directly affected, many more will benefit through the rising tide of wages that results from raising the baseline wage level. Unlike tax cut policies which supposedly put money into peoples pockets, but really just raid state and federal treasuries, a minimum wage increase will put real in the hands of those who need it the most: working families.

Campaign Strategy

We define winning here as accomplishing the three campaign objectives:

1. 1. Driving heightened Democratic turnout;
2. 2. Passing the initiative
3. 3. Building permanent political capacity for future gains.

Our plan to win centers on a series of strategic premises, layed out as follows:

1. First, we will divide the electorate into targeted groups of voters/potential voters, and make a strategic plan vis-à-vis each group. We are in the process of completing this plan, but roughly, the categories/plans are as follows:

***African American voters –** According to NCEC, there are 440,000 unregistered VAP (Voting Age Population) African-Americans in Florida. Of the 440,000 unregistered voters statewide, 176,000 of these voters live in the 475 majority African-American precincts in Florida. This campaign will work to register 50,000 of these potential voters through voter registration drives in the following major metropolitan areas:

VAP (from 2000)	Total VAP	White	Latino	Black	County
Miami	283,673	32,116	195,859	49,000	1.7M
M-Dade					
Orlando	144,987	81,100	23,414	32,563	670K
Orange					
Tampa	228,681	126,387	42,711	50,109	746K
Hillsborough					
Fort Lauderdale	122,821	77,807	11,282	28,620	1.2M
Broward					
St. Petersburg	194,796	141,797	7,618	36,752	744K
Pinellas					
Jacksonville	539,278	353,983	20,759	139,700	573,888
Duval					
Tallahassee	124,431	74,942	5,341	39,327	
Leon	188,445				

This potential universe of newly registered voters, and highly motivated activists can be the deciding factor in the 2004 election. Registering 50,000 new African-American voters in these majority precincts can result in a net vote gain of approximately 21,000 votes (assuming 70% turnout of new registrations and 60% approval for the measure).

***Non-Cuban Latino voters –** There are 800,000 Hispanic voters in Florida, 400,000 of whom are non-Cuban, and 345,000 new potential Hispanic voters of Voting Age Population. The Hispanic population is the fastest growing population in Florida, and presents the Democratic Party with an opportunity to build a new, revitalized constituency within Florida. While non-Cuban Hispanic voters have traditionally voted

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Democratic in Florida, the community as a whole has shown significant support for Governor Bush, as evidenced by his substantial in the 2002 gubernatorial race. In order for Democrats to hold this growing population, they must figure out a way to excite Hispanics inspite of the connection that has been created between Gov. Bush and Hispanic voters. The minimum wage ballot initiative is the very type of economic issue that can drive Hispanic turnout, both away from Gov. Bush, but also from the traditional Republican strongholds in the Cuban community. According to Sergio Bendixen, of the 400,000 Cuban voters in Florida, 250,000 of them are "economic refugees" as opposed to "political refugees" who are hard-line anti-Castro and thus strong Republican supporters: Economic refugees are the product of the Mariel boatlift, according to Bendixen, and are more likely to respond to economic concerns. Based on this assessment, the minimum wage campaign could be the very issue that Democratic candidates need to drive turnout in this key constituency.

Floridians for All will register 1/3 of the potential 2000 Census VAP in Miami (195,859) and Orlando (23,414) which will result in 72,360 new registered voters and a gain of 30,391 new votes (based on 70% turnout and 60% favorability)

*Union members - The AFL-CIO is formulating a very targeted plan for its members in Florida in 2004. Floridians for All is coordinating with labor as to how best use this effort to the fullest advantage. Many union members are not yet registered, and this is a priority in 2003. Union members are registered at approximately a 60% rate in Florida. Because a number of these voters are Republican or swing voters, the AFL-CIO is going to be targeting registrations and mobilization efforts in Democratic leaning precincts in order to best mobilize their members "on the right issues". Union members have demonstrated that they do not like to be told to vote for a particular candidate. Instead, members respond more favorably to discussions about issues, and where the candidates stand. The minimum wage initiative is an excellent issue for unions to use as a mobilizing tool because it is an issue that labor has a strong history of supporting.

2. Throughout the entire course of this campaign, we will ultimately register 100,000 new poor and working class voters. We will database these voters and integrate them centrally into our strategy. In ACORN's past work, we find that *80% of new registrants vote if a phone number is obtained and used*. The petition gathering process is the opportunity to build a statewide database of working families and activists numbering in the hundreds of thousands. In addition to utilizing phone numbers acquired through petition gathering, we will also develop an extensive email database and the capacity to mass-mail to these voters. The petition give voters the option to provide both phone numbers and email addresses, which we are enthusiastically encouraging.

In early signature gathering efforts we have found that 20% of respondents are providing email addresses; a response rate that would result in an email database of at least 100,000 voters. This database could turn out to be one of the most powerful components of the entire campaign as we build a statewide operation for Election Day 2004. The ability to

mass-email constituents on upcoming events, releases of new studies, and just generally reach out to supporters in a extremely cost efficient manner is a very powerful tool.

3. We will build the field capacity to directly and personally reach those poor and working class, Democratic voters who will not be reached by labor or other committed forces. These are the voters who we register during the petition gathering process who we will be able to reach through phonebanking, mail, and most important precinct walking and Election Day turnout strategies. We have already started to build this field capacity through the development of a field canvas program. The canvas works to reach both constituents and other voters through direct contact at the doors. An individual canvasser is able to reach approximately 60 voters per night and have conversations with XX voters. Currently we have a canvas staff of 10 people in Orlando and Tallahassee resulting in direct and indirect contact with over 600 voters per night. A field canvas of 45 people in several locations across the state will ultimately be able to reach over 13,000 voters per week resulting in both signatures, phone numbers, emails and donations. Overall, in the course of the campaign, we will reach these voters at least 7 times, through doorknocking, direct mail, phone calls and email where available. The opportunity to utilize email and the web is extensive particularly in neighborhoods we are targeting through our canvass. Our website at www.floridiansforall.org will allow for updates, a download of the petition and also secure online donations.

4. In order to best focus our energies on field and turnout capacity, we will "outsource" those elements of the campaign that are not as critical to directly increasing turnout and building permanent political capacity. This means that paid media and television components of the campaign that are important to persuading the existing "swing" electorate to vote for our issue, while key to winning, will be handled externally so that the campaign can focus on new voters and Democratic constituency turnout. While media will play a crucial role in whether the question is approved by the voters, this element of the electorate is not the focus of our field efforts. The minimum wage initiative is committed to registering and mobilizing new voters from within traditional Democratic strongholds in an effort to drive turnout to the polls. These strategies are detailed in more depth later in this plan.

5. We will put 2,000 volunteers and workers on the doors from April to August, and 3,000 from Labor Day through Election Day. Many of these people will come from organizations that have affiliated with the campaign and through our field captain system that is being created to build the volunteer base statewide. One part of this volunteer network is our March primary program during which we will staff polling sites across the state in order to collect signatures from registered voters going to the polls. The teachers union has shown this strategy to be a very successful one, having gathered over 400,000 signatures in one day alone! At even a quarter of this effort, Floridians for All will be able to gather 100,000 signatures, nearly 14% of our 700,000 goal in one day. We are working to develop a network of poll captains around the state who will be responsible for making this massive one-day mobilization possible.

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6. We will mobilize a set of organizations and forces in the state and in support of the campaign so as to succeed in mobilizing the grassroots and withstanding the onslaught from the business elites. In the early stages of the campaign we have already received the endorsements of the two largest labor organizations in Florida, the Florida AFL-CIO and the Florida Education Association (a joint NEA and AFT union). This major institutional support is only the beginning of our coalition building around the state which will result in the endorsements of over 500 organizations statewide. We will also create a steering committee of elected officials and key supporters from this list of institutional partners to oversee and give leadership to the effort. We will enlist the support of organizations in targeted sectors: e.g. African American churches, community organizations, local unions, local activist groups, etc. Our coalition is already gathering endorsements from local churches, community organizations and local union affiliates. We will mobilize the legal capacity, led by the Brennan Center, and the policy capacity, led currently by the Economic Policy Institute, and the communications capacity, led by the Center for Community Change, to run an aggressive statewide campaign.

7. We will raise sufficient funds to drive our field and GOTV strategies, pay for campaign necessities, and not compete substantially with other Democratic causes. Through a combination of 501c3 and 501c4 dollars, we will raise the necessary funds to facilitate voter registration and voter mobilization statewide, and educate our voters about the benefits of an increase in the minimum wage.

Traditional Assumptions

GOTV programs not designed to specifically promote a ballot initiative, but designed solely around candidates and political parties sometimes lack the personal handle that excites voters and gets them to the polls. This is not to say that extensive fieldwork through doorknocking, phonebanking, direct mail and large Election Day activities are not a successful means to turnout constituency voters. Traditional GOTV does this very well. The minimum wage ballot campaign is meant to complement that type of GOTV program by appealing to the *non-traditional* voters, those infrequent voters who cannot be counted on to turnout through traditional means, and instead need a more compelling reason to vote. Believing that self-interest and a "what's in it for me attitude" can have significant bearing on voter turnout, we are putting minimum wage on the ballot in order to court those voters. Potential voters who see minimum wage as having a direct impact on their lives, are much more likely to be core Democratic constituency voters, including low-income and minority voters as opposed to Republicans resulting in an increased turnout for Democratic constituencies without the backlash of augmented opposition turnout.

Even though 2004 is a presidential year, and will result in higher turnout than the 2002 midterm election, the need to energize and mobilize core Democratic voters and new voters is of the utmost importance. Low-income workers who are affected by an increase in the minimum wage are more likely to vote, based solely on personal, material returns, rather than the more abstract view of voting for the sake of participation. 2002 was seen

as an opportunity to reinvigorate a Democratic base still recovering from the 2000 Presidential election, but turnout results show that a candidate detached from the needs of working families neither excites Democrats, nor wins. Potential new Democratic voters in working class neighborhoods are also likely to stay home without a direct incentive. Raising the minimum wage is that incentive and can draw out new and core Democratic voters who want the Democratic Party to return to its base. It is an issue that affects lower-wage, working Americans where it matters most, in their pockets and for their families.

Though both major political parties are actively courting African-American and Latino voters, the reality is that any candidate will ultimately fall short of expectations within constituency communities. Given this, and the lingering resentment from the 2000 election debacle which disenfranchised thousands of voters, the chance that base Democratic voters in minority communities will not participate is a real possibility. In order to overcome this, a minimum wage ballot initiative will encourage voters to turnout based on the opportunity to, in theory, vote themselves a raise.

Florida Voting Patterns

In spite of a supposedly reinvigorated Democratic base in 2002, turnout was a paltry 55% statewide, a significant factor in Jeb Bush's victory over Bill McBride, 56-43. In spite of the fact that the Florida electorate is still 43% Democratic in registration, as opposed to the Republican 39%, recent election results have failed to reflect any sort of Democratic majority. The reasons are many, but the lack of core Democratic issues that voters can identify with, and in turn *want* to vote for, has played a large role in this downturn. Though turnout was 55% in the 2002 General Election, turnout in Democratic strongholds such as Palm Beach, Miami-Dade and Broward Counties was only 53, 52 and 45 respectively. Broward is the most glaring example; in a county where McBride won 59% of the vote, turnout was an abysmal 45%. Low turnout among Democratic constituencies doomed Democrats in 2002, and in order to avoid these results, there must be a way to pull out Democratic voters, already skeptical of the voting process in light of the 2000 election debacle.

Another lesson from the 2002 election is that Florida voters do not follow the party line, but are instead more nuanced voters who respond to issues, but not necessarily the messengers. Amendment 9, Florida's Amendment to Reduce Class Size was approved by voters 52-48, even though the messenger, gubernatorial candidate Bill McBride was soundly defeated. In spite of the best efforts by Republicans to create doomsday predictions about the effects of this amendment, the electorate was able to differentiate between the issue they supported, and the candidate they did not. This demonstrates that a good issue that appeals to Florida voters can succeed regardless of political party affiliation.

Over the past 3 Presidential Election cycles, 1992, 1996 and 2000, voter turnout has average 73%. While this number is relatively high, these voters are not the ones who can make the difference in the 2004 elections. The voters who already turnout, are the ones

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that are being courted by more traditional GOTV methods. Floridians for All is working to mobilize those potential voters in core Democratic constituencies by registering new voters and turning them out around a particular issue. That said, our new voters are not those who are currently represented in past election turnout numbers, but are rather the constituency in high density African-American and Latino neighborhoods as described earlier in this campaign plan.

Campaign Elements

Listening Process & Strategic Analysis

Since January, the campaign has conducted a systematic process of listening to key institutional forces – in the Democratic Party and its allies, in labor, in the community, etc. - in Florida. Our goal was to answer two major questions:

1. 1. Is there support for the proposed strategy?
2. 2. Will it be possible to put together the necessary funding and capacity to carry out this effort?

In the end, the answer to both questions is clearly yes. However, there is work to be done, and it is clear that only through decisive, immediate action will the pieces of the puzzle come together. Moreover, in talking to key political strategists across the state, it is clear that too few resources are currently geared towards field and expanding and mobilizing the Democratic electorate. It is clear that without this campaign, Democratic forces in Florida will fail to be mobilized in sufficient numbers to win close races. As was shown in the 2002 cycle in Florida and elsewhere, when the Democratic base isn't engaged, when we don't stand for core issues, and when we don't invest early and heavily in field, we lose.

Research

We are in the process of putting together an extensive collection of research to demonstrate the impact of increasing the minimum wage for Florida's workers. The Economic Policy Institute in Washington, DC has agreed to provide significant technical and research support to our campaign by providing a number of policy pieces that will address the following questions:

- • Looking to examine the history of low-wage workers within the state of Florida, this piece will examine who will benefit from a minimum wage increase, by looking specifically at demographic information. This piece will also examine trends over time in Florida by looking at the history of wage levels and also comparing Florida wage levels to other Southern states and regions of the country. In looking at the impact of a minimum wage increase, we will also look at the impact on social assistance programs and look at some of the other social problems associated with poverty.

- • A second piece will look at the cost of living in Florida and demonstrate what it actually costs to live in Florida today. Incorporating costs of housing, health care, transportation, food, child care and other expenses in several major cities across the state, we will explain the true costs of living for various family sizes in Florida and the impact that a minimum wage increase will have.

We will also have several pieces examining the opposition response to our work. Our analysis will show the fallacies of the doomsday predictions that will be released by business opposition further demonstrate the gains that will be made by workers as a result of our campaign.

Another element that we are looking to examine is the impact on immigrant communities, and how they would directly benefit from our campaign.

The first policy is set to be released October 14, 2003.

Polling

Another part of our research is polling, both at the beginning and later ends of the campaign. We will conduct an early poll that will allow the campaign to ask the critical questions without restrictions. This poll will allow for a strategy that connects registration, signature gathering and mobilization efforts to voters in the base turnout neighborhoods by determining the best localized message. This poll will test both non-voting and infrequent base voters in order to understand not only the motivations of our base voters, but also to drive turnout in under-performing precincts where we focus our registration and mobilization efforts.

We will also conduct polling later in the campaign to determine the effectiveness of our messages and messengers and gauge the responses of the electorate. Using this information, we will be able to better refine our outreach and also our Election Day GOTV efforts.

Building the Coalition

We have begun to build the Floridians for All Coalition at multiple levels. At the "letterhead" level, we are in the process of building a campaign "sponsoring committee" that would consist of leading Democratic elected officials and other key institutional forces at the national and state level. This list currently includes partners such as the Florida AFL-CIO, the Florida Education Association, Alliance for Retired Americans, and others. We are also identifying three elected officials to recruit as campaign co-chairs. This ethnically and geographically diverse trio will serve as public spokespersons for the campaign and will help raise funds.

The coalition itself will be multi-layered. Ultimate decision-making authority will rest with the steering committee. In order to be a member of the steering committee a group will have to meet one of the following requirements: a) either contribute \$50,000 to the

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campaign or b) commit 50,000 signatures gathered. By limiting the steering committee to these groups we will assure that only those groups that are firmly committed and invested in our campaign will have management direction.

The day to day operations will be overseen by a campaign director who will come on staff in the late fall of 2003, as the signature gathering phase progresses (see subsection below).

Signature Gathering Phase

In order to gather the 488,000 necessary valid signatures by August 4, 2004 required to be placed on the ballot we anticipate needing to gather approximately 650,000 signatures (75% validity rate). The signatures must come from at least 12 of the existing Congressional Districts prior to the 2002 redistricting. The required geographic diversity requires our signature gathering programs to be based in major cities around the state (Orlando, Tampa, Miami, Jacksonville, St. Petersburg) in order to both build statewide capacity for the campaign as well as achieve the requisite number of signatures. The signatures will be gathered through both internal capacity (canvass and organizational site gathering) and also professional signature gathering firms.

The internal signature gathering phase has begun with our canvass program in Orlando and surroundings. This program contains two key components, one of which is the door-to-door signature gathering. Our door canvas allows us to not only gather valid signatures and new voter registrations, but also solicit funds to offset the costs of signature gathering. We will also be conducting signature gathering and voter registration at high-density sites such as supermarkets and other retail stores. Signatures that are gathered by coalition members will also be counted as part of the internal signature goal.

We believe that internal ACORN led operations in Orlando, Tampa/St. Petersburg and Miami will be able to provide 100,000 of the required signatures. In combination with 200,000 signatures from organizational partners (Jobs with Justice, AFL-CIO and affiliates, FCAN and congregational groups among others) this will require the campaign to purchase 350,000 signatures. As detailed in the attached budget, this would cost approximately \$490,000. (at \$1.40/signature, based on early quotes).

In early 2004 we will begin using professional signature gathering firms to collect the remaining signatures needed for to qualify for the ballot. Currently, we anticipate contracting with the Associates to provide the necessary signatures. Though the cost per signature has not yet been determined, we anticipate cost in the range of \$1 - \$1.30 per signature, based on both the ultimate number required and the geographical scope of the operation

Fundraising

In order to raise not only the \$490,000 for paid signature gatherers, but also the additional funds for materials and the actual campaign, which commences in late summer of 2004 with the Labor Day kickoff, we will hire a fulltime campaign fundraiser. We are currently working with Terri Shuck, former Development Director for PFAW as our fundraising consultant. One of the fundraising director's responsibilities is to organize a major donor plan as well as working to develop funding sources from unions and other institutions including 501c3 foundation money for education and research on this campaign. We are currently in the process of assembling a national fundraising committee, which includes foundation officers, major Democratic fundraisers and other key Progressive allies. This committee will help us raise funds from both the foundation 501c3 world for education and outreach, as well as 501c4 political money for partisan outreach.

Staffing

The largest portion of staff on our campaign will come from field canvassers. Looking only at the cities where ACORN and Floridians for All will provide direct staffing (as opposed to contractual work with paid signature gathering firms) we are conservatively assuming 10 people per each field canvass (Miami, Orlando and St. Petersburg) with a crew director for each site and a general canvass director based in Orlando. This internal field crew will work on a contractual basis with the campaign and be paid on an incentive driven scale as detailed in attachment A.

Aside from the field canvassers, a fundraising director, we will have a full time volunteer coordinator to work with sites around the state, working with the various sites around the site to oversee organizational signature commitments, provide technical assistance and materials to these sites and also handle local press work. We will also have two people on staff doing database and petition verification work. These two people will work exclusively on ensuring that signatures are presented to county election officials, verified and then presented to state officials. Coordinating with 67 election supervisors is a full time job in itself, and that is why we are devoting 2 people to this exclusively.

The campaign director will have complete oversight of the minimum wage initiative. We anticipate bringing this person on in the late fall of 2003, as the signature gathering phase progresses and we move into further into message development with allies. The campaign director will have ultimate responsibilities for the initiative from supervising staff, raising and distributing funds, coordinating the many site directors statewide, qualifying and ultimately the core of our campaign.

Media

Developing a strong message through paid but also earned media will be pivotal to the success of our campaign. We have not illusions of outspending a business industry that will fight this proposition tooth and nail and can invest many millions of dollars into

defeating our campaign. While we will want to be on the same television and radio airwaves to make sure our message is heard in that venue, our success will come through earned media development, through press conferences, editorial boards, letters to the editor, and public events.

Through the early signature gathering phase we will limit the amount of publicity work we do. There will be a press conference announcing our filing and the event will highlight the benefits of a minimum wage increase. As we work to gather signatures and raise resources for the campaign we will begin a more public face in the summer of 2004 when we announce our success in qualifying for the ballot, and the real campaign begins. Once we have, then we will ramp up our entire campaign including working with op-ed boards, letters to the editor and press conferences around the state highlighting the impact of a minimum wage increase for Floridians. Local events with minimum wage earners, testimonials detailing the impact of minimum wage increases, and economists debunking to doomsday predictions of conservative economists will all help spread the word about raising wages for all.

Technology

This campaign is an exciting opportunity to use some of the most innovative database and hand-held technology on the market in an effort to both enhance our voter database and ease data collection, but also as a tool to better educate the electorate on our issue. As mentioned earlier in this plan, email collection and database development will play a crucial role in the determining the success of the campaign in reaching our targeted constituency. Our database work will allow for the integration of donor information and specified message development into our email lists.

The rapid development of hand-held technology now allows for not only access to voter databases and electronic walklists, but also the ability to integrate video clips and MP3 into doorknocking raps. Based on voting history and demographics, field canvassers could show a short video clip to a potential voter urging their support of the initiative. We estimate the startup costs of handheld technology to be approximately \$10,500 for a crew of 10 field canvassers, including software and hardware costs.

Using data collected from voter files and field outreach, we can then use predictive dialers to target our constituency with a both a recorded message and live opt-out capability. While this technology can be utilized through traditional phonebanks and more technologically savvy call-centers, we can also create localized versions with a few phone lines and a computer. As the costs of hardware and software have both decreased, the ability to cost-effectively reach our audience has risen significantly.

Legal

Paul Sonn and Nathan Newman of the Brennan Center in New York have drafted the ballot initiative language. We have been careful to ensure that the language of the question fulfills the single issue requirement of a Florida ballot initiative so that it will

pass approval by the Supreme Court. We fully expect an unfriendly opinion on this ballot question from the Attorney General office and an astronomical economic impact statement from Tallahassee. Though these opinions will not help us in the court of public judgment, we will be able to generate our own amicus briefs to the court and release our own economic impact statement.

Once we gather the necessary 10% signature requirement to receive a hearing at the Florida Supreme Court, our lawyers will be prepared to demonstrate how this question satisfies the single issue requirement. After passing this legal challenge, we will proceed to collect the remaining signatures and get the certified by county election officials.

Recent ballot initiatives in Ohio and Oregon have resulted in significant legal challenges on the local level. As Republicans are working to perfect this strategy, Democratic campaigns are also working to prepare their own legal responses. We are currently in the process of contacting Florida and national legal firms about their assistance in these potential challenges.

Building the Campaign Infrastructure

In order to develop the capacity required to implement and win a successful initiative campaign we will need to build our internal staff structure (as detailed above) and also create a larger statewide progressive network. Realizing that no one organization is large enough to run a ballot campaign alone, our coalition will rely on mobilizing our membership and coordinating our message in order to win. Each organization that is a partner in the minimum wage campaign will need to designate someone to act as a liaison to the campaign. That person will be responsible for coordinating the internal signature gathering and organizational media with the larger coalition.

As the signature gathering phase progresses, those partners that committed 50,000 signatures to have a place on the steering committee, will need to develop internal organizational programs to collect these signatures. Signatures will then be turned over to the initiative campaign staff, who will handle verification and submission. Each participating organization will also be expected to host 1-2 large press events in which they target their message to their constituency.

Television

Because Florida is such a large state, the television viewership is broken down into 12 major media markets. This means that in order to run an effective television campaign we would need to hit all of these targets, with varying degrees of density. The cost of such a television campaign will be extremely prohibitive so we will have to target our media buys to areas we believe will most reach our base Democratic constituency, primarily South Florida and Tampa Bay. The South Florida region is broken down into the Miami-

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Ft. Lauderdale (Broward, Miami-Dade and Monroe) and West Palm Beach- Ft. Pierce (Indian River, Martin, Okeechobee, Palm Beach and St. Lucie) markets. Tampa Bay consists of a single Tampa-St. Petersburg market which includes 10 counties (Citrus, Hardee, Hernando, Highlands, Hillsborough, Manatee, Pasco, Pinellas, Polk and Sarasota)

Opposition Research, Division, & Cooptation

In response to our campaign, there will be significant opposition policy research from the usual suspects, including the Employment Policies Institute, an industry sponsored DC think tank that will release data about the negative impact of a minimum wage increase in Florida. There will be numbers citing increased unemployment and the strain on small businesses to pay workers this new minimum wage. It is also likely that David MacPherson, a professor at FSU who has released several studies for the Employment Policies Institute on the supposed negative effects of wage increases, will be commissioned to do similar work on this campaign. While all substantially untrue, we will have our own body of evidence to counteract the effects and media impact of these policy briefs. In addition to the resources of the ACORN Living Wage Center, we are also working closely with the Economic Policy Institute to release our own policy work.

Aside from the think tank level of opposition, we need to ensure that our coalition remains strong and that partners do not split over internal organizational priorities or other electoral strategies that will be in play in the 2004 election. In order for this campaign to succeed we will need partners to deliver on committed signatures and make sure that our message stays on target. Because raising the minimum wage will have impact on so many sectors, coalition partners will be able to market the campaign to their constituency in different ways while still staying on the key message, increasing the minimum wage and demonstrating power at the ballot box.

The Campaign Climax (Labor Day 2004 through 11/2/04)

While gathering the signatures, building the coalition and qualifying for the ballot are large undertakings by themselves, the actual campaign doesn't really begin until Labor Day when voters return from the summer lull and turn their attention to the Presidential election. With the enormous amount of press that will be focused on the Florida election in general, it is important to be able to reach our members and constituency on the importance of turning out to vote for a minimum wage increase. On Labor Day, we will hold a large press conference with allies from across the state as a re-introduction of the campaign to the voters. In late September we will release the results of a statewide poll showing support for the initiative and complement that with personal stories from workers benefiting from this minimum wage increase.

In October we will begin our volunteer phonebanks. Similar to the phone banking operations run as part of the Small Class Size Initiative, we will turn out members and constituents to call petition signers and other targeted voters to come out and vote themselves a raise. Callers will tell personal stories about the impact this raise will have

for them and urge voters to come out specifically around this issue. Instead of typical GOTV which targets voters to turnout solely for the sake of turning out, the minimum wage campaign gives voters a very clear reason to vote and shows tangible results in the communities.

Leading up to the election, we will coordinate door-to-door efforts with other GOTV efforts including an extensive, yet to be developed, Election Day plan. The popularity of early voting in the 2002 election means that there will be more early voting poll sites and a higher percentage of voters who cast their votes in the weeks leading up to Election Day, instead of only on November 2. Aware of this fact, our phonebanks will highlight the opportunities for early voting and coordinate with voters to provide rides to the polls.

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TAB 3

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FLORIDA VICTORY 2004

September 3, 2004

VICTORY 2004 FLORIDA COORDINATED CAMPAIGN

I. INTRODUCTION

Democrats have a unique opportunity in 2004: to rightfully return the state to the blue side of the electoral ledger. Polling data indicate that the race in Florida is stable with neither side garnering a firm advantage. This underscores the necessity of a well-run and well-funded coordinated campaign.

In order to prevail, Victory 2004 will need the greatest grassroots organization the state has ever seen. Our staff will build, train and activate over 33,000 volunteers, including 3,809 precinct captains, to manage and implement an elaborate voter contact and GOTV plan. This team will be complemented by a generous paid and earned media campaign and an advanced technology system to track and direct progress.

Victory 2004 will focus its ground game primarily on two segments of the Florida electorate: 1) the underperforming Democratic base, particularly in sporadic voting African-American and non-Cuban Hispanic communities, and 2) swing voters, with particular attention paid to women in the I-4 corridor between Tampa, Orlando and Daytona Beach. In addition to following the Kerry-Edwards/DNC field model, this plan outlines several unique elements of Victory 2004's plan, including: our plan for ballot protection; an elaborate Early Vote (Absentee Vote in Person) campaign; a comprehensive and aggressive absentee ballot program and a program to motivate Florida veterans to support our ticket.

In broad geographic terms, it is essential to 1) maintain and increase our base lead in the three key South Florida counties: Miami-Dade, Broward and Palm Beach; equally important is 2) minimizing Republican gains in northern Florida. In tactical terms, it is essential that we cut into the Republicans' traditional advantage among absentee voters and run up our advantage among early voters, especially in base vote communities.

We anticipate amendments and improvements to our plan. We need to quickly develop a systematic market-by-market surrogate-scheduling plan. A Jewish vote plan is being developed along with other constituency-specific organizing plans.

Coordinated Campaign Decision Making Table:

A committee of the following individuals and organizations will serve as table partners of the Coordinated Campaign. This committee will meet bi-weekly through September and weekly during October.

- State Party Chair Scott Maddox
- Kerry-Edwards Campaign
- U.S. Senate Nominee
- Coordinated Campaign Director
- AFL-CIO
- SEIU
- Florida Academy of Trial Lawyers
- Florida Education Association
- Florida Congressional Delegation

Goals:

- Identify undecided and persuadable voters for John Kerry and the Democratic ticket;
- Energize and motivate Democrats with unreliable or non-voting histories;
- Track statewide volunteer efforts in Florida-specific software;
- Recruit and train 1,391 precinct captains in base precincts;
- Recruit and train 2,418 precinct captains in swing precincts;
- Turn out Kerry supporters in base precincts;
- Persuade swing targets in swing precincts;
- Win the state of Florida for Kerry-Edwards with 3,314,240 supporters.

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II. VOTE GOALS & TARGETING:

Vote Scenario:

	2004		2002		2000
Exp. Vote 70%	6,373,538	Turnout	5,100,581	Turnout	5,963,110
Dem Performance		Bush	2,856,845	Bush	2,912,790
Win # (52%)	3,314,240	McBride	2,201,427	Gore	2,912,253
Nader		Kunst	42,039	Nader	97,488
Vote Deficit	554,498	Vote		Vote	
		Margin	655,418	Margin	537

Vote Goal:

The Florida statewide vote goal, based on a 52% Democratic win number, is 3,314,240. Within that goal, Victory 2004's targeting will focus on a universe of persuadable voters derived from the Kerry-Edwards Florida vote model and a turnout target of 711,493 Democrats in our base precincts. Our initial focuses, especially for precinct captain recruitment, will be geographic. We will focus on two precinct types:

Base voter precinct targets are defined as:

- High Democratic Performance (65% +)
- We have 1391 base vote targeted precincts with approximately 711,493 base voters.

Persuasion precinct targets are defined as:

- Democratic Performance between 40% and 65%
- Persuasion Percentage above the statewide average - 14.9%
- We have 2,418 persuasion-targeted precincts that include 408,430 persuasion targets.
- The above numbers are placeholders, pending Florida-specific targeting.

The coordinated campaign will use the state-specific Florida vote model to guide paid voter contact activity, volunteer persuasion phone calling, and volunteer ID calls. Based on currently available modeling data, the campaign assumes a Presidential Swing Target of 926,525 voters. Our persuasion voter contact targets will be pulled from this subset. Given Bull's Eye data, we estimate our GOTV target will number approximately 931,291 infrequent voters and 397,766 new registrants. (Between January 2003 and February 2004, 397,766 Democrats were added to the file statewide.)

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Early Vote Timeline:

Saturday, October 16 th – Monday, November 1	<ul style="list-style-type: none"> • Paid canvassing of universe (2x) • Volunteer calls to universe
Sunday, October 16 th	<ul style="list-style-type: none"> • Auto Call 1
Monday, October 18 th	<ul style="list-style-type: none"> • Auto Call 2
Monday, October 18 th	<ul style="list-style-type: none"> • Mail 1 drops
Wednesday, October 20 th	<ul style="list-style-type: none"> • Auto Call 3
Friday, October 22 nd	<ul style="list-style-type: none"> • Auto Call 4
Sunday, October 24 th	<ul style="list-style-type: none"> • Auto Call 5
Monday, October 25 th	<ul style="list-style-type: none"> • Mail 2 drops
Monday, October 25 th	<ul style="list-style-type: none"> • Auto Call 6
Wednesday, October 27 th	<ul style="list-style-type: none"> • Auto Call 7
Saturday, October 30 th	<ul style="list-style-type: none"> • Auto Call 8

For fifteen days leading up to Election Day, Florida residents may vote in person at public places (typically city halls and public libraries). Florida law also provides for traditional absentee voting.

These two forms of voting have played a key role in recent general elections. In 2000, 11% of all votes cast came through Absentee or Absentee in Person (Early Vote), and according to a *St. Petersburg Times* analysis, in 2002 16% of all votes came from the same population.

Kerry-Edwards campaign polling data confirm that Early Vote can play a similarly significant role this year. Most recently, a post-convention Kiley & Company poll indicated that 11% of Florida voters will vote in advance of Election Day.

The Kiley poll describes the universe of early voters as leaning heavily Democratic, including a disproportionately high number of African-Americans and voters from other base Democratic communities.

Given the history and trends of the Early Vote, Florida Victory 2004 views it as a potential gold mine and an excellent opportunity to turn out Florida's energized (and aggravated by 2000) Democratic base.

While keeping an eye on what other organizations are doing to get out this key vote, the Victory 2004 campaign will marshal a significant portion of its resources to make Early Vote's impact as significant as possible. This effort will be focused especially on key urban counties.

To better inform this project, we would like to spend \$20,000 on focus groups to determine base precincts' response to Early Vote. We will also produce a more detailed plan for the Early Vote Program within several weeks. What is contained below is designed to paint in broad strokes the goals and tactics of our program.

Universe:

Given the Kiley data and experience from recent elections, the Early Vote program should focus on sporadic voters, especially African-American, Hispanic and female voters with weak voter history, and new registrants. This universe will number approximately 1,329,057 voters.

Grassroots Leadership:

Leaders of the campaign at the grassroots will play a key role in the development and execution of the Early Vote Program:

- The campaign will challenge precinct captains to deliver a specific number of early voters. We are looking into the legality of creating a competition among the precinct captains for this project.

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- We will also ask local elected officials to design proposals for local Early Vote Programs.

Staff Leadership:

To direct and manage the grassroots leadership, to develop more fully this plan and to ensure the absolute success of the Early Vote plan, the campaign will hire by September 15 a Statewide Early Vote Director and three Regional Early Vote Directors.

- Early Vote staff will also be placed in Miami-Dade, Broward and Palm Beach counties, and Orlando, Jacksonville, in Tampa/St. Petersburg.
- Two Early Vote Cyber Organizers will make use of the FLDP website and email addresses collected by the campaign to motivate volunteers and encourage early votes.

Training:

Our Regional Organizing Conferences on September 12th and October 9th will include training on Early Vote.

Special Outreach:

In addition to the broad universe for Early Vote, the campaign will creatively reach out to probable candidates for Early Vote including (but not limited to) seniors with flexible schedules; the unemployed and people at unemployment check pickup locations; community service organizations; people who have unusual jobs; college students; parishioners at African-American churches; business employees through a workplace outreach program; and members of tightly-knit immigrant communities including the Puerto Rican and Haitian communities of South Florida.

Events:

- In mid-October, "Early Voting House Meetings" will make use of the network developed by campaign's organizers to encourage strong early turnout. Some of these house meetings will be organized around major campaign and social events through Florida including debate watch parties, Halloween, Labor Day, or even television's Sweeps Night.
- Surrogate and possible principal events that take place near Early Vote locations will be employed to promote Early Vote opportunities and to physically deliver voters to Early Vote sites.
- \$30,000 has been budgeted in October to fund these events.

Voter Contact:

Below is an approximate schedule of paid and volunteer contacts to the Early Vote universe. We will submit a more detailed plan after the hiring of an Early Vote Director and closer to the date of the Early Vote period. Please note that Early Vote begins Monday, October 18th, fifteen days prior to Election Day.

Note also that the auto calls will likely be sent to specific universes rather than the broad universe; we will work to build these universes after we learn more about what types of voters are open to Early Vote.

Communication:

All October campaign voter communication to base communities will emphasize the ease of Early Voting. Extra effort will be made, however, not confuse voters by promoting Early Vote locations too close to Election Day. Among the current ideas:

- Earned and paid media campaign to Hispanic and African-American outlets;
- Sound trucks throughout urban neighborhoods.

Ballot Pickup:

In Florida, it is legal to handle ballots. This means it is possible for the campaign to canvass base neighborhoods, pick up completed ballots and deliver them to Early Vote locations. We will incorporate these deliveries into our Early Vote canvassing program.

Monitoring:

Throughout the fifteen day Early Vote period, the campaign will monitor on a daily basis the characteristics of voters who are participating so that we can augment or alter the target universe. This will also help the campaign gauge the involvement of other Democratic groups, as well as the RNC, in turning out Early Voters. The data can be collected from town clerks. Victory 2004 will identify which targeted counties will participate in this program.

Condo Commando Program:

A Condo Commando Program will use our precinct captain and volunteer structure to turn out condominium residents for the Early Vote Program. The target audience of the program is white, middle class retirees who live in condominium communities, primarily in the Palm Beach - Broward corridor. The campaign will particularly utilize house meetings in these communities to boost together Early Vote. \$20,000 has been budgeted to pay for literature for condo commando canvasses and events.

A similar program may be initiated in conjunction with our College Campus Outreach, along the lines of a 'Campus SWAT Team' focused on Early Vote.

ABSENTEE VOTE BY MAIL (TRADITIONAL ABSENTEE)

Universe:

The universe for the absentee vote by mail program includes two components:

- Democrats over 65 who have voted in 1 of 4 or 2 of 4 elections since 1996: 267,885 individuals in 223,238 households.
- NPA/Independents over 65 who have voted in 1 of 4 or 2 of 4 elections since 1996: 111,952 individuals in 93,293 households. We assume we will ID approximately 50% of this universe as supporters, which brings the number to: 46,647.

Total absentee universe: 379,837 individuals in 269,885 households of Independent and Democratic voters who are 65+ and who have voted in 1 of 4 or 2 of 4 recent elections.

Military Ballots:

The campaign is developing a thorough plan to address proactively the issues experienced in 2000 regarding military absentee ballots.

Monitoring and Integration:

Victory 2004 field staff and precinct captains in targeted absentee vote precincts will monitor on a weekly basis the number and type of voters who mail absentee ballots. In addition, the Florida Voter File will be updated to include a system for designating which voters have completed and mailed their absentee ballots. These voters will be removed from the GOTV universe and additional absentee contacts.

Program:

Total contacts: 5

- 1 Volunteer call
- 2 Paid mail contacts
- 2 Paid live calls
- 4 Paid automatic calls

Absentee Program Timeline:

Wednesday, September 25	Initial Auto Call
Friday, October 1 – Sunday, October 17	Ongoing Volunteer Calls
Friday, October 1	Mail Piece 1 drops
Saturday, October 2	Auto Call 2
Wednesday, October 6	Live Chase Call

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Wednesday, October 13	Auto Call 3
Monday, October 18	Mail Piece 2 drops
Monday, October 18	Auto Call 3

Voter Contact Totals:

BASE VOTE UNIVERSE: 1,329,057 (Strasma GOTV Universe + New Regs)

EARLY VOTE	Unit Cost	Broad U	Contact	Match/HH	Cost
Volunteer Call	0.0800	1,329,057	0.43	0.490	\$22,402.58
Volunteer Call to Subset of AB Calls	0.0800	1,329,057	0.43	0.120	\$5,486.35
Phone 1 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 2 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 3 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 4 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 5 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 6 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 7 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Phone 8 Auto	0.0800	1,329,057	0.43	0.490	\$22,402.58
Paid Phone Live	0.1500	1,329,057	0.43	0.490	\$42,004.85
Mail 1	0.4000	1,329,057	1.00	0.625	\$332,264.25
Mail 2	0.4000	1,329,057	1.00	0.625	\$332,264.25
Paid Canvass	0.5300	1,000,000	1.00	0.625	\$331,250.00
Paid Canvass	0.5300	1,000,000	1.00	0.625	\$331,250.00
					\$1,576,142.96

GOTV UNIVERSE: 1,000,000 (Estimated Subset of Early Vote)

BASE/GOTV UNIVERSE	Unit Cost	Broad U	Contact	Match/HH	Cost
Phone Auto	0.0800	1,000,000	0.43	0.490	\$16,856.00
Phone Live	0.1500	1,000,000	0.43	0.490	\$31,605.00
Mail 1	0.4000	1,000,000	1.00	0.625	\$250,000.00
Mail 2	0.4000	1,000,000	1.00	0.625	\$250,000.00
Paid Canvass	0.5300	1,000,000	1.00	0.625	\$331,250.00
					\$879,711.00

ABSENTEE UNIVERSE: 379,837 voters

ABSENTEE BY MAIL	Unit Cost	Broad U	Contact	Match/HH	Cost
Volunteer Call	0.0800	379,837	0.43	0.490	\$6,402.53
Mail 1	0.4000	379,837	1.00	0.625	\$94,959.25
Mail 2	0.4000	379,837	1.00	0.625	\$94,959.25
Auto Call 1	0.0800	379,837	0.43	0.490	\$6,402.53
Auto Call 2	0.0800	379,837	0.43	0.490	\$6,402.53
Auto Call 3	0.0800	379,837	0.43	0.490	\$6,402.53
Auto Call 4	0.0800	379,837	0.43	0.490	\$6,402.53
Paid Live Call	0.1500	379,837	0.43	0.490	\$12,004.75
Paid Live Call	0.1500	379,837	0.43	0.490	\$12,004.75
					\$245,940.66

PRESIDENTIAL PERSUASION UNIVERSE: 926,525 Strasma Placeholder

SWING/PERSUASION	Unit Cost	Broad U	Contact	Match/HH	Cost
Paid Auto ID Call	0.2000	926,525	0.50	0.490	\$45,399.73
Paid Live ID Call	0.5000	926,525	0.50	0.490	\$113,499.31

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Volunteer Persuasion Call	0.0800	926,525	0.50	0.490	\$18,159.89
Mail 1	0.4000	926,525	1.00	0.625	\$231,631.25
Mail 2	0.4000	926,525	1.00	0.625	\$231,631.25
Mail 3	0.4000	926,525	1.00	0.625	\$231,631.25
Mail 4	0.4000	926,525	1.00	0.625	\$231,631.25
Volunteer GOTV Call	0.0800	926,525	0.50	0.490	\$18,159.89
1 Paid Live GOTV Call	0.1500	926,525	0.50	0.490	\$34,049.79
1 Paid Auto GOTV Call	0.0800	926,525	0.50	0.490	\$18,159.89
					\$1,173,953.50

\$3,875,748.12

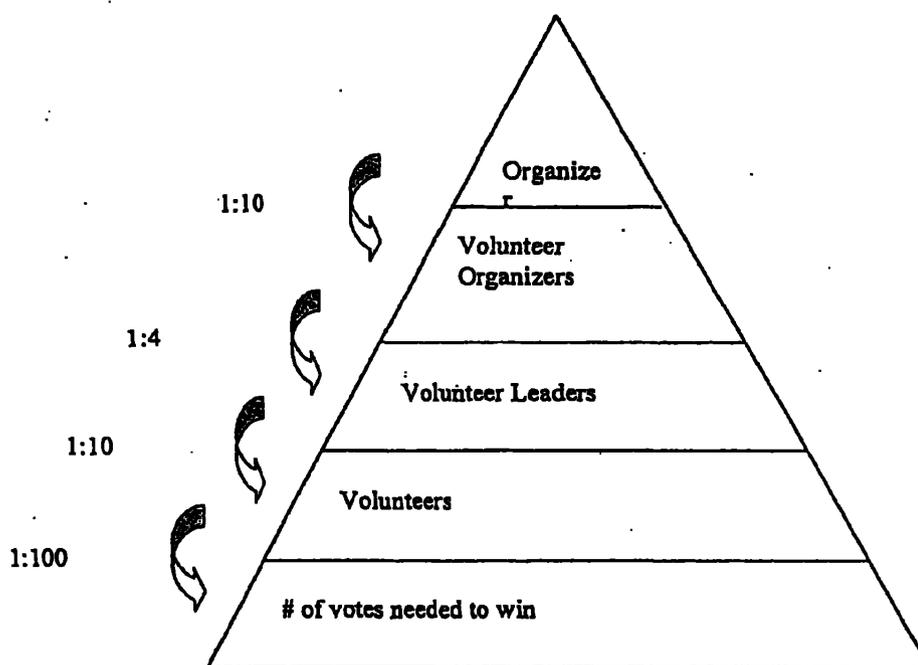
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III. CAPACITY:

The Victory 2004 campaign must rely on unprecedented volunteer commitment and effort to build a grassroots organization unlike one ever seen in Florida and the Democratic Party. We must engage supporters to build the capacity to carry out our voter contact goals. For example, to meet just the call goals, the campaign will need at least 1,092,230 shifts of volunteer service in the final two months. And given the campaign's assumption that it takes one volunteer to win 100 votes, we will need a total of at least 33,142 (win number 3,314,240 divided by 100) volunteers on our team. Clearly the need to develop an elaborate and intense grassroots campaign organization is of the utmost importance in the coming weeks.

Assumptions:

The following pyramid illustrates the assumptions underlying volunteer capacity goals for the campaign:



Volunteer Capacity Calculations:

To win, the campaign will need significant manpower from its grassroots volunteer operation. As outlined above, the biggest facet of the volunteer effort will be the completion of 1,092,230 volunteer-to-voter calls. We estimate that this will necessitate 24,282 volunteer shifts:

- Between September 1 and Election Day, there are approximately 71 working campaign days (this excludes Yom Kippur, and Rosh Hashannah, Halloween, and September 11 and counts weekend days as double).
- Each 'working campaign day' will include 3 hours of voter contact, with an estimated 15 attempted contacts per hour.
- At this rate, to meet its goals the campaign will need to include (1,092,230 / 45 / 71) 342 volunteers per working day for a total of 24,282 volunteers between September 1 and Election Day. (Note: as of this writing, 35,000 volunteers have signed up on the JohnKerry.com website alone.)

These volunteers will be led by the most extensive precinct leader team in Florida history. To date, the campaign has already identified a significant number of precinct leaders through its house meeting and community action meeting programs. To date, more than 27,771 volunteers have also been identified for the effort.

Within several weeks the campaign will have identified a total of 3,809 precinct captains, including 1391 from targeted base precincts and 2,418 targeted persuasion precincts.

But these calls are just one part of the volunteer program. Volunteers will be integral to every part of the campaign. Because the campaign estimates that it takes one volunteer to earn 100 votes, we believe the campaign will need at least the 33,142 volunteers, and probably many more.

To build a team consisting of 33,142 volunteers, we need:

- 15% of our volunteers recruited in June (4,971)
- 25% of our volunteers recruited in July (8,286)
- 50% of our volunteers recruited in August (16,571)
- 80% of our volunteers recruited in September (26,514) and
- 100% of our volunteers recruited in October (33,142)

Volunteer Phoning and Canvassing:

Our primary volunteer phoning and canvassing operations will be run through centralized phone banks and canvass sites out of our field offices. By September 10, we will have least 25 field offices throughout the state of Florida.

Precinct Teams:

Precinct organizing will anchor our voter contact program. Precinct captains will be recruited in all target base and persuasion precincts. Our primary focus is creating teams with a precinct captain and one volunteer per 100 Democratic votes. Their purpose will be to implement a volunteer-based voter contact program.

Organizing Conventions & Trainings:

Our first in-state training for field organizers was held August 27th. Two additional trainings will be held in September and October. The goal of each training is to review the strategy of the next phase of the field plan. In addition, regional organizing conventions will be held on September 12th and October 9th. The October training will focus on Early Vote tactics. Finally, local trainings will be held regularly in every field office for precinct captains, volunteer organizers and phone bank supervisors.

"Road Trip to Victory" Out of State Volunteers and Travelers:

Florida is in a unique position to draw out-of-state volunteers because of its status as the site of the Florida recount and as a symbolic battleground. Led by an Out-of-State Volunteer Coordinator, Victory 2004 will coordinate recruitment and deployment of 10,000 out of state volunteers for targeted get out the vote efforts.

The campaign recently brought on additional staffers to help ensure a smooth, efficient and massive out-of-state effort:

- A full-time senior operative joined the Florida campaign recently to identify 'ubers' who can manage counties and key precincts for the final month of the campaign. These ubers will work with existing field staff to implement GOTV efforts in key regions.
- An additional staff member started work in the headquarters recently to secure housing for the influx of out-of-state talent.
- We are also investigating adding several paid staffers to assist with the management of the out of state volunteer program on a regional basis.

IV. ADDITIONAL PROGRAMMATIC ELEMENTS AND TOOLS:

Volunteer and Voter Tracking:

- **Voter File:** The Florida voter file is managed by Leverage and hosted online. Each organizer has access to the voter information for his or her geographic region. Organizers will print call and canvass lists using Leverage. The IDs gained through calling and canvassing will be inputted into the voter file nightly. Because the current phone match on the voter file is 49%, we will engage in a program to enhance the Florida voter file with new phone numbers (including possibly prospecting by auto-call for live numbers, i.e. call 240-0000, then 240-0001).
- **Bottled Lightning:** this program tracks and records field volunteer activity including events and office work, house meetings and constituency preferences. It will also communicate with the voter file.
- **Dashboard:** The "Dashboard" online software tracks progress against goals, using information from Bottled Lightning and the Voter File. It allows staff and precinct leaders to easily gauge progress regionally and statewide.

Ballot Protection:

We believe a comprehensive program combining and merging legal, field and resources aimed at both preventing and preparing for a potential recount is critical. Dave Friedman has joined the campaign to establish an organization capable of mounting an extremely aggressive legal operation.

The specter of 2000 still haunts Florida politics and the current machination by the Secretary of State regarding the "felon list" demonstrates that without continuous oversight, we should expect no better in 2004.

Critical in a state as large as Florida are varied electoral protection and enhancement strategies relating to absentee ballots (both domestic and overseas); poll protection, felon issues, and machine monitoring and validation. This is a unique necessity combined (as the Recount was) field and lawyer operation that needs the cooperation of the entire team.

We utilized the August 31st primary as an opportunity to do a dry run of this lawyers' operation and will develop a comprehensive ballot review, ballot security and voting machine security validity plan.

Total pre-recount cost of this program is \$85,000. Please see Appended Election Protection Plan for additional information.

Minority Media:

We believe that it is important to institutionalize a specific minority media, mail and phone program in three different communities - Caribbean, African-American and non-Cuban Latino. We will work to identify vendors in all these areas.

The total media budget would be \$750,000 (\$475,000 African-American and \$275,000 Hispanic). The radio could be paid either on a split if there are partisan references or 100% non-Federal if, for example, the script were simply 'Get Out and Vote Today, Our Lives and Future Depend On It.'

The mail should be a discreet subset of the base program and should have no additional costs element.

Military Families:

We believe cutting the Bush margin among military families provides us with a real opportunity in Florida. The margin among military absentee ballots was critical in the 2000 election.

We would like to understand what current thinking is among this voter segment, and determine whether a focused mail and phone operation would bear fruit (particularly, given the number of ex-senior military officers who endorsed Senator Kerry). We propose utilizing at least two focus groups: one aimed at returned reservists and the other, families of currently stationed full-time military.

A well-orchestrated and timed surrogate operation will also be designed to increase support in this segment.

If a military families program is considered, the program cost is estimated at \$100,000.

Referenda:

Florida voters will be faced with eight different constitutional amendments on the November 2 ballot. Each initiative will attract a different constituency and needs to be taken into account through the remainder of the campaign. Among the initiatives:

- **Parental Notification Of A Minor's Termination Of Pregnancy:** Proposing an amendment to the state Constitution to authorize the Legislature to require by general law for notification to a parent or guardian of a minor before the termination of the minor's pregnancy.
- **The Medical Liability Claimant's Compensation Amendment:** Proposes to amend the state Constitution to provide that an injured claimant who enters into a contingency fee agreement with an attorney in a claim for medical liability is entitled to no less than 70 percent of the first \$250,000 in all damages received by the claimant, and 90 percent of damages in excess of \$250,000, exclusive of reasonable and customary costs and regardless of the number of defendants.
- **Authorizes Miami-Dade and Broward County Voters to Approve Slot Machines In Pari-mutuel Facilities:** Authorizes Miami-Dade and Broward counties to hold referenda on whether to authorize slot machines in existing, licensed pari-mutuel facilities (thoroughbred and harness racing, greyhound racing, and jai alai) that have conducted live racing or games in that county during each of the last two calendar years before effective date of this amendment.
- ***Florida Minimum Wage Amendment:** Creates a Florida minimum wage covering all employees in the state covered by the federal minimum wage. The state minimum wage will start at \$6.15 per hour six months after enactment, and thereafter be indexed to inflation each year.
- **Repeal of High Speed Rail Amendment:** Repeals an amendment in the Florida Constitution that requires the Legislature, the Cabinet and the Governor to proceed with the development and operation of a high speed ground transportation system by the state and/or by a private entity.
- **Patients' Right to Know About Adverse Medical Incidents:** Current Florida law restricts information available to patients related to investigations of adverse medical incidents, such as medical malpractice. This amendment would give patients the right to review, upon request, records of health care facilities' or providers' adverse medical incidents, including those which could cause injury or death.
- **Public Protection from Repeated Medical Malpractice:** Current law allows medical doctors who have committed repeated malpractice to be licensed to practice medicine in Florida. This amendment prohibits medical doctors who have been found to have committed three or more incidents of medical malpractice from being licensed to practice medicine in Florida.

(Source: FloridaVoteSmart.org)

Student Organizing:

If 2004 is as close in Florida as 2000 was, finding new voters, especially new voters on campus, could be the difference between a win and a loss. The student population in Florida, as described in the table below, is significant enough to warrant an aggressive student-organizing program.

School	Undergra	Location	Phone	Website
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	duates			
University of Florida	47,640	Gainesville	352-392-1365	www.ufl.edu
Florida Institute of Technology	2,300	Melbourne	321-674-8030	www.fit.edu
University of Central Florida	44,000	Orlando	407-823-3000	www.ucf.edu
University of North Florida	13,620	Jacksonville	904-620-2624	www.unf.edu
University of South Florida	42,000	Tampa	813-974-3350	www.usf.edu
University of West Florida	9,267	Pensacola	850-474-2230	uwf.edu
Florida A&M University	12,463	Tallahassee	850-599-3796	www.famu.edu
Florida Atlantic University	23,836	Boca Raton	561-297-3040	www.fau.edu
Florida Southern College	2,300	Lakeland	941-680-4111	www.flsouthern.edu
Florida State University	37,328	Tallahassee	850-644-2525	www.fsu.edu
Jacksonville University	2,050	Jacksonville	904-744-3950	www.ju.edu
Nova Southeastern University	4,100	Ft. Lauderdale	954-262-7300	www.nova.edu
Rollins College	2,837	Winter Park	407-646-2000	www.rollins.edu
University of Miami	9,000	Coral Gables	305-284-2211	www.miami.edu
University of Tampa	3,000	Tampa	813-253-3333	www.utampa.edu
Florida Gulf Coast University	5,122	Fort Myers	800-590-3428	www.fgcu.edu
Florida International University	33,436	Miami	(305) 348-2000	www.fiu.edu
Total at Major Campuses:	294,299			

A special outreach effort will be made to historically black colleges and universities throughout Florida. The most significant of these campuses are as follows:

Florida A&M University	11,150	Tallahassee	850-599-3796	www.famu.edu
Bethune Cookman College	2,301	Daytona Beach	940-255-1401	www.bethune.cookman.edu
Edward Waters College	610	Jacksonville	904-355-3030	www.ewc.edu
Florida Memorial College	1500	Miami	305-626-3650	www.fmc.edu

Student Organizing Goals:

FL student organizer will facilitate student program to achieve three goals:

- 693 student volunteers;
- Campus organizations (with leaders) on every major campus;
- Participate in voter contact with field organizers.

Student Organizing Phases:

- **Recruiting Campus Organizers:** We will establish campus-by-campus steering committees, and campus organizers will work in regional field offices and be responsible for activity on their individual campuses. Individual organizers will not be compensated monetarily but will receive internship credit or recommendations based on performance.
- **Conference Call with Student Leadership:** We will schedule a conference call to introduce our campaign team and to foster a dialogue among interested students. This will be our first opportunity to engage student leaders and interested students.
- **Calendar of Tabling Opportunities and Welcome Back Week:** Assembling a calendar of opportunities at campuses around the state will enable regional organizers to act quickly to recruit students when they arrive in their regions.

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- **Increase Student Vote on FL Campuses:** We will obtain student directories for every major campus and match this data against the voter file will make it easier for the campaign to target the unregistered students as well as ID and turnout those who are already registered to vote.
- **Student Targeted Events and GOTV Concerts:** Events targeted to students and hosted on college campuses in the weeks leading up to November 2 will be critical to motivate large student populations to the polls.

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V. UNIVERSES & CALL PROGRAM:

Florida is a complex state of numerous geographic regions that range from large urban cities to rural towns. It is imperative that targeted call universes and programs be applied regionally rather than to the state as a whole. Call scripts and talking points must also be tailored according to regional polling data.

Kerry Vote Goal By the Numbers:

North: 567,795 Kerry Vote Goal
497,758 Democratic Base Voters
196 Base Precincts (108,179 base voters)
622 Swing Precincts (58,955 swing voters)

Plan of Action:

1. Recruit 818 Precinct Captains
2. Swing Precincts Universe: Blind ID to Independents in swing precincts
3. Base Precincts Universe: Persuasion message & ID to low performing D's & independents

Central: 1,475,361 Kerry Vote Goal
1,238,432 Democratic Base Voters
253 Base Precincts (122,346 base voters)
2379 Swing Precincts (376,587 swing voters)

Plan of Action:

1. Recruit 2632 Precinct Captains
2. Swing Precincts Universe: Blind ID to Independents in swing precincts (Independent voters with verified phones)
3. Base Precincts Universe: Persuasion message & ID to low performing D's & independents

South: 1,271,581 Kerry Vote Goal
1,058,322 Democratic Base Voters
937 Base Precincts (490,758 base voters)
1205 Swing Precincts (174,582 swing voters)

Plan of Action:

1. Recruit 937 Precinct Captains
2. Base Precincts Universe: Persuasion message & ID to low performing D's & independents (Dems & Independents with verified phones, who voted in '00 but not '02)
3. Swing Precincts Universe: Blind ID to Independents in swing precincts (Independent voters with verified phones)

Presidential Swing Precincts:

North: 58,955 voters
36,846 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/24-9/4	36,846	.10	3,684

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Week 6	9/5-9/11	36,846	0.10	3,684
Week 5	9/12-9/18	36,846	0.12	4,422
Week 4	9/19-9/25	36,846	0.14	5,158
Week 3	9/26-10/2	36,846	0.16	5,895
Week 2	10/3-10/9	36,846	0.18	6,632
Week 1	10/10-10/16	36,846	0.20	7,368

Central: 376,587 voters
235,366 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/29-9/4	235,366	0.10	23,536
Week 6	9/5-9/11	235,366	0.10	23,536
Week 5	9/12-9/18	235,366	0.12	28,243
Week 4	9/19-9/25	235,366	0.14	32,951
Week 3	9/26-10/2	235,366	0.16	37,658
Week 2	10/3-10/9	235,366	0.18	42,366
Week 1	10/10-10/16	235,366	0.20	47,073

South: 174,582 voters
109,113 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/29-9/4	109,113	0.10	10,911
Week 6	9/5-9/11	109,113	0.10	10,911
Week 5	9/12-9/18	109,113	0.12	13,093
Week 4	9/19-9/25	109,113	0.14	15,276
Week 3	9/26-10/2	109,113	0.16	17,458
Week 2	10/3-10/9	109,113	0.18	19,640
Week 1	10/10-10/16	109,113	0.20	21,823

Base Precincts:

North: 108,179 voters
67,612 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/29-9/4	67,612	0.10	6,761
Week 6	9/5-9/11	67,612	0.10	6,761
Week 5	9/12-9/18	67,612	0.12	8,113
Week 4	9/19-9/25	67,612	0.14	9,466
Week 3	9/26-10/2	67,612	0.16	10,818
Week 2	10/3-10/9	67,612	0.18	12,170
Week 1	10/10-10/16	67,612	0.20	13,522

Central: 122,346 voters
76,466 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/29-9/4	76,466	0.10	7,646
Week 6	9/5-9/11	76,466	0.10	7,646
Week 5	9/12-9/18	76,466	0.12	9,175

Week 4	9/19-9/25	76,466	0.14	10,705
Week 3	9/26-10/2	76,466	0.16	12,235
Week 2	10/3-10/9	76,466	0.18	13,764
Week 1	10/10-10/16	76,466	0.20	15,293

South: 490,758 voters
306,724 HH

Week	Dates	Universe	Pct Calls	Total Calls
Week 7	8/29-9/4	306,724	0.10	30,672
Week 6	9/5-9/11	306,724	0.10	30,672
Week 5	9/12-9/18	306,724	0.12	36,807
Week 4	9/19-9/25	306,724	0.14	42,941
Week 3	9/26-10/2	306,724	0.16	49,076
Week 2	10/3-10/9	306,724	0.18	55,210
Week 1	10/10-10/16	306,724	0.20	61,345

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VL TIMELINE:

Phase II: Building Support-8/23-9/12

Goals:

- Build volunteer capacity in specific areas of concentration to conduct voter contact

Steps:

- Call Independents in Swing Precincts
- Call weak-voting Democrats in Base Precincts
- Identify 50% of Precinct Captains

Sunday, August 22 nd	<ul style="list-style-type: none"> • Planning meeting with RFDs and FD – 1 pm • Statewide Field Call – 3 pm
Sunday – Thursday, August 22 nd -26 th	<ul style="list-style-type: none"> • Phone Banks • Calls to ID independent voters in persuasion precincts
Saturday, August 28 th	<ul style="list-style-type: none"> • Statewide Field Training at Broward County AFL-CIO
Sunday, August 29 th	<ul style="list-style-type: none"> • Statewide Planning Meeting – 1-6 pm • Statewide Field Call – 3 pm
Sunday-Thursday, August 29 th – September 3 rd	<ul style="list-style-type: none"> • Phone Banks to independent voters in persuasion precincts
Sunday, September 12 th	<ul style="list-style-type: none"> • Organizing Conventions throughout Florida

Phase III: Persuade & Motivate the Voters- 9/13-10/16

Goals:

- Turn persuadable voters into Kerry/Edwards voters through a personal voter contact
- Begin preparations for Early Vote campaign (esp. NPA women in I-4 corridor)

Steps:

- Call Independents in Swing Precincts
- Call weak-voting Democrats in Base Precincts
- Identify 100% of Precinct Captains

Sunday-Thursday, September 13 th -16 th	<ul style="list-style-type: none"> • Phone Banks • ID calls to independent voters in persuasion precincts
Sunday, September 19 th	<ul style="list-style-type: none"> • Planning Call with RFDs and FD – 1 pm • Statewide Field Call – 3pm
Sunday-Thursday, September 20 th – 23 rd	<ul style="list-style-type: none"> • Phone Banks to ID independent voters in persuasion precincts
Saturday, September 25 th	<ul style="list-style-type: none"> • Canvass
Sunday, September 26 th	<ul style="list-style-type: none"> • Planning call with RFDs and FD – 1 pm • Statewide Field Call – 3pm
Sunday – Thursday, September 26 th – 29 th	<ul style="list-style-type: none"> • Phone Banks • Calls to ID independent voters in persuasion precincts
Thursday, September 30 th	<ul style="list-style-type: none"> • Presidential Debate (Miami) • Organize Visibility outside debate • Organize Statewide FDP fundraisers

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Friday, October 1	• Reporting of Absentee Ballot Requests
Saturday, October 2	• Canvass
Sunday, October 3 rd	• Planning meeting with RFDs and FD – 1 pm • Statewide Field Call 3pm
Sunday, October 3 rd	• State Leadership Training with Rakis, Shea, Robinson, Baker, Baldick et al
Sunday – Monday, October 3 rd – 4 th	• Phone Banks to ID independent voters in persuasion precincts
Tuesday, October 5 th	• Vice Presidential Debate (Cleveland) • Organize Debate Watch Parties
Wednesday – Thursday, October 6 th and 7 th	• Phone Banks to ID independent voters in persuasion precincts
Friday, October 8 th	• Presidential Debate (St. Louis) • Organize Watch Parties • FDP Low Dollar Fundraiser
Saturday, October 9 th	• In-State Training for Field Staff
Sunday – Tuesday, October 10 th – 12 th	• Phone Banks to ID independent voters in persuasion precincts
Wednesday, October 13 th	• PC & Phone Bank Leader Training, followed by Debate Watch Party
Thursday, October 14 th	• Early Vote Phone Banks
Friday, October 15 th	• Reporting of Absentee Ballot Requests
Saturday, October 16 th	• Organizing Convention for field and constituency staff and top volunteer leadership

Phase IV: Early Vote 10/17-10/28 (Early Vote Begins October 18th)

Goal:

- Turn out voters for Early Vote

Steps:

- See Early Vote section of plan

Sunday, October 17 th	• Planning Meeting with RFDs and FD – 1 pm • Statewide Field Call – 3 pm
Sunday-Sunday, October 17 th -October 28 th	• Early Vote Canvasses and Phone Bank to Base Precincts and Ids
Monday, October 18 th	• Early Vote (Absentee Vote in Person) begins
Sunday, October 24 th	• Planning meeting with RFDs and FD – 1 pm • Statewide Field Call – 3 pm

Phase V: Remind the Voters 10/29-11/1

Goals:

- Remind voters of the how, where, and when to vote

Steps:

- Deploy volunteers for GOTV
- Train volunteers, precinct & phone bank leaders for GOTV

Friday-Monday, October 29 th – November 1 st	• Phone Banks and Canvasses
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Sunday, October 31st

- Planning meeting with RFDs and FD – 1pm
- Statewide Field Call – 3 pm

Phase VI: GOTV-Get out the Vote- 11/2

Goals:

- Turnout all identified 1s and base voters

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VII. PAID FIELD STAFF:

Field Organizers:

Central Region (41 organizers)	North Region (11 organizers)	South Region (41 organizers)
Daytona (5)	Gainesville (4)	Ft. Lauderdale/Broward (14)
Melbourne (5)	Jacksonville (2)	Ft. Myers (4)
Orlando (8)	Pensacola (2)	Miami-Dade (15)
St. Petersburg (13)	Tallahassee (3)	Palm Beach (8)
Tampa (10)		

Late October GOTV Staff (125k):

Senior GOTV, communications, and surrogate advance staff will be added to each field office during September.

Office Locations:

County	City		County	City
Alachua	Gainesville	<i>We anticipate the need for additional offices during September. The offices listed here are the campaign's initial beachheads in the most important counties.</i>	Miami Dade	Little Haiti
Brevard	Melbourne		Miami Dade	Calle Ocho
Broward	Ft. Lauderdale HQ		Miami Dade	Aventura
Broward	Plantation		Miami Dade	Palmetto Bay
Duval	Jacksonville		Orange	Orlando Main
Escambia	Pensacola		Orange	Orlando East
Hillsborough	Tampa		Palm Beach	West Palm Beach
Leon	Tallahassee Main		Palm Beach	Delray
Leon	Tallahassee Storefront		Palm Beach	Belle Glade
Miami Dade	Miami Main		Pinellas	St. Petersburg
Miami Dade	Liberty		Volusia	Daytona Beach

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APPENDICES

A. Veterans Organizing Plan

Veteran Population: 1,875,597 (15% of the state)
Congressional Veterans: Sen. Bill Nelson and Rep. Allen Boyd
National Guard and Reserve Troops deployed: 42% (13,788 – which I believe is the highest in the nation.)
Active Duty: 55,267
Reserve: 48,198
National Guard: 13,158
Killed in Iraq/Afghanistan: 40/13

If you add in the active duty, reserve and National Guard you add an additional 116,623 military personnel in the state. Also, if you assume that in general there is one member of these units in each household, you are looking a potentially an additional 116K households that have a direct household military connection in the state. Anecdotally, you will have extended families, parents, siblings etc...that may live in the state and have strong military connections.

All of the following numbers are based on population data rather than voter registration data.

Breakdown of Veterans by field region is as follows:

Total	Central	5,248,621	913,369	17%
Total	South	4,695,372	534,609	11%
Total	North	2,339,493	427,619	18%

Vet population in the state corresponds nicely with the presidential swing voters from the targeting:

Central:	430,601
South:	355,895
North:	140,069

Breakdown of veterans by media market is as follows:

Media Market	Total Pop	% Vet	Raw Vet #
Tampa-St. Petersburg	2,902,829	18%	522,509
Orlando	2,249,316	17%	382,384
Miami	2,999,476	8%	239,958
West Palm Beach	1,262,110	16%	201,938
Jacksonville	1,068,435	18%	192,318
Mobile, AL – Pensacola	910,195	18%	163,835
Fort Myers – Naples	733,795	19%	139,421
Tallahassee – Thomasville, GA	472,504	13%	61,426
Panama City	242,002	19%	45,980
Gainesville	222,023	13%	28,863

Breakdown of media market and corresponding field regions:

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Media Market / Region	Total Pop	% Vet	Raw Vet #
Tampa-St. Petersburg	2,902,829	18%	522509
Orlando	2,249,316	17%	382384
Central	5,152,145	18%	904,893
Fort Myers -- Naples	733,795	19%	139421
Miami	2,999,476	8%	239958
West Palm Beach	1,262,110	16%	201938
South	4,995,381	12%	581317
Jacksonville	1,068,435	18%	192318
Mobile AL -- Pensacola	910,195	18%	163835
Tallahassee -- Thomasville, GA	472,504	13%	61426
Panama City	242,002	19%	45980
Gainesville	222,023	13%	28863
North	2,915,159	17%	492422

It is clear from population numbers that the most crucial veteran region in the state for the campaign is central Florida. 49% of all the veterans in Florida live in the central region - almost one million veterans - and the two main media markets in central FL cover virtually all of the veterans in this region. Almost one in six people in this region are veterans. In addition, this area represents the campaign's highest number of presidential swing voters according to the targeting.

The rest of the veterans in the state are relatively evenly divided between the northern and southern regions. The density of veterans compared to the general population in the north is 30% greater but due to the sheer size of the population in the southern region there is a greater raw number of vets. The small and diverse number of media markets in the north, make communicating through free press on mass more difficult - or at least more balkanized. The large and concentrated markets in the south provide more centralized free press opportunities for high level surrogates.

Veterans Surrogates:

Based on the vet population numbers, targeting and set up of the media markets we should concentrate our veteran surrogate trips in the central part of the state with the heaviest emphasis on Orlando, Tampa -- St. Pete and the I-4 corridor. My guess is that veterans in the south will tend to be more supportive of Kerry-Edwards than in the north but we need some survey research to here to drive the north / south scheduling. On a basic level, scheduling veteran surrogates for the north could help tamp down GOP vote and cut into their advantage there.

Available veteran surrogates currently used by the campaign and the DNC are:

- Senator Max Cleland
- Crewmates and Swift Boat Captains
- General Clark
- Ambassador and former FL Congressman Pete Peterson
- 12 generals from the convention (including former Joint Chiefs of Staff Crowe and Shalikashvili)
- Balanos Brothers (5 Hispanic brothers who all fought in Vietnam)
- Paul Bucha and other Congressional Medal of Honor Recipients
- General Claudia Kennedy

- Paul Rieckhoff (Served in the Army in Iraq, just came off active duty in May. Has been an outspoken critic of the war)
- Joseph Lesniewski- Kerry's guest for the WWII memorial. 101st Airborne, 506th Regiment, Easy Company, famous "Band of Brothers."

Veterans Field Situation:

Currently there are 4,481 veterans marked on the voter file in FL – this is .2% of the number of veterans in the state. We have 3,390 veterans that have signed up to be Veterans for Kerry in Florida according to the campaign. That gives us a starting point of 7,871 vets in the state in addition to what the local organizers have collected – which seems to be limited to date.

According to research, there are two main ways to find vets in large numbers in FL.

- Any veteran that is at least 10% disabled due to their service is eligible for property tax relief. Property taxes are generally public record but they are assessed by county. We are checking with two or three supportive county commissioners to see how much of this data we will be able to mine but this will still only give us disabled veterans.
- Military plates available in FL if you are a member of the National Guard, U.S. Reserve, Ex-Prisoner of War, Pearl Harbor Survivor, Purple Heart, and Medal of Honor societies. HSMV also issues military services specialty license plates for the United States Army, Navy, Air Force, and Coast Guard. All military plates, except Medal of Honor, are available at local tax collector's offices. I am hopeful that there are 150-200K of these plates in the state. Preliminary research indicates that we will be able to buy these lists through vendors but I will not have an answer to that until Monday at the earliest.

Other options: The remaining options are the traditional networks – VFW, American Legions, Army reserves and national guards and other veteran organizations in the state. We are currently putting together a comprehensive list of all of these organizations in the state and will need to go to the local organizers to collect local veterans lists from supportive vets. This approach is limited in creating enough data to run a real field program unless we hit the jackpot.

Yvet Organizers:

We should hire 3 organizers, one for each region with the best organizer assigned to central FL. We may even want to consider hiring a late addition to the central region for the final month. Depending on the success of the data search, these folks could be added to the surrogate team if we come up short on the data and need to concentrate on press and surrogates.

State Leadership Structure:

We will put together a statewide veterans steering committee with county captains responsible for veteran-to-veteran outreach in their community. This steering committee will have regular conference calls to keep the group updated and on the same program.

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APPENDIX B. Turnout by Race and Ethnicity in Recent Florida Elections

2000 GENERAL ELECTION

Race	# Reg	% Reg	# Reg Dem	% Reg Dem	# Reg GOP	% Reg GOP	# Reg I/N	% Reg I/N
Caucasian	6,613,587	53.18%	2,614,913	39.54%	2,906,263	43.94%	1,077,495	16.29%
African-American	888,487	38.08%	754,533	84.92%	48,446	5.45%	85,084	9.58%
Hispanic	734,033	31.87%	236,314	32.19%	324,573	44.22%	172,173	23.46%
Hispanic/Other	913,802	35.37%	304,398	33.31%	372,979	40.82%	234,722	25.69%
Total	8,415,876	55.90%	3,673,844	43.65%	3,327,688	39.54%	1,397,299	16.6%

1998 GENERAL ELECTION

Race	# Reg	% Reg	# Voted	% of Voters	% Voted (of Reg)	% Voted (of total)
Caucasian	6,586,453	52.96%	3,240,526	83.24%	49.2	26.06%
African-American	856,974	36.73%	357,108	9.17%	41.67	15.30%
Hispanic	655,259	28.45%	225,538	5.79%	34.42	97.90%
Hispanic/Other	767,839	29.72%	295,216	7.58%	38.45	11.43%
Total	8,220,026	54.60%	3,892,850	100.00%	47.36	25.86%

1996 GENERAL ELECTION

Race	# Reg	% Reg	# Voted	% of Voters	% Voted (of Reg)	% Voted (of total)
Caucasian	6,565,941	52.80%	3,896,276	82.44%	59.34	31.33%
African-American	845,179	36.22%	446,290	9.44%	52.8	19.13%
Hispanic	583,862	25.35%	300,796	6.36%	51.52	13.06%
Hispanic/Other	686,757	25.80%	383,913	8.12%	57.58	14.86%
Total	8,077,877	53.65%	4,726,479	100.00%	58.51	31.39%

1994 GENERAL ELECTION

Race	# Reg	% Reg	# Voted	% of Voters	% Voted (of Reg)	% Voted (of total)
Caucasian	5,845,493	47.00%	0	0.00%		0.00%
African-American	614,384	26.33%	0	0.00%		0.00%
Hispanic	99,720	4.33%	0	0.00%		0.00%
Hispanic/Other	99,720	38.60%	0	0.00%		0.00%
Total	6,559,598	43.57%	0	0.00%		0.00%

Source: 2000 Coordinated Campaign Review

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APPENDIX C: Voter Statistics by County

COUNTY	REG	PROJECTED TURNOUT %	EXPECTED VOTE	GOAL TURNOUT %	GOAL TURNOUT RAW	PREZ SWING % (PVIDX3b)	PREZ SWING VOTERS	GOTV %	GOTV TARGET VOTERS	DEM BASE %	DEM BASE VOTERS	PREZ DEM PERFORMANCE	PERFORMANCE GOAL	GOAL
Alachua	125,480	71.	89,485	71.3	89,485	11.6	10,389	12.2	15,261	52.8	47,28	58.6	0.62	60.2
Baker	11,589	65.	7,641	65.9	7,641	11.2	853	7.7	897	31.6	2,41	35.2	0.62	35.8
Bay	99,257	63.	63,188	63.7	63,188	9.4	5,959	6.8	6,573	33.2	20,94	36.6	0.62	37.2
Bradford	13,767	66.	9,176	66.7	9,176	10.4	955	5.8	792	37.4	3,43	41.6	0.62	42.2
Brevard	307,054	77.	236,737	77.1	236,737	19.1	45,335	11.9	36,542	40.2	95,17	49.6	0.62	50.2
Broward	978,297	64.	634,324	64.8	634,324	18.6	118,301	15.9	155,836	55.9	354,42	68.3	0.62	68.9
Calhoun	7,602	71.	5,426	71.4	5,426	13.2	715	12.9	983	43.5	2,36	49.9	0.62	50.5
Charlotte	105,117	68.	71,964	68.5	71,964	14.6	10,492	6.5	6,830	38.3	27,57	44.9	0.62	45.5
Citrus	84,864	70.	59,866	70.5	59,866	15.2	9,082	6.0	5,087	41.0	24,53	48.3	0.62	48.9
Clay	83,929	66.	55,824	66.5	55,824	8.4	4,700	3.0	2,489	25.2	14,05	27.5	0.62	28.1
Collier	139,179	74.	104,261	74.9	104,261	10.2	10,614	6.4	8,934	29.3	30,56	32.7	0.62	33.3
Columbia	31,791	59.	19,036	59.9	19,036	11.1	2,117	5.3	1,884	39.7	7,55	44.8	0.62	45.2
De Soto	16,884	50.	8,446	50.0	8,446	11.9	1,001	6.5	1,091	41.2	3,47	48.6	0.62	47.2
Dixie	9,247	39.	3,658	39.6	3,658	15.2	557	6.7	821	39.9	1,45	48.9	0.62	47.5
Duval	446,788	65.	290,533	65.0	290,533	10.1	29,344	6.3	28,017	39.2	113,89	43.5	0.62	44.1
Escambia	173,477	68.	119,183	68.7	119,183	6.3	7,509	7.1	12,261	35.8	42,70	38.2	0.62	38.8
Flagler	38,721	81.	31,429	81.2	31,429	16.4	5,148	11.8	4,573	44.5	13,98	53.2	0.62	53.8
Franklin	7,008	62.	4,347	62.0	4,347	11.9	518	6.0	417	44.3	1,92	50.2	0.62	50.8
Gadsden	25,518	60.	15,361	60.2	15,361	17.2	2,641	4.4	1,133	57.6	8,84	69.2	0.62	69.8
Gilchrist	8,169	78.	6,413	78.5	6,413	10.8	691	14.7	1,199	38.7	2,48	43.4	0.62	44.0
Glades	5,737	54.	3,119	54.4	3,119	13.8	429	6.1	349	40.3	1,25	46.6	0.62	47.2
Gulf	9,083	63.	5,736	63.2	5,736	10.7	611	4.2	380	43.0	2,46	47.9	0.62	48.5
Hamilton	7,422	58.	4,353	58.6	4,353	12.6	547	10.7	792	44.1	1,91	50.3	0.62	50.9
Hardee	11,653	57.	6,701	57.5	6,701	12.7	852	7.2	833	38.5	2,57	43.9	0.62	44.5
Hendry	15,396	52.	8,051	52.3	8,051	14.1	1,138	8.0	1,229	37.3	3,00	42.9	0.62	43.5
Hernando	101,013	68.	68,992	68.3	68,992	15.2	10,501	7.7	7,732	44.4	30,66	52.5	0.62	53.1
Highlands	56,434	66.	37,747	66.9	37,747	14.0	5,296	7.0	3,949	37.0	13,94	42.9	0.62	43.5
Hillsborough	530,003	72.	382,572	72.2	382,572	12.4	47,324	10.3	54,796	44.4	169,79	50.5	0.62	51.1
Holmes	9,956	71.	7,142	71.7	7,142	10.4	743	9.8	971	34.8	2,48	38.9	0.62	39.5
Indian River	77,833	69.	54,168	69.6	54,168	12.2	6,614	7.2	5,580	37.2	20,12	42.5	0.62	43.1
Jackson	25,885	69.	17,943	69.3	17,943	7.7	1,389	7.5	1,937	44.4	7,97	48.1	0.62	48.7
Jefferson	8,178	71.	5,823	71.2	5,823	8.1	469	6.5	531	54.2	3,15	58.9	0.62	59.5
Lafayette	4,253	63.	2,695	63.4	2,695	15.0	405	4.8	205	36.0	97	42.4	0.62	43.0
Lake	141,178	68.	96,996	68.7	96,996	13.7	13,288	6.9	9,714	38.2	37,06	44.3	0.62	44.9
Lee	282,260	73.	206,241	73.1	206,241	12.3	25,388	7.2	20,444	35.2	72,57	40.2	0.62	40.8
Leon	145,177	71.	103,580	71.3	103,580	15.7	16,221	9.4	13,609	52.9	54,74	62.3	0.62	62.9

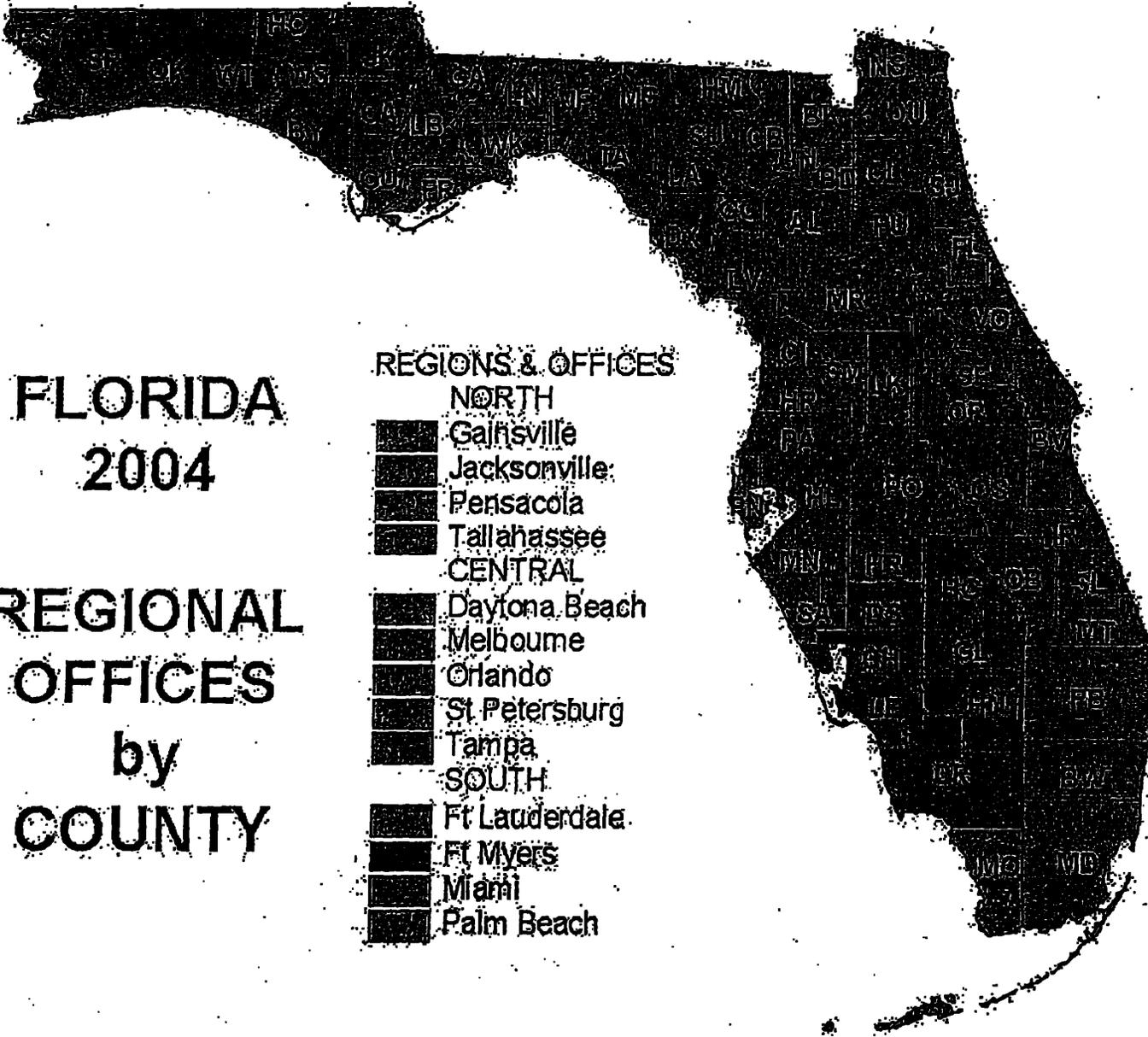
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Levy	19,940	69.	13,782	68.1	13,782	11.5	1,585	12.8	2,561	43.3	5.97	48.9	0.62	49.5
Liberty	3,750	64.	2,425	64.7	2,425	12.7	307	6.6	248	45.1	1.09	51.5	0.62	52.1
Madison	38,379	60.	23,174	60.4	23,174	13.7	3,182	27.2	10,430	47.5	11.00	54.9	0.62	55.5
Manatee	177,136	65.	115,620	65.3	115,620	13.9	16,060	6.3	11,165	40.6	46.96	47.1	0.62	47.7
Marion	162,018	69.	112,888	69.7	112,888	14.3	16,132	7.4	11,969	40.3	45.54	46.9	0.62	47.5
Martin	91,360	71.	65,685	71.9	65,685	18.6	12,185	7.2	6,530	35.6	23.38	43.8	0.62	44.4
Miami-Dade	959,720	69.	669,298	69.7	669,298	13.2	88,414	12.1	115,757	46.7	312.78	53.5	0.62	54.1
Monroe	50,429	70.	35,377	70.2	35,377	16.6	5,869	11.8	5,947	43.3	15.31	51.7	0.62	52.3
Nassau	37,897	67.	25,735	67.9	25,735	8.1	2,077	6.2	2,347	30.8	7.93	33.5	0.62	34.1
Okaloosa	110,484	64.	71,184	64.4	71,184	10.4	7,432	4.9	5,410	23.4	16.62	26.1	0.62	26.7
Okeechobee	17,473	58.	10,192	58.3	10,192	14.1	1,435	6.3	1,092	44.1	4.49	51.2	0.62	51.8
Orange	439,652	69.	304,663	69.3	304,663	22.0	66,934	11.5	50,667	41.3	125.85	52.6	0.62	53.2
Osceola	94,513	60.	57,477	60.8	57,477	20.4	11,731	7.2	6,813	42.9	24.63	53.6	0.62	54.1
Palm Beach	714,182	66.	476,489	66.7	476,489	18.7	88,913	11.3	80,442	52.1	248.39	63.7	0.62	64.3
Pasco	231,179	64.	149,607	64.7	149,607	9.1	13,659	6.3	14,570	47.1	70.39	51.8	0.62	52.4
Pinellas	580,851	69.	402,891	69.4	402,891	10.7	42,988	10.0	58,283	48.3	194.40	54.0	0.62	54.6
Polk	265,892	68.	181,298	68.2	181,298	16.0	29,008	9.5	25,124	40.5	73.35	47.9	0.62	48.5
Putnam	40,801	65.	26,561	65.1	26,561	12.6	3,352	7.7	3,149	43.8	11.63	50.0	0.62	50.6
Santa Rosa	81,582	64.	52,729	64.8	52,729	8.9	4,677	3.8	3,120	25.8	13.59	28.3	0.62	28.9
Sarasota	230,977	65.	150,489	65.2	150,489	14.5	21,776	8.2	18,973	40.6	61.17	47.5	0.62	48.1
Seminole	205,149	72.	148,377	72.3	148,377	19.3	28,607	11.7	23,891	36.9	54.75	45.7	0.62	46.3
St. Johns	93,589	68.	63,911	68.3	63,911	10.1	6,449	4.5	4,224	30.9	19.73	34.3	0.62	34.9
St. Lucie	127,436	66.	84,699	66.5	84,699	21.8	18,303	10.8	13,711	43.2	36.59	54.8	0.62	55.4
Sumter	35,944	71.	25,744	71.6	25,744	9.0	2,317	12.9	4,632	41.4	10.64	45.4	0.62	46.0
Suwannee	20,596	61.	12,672	61.5	12,672	12.4	1,568	4.5	923	34.7	4.40	39.5	0.62	40.1
Taylor	11,434	57.	6,605	57.8	6,605	21.9	1,445	7.0	801	35.1	2.32	44.3	0.62	44.9
Union	6,751	56.	3,807	56.4	3,807	18.8	715	7.4	498	36.1	1.37	44.4	0.62	45.0
Volusia	276,443	70.	195,264	70.6	195,264	14.1	27,454	10.9	30,156	47.6	92.88	55.3	0.62	55.9
Wakulla	13,744	64.	8,854	64.4	8,854	13.5	1,197	5.4	742	43.5	3.84	50.2	0.62	50.8
Walton	31,098	64.	20,084	64.6	20,084	8.9	1,789	6.5	2,032	32.5	6.52	35.8	0.62	36.4
Washington	13,852	56.	7,800	56.3	7,800	10.6	829	5.9	813	39.6	3.08	44.2	0.62	44.1
STATE TOTAL	9,329,430		6,373,538		6,373,538		926,525		931,291		2,794,51			3,

APPENDIX D: Field Organization Regions Map



**FLORIDA
2004**

**REGIONAL
OFFICES
by
COUNTY**

- REGIONS & OFFICES**
- NORTH**
 - █ Gainesville
 - █ Jacksonville
 - █ Pensacola
 - █ Tallahassee
 - CENTRAL**
 - █ Daytona Beach
 - █ Melbourne
 - █ Orlando
 - █ St. Petersburg
 - █ Tampa
 - SOUTH**
 - █ Ft. Lauderdale
 - █ Ft. Myers
 - █ Miami
 - █ Palm Beach

APPENDIX E: Absentee Vote in Person

Attorney-Client Privileged, Attorney Work Product

MEMORANDUM

To: Dave Friedman

August 21, 2004

From: Stephen F. Rosenthal

Re: Early Voting in Florida

Just three months ago, the Florida Legislature enacted a law creating a new system of "early voting" in the 2004 primary and general elections. Fla. Session Laws Ch. 2004-252, §§ 9-13. The early voting provisions create 15-day windows before election day in which people can cast a ballot, and they also affect certain deadlines for other aspects of the election laws.

1. The Law

1. Early Voting

1. Timing: A voter is entitled to cast a ballot in person during the fifteen days before election day at certain designated locations. Fla. Stat. §101.657(1)(b) (2004). Early voting must be made available for at least eight hours each weekday and at least eight hours in the aggregate during each weekend during the 15-day period.

- For the general election, early voting runs from October 18 - November 1.
- For the primary, early voting runs from August 16-30.

2. Locations: Each County Supervisor must designate early voting locations. Those locations are limited to: (1) the main office of the supervisor, (2) a branch office of the supervisor, provided that it is a "full-service facility of the supervisor" and was designated as such at least one year prior to the election, or (3) city halls and public libraries, provided that they are located "so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable." §101.657(1)(a) (2004). A supervisor must allow early voting to be conducted at the main office and at qualified branch offices, but has discretion over which city halls and public libraries to open to early voting.

3. Voting procedure: An early voter must complete a special certificate affirming that she is registered in the county and resides at the address shown on the voter registration

rolls. §101.657(2)(a) (2004). The voter who votes early shall "deposit[] the voted ballot in a voting device used by the supervisor to collect or tabulate ballots."

4. Challenges and provisional ballots: The same challenge procedure (pursuant to Fla. Stat. § 101.111) applies to early voting; however, the law requires that "[a]ny challenged [early] voter *must* vote a provisional ballot." Fla. Stat. § 101.657(2)(b) (2004) (emphasis added).

5. Canvassing: The canvass of early voted ballots "shall be substantially the same" as the canvassing of votes cast on election day. Fla. Stat. §101.657(2)(c) (2004). The ballots are to remain confidential until the close of the polls on election day. Fla. Stat. §101.657(1)(a) (2004) ("The results or tabulation may not be made before the close of the polls on election day"). As to provisional ballots, the canvassing board determines the validity of the ballot by majority vote. Fla. Stat. § 101.657(2)(b) (2004).

2. Other Deadlines Affected by the Early Voting Period

Addition of the early voting period required modification of several existing deadlines, which should be noted independently of how early voting is administered.

1. Deadline for revisions to security procedures: Prior to the 2004 amendment, each supervisor had to submit any revisions to the county's security procedures to the Department of State no later than 45 days before election day. That deadline has been advanced fifteen days, as the new law requires submission no later than 45 days before early voting commences. Fla. Stat. § 101.015(4)(c) (2004). For the general election, that deadline is September 2.

2. Timing of Testing of Automatic Tabulating Equipment: Each elections supervisor must now conduct the public test of the accuracy of the automatic tabulation equipment no earlier than ten days prior to the first day of early voting. Fla. Stat. § 101.5612(2) (2004). For the general election, that means the test must be conducted between October 8 and October 17. The supervisor or her designee must notify the county party chair of the date, time and location of the test at least fifteen days prior to the commencement of early voting.

II Legal and Practical Considerations

1. Early Voting Locations

1. Branch offices of the supervisors of elections: The provision permitting branch offices to be used as early voting sites is subject to two tenable interpretations.¹ Sites "designated as such" could refer to sites designated as full-service branch offices one year ago, or it could refer only to branch offices designated as early voting sites one year ago. On its face, the more plausible interpretation would seem to be the former, allowing supervisors to use established branch offices as early voting sites. Branch offices had already been authorized, under the prior version of the statute, as sites at which voters could cast absentee ballots in person. Fla. Stat. § 101.657(2) (2003). Were the new statute to be interpreted otherwise, no branch office could qualify to be used in the 2004 elections, since none of these sites could have been designated as an early voting site a year ago.

2. City halls and public libraries: The equal-opportunity-to-vote provision clearly evidences the Legislature's intent that all citizens, rich and poor, urban and rural, be afforded equal access to early voting sites. Most likely, this will require designating several city halls and public libraries as early voting sites. The supervisor has discretion to make the geographic selections of the city halls and libraries within the bounds of what is "practicable," Fla. Stat. §101.657(1)(a) (2004). In light of this statutory discretion, any challenge to a supervisor's site selection would need to demonstrate a failure to service a geographic sector of voters which has a conveniently located city hall or public library. An equal opportunity analysis would probably require a comparison of the number of registered voters within a certain radius of each designated site as well as an overlay of the party affiliation of registered voters in that area. A public records requests for documents showing how each supervisor arrived at his or her decision of which sites to open would be advisable to prepare for any legal challenge.

2. Weekend Hours

Because the statute affords county supervisors discretion over when to conduct early voting during the weekends -- requiring only eight hours of poll opening "in the aggregate" over the course of a weekend -- how that time is allocated could affect which voters might take advantage of the voting opportunity. For instance, a decision not to open early voting sites on a Sunday might weaken the ability of core Democratic church communities to organize trips to the polls.

3. Procedures

1. Repeal of witness requirement: Early voting replaced what had been known as in-office absentee ballot voting. Previously, in order to vote an absentee ballot at the supervisor of elections' office, a voter was required to have his signature witnessed by another person. See §101.657(2)(a) (2003). The "early voting voter certificate" replaces the "in-office voter certificate" and is identical except for the change in title and the deletion of the witness requirement. To the extent that any county has not generated revised forms, we should make sure that the defunct witness requirement has not crept into early voting by mistake. (In fact, the Division of Elections' website still erroneously implies that there is a signature verification requirement; its "Early

¹ The provision reads: "In order for a branch office to be used for early voting, it shall be a full-service facility of the supervisor and shall have been designated *as such* at least 1 year prior to the election" §101.657(1)(a).(emphasis added).

Voting" page advises "[v]oters who want to vote early . . . [to] remember to bring a photo and signature verification with them."²

2. *Ballot security*: The elongation of the voting period creates additional risks of lost or stolen ballots. The new law requires county supervisors to establish written procedures to assure the accuracy and security of "procedures related to early voting." §101.015(4)(b) (2004).

3. *Challenges and provisional ballots*: The 2004 amendments appear to make it easier for a challenger to force a voter to cast a provisional rather than a regular ballot. On election day at the precincts, the standard procedure is that the clerk and inspectors decide by majority vote whether a challenged voter may cast a regular or a provisional ballot. Fla. Stat. § 101.111(3)(a). The early voting provisions provide that "[a]ny challenged [early] voter *must* vote a provisional ballot." Fla. Stat. § 101.657(2)(b) (2004) (emphasis added). It then falls to the canvassing board to determine whether these ballots should be counted. *Id.* It might be argued that the early-voting-challenge provision's adoption of § 101.111 disallows any change in the rules governing when a voter must cast a provisional ballot. The better argument, however, is that the mandatory command in § 101.657(2)(b) that "[a]ny challenged voter must vote a provisional ballot" creates a different rule for early voting. Practically speaking, since early voting avoids perhaps the biggest downside of provisional balloting -- the incorrect-precinct-invalidation rule -- the effect of the challenge provision may not be that significant.

² <<<http://election.dos.state.fl.us/earlyvoting.shtml>>> (visited August 20, 2004) (emphasis added).

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APPENDIX F: General Information on Absentee Voting

NOTE: In order for a voter's absentee ballot to be counted, the voter must sign his/her name on the Voter's Signature's line.

NOTE: For an overseas voter, the voter must include the date he/she signed the Voter's Certificate on the "Date" line. §101.65(2004)

A. Who may vote Absentee?

An elector his or her residence to another is permitted to vote absentee in the county of his/her former residence in that election for President and Vice President, United States Senator, statewide offices, and statewide issues when an elector changes his or her residence to another county in Florida from the county in Florida in which he or she is registered as an elector after the books in the county to which the elector has changed his or her residence are closed. After the general election, such person shall not be permitted to vote in the county of the person's former residence. §101.663(1) (2004).

An elector registered in this state who moves his or her permanent residence to another state and who is prohibited by the laws of that state from voting for the offices of President and Vice President of the United States shall be permitted to vote absentee in the county of his or her former residence for those offices. §101.663(2) (2004).

Although neither the statute nor the administrative code expressly provides for the use of absentee ballots by all other voters, the Florida Department of State website notes that "[a]ll qualified voters are permitted to vote absentee under Florida law." See <http://election.dos.state.fl.us/absenteevoting.shtml>. This is consistent with Fla. Stat. § 101.64, which requires an absentee voter to affirm only that he or she is a registered and qualified voter in the county and that her or she will vote only once in the election. Fla. Stat. § 101.64 (2004).

B. Procedures for Obtaining

A request to the Secretary of State for an absentee ballot may be in person or in writing or by telephone. Except as provided in s. 101.694, one request shall be deemed sufficient to receive an absentee ballot for all elections which are held within a calendar year, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable. §101.62(1)(a)(2004)

The supervisor may accept a written or telephonic request for an absentee ballot from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(b). The person making the request must disclose the name of the elector for whom the ballot is requested; the elector's address; the elector's date of birth; the requester's name; the requester's address; the requester's driver's license number, if available; the requester's relationship to the elector; and the requester's signature (written requests only). §101.62(1)(b)(2004)

If a request for an absentee ballot is received after the Friday before the election by the supervisor of elections from an absent elector overseas, the supervisor shall send a notice to the elector acknowledging receipt of his or her request and notifying the elector that the ballot will not be forwarded due to insufficient time for return of the ballot by the required deadline.

§101.62(2)(2004)

To each absent qualified elector overseas who has requested an absentee ballot, the supervisor of elections shall, not fewer than 35 days before the first primary election, mail an absentee ballot. Not fewer than 45 days before the second primary and general election, the supervisor of elections shall mail an advance absentee ballot to those persons requesting ballots for such elections.

§101.62(4)(a)(2004)

NOTE: The provisions of this code shall not be construed to prohibit any elector from voting in person at the elector's precinct on the day of an election notwithstanding that the elector has requested an absentee ballot for that election. An elector who has received an absentee ballot, but desires to vote in person, shall return the ballot, whether voted or not, to the election board in the elector's precinct. The returned ballot shall be marked "canceled" by the board and placed with other canceled ballots. However, if the elector does not return the ballot and the election official:

§101.69(2004).

- (1) Confirms that the supervisor *has received* the elector's absentee ballot, the elector *shall not be allowed to vote in person*.
- (2) Confirms that the supervisor *has not received* the elector's absentee ballot, the elector *shall be allowed to vote in person* as provided in this code. The elector's absentee ballot, if subsequently received, shall not be counted and shall remain in the mailing envelope, and the envelope shall be marked "Rejected as Illegal."

Cannot determine whether the supervisor has received the elector's absentee ballot, the elector may vote a provisional ballot.

C. Deadlines

The absentee ballot should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office §101.65(2004), §101.67(2)(2004).

For absentee ballots received from overseas voters, there is a presumption that the envelope was mailed on the date stated on the outside of the return envelope, regardless of the absence of a postmark on the mailed envelope or the existence of a postmark date that is later than the date of the election. §101.6952(2)(2004).

FLORIDA LEGAL TEAM OPERATION OVERVIEW

GOALS

- Ensure every voter can cast a ballot that will be counted
- Promote voter confidence
- Answer questions and provide support to campaign staff

ORGANIZATION

- Core team of senior counsel and campaign election law coordinators to manage program (see Senior Counsel & Coordinators spreadsheet).
- 67 county lead counsels and deputy lead counsels managing operations at county level.
- 1,500 – 2,000 precinct attorneys for November 2.
- Issues teams and litigation team to address substantive issues and prepare for potential litigation.
- Integration with coordinated campaign – county lead counsel and teams to communicate directly with field offices to address problems, answer questions.

EARLY PREVENTION AND RESOLUTION OF PROBLEMS

- County lead counsel meet with Supervisors of Elections to collect information, fix problems from August through the November 2 election.
- Legal team provides information to campaign, helps formulate voter education plans.
- County counsel seek to persuade Supervisors to fix problems, litigation as last resort.
- Election law training for all volunteer lawyers, abbreviated training for poll watchers.

EARLY VOTING & NOVEMBER 2 OPERATIONS (see attached chart on p.2)

- Early voting: precinct lawyers present at all target polling places to assist voters.
- November 2: 1,500 – 2,000 precinct lawyers present at all target polling places, on call near other polling places.
- On-site precinct lawyers work with voters, campaign staff, and election officials to solve problems; county lead & deputy counsel work with Supervisors to fix larger problems.
- Incidents reported to county lead counsel, up to legal boiler room to detect systematic problems, consult with campaign boiler room and national legal team on major decisions.
- Litigation team and campaign press team available for emergency crisis response.

FIELD IMPLEMENTATION – connecting voters with precinct lawyers (see chart, p.3)

- Campaign volunteers and poll watchers contact lawyers directly for assistance.
 - Field staff and poll watchers get index card with cell phone number for (1) the precinct lawyer who will be present or nearby on call, and (2) county lead counsel/deputy counsel (who can dispatch precinct lawyers).
 - Poll watchers to wear blue hats; poll watchers & precinct lawyers to wear “Every Vote Counts” buttons.
 - Poll workers, precinct lawyers have legal bullet point sheets to answer questions.

- Problems also reported to toll-free 800 number, local campaign numbers; reports relayed to county lead/deputy counsel, who dispatch precinct lawyers to polling places.
 - GOTV lit and palm cards have phone numbers to contact for help.
 - Phone numbers distributed to constituency groups, organizers, etc.
- Legal boiler room to monitor radio, TV, internet reports of problems.

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Florida Democratic Legal Team organization – Election Day

VICTORY 2004 FLORIDA COORDINATED CAMPAIGN

28094184838

on call for assignments from boiler room

Lead counsel & staff (region coordinators?)
 • Master org lists, incl. issues group experts
 • Incident report log
 • Full law manuals
 • Monitor radio & TV

Talks to:
 1) county lead counsels
 2) regional supervisors
 3) issues group experts when needed
 4) campaign boiler room
 5) nat'l legal boiler room

Top campaign staff
 • Phone #s for legal boiler room

regional legal coordinators in boiler room or campaign field offices will monitor and coordinate with county lead/deputy counsel.

67 lead counsel, 67 deputy leads
 • Precinct lawyer lists w/phone #s
 • Basic law manual
 • Cell phone & Blackberry w/chargers
 • Phone #s for boiler room, region coordinator

Talks to:
 1) lawyers in field to monitor, solve problems
 2) poll watchers if precinct lawyer can't be reached
 3) campaign field office
 4) FL legal boiler room (or regional coordinator if necessary) with incident reports, updates

Field offices (13)
 Field supervisors & staff
 Maybe have regional legal coordinators in field offices?

deal program target of lawyers: ,370 @ targeted pcts 50 roaming (10 pcts each) ,820 full-time lawyers (this number may be scaled back)

polling targeted

Talks to:
 1) poll watchers & voters to respond, fix problems
 2) campaign field office
 3) county lead/deputy counsel for assignments, reports
 4) regional supervisor if can't reach county lead counsel

polling targeted

*Up to 1,820 precinct
lawyers: 1,370 at targeted
pcts, 450 roaming*

- Legal bullet points
- Basic law manual
- Incident report form
- Affidavit forms
- Phone #s for county lead & deputy counsel, campaign field office, regional supervisors
- Cell phone w/charger, Blackberry if possible

Poll watchers – name on official list by Oct. ___

- Blue hats (or shirts, etc.)
- Legal bullet points
- Phone #s for field office, precinct lawyer, county lead & deputy counsel if crisis
- Cell phone w/charger
- "How to vote" educ. lit.?
- Poll closing form to record all results (incl. provisional ballots, etc.)

APPENDIX G: Paid Contact Universes

Base Universe: 1,329,057 = Strasma GOTV Universe (931,000) + estimated appx. 397,000 new registrants
 Swing Universe: 926,525 = from model

Universe/Time	Contact Type	Universe	How Derived
Base Early Vote	Volunteer Call	571,496	43% contact rate of 1,329,057
Base Early Vote	ABS Vol Call	159,486	12% of Universe (estimated subset)
Base Early Vote	Auto Call	571,496	43% contact rate of 1,329,057
Base Early Vote	Paid Live Call	571,496	43% contact rate of 1,329,057
Base Early Vote	Direct Mail	1,107,548	Entire Base GOTV Universe, Househoded by 1.2
Base Early Vote	Paid Canvass	1,107,548	Entire Base GOTV Universe, Househoded by 1.2
Base Election Day	Auto Call	430,000	43% contact rate of 1,000,000
Base Election Day	Paid Live Call	430,000	43% contact rate of 1,000,000
Base Election Day	Direct Mail	833,333	1,000,000 (estimated universe after Early Vote removed) Househoded by 1.2
Base Election Day	Paid Canvass	833,333	1,000,000 (estimated universe after Early Vote removed) Househoded by 1.2
Persuasion	Auto ID Call	207,000	50% contact rate of 414,000 phones on file
Persuasion	Paid Live ID Call	207,000	50% contact rate of 414,000 phones on file
Persuasion	Volunteer Persuasion Call	207,000	50% contact rate of 414,000 phones on file
Persuasion	Direct Mail	227,000	Half of vote deficit
Persuasion	Volunteer GOTV Call	300,000	Estimated Universe
Persuasion	Paid Live GOTV Call	300,000	Estimated Universe
Persuasion	Auto GOTV Call	300,000	Estimated Universe
Absentee	Volunteer Call		
Absentee	Direct Mail		
Absentee	Live Call		
Absentee	Auto Call		

APPENDIX H: Florida New Registrants, By Quarter, 2003-2004

	2003 Q 1	2003 Q 2	2003 Q 3	2003 Q 4	2004 Q 1	2004 Q 2
New Registrants	204,935	181,676	206,648	188,718	292,612	156,992
New Registrants Dem Male	28,787	25,208	28,713	27,074	43,373	23,228
New Registrants Dem Female	36,442	31,858	37,515	33,235	52,585	27,049
New Registrants NPA/Ind male	26,420	23,861	27,087	25,368	42,465	24,201
New Registrants NPA/Ind female	29,194	25,710	29,673	26,284	41,863	23,558
New Registrants GOP male	34,576	30,287	32,296	30,912	43,870	22,680
New Registrants GOP female	31,198	27,077	30,208	27,019	38,689	19,338
New Registrants African-American male	9,228	8,884	9,307	7,950	14,399	9,110
New Registrants African-American female	12,610	11,858	12,530	10,262	18,047	10,645

New Registrants Hispanic Male	9,509	9,107	12,331	9,644	15,178	8,687
New Registrants Hispanic Female	10,925	10,519	14,396	10,757	16,829	9,545
New Registrants HH	159,540	111,392	82,995	72,985	110,401	58,258
New Registrants Dem Male HH	24,989	17,084	13,423	12,129	18,330	9,410
New Registrants Dem Female HH	31,064	21,529	17,513	15,007	22,635	10,928
New Registrants NPA/Ind male HH	22,627	15,142	10,746	9,543	15,171	8,445
New Registrants NPA/Ind female HH	23,898	16,278	11,520	9,703	15,075	8,050
New Registrants GOP male HH	30,622	21,671	16,924	15,672	21,456	10,860
New Registrants GOP female HH	27,383	19,444	16,368	14,234	19,732	9,594
New Registrants African-American male HH	7,932	5,672	3,488	2,913	5,158	3,129
New Registrants African-American female HH	10,547	7,401	4,644	3,663	6,320	3,418
New Registrants Hispanic Male HH	8,360	5,403	4,373	3,134	5,142	2,811
New Registrants Hispanic Female HH	9,491	6,269	5,133	3,579	5,875	3,153
New Registrants w/phones	204,935	181,676	206,648	188,718	292,612	156,992
New Registrants Dem Male w/phones	16,532	13,944	16,168	15,113	23,667	12,203
New Registrants Dem Female w/phones	20,794	17,909	21,026	18,449	28,649	14,170
New Registrants NPA/Ind male w/phones	15,058	13,119	14,963	13,947	22,709	12,644
New Registrants NPA/Ind female w/phones	15,681	13,967	16,143	14,300	22,308	12,296
New Registrants GOP male w/phones	21,441	18,276	19,750	18,749	25,880	12,854
New Registrants GOP female w/phones	19,157	16,284	18,361	16,296	22,861	11,033
New Registrants African-American male w/phones	4,844	4,503	4,752	4,100	7,361	4,519
New Registrants African-American female w/phones	6,668	6,181	6,595	5,292	9,301	5,331
New Registrants Hispanic Male w/phones	5,096	4,785	6,685	5,142	8,105	4,497
New Registrants Hispanic Female w/phones	574	5,493	7,611	5,637	8,881	4,864

APPENDIX I: Surrogate Scheduling

With only two months remaining in the general election, the Florida Surrogate operation is working to achieve a near-constant presence of national surrogates within the state. What follows below is an overview of our objectives for the surrogate program as well as some thoughts on the process we will employ to achieve these objectives.

Surrogate Presence:

During the campaign's 2-month final stretch, we hope to have at least one national surrogate in each of the four major media markets per week. In addition, we should aim to bring additional national surrogates to the other six media markets in proportion to their size, media strength, and strategic importance.

Major Media Markets:

Miami-Ft.L / Tampa-St.P / Orlando-Daytona / West Palm Beach

1 surrogate/week * 4 markets * 8 weeks = 32 national surrogates

Other Media Markets:

- Jacksonville / Naples-Ft.M / Pensacola / Tallahassee / Panama City / Gainesville
- Using percentage of statewide voters as a rough benchmark, it would be proportional to send to the minor media markets $\frac{1}{4}$ of the surrogates we send to the major media markets. Padding this number to account for the importance of having a presence in each part of the state, we should aim to send a collective total of 10 - 13 surrogates to the six minor media markets

Thus, on the whole we should seek to bring up to 45 national surrogates to the state between Labor Day and Election Day. This number should and will be adjusted by the amount of time spent in-state by the principals, but for the time being we will need to begin plans to pursue 5-6 national surrogates per week.

Given that only 2 months remain until election day, and taking into account the fact that activity will increase as we near the end, we should be preparing to host approximately 20 surrogates in the month of September.

Surrogate Strategy:

The three primary purposes of the surrogate program should be as follows: (1) to provide campaign activity and events in lieu of candidate appearances when the principals are unable to be in state; (2) to achieve a campaign presence in all local media markets across the state; (3) to reach out to various constituency groups and to address specific issues important to the campaign, especially as it regards winning the support of swing voters.

In addition to our outreach to various constituency groups, the surrogate program should seek to highlight issues that are crucial to the campaign's core strategy. In our efforts to use the surrogate program to reach out to swing voters, the two foremost issues we will seek to emphasize are **health care and national security.**

Seven key constituency groups have been targeted by the surrogate program. These are:

- Women voters
- Senior voters
- African-American voters
- Hispanic voters
- Jewish voters
- Veterans
- Youth

In scheduling surrogate appearances, specific constituency groups should be matched with specific media markets. Specifically, efforts should be made to focus certain surrogate activity along the following lines:

- Women → Orlando, Tampa, Daytona
- Seniors → Palm Beach, Tampa, Naples-Ft.M, Broward Co.
- African-American → Orlando, Tampa, Miami-Ft.L, Jacksonville, Tallahassee
- Hispanic → Miami-Dade, Orlando, Tampa
- Jewish → Palm Beach, Miami-Ft.L
- Veterans → Pensacola, Jacksonville, Panama City, Tampa, Orlando
- Youth → Gainesville, Tallahassee, Miami, Orlando (college campuses)

Scheduling Process:

The surrogate operation will inevitably involve a mixture of (a) responding to internal field office requests and external invitations and (b) making proactive requests in accordance with our overall surrogate strategy. Obviously, the bulk of our time and efforts should be focused on the latter. In order to be able to focus our energy on fulfilling our big-picture goals, we will need to adopt an effective process for developing and cultivating surrogate events.

There are a number of somewhat discrete stages in the surrogate scheduling process. I would characterize these as such:

1. Initial Phase

- a) Ideas that originate within campaign are generated, developed, and prioritized.
- b) Requests & invitations received by the surrogate operation are evaluated and either rejected, tabled, or sent to DC.

2. Requests to DC

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Official request form completed and forwarded to the DNC. This step should occur well in advance of the proposed event.

3. Follow-Up

Member of surrogate team keeps abreast of the status of the request, ensuring that all parties are kept informed and making any changes that may be necessary.

4. Scheduling

Once a surrogate visit is confirmed, the scheduler works with DC, field staff, press staff, surrogate advance, and the surrogate's staff to plan day's events and logistics.

5. Day-Of

Prior and subsequent to the surrogate's arrival, the scheduler works with Surrogate Advance in accommodating day-of arrangements and in facilitating any last-minute changes.

6. Post-Visit

Press clippings and general input are collected and forwarded to DC.

Perhaps most important of all steps in the surrogate process is the first – the generation and development of ideas. The surrogate team will solicit considerable input and should meet regularly to ensure that the ideas being produced mesh with the overall strategy and objectives of the surrogate program.

As part of the overall surrogate plan, we should produce a rough blueprint of the 40-45 surrogates we plan to host. Such a blueprint could include our 'wish-list' surrogates and could break down our anticipated surrogate visits in terms of geography, issues, and time.

As it now stands, the surrogate team will work collectively in generating and cultivating ideas for surrogate activity. Soliciting input from key Florida campaign staff, we will work to ensure that the surrogate program is on track to fulfill our goals.

Beyond the idea phase, we will break down individual requests and events by geography, so that one member of the surrogate operation is responsible for dealing with requests and invitations, for following up on requests that have been forwarded to DC, and for scheduling the trips that come to fruition. Gwen Graham will be responsible for events in North Florida, Michael Evans will be responsible for events in Central Florida, and Bill Abely will be responsible for events in South Florida. Under this process, we can be assured that someone is always responsible for each stage of the scheduling process and that no idea or event will fall through the cracks.

Surrogate Resources:

When we go to the trouble and expense of bringing a national surrogate into the state, it is obviously desirable to maximize that surrogate's local exposure. In addition to any headliner events that anchor a surrogate's visit, we should strive to fill in any time we have with additional events or media hits.

In order to facilitate the scheduling of both major surrogate events and additional surrogate uses, we should make efforts to obtain and/or compile the following information:

- List of statewide talk radio programs.
- List of all county and local Democratic Clubs
- List of condo communities or retirement homes that will host political speakers
- List of college & university Democratic and political organizations
- List of significant civic organizations and their regular meeting times

Florida Victory 2004 Signature Page

I hereby agree to participate in the coordinated campaign, Florida Victory 2004, and to contribute field and fundraising help at the levels ascribed below.

Democratic National Committee

Tom Shea, Kerry-Edwards 2004

Scott Maddox, Florida Democratic Party

Congressman Kendrick Meek, Kerry-Edwards Campaign Chair

Ken Robinson, Florida Victory 2004

Cindy Hall, Florida AFL-CIO

Andy Ford, Florida Education Association

Alexander Clem, Academy of Florida Trial Lawyers

Monica Russo, Florida SEIU

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TAB 6

ACORN's Current Web Site.

The following is from Acorn's current web-site.

<http://projectvote.org/newsroom/project-vote-announces-2006-voter-registration-program.html>

click on the main page, <http://www.acorn.org/index.php?id=2703> and there is a "family of organizations" link to the following. As you can see from the bound Floridians for All and related material. (Floridians for All – but not all related material - available at <http://www.ac4vr.com/reports/072005/exhibitP.pdf>). This is definitely NOT a non-partisan organization but one with a very specific purpose of influencing federal campaign activity and doing so for the specific coordinated object of electing Democrats to federal office and preventing Republicans from being elected to federal office. Note, in this press release they specifically reference their activity in Florida in 2004. This coordinated partisan political activity is being funded with 501(c)(3) funds and even with federal Grants. It makes an utter mockery of BCRA and any other effort to have honest federal campaign finance reform that these unlimited, undisclosed campaign contributions are laundered through Acorn to run the Democrat Party "ground game" and election litigation strategy.

1.1 MILLION NEW VOTERS REGISTERED!



**An ACORN volunteer
in Philadelphia on
Election Day. Photo
Edgar Mata.**

In 2004, ACORN took our voter participation work to a new level. In partnership with Project Vote, ACORN registered over 1.14 million voters in low-income African American and Latino neighborhoods – the largest voter registration campaign in the country during the 2004 election cycle! Then ACORN mobilized over 10,000 community residents and volunteers for door-to-door Get-Out-the-Vote visits to newly registered and infrequent voters between two and four times each in October, and reached 2.2 million voters on Election Day. ACORN also directed Election Protection Coalition projects in key cities that placed volunteers at minority polling places to help ensure that no voter was turned away and that every vote was counted. Preliminary assessment of Get-Out-the-Vote efforts by ACORN and Project Vote indicate that in the precincts where we were active voter participation increased by 24% over 2000 – significantly higher than the nationwide increase of 14%.

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NEWS RELEASE

For Immediate Release:
March 23, 2006

Project Vote Announces 2006 Voter Registration Program

Expects to register 510,000 low-income or minority Americans in 9 States

Washington, DC—Project Vote announced today the beginning of our 2006 Voter Registration Program, which will be conducted in partnership with the Association of Community Organizations for Reform Now (ACORN). The 2006 Voter Registration Program will work to register 510,000 voters in 38 cities in 9 states. Much of the program will focus on registering low-income or minority residents of Ohio, Pennsylvania, Michigan, and Maryland. Other states include California, Colorado, Minnesota and Rhode Island. This is the expected to be the largest non-partisan voter registration program of the 2006 election cycle.

Project Vote and ACORN will also work to register residents of Florida. A new Florida law restricting voter registration activities, however, has forced significant cutbacks in our program and makes the program's overall success uncertain. Florida is one of several states that have imposed new and potentially unconstitutional or illegal restrictions on voter registration activities. In 2004, our joint program submitted 210,700 voter registration applications to Florida election officials.

Project Vote and ACORN are building on the shared success of our 2004 Voter Registration Program, which was the largest non-partisan voter outreach program of that election cycle. Together, we helped 1.15 million low-income and minority Americans register to vote in 102 cities in 26 states and contacted 2.3 million voters through a Get-Out-the-Vote program.

Project Vote's 2006 Voter Registration Program will use an industry-leading quality control program. Separate quality control staff hired and managed by ACORN will review daily applications collected by employees and volunteers to ensure they are complete, and then will call applicants, where possible, to verify submitted information. Quality Control staff will submit detailed nightly reports to program managers. Project Vote will independently assess the strength of the quality control program.

An innovate new component of our 2006 Voter Registration Program is Project Vote's Election Administration Program. This program has dedicated staff in 5 states who build relationships with elections officials, ensure our applicants become registered voters, assess the strength of our quality control systems, and work to overcome any barriers low-income or minority citizens may face either registering to vote or voting. They are supported by a 4-person management team of legal and policy experts.

Project Vote's mission is to increase the electoral participation of low-income and minority Americans. We provide a range of management and technical assistance to local civic engagement organizations. We also support our local partners with an Election Administration Program, which works to make election systems more responsive to the needs of traditionally disenfranchised communities. Project Vote is a nonpartisan, nonprofit, tax-exempt organization.

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[Download this news release.](#)

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ACORN Joins Lawsuit to Protect Voting Rights

Today ACORN joined other community organizations and legal advocates in filing a suit that challenges a 4-month old Washington law that restricts citizen's voting rights by improperly implementing the federal Help America Vote Act (HAVA) of 2002.

The lawsuit takes aim at a law requiring the Secretary of State to match identifying information on a voter registration application -- usually a drivers license number, state ID card, or Social Security number -- to the corresponding government database. If a match cannot be made, and the applicant doesn't correct the situation within 45 days, the applicant is not registered.

Problems with matching records like this include:

- human error by government election workers, including misspellings, omitting or adding letters, and transposing numbers;
- Asian-American, American Indian, and Alaska Natives with names that are especially prone to multiple English spellings or flipping of first and last names;
- married women who have taken haphenated names or their husbands' names but have not yet seen those changes recognized throughout the bureaucracy;
- inconsistent use of nicknames or punctuation;
- computer errors caused by file corruption from computer viruses and absence of uniformity in maintaining, storing, and transferring computer data.

HAVA's matching requirement was designed to help eliminate duplicate registrations over time, but this interpretation creates new and unnecessary barriers for registration. The suit alleges that Washington's law conflicts with HAVA, violates the U.S. Constitution, the Voting Rights Act, and the National Voter Registration Act.

Other plaintiffs joining the complaint include the Washington Association of Churches, SEIU, Local 775, Washington Citizens Action, Organization of Chinese-Americans (Greater Seattle Chapter), Chinese Information and Service Center, Japanese American Citizens League (Seattle Chapter), and Filipino American Political Action Group of Washington, working with the Brennan Center for Justice at NYU. [Click here to read the press release.](#)

24-05-06 13:33

Category: Additional ACORN Accomplishments, Washington

<http://projectvote.org/newsroom/ohio-arizona-violate-national-voter-registration-act-say-advocates.html>

NEWS RELEASE

For Immediate Release:
May 25, 2006

Ohio, Arizona Violate National Voter Registration Act Say Advocates

Project Vote, Partners, Send NVRA Notices to Two States Alleging Violation of Important Civil Rights Law

Project Vote, in partnership with several organizations, taken steps in recent weeks to enforce the National Voter Registration Act (NVRA) of 1993.

On May 16, Project Vote, Advancement Project and the law firm of Perkins Coie sent a notice letter to Arizona on behalf of Association of Community Organizations for Reform Now (ACORN) alleging the state's law requiring proof of citizenship with voter registration application violated the NVRA. The NVRA specifically prohibits notarization or authentication of voter registration applications.



Days earlier, on May 12, Project Vote, Demos, National Voting Rights Institute, Lawyers Committee for Civil Rights Under Law and the law firm of Dechert sent a notice letter to Ohio alleging the state was in blatant violation of the NVRA's requirement to offer voter registration opportunities to applicants and clients of public assistance agencies (Section 7).

The purpose of the NVRA is to increase voter registration for Federal elections. The law seeks to accomplish this by reducing government-imposed procedural barriers to the absolute minimum and by requiring states to establish several expansive opportunities for registration. Those opportunities include (1) simultaneous registration with driver's license application or renewal, (2) in person at state-designated agencies, and (3) and by mail. The NVRA is meant to be a complete, uniform and comprehensive system of voter registration for Federal elections.

Project Vote, working with ACORN and People for the American Way, was instrumental in bringing several of the first NVRA cases (ACORN v. Miller, ACORN v. Edgar) in the mid-1990's.

In 2004, Project Vote joined with ACORN and Demos to form the NVRA Implementation Project, which has been providing states with technical assistance to help improve registration performance at public assistance agencies. This partnership has been recently augmented by the inclusion of National Voting Rights Institute and Lawyers Committee.

For more information, contact Michael Slater, Director, Election Administration Program.

###

Notice Letters

- Read the Ohio Notice letter. Project Vote with ACORN, Demos, Lawyers' Committee, National Voting Rights Institute and Dechert LLP. May 12, 2006.
- Ohio Coalition's News Release. May 18, 2006.
- Read the Arizona notice letter. Project Vote with ACORN, Advancement Project and Perkins Coie. May 16, 2006.

Additional NVRA Documents

- Maximizing Voter Registration Opportunities in Human Services Agencies.
- Executive Summary of "Ten Years Later: A Promise Unfulfilled: The National Voter Registration Act in Public Assistance Agencies, 1995-2005."
- Summary of the National Voter Registration Act.
- Text of the National Voter Registration Act (NVRA).

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See also,

<http://projectvote.org/fileadmin/ProjectVote/pdfs/NewBarrierstoVoting.pdf>

http://projectvote.org/fileadmin/ProjectVote/pdfs/States_of_Disarray1.pdf

http://projectvote.org/fileadmin/ProjectVote/pdfs/Maximizing_Public_Agency_Registration_2005_NVRA_Implementation_Guide.pdf

http://acorn.org/fileadmin/ACORN_Reports/ACORN_ANN_REPT2_copy.pdf

(March 2005 report on 2004 PA election activity)

http://acorn.org/fileadmin/ACORN_Reports/PA_EA_Action_Agenda.pdf

Home Who is ACORN? Get Connected Donate Join ACORN Campaigns International Newsroom Contact Us Links

ACORN Radio

ACORN Housing Corporation

www.acornhousing.org



The ACORN Housing Corporation (AHC) was created in 1986 to build and preserve housing assets. Since its inception, AHC has assisted over 45,000 families to become first time homeowners, and has rehabilitated over 850 vacant and abandoned housing units. Virtually all of ACORN Housing's work takes place in areas that have been seriously disinvested and forgotten. AHC works in low and very low-income neighborhoods where over 90% of the residents are African-Americans, Mexican-Americans, and/or recent immigrants from Central America or the West Indies. This includes communities such as Flatbush and East New York in Brooklyn; Englewood and North Lawndale in Chicago; and the communities south of the Salt River in Phoenix.

Living Wage Resource Center

www.livingwagecampaign.org

LIVING WAGE
Resource Center

ACORN Law on the Web

www.acornlaw.org



ACORN law is legal activity pursued by ACORN and its allies. Its practice is informed by ACORN perspectives on social change in general and legal practice in particular.

The purpose of the ACORN Law Site is to provide interested parties with

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information concerning ACORN's practice of and approach to legal activity.

KABF Radio

www.kabf.org

KABF 88.3 FM is a nonprofit, non-commercial, community supported radio station offering alternative listening throughout Arkansas.



KABF broadcasts 24 hours a day, seven days a week. Our weekly programming includes 20 hours of blues, 10 hours of bluegrass, 28 hours of black gospel music, 4 hours of progressive country, 24 hours of alternative rock, 28 hours of jazz, and other diverse and experimental programs. KABF also produces several call-in talk shows giving central Arkansas an opportunity to hear and share opinions from communities across the state.

KNON Radio

www.knon.org

KNON is a non-profit, listener-supported radio station, deriving its main source of income from on-air pledge drives and from underwriting or sponsorships by local small businesses. KNON went on air on August 6, 1983 with 10,000 watts of power. In March 1990, KNON raised its power to 55,000 watts. The signal covers a radius of approximately 60 miles from Cedar Hill. it extends from Mckinney, Hillsboro, Corsicana and from Ft. Worth to Greenville.



KNON is on the air 24 hours, seven days a week, with the most diverse programming in Texas. The volunteer disc jockeys play their own music or conduct talk shows during specifically targeted programs.

Project Vote

www.projectvote.org

Project Vote is a 501 (c) (3) non-partisan, nonprofit organization. Since 1982, Project Vote registered and turned out to vote over 2.7 million low income and minority citizens nationwide, won a dozen lawsuits to protect their right to vote, trained hundreds of low income, minority organizers, and provided our registrants with non-partisan follow-up voter education.



Project Vote's mission is not to help any candidate or party. Our work is non-partisan, as it must be to preserve the tax-deductibility of contributions. Project Vote doesn't tell those we register whom to support. We do tell them that government policies that deeply impact their lives will be determined by who is elected, and that they can and must make their voices heard.

Service Employees International Union - Local 100

www.seiu100.org

Local 100's mission has always been to organize and represent unorganized service sector workers in the middle south states of Louisiana, Arkansas, and Texas, and therefore allowing our members to create a vehicle to allow them a clear voice and real power in their workplace and their communities.



Service Employees International Union - Local 880

www.seiu880.org

Local 880 is the largest union of homecare, home daycare, and human services workers in the Midwest. Local 880 has led the fight for improvements in wages, hours and working conditions for homecare, home daycare, and human service workers across Illinois and Missouri. Local 880 is one of the fastest growing unions in the 1.4 million member Service Employees International unions - having grown from 200 to over 10,000 dues-paying members - and has a solid track record racking up solid gains for its members. True to its slogan, "We're Fired Up and We Won't Take It No More!" Local 880 has the power to win the necessary changes to improve the quality of life for workers in Illinois and Missouri.



Activism Is Patriotism

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ACORN is proud to be a partner with Circle of Life in the Activism is Patriotism campaign to empower everyday Americans to make a difference using their MINDS, MONEY, VOICES, and VOTES in this critical election year.



Links

[Home](#) : [Who is ACORN?](#) : [Get Connected](#) : [Donate](#) : [Join ACORN](#) : [Campaigns](#) : [International](#) : [Newsroom](#) : [Contact Us](#) : [Links](#) :

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Voter Participation Program

Project Vote works to create a democracy in which all citizens can participate, where Americans are actively engaged in their democracy, and where elected officials are equally accountable to all their constituents. **Project Vote** focuses on communities where the American Dream that has not been fully realized—minority and low- and moderate-income communities. By concentrating on the core of American society, we are taking concrete steps towards building a democracy that works for all our citizens.

Through partnerships with strong grassroots organizations that produce results, *Project Vote has helped 4 million Americans in low-income and minority neighborhoods register to vote* *Project Vote mobilized more than 2.3 million low-income and minority voters to the polls.* Our partn since its founding in 1982, including 1.1 million in 2003-04. In that same period, erships illustrate how underrepresented communities can empower themselves and participate in the fulfillment of America's democratic promise.

Project Vote's Voter Participation Program is the main vehicle through which we pursue this goal. Since our inception 24 years ago, Project Vote has engaged in voter registration and voter education efforts with the express purpose of increasing the number of minority and low- and moderate-income citizens participating in the electoral process.

Project Vote develops models, trains community leaders, and provides advice and guidance to communities all over the country to engage citizens in issues that directly affect their communities. Our program encourages low- and moderate-income families to stand up and be counted by helping them register to vote, educating them on the issues, and encouraging them to vote.

*For more information on our **Voter Participation Program**, to schedule a training seminar, or to license our materials, please contact Jehmu Greene at pvnat@acomn.org or 202-546-4173*

Election Administration

Our Votes, Our Voices: Making Elections Work for Everyone

American history is replete with intense campaigns, hotly contested elections, and disputed vote counts--and recounts. Recent elections typifies this history. With an evenly divided electorate, tight statehouse races, and controversial ballot initiatives in many states, 2000 and 2004 reminded us that every vote counts.

Yet in 2004 every vote was not counted, nor was every eligible citizen able to vote. In Ohio, party officials tried to have the state purge 37,000 voters from the rolls. In Pennsylvania, polling places ran out of provisional ballots before noon. In Michigan, ill-trained poll workers turned away voters with legal forms of ID. In Washington, officials refused

to register applicants who failed to check just one box on the application.

Violations of this sort were not confined to one or two states and, collectively, they silenced the voices of thousands of Americans. Some violations were intentional, political moves to curb voter power, but many were the result of poorly-designed bureaucratic systems, insufficient resources, or inefficient practices. Intentions aside, these barriers were civil rights violations, and all were the product of election administration problems.

Through our ***Election Administration Program***, Project Vote is working to bring down these barriers to voting. Election administration is every aspect of the implementation of elections, from the design of registration applications to vote counting procedures and everything in between. Over the past few years, Project Vote has emerged as a leading voice for low-income and minority voters throughout the election administration process.

Contact Michael Slater, *Election Administration Program Director*, for more information.

Additional Project Vote Resources

- [Election Administration Policy Brief Series](#)
- [Model bills](#)
- [Election Law Clearinghouse](#)
- [NVRA Implementation Project](#)
- [Election Administration Reports and Guides](#)

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http://projectvote.org/fileadmin/ProjectVote/pdfs/States_of_Disarray1.pdf



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TAB 7

Don't vote early? Expect to get call (get out the vote plans)

Lancaster Newspapers, PA ^

Posted on 10/24/2004 1:56:58 AM PDT by Cincinatus' Wife

LANCASTER COUNTY, PA - A busload of John Kerry supporters from Washington, D.C., was waving Kerry/Edwards placards Saturday in Penn Square.

Teams of volunteers from a Democrat-leaning national organization are knocking on doors in the city.

And some voters can expect to find a soap opera star on their front steps Monday, asking them to vote for President George W. Bush and U.S. Sen. Arlen Specter.

With voter registration at a close for the Nov. 2 election, the political parties are marshaling hundreds of volunteers for the next step in the election game: voter contact and voter turnout.

Get-out-the-vote, or GOTV, drives may be the most critical element of a campaign. In a presidential campaign whose focus is the ground game, expect local GOTV efforts to be record in scope.

Republicans are closely guarding their plans for strategic reasons.

Democrats think they will have 800 volunteers working on election day to get Kerry voters to the polls.

Building excitement is a key to turnout. That's what President Bush's Wednesday rally at the Lancaster Airport, and a Democrat rally tonight featuring Carol Moseley Braun, are intended to do.

Fueled by the "527" organizations, voters of all parties already have been swamped with mailings aimed either at motivating the base or energizing people who vote on issues rather than on party lines.

Republicans have been tasked by the national Bush/Cheney campaign with turning out 125,152 votes for the president, which would be a record.

County Democrat chairman Bruce Beardsley said he thinks the party can produce 70,000 votes for Kerry.

Count on this: If you don't vote by early afternoon on Nov. 2, some party will be looking for you.

Rolling out the big gun

One of the best GOTV tools in the Republicans' arsenal is coming to town Wednesday.

The visit to the Lancaster Airport by President Bush is expected to fire up the GOP faithful, as his trip to Hershey last week did.

As Bush supporters entered Republican headquarters Saturday to pick up tickets for the Wednesday rally, some were asked if they would be willing to help by making calls to voters at the campaign's phone bank.

Republicans, whose biggest margins are in the suburban and rural parts of the county, can be expected to rely on phone calls and neighbor-to-neighbor contact to encourage potential Bush voters to get to the polls.

Chad Weaver, a co-chairman of the county Bush/Cheney campaign, was cagey about GOTV plans. Poll watchers and workers are being trained, he said, and "hundreds of volunteers" will be mobilized for election-day efforts.

Standard GOTV tools on election day involve poll watchers armed with lists of voters identified as supporters. As each voter checks in at the poll, the watcher crosses off the name.

Periodically, other volunteers take names of voters who haven't turned out yet and start phoning or visiting the missing voters.

"We're going to do whatever we can to encourage as many Lancastrians to come out and support the president on election day," Weaver said.

Republicans also are going door-to-door in the city and suburbs. Monday afternoon, a local celebrity – Manheim Township High School and Franklin & Marshall College alumna Jennifer Gareis, who plays Grace on the soap opera "The Young and the Restless," will be out stumping for Bush and Specter. The trek is organized by Specter's campaign.

"She wanted to do something for Sen. Specter and President Bush while she was in town," said Jess Yescalis, a local consultant for Specter and friend of Gareis'.

The national Bush campaign also is encouraging Republicans to each recruit two new Bush voters before election day.

Republicans here are being asked to work harder than ever.

The GOP-dominated "T" in central Pennsylvania has to perform strongly to help offset Kerry's expected big margins in Philadelphia and some of its suburbs.

U.S. Sen. Rick Santorum, a statewide Republican leader, has said that part of the reason Bush lost Pennsylvania to Al Gore in 2000 was that Republicans were blindsided by a surprisingly strong Democrat GOTV drive in Philadelphia.

An army of 800

Look for some of the same tactics that worked in 2000 for the Democrats to be employed here too.

With county Democrats posting strong registration gains from April to November, the party is now looking to make sure they vote.

Democrats and independents are being bombarded with mailings from the "527" organizations – ostensibly independent, but leaning toward one candidate or another, like America Coming Together and MoveOn.org – on Kerry's behalf.

Another 45,000 pieces of literature have been mailed by the local party, with another 25,000 handed out at homes and community events.

Last Sunday, New Mexico Gov. Bill Richardson, of Hispanic descent, spoke in Lancaster to energize the Hispanic community. Tonight at the Conestoga Lodge of Elks on South Duke Street, former U.S. senator Carol Moseley Braun will keynote a rally from 4 to 9 as part of the mobilization effort.

And, since much of the party's strength is in urban areas, house-by-house vote hunts are happening daily.

Beardsley, the county chairman, said about 800 volunteers will be on the streets by election day, including poll watchers at each voting district and a team of attorneys ready to battle any election problems.

The Democrats' force will include local party workers and activists from out-of-the-area unions.

Beardsley said the party has identified 60,000 to 65,000 voters "who we expect to vote our way," whether Democrat, independent or Republican.

"All of these people will be contacted one way or the other by election day," he said, with phone calls, literature drops or mailings.

He thinks the Democrats can expect 70,000 votes for Kerry, in contrast to Gore's 56,000 in 2000.

In a boost for the Democrats, a team from the Association of Community Organizations for Reform Now, or ACORN, has been doing voter contact work in the city in recent days.

ACORN held a registration drive in Lancaster just before the Oct. 4 deadline.

One resident described the ACORN workers as "really aggressively tracking down voters. They are all from out of town. I have never seen this intensity in my neighborhood."

Wes Lathrop, an ACORN spokesman in Philadelphia, said he believes all or nearly all of the roughly eight people here are local. They'll be working through election day on voter contact and turnout.

City voters also got personal visits Saturday from a team of Kerry/Edwards volunteers bused in from the Washington area.

In addition to going door-to-door, some of the activists lined the sidewalks in Penn Square on Saturday and waved Kerry signs at passersby.

Cindy Shogan and Alina Stefanescu, two of the sign crew, said D.C. teams from the Kerry campaign have been coming to Pennsylvania recently to work in a swing state.

The goal: to turn out voters.

"This," Beardsley said, "is where elections are won or lost."

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TAB 8

October 31, 2004, 11:42 a.m.

ACORN & the Money Tree

Taxpayer money helps fund voter fraud.

By Meghan Clyne National Review

Reports of voter-registration fraud are tiresomely commonplace. From the 6,000 ineligible felons listed on Colorado's voter rolls, to the cocaine offered in exchange for registrations from Mary Poppins and Dick Tracy in Ohio, this year's swing states have already seen unprecedentedly corrupt get-out-the-vote efforts.

This is especially true in Florida, where the Association of Community Organizations for Reform Now (ACORN) is the subject of a state investigation for potentially criminal voter-registration activity.

THE MONEY TREE

Although ACORN's projects run a wide gamut, the group claims as its purpose helping low- and middle-income Americans — through initiatives ranging from improving urban public schools, to providing counseling on how to avoid "predatory lending," to increasing the availability of "affordable housing." Most of these programs are conducted locally, by state-level ACORN organizations — which are often set up as 501(c)3 nonprofit entities distinct from the national ACORN umbrella, a 501(c)4 lobbying organization. Sounds benign enough — except that, according to Bob Huberty, executive vice president of the Capital Research Center, these tax-exempt 501(c)3s "have no reason for existence other than to get grants from the government and foundations." They are, essentially, an ACORN front for asking Uncle Sam to subsidize political activity.

Ask ACORN does — and it definitely receives. Take, for example, the most recent tax information from one of ACORN's subsidiary nonprofits: the ACORN Housing Corporation, Inc., based out of the organization's national headquarters in New Orleans. For the tax year beginning July 1, 2002, and ending June 30, 2003, ACORN Housing Corp.'s 990 Form shows a total of \$1,710,203 received in government grants (the year before, the total was \$1,977,306).

The nominal purpose of those millions is to "provide low rent housing & loan counseling services to low income individuals." But if the government is funding the actual, legitimate work of ACORN at the local 501(c)3 level, it means that the national lobbying organization can dedicate more of its unrestricted resources to electioneering. Furthermore, explains Craig Garthwaite, director of research at the Employment Policies Institute, "The funding is not only fungible in that if they receive money for X, they can spend more on Y." He cites one particular example of money-rerouting malfeasance: the crooked dealings surrounding an AmeriCorps grant in 1996. According to an EPI study, when the ACORN Housing Corp. applied for the grant, they denied any connections to the main ACORN lobbying group (the grant is not for political advocacy). But the AmeriCorps inspector general discovered that "not only was AHC created by ACORN, engaged in numerous transactions with one another, and sharing staff and office space — but it utilized the AmeriCorps grant to increase ACORN membership, a violation of federal guidelines." (ACORN charges membership dues, much as labor unions do; thus, by exploiting AmeriCorps funding to inflate its membership rolls, ACORN used government resources to bring in even more money — money with no restrictions on its political use.)

A SHADY PAST . . .

Given that federal funding is used "flexibly" within the ACORN empire, what kind of return is the government getting on its investment? Historically, failed 1960s-style leftism, intimidation and rabble-rousing, and questionable business practices — and hypocrisy. The EPI study documents ACORN's

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involvement in an \$850,000 labor-union embezzlement scheme in the late 1990s; in 2003, ACORN was found to have violated the National Labor Relations Act and was ordered to "rehire and pay restitution to employees terminated for attempting to form a union." (ACORN's in-house union-busting starkly contradicts its prescriptions for private-sector unionization, and is especially two-faced considering that ACORN's chief organizer and co-founder — Wade Rathke — is also the chief organizer of Local 100 of the Service Employees International Union in New Orleans.)

ACORN's hypocrisy also extends to its stand on the minimum wage. While it has often attempted to force minimum-wage increases on private businesses through ballot initiatives and local ordinances, ACORN tried to exempt itself from California's minimum-wage requirements. According to EPI, "ACORN argued that being forced to pay higher wages would mean that they would hire fewer employees — the very dilemma faced by businesses. Incredibly, ACORN stated that paying its employees a lower wage would allow them to be more sympathetic to the low- and moderate-income families they were attempting to help. ACORN argued that abiding by the state minimum wage would limit their ability to promote their agenda and would therefore be a violation of their First Amendment rights."

... AND A DARKER PRESENT

Fittingly, wage increases are the centerpiece of ACORN's current woes. This year, Florida's state organization is purportedly helping the indigent by pushing for a ballot initiative that would inflate the state's minimum wage. To oversee the campaign to make Amendment 5 binding law, Florida ACORN spawned the PAC Floridians For All.

Unfortunately, Floridians For All doesn't seem concerned with fair voting for all. In order to put a measure on the Florida ballot, one must collect 500,000 signatures; the catch, however, is that those signatures must belong to men and women registered to vote in Florida *at the time they sign the petition forms*. So Floridians For All, in the process of collecting signatures statewide, had unsuspecting citizens fill out voter-registration paperwork along with the ballot-initiative petition forms. Mark Wilson, vice president of the Florida Chamber of Commerce and executive director of VoteSmartFlorida.org, explains: "In Florida, you must be a registered voter to sign a petition. But you're not registered to vote in Florida until a county supervisor runs you through the computer and says you are." So, says Wilson, Floridians For All "would turn in the voter registrations they'd collected on, say, a Monday, and then hold on to the accompanying petition forms for a couple of weeks before turning them in — so that by the time the petition forms hit the system, it looked like they belonged to people who had already registered to vote." According to Wilson, some petition forms were fraudulently post-dated by ACORN workers; he adds, however, that "they didn't even have to post-date them — handing them in late did the trick in making it look like they belonged to people who were properly registered."

Florida ACORN also registered thousands of felons — who, under Florida law, are ineligible to vote. They can, technically, apply for a restoration of civil rights; according to former Florida ACORN worker Mac Stuart — who has filed a whistleblower lawsuit against his ex-employer — ACORN exploited this hope in order to get felons to sign voter-registration cards. "We'd go up to them and say, 'Want your civil rights restored?' That's the pitch we were using. But those forms are not worth the paper they're printed on — there hasn't been any instance of clemency under the last two governors," Stuart claims. The forms became doubly worthless after Florida ACORN was through with them: "The restoration-of-civil-rights forms would go into the garbage," Stuart says. The voter-registration forms, however, were kept safe — as they were worth much more.

That's because each registration played a valuable part in Floridians For All's alleged pay-per-voter scheme. Stuart claims that Florida ACORN paid workers \$2 for each voter registration they collected, and claims he has receipts to prove it. While it is permissible to pay an individual to register voters, "paying workers *per registration*," explains EPI spokesman Mike Burita, "is a felony in Florida — counted on a per-violation basis — so there could be thousands of crimes here."

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A TANGLED WEB

Stuart's accusations suggest a process and cycle of kickbacks: "We'd go through colleges, malls, shopping strips, wherever there were people," collecting voter registrations. At the end of each week, he claims, "you made copies of the voter-registration forms — which was illegal. Once a form is signed, it's illegal to make copies of it.... From there, we'd send the copies to Project Vote [a national ACORN voter-registration arm, and yet another sub-group] in Brooklyn, and then Project Vote would send it to America's Families United [an independent 527 organization in Washington, D.C.]." In turn, AFU would send money back to Project Vote — initially \$3.75 per voter registration, later increased to \$4.10, according to Stuart.

"Project Vote would send me e-mails," claims Stuart, "with an allocation saying, 'We got X amount of money from America's Families United for Y number of cards.'" He says that Project Vote would then forward that money to Citizens Consulting, Inc., headquartered out of the same national ACORN building in New Orleans. (Coincidentally, CCI is, according to Garthwaite, run by the brother of ACORN head Wade Rathke.)

Stuart claims that CCI would then write a check to ACORN's Miami account — from which he would distribute the standard \$2 per registration to Florida ACORN workers. Because Stuart, at the behest of ACORN, says he gave registration-gatherers only \$2 per card — when America's Families United was sending \$3.75 (and then \$4.10) to ACORN for each voter registration obtained — every photocopied voter registration submitted earned ACORN a net profit of \$1.75 (later \$2.10) per registration.

NRO's requests for a comment in response to Stuart's allegations went unanswered. In other media, however, ACORN has dismissed the charges, blaming the individual whistleblower for any wrongdoing. This internal e-mail, however — in which Florida ACORN head organizer Brian Ketterning says Stuart is dangerous, "as he knows too much" — suggests that ACORN may, in fact, have something damaging to hide.

NONPARTISAN?

Granted, Amendment 5 did have other, non-monetary purposes. While Ketterning acquired funding for Floridians For All on the explicit promise that it was promoting a nonpartisan minimum-wage ballot initiative, a copy of Floridians For All's own campaign plan indicates otherwise.

The first paragraph of the plan reads:

A Florida constitutional amendment initiative to create a minimum wage of \$6.15 with indexing will help defeat George W. Bush and other Republicans by increasing Democratic turnout in a close election, will deliver wage gains to at least 300,000 Floridians, and will catalyze the construction of permanent progressive political infrastructure that will help redirect Florida politics in a more progressive, Democratic direction

(emphasis added).

Later:

Given that turnout is down when the economy is bad, since our voters are more discouraged, the need for an exciting ballot initiative strategy that works to address the needs of the most economically needy, and also likely Democratic voters, is a fundamental part of a winning strategy in Florida.

Not exactly a nonpartisan effort prioritizing the minimum wage.

Perhaps this explains the \$250,000, \$25,000, and another \$25,000 in donations to Floridians For All from the National Education Association, MoveOn.org, and SEIU, respectively, as well as Nancy Pelosi's awareness efforts in Floridians For All's behalf. (Interestingly enough, Floridians For All also received \$150,000 from the Tides Foundation — on whose board of directors Wade Rathke serves, and to which Teresa Heinz Kerry and her foundation contribute.) Hundreds of thousands of dollars from national left-leaning organizations, and the attentions of the House Minority Leader, seem out of place for an ordinary state ballot initiative — out of place, that is, until you realize that Floridians For All and Florida ACORN do not consider the minimum wage their main priority. It makes much more sense for MoveOn.org, the NEA, SEIU, and Nancy Pelosi to turn out for a massive effort to defeat George W. Bush in Florida — to avenge 2000, and secure one of 2004's most-watched swing states.

In the course of its crusade to defeat the president and establish a Democratic stronghold, ACORN faces remarkable allegations: taking license with its internal bookkeeping; gathering and filing illegitimate petition forms; forging signatures; destroying voter-registration applications and other official documents entrusted to its care; profiting from illegal pay-per-vote schemes; lying to potential donors; abusing a state constitution for national-level partisan exploits; vilifying conscientious employees; and disenfranchising hundreds, and possibly thousands, of citizens.

And — if it's all true — that's just in Florida, itself only a small part of ACORN's antics nationwide.

And those antics are supported by Uncle Sam's dime.

— *Meghan Clyne is an NR associate editor.*

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TAB 9

U.S House Of Representatives Report 104-875 - REPORT ON THE ACTIVITIES OF ACORN

The full report is here:

<http://thomas.loc.gov/cgi-bin/cpquery/?&dbname=cp104&sid=cp1040AFa6&refer=&r n=hr875.104&item=&sel=TOC 200449&>

It includes this statement on ACORN:

"Political Activities- Finally, the OIG and the Subcommittee independently found evidence of political activity by grantees of the Corporation. Most notable in this regard is the OIG's findings on the apparent cross-over funding between ACORN, a political advocacy group and ACORN Housing Corp. (AHC), a non profit, AmeriCorps grantee. The OIG recommended, and the Corporation agreed, to suspend AHC's funding after it was learned that AHC and ACORN shared office space and equipment and failed to assure that activities and funds were wholly separate. The Subcommittee held a hearing on this matter where it was revealed that AmeriCorps members of AHC raised funds for ACORN, performed voter registration activities, and gave partisan speeches. In one instance, an AmeriCorps member was directed by ACORN staff to assist the White House in preparing a press conference in support of legislation. AmeriCorps members were also directed to encourage their clients to lobby on behalf of legislation.

On the heels of the ACORN investigation, the OIG also uncovered illegal political activities by the Coal Coalition, an AmeriCorps program in Colorado that was improperly distributing political flyers. In the same vein, another AmeriCorps program, the Border Volunteer Corps (BVC) in Tucson, Arizona was found to have also distributed politically partisan newsletters. These programs were also stripped of Corporation funding. Since the BVC, the Coal Coalition, and AHC were all relatively large AmeriCorps grantees--the Subcommittee is concerned about the oversight and direction of AmeriCorps' funding and activities.

The Subcommittee also identified activities which included voter registration drives, get out the vote campaigns, 'national election' activities, and participation in a Maxine Waters Day of Caring by AmeriCorps volunteers. Most troubling, however, is the continued presence of AmeriCorps members at political rallies and speeches after the assurance of the former Chief Executive Officer of the Corporation, Eli Segal, that such participation would cease. AmeriCorps' presence at such events gives the impression of political support and would give the appearance of impropriety."

In 1995, AmeriCorps gave a large grant to an advocacy group called ACORN (Association for Community Organizations for Reform Now). AmeriCorps recruits were assigned to lobby for legislation, collect dues, register voters, and participate in political demonstrations. After its activities came under scrutiny by AmeriCorps' own Inspector General, the ACORN Housing Corporation was forced to return a \$1.1 million grant.

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TAB 10

500 new voters might not exist

State activists might be charged over questionable registrations

Friday, August 11, 2006

Robert Vitale and Mark Niquette

THE COLUMBUS DISPATCH

Workers paid by a liberal group to register voters in Franklin County have turned in more than 500 forms with nonexistent addresses and potentially fake signatures, elections officials said yesterday.

Board of Elections Director Matthew Damschroder said he has forwarded the cards to county authorities for possible criminal charges.

Elections workers verifying new-voter forms discovered signatures with the same handwriting, addresses that were for vacant lots and incorrect information for voters who already were registered, Damschroder said. One card had the name of an East Side man who's dead.

All the questionable cards were turned in by workers for Ohio ACORN, a group that's also paying people to gather signatures for a proposed November ballot initiative to raise the state's minimum wage.

Katy Gall, the group's head organizer, said ACORN is cooperating with the investigation and already has fired some of its paid circulators.

"We are interested in seeing people who are gaming the system prosecuted," she said.

ACORN, the Association of Community Organizations for Reform Now, faced similar problems in 2004 during a drive that added 189,000 new voters to Ohio's rolls. Prosecutors were unable to trace the originators of some falsified forms, but one ACORN worker was indicted by a Franklin County grand jury.

State law now requires people paid for registering voters to add their own names to the forms. James Lee, a spokesman for Secretary of State J. Kenneth Blackwell, said the new provisions make it easier to investigate problems.

Lee said Blackwell's office also has had inquiries recently about potential voter-registration fraud in Cuyahoga and Summit counties.

In its six Ohio offices, ACORN has about 50 circulators who are paid between \$8 and \$11 an hour, Gall said. The group has eight circulators in Columbus.

Gall complained that the state's election-law changes make it harder for groups to catch problems because circulators must submit forms directly to elections offices in person or by mail.

In 2004, ACORN began running its own checks on voter forms before submitting them to the Franklin County Board of Elections.

Lee, however, said internal checks are still possible.

It's a felony in Ohio to submit voter-registration forms with false information. The penalty is up to 18 months in jail.

Damschroder said he doesn't think the fake forms were submitted by people intending to cast fake ballots in November.

"I think it's just somebody out there trying to make a fast buck," he said.

ACORN is helping lead the coalition that collected more than 765,000 signatures to put the minimum-wage issue on the Nov. 7 ballot, but Gall said the group has no concerns about the signatures its circulators obtained.

Franklin County elections workers will verify those collected locally, Damschroder said.

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TAB 11

SEIU PRESS RELEASE

FOR IMMEDIATE RELEASE

Nov 1, 2004

CONTACT:

TJ Michels
Ben Boyd

Anatomy of an Election Strategy: The Facts on SEIU's Role in Bringing Home a Victory for America's Working Families

Nation's Fastest Growing Union Built Largest Mobilization by Any Single Organization in the History of American Politics

The 1.7 million-member Service Employees International Union (SEIU) has played a critical role in shaping the outcome of the presidential election and several important races in three key ways:

1. applying organizing know-how to help set up the strategy and structure for a whole range of progressive coalitions.
2. providing an unprecedented level of people power, including more than 2,000 members working full-time for months in battleground states, along with more than 50,000 member volunteers.
3. making the largest investment by any single organization in the history of American politics – a total of \$65 million.

"What our members and allies have done will forever change the face of political organizing," said SEIU President Andy Stern.

"This is just the beginning," added SEIU Secretary-Treasurer Anna Burger, who oversees the union's political operation. "Our campaign will continue beyond election day to help John Kerry ensure that every American has access to quality, affordable health care."

A closer look at the know-how, people-power and money utilized in SEIU's Fight for the Future campaign (also see below for graphic breakdowns):

- **Creating strategic grassroots organizations.** SEIU's leadership helped build bold new organizations to coordinate and fund sophisticated grassroots efforts. President Andy Stern and other SEIU leaders founded and/or serve on the boards of the largest and most progressive community-based voter mobilization groups like ACT, America Votes, Mi Familia Vota, American Families United, and the New American Opportunity Campaign.
- **The largest single contributor.** SEIU is the largest contributor to ACT at \$26 million (exceeding individual contributions by George Soros and Peter Lewis); the AFL-CIO's Labor 2004 Program; and America Votes (\$900,000). SEIU tripled the amount spent in 2000 (\$65 million in 2004) to make significant donations as well as "in-kind contributions" – SEIU members and staff – to groups like Voting is Power, Mi Familia Vota, ACT and its Caribbean Power Vote, and America Votes, that together registered nearly 4.5 million new voters. SEIU gave \$1 million to the DNC and has made large donations to groups that share our goals, like Rock the Vote and the New Democratic Network.
- **Largest commitment of people power.** Accounting for a pre-GOTV total of more than 6 million voter contacts in the battlegrounds, SEIU recruited more than 2,750 members and staff willing to take a leave from their jobs to do full-time political work with organizations like ACT, allowing

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the union to reach beyond the labor movement for the first time to conduct real voter contact with a wider universe of workers. Roughly 40 percent of SEIU's full-time activists, or "Heroes" don't live in the battlegrounds, so they packed their bags – nearly 1,000 of them as early as April and July – and temporarily moved to 16 key states. SEIU rallied another 50,000 "weekend warriors" who are now ratcheting up their GOTV efforts for a grand total of 19 million phone calls and 10 million doors knocked across the country.

- **Independent TV and radio expenditures.** SEIU spent just over \$3 million on federal independent expenditure TV and radio ads, including \$1.4 million for three TV and six radio spots in Wisconsin on health care, and \$500,000 for three Spanish-language TV ads in Florida's three largest markets running since mid-October through Nov. 2. Several other significant radio and TV buys hit the airwaves in ME, MO, NC, and AR. In addition, SEIU put \$ 2.6 million into non-federal independent expenditures and initiative campaigns in CA, ME, AZ, FL, and NV and \$9 million in direct contributions to worker-friendly candidates, campaigns and organizations.
- **Worker communication and technology.** 500,000 SEIU members, many of them low-wage workers who earn less than \$30,000 a year, have voluntarily contributed an overall total of \$16 million towards the union's political action fund that helped pay for SEIU's nurses, janitors, security officers, public employees in battleground states to receive over 4 million pieces of direct mail, designed to share with union households John Kerry's vision for the country. Four purple mobile action centers traveled around the country to bring a unique communications technology to SEIU members, allowing them to complete millions of phone calls to voters across the country.
- **Early focus on health care.** The SEIU-led Americans for Health Care helped make health care a top campaign issue throughout the primary season with billboards and TV spots featuring Iowa and New Hampshire nurses calling on the candidates to offer comprehensive health care plans. The group has also identified over 300,000 "health care voters" – Americans who have signed pledges to hold politicians accountable on the issue at the polls.
- **Health care campaign continues.** SEIU members aren't waiting for the ballots to be counted to spearhead a national effort to make sure quality, affordable health care is the number one priority for the next Administration and Congress. On Election Night, SEIU will begin airing an issue-based ad on CNN. As well, thousands of SEIU members will begin to distribute 1 million stickers that read "Quality, Affordable Health Care: Job 1 in 2005."

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With 1.7 million members, SEIU is the largest and fastest growing union in the AFL-CIO, representing nurses, janitors, security officers and public employees, among others. SEIU is the nation's largest union of health care workers, and represents more immigrants than any other union.

ANATOMY OF AN ELECTION STRATEGY

SEIU's Fight for the Future Campaign: Involvement in 2004 Progressive Political Organizations

Organization	Description	Involved in Founding	Board Member	Contributor	Details
America Coming Together (ACT)	Largest voter mobilization effort in history.	x	x	x	SEIU is the largest contributor to ACT at \$26 million (exceeding individual contributions by George Soros and Peter Lewis);

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					1,739 full-time workers; Andy Stern was one of the founding members of the organization; Gina Glantz currently serves on the Board of Directors
America Votes	33 of the largest membership organizations joined together to increase voter participation.	x	x	x	Largest contributor at approximately \$900,000; SEIU was one of the founding organizations and provided thousands of volunteers.
American Families United	Non-profit, non-partisan organization dedicated to registering new voters in low income and historically underrepresented communities.	x	x		SEIU leaders helped found the organization; Dennis Rivera is Chairman of the Board.
Mi Familia Vota	Non-partisan civic participation organization committed to empowering Hispanic citizens.	x	x	x	\$500,000; SEIU leaders helped found the organization; Eliseo Medina is on the Board of Directors
Voting is Power	A 501c3 voter registration project in Florida and Pennsylvania.			x	\$1,000,000 that paid for 78 full-time workers
Arizona United for Immigration Reform	A grassroots campaign to defeat Proposition 200.	x		x	SEIU is the largest contributor at \$670,000.
Americans for Health Care	A grassroots campaign to provide quality, affordable health care to every man, woman, and child in America.	x		x	Over \$6,000,000.
American Federation of Labor (AFL-CIO)	SEIU is the largest union in the AFLCIO.		x	x	Largest contributor to Labor 2004 including 730 full-time workers, staff, and volunteers; Andy Stern is a member of the Executive Council.
New American Opportunity Campaign	Highlights civic participation through voter registration, issue education and GOTV activities within the Hispanic community.	x	x		SEIU leaders helped found the organization; Eliseo Medina serves on the Board of Directors.
Democratic National Committee			x	x	SEIU contributed \$1,000,000 to fund various DNC activities; Anna Burger serves as a Committee at Large Member.
Rock the Vote	Non-profit organization dedicated to empowering young people to change their world through political and civic engagement.			x	\$100,000
New Democratic Network	Leading Democratic issue advocacy group.			x	\$50,000

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TAB 12

**Pennsylvania ACORN and Project Vote
Election Administration Action Agenda
March 29, 2005**

By Celeste Taylor

**Recommendations:
Pages 9 through 11**



Pennsylvania ACORN and Project Vote Election Administration
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paacomedu@acom.org www.acorn.org www.projectvote.org

Pennsylvania ACORN members and canvassers registered 132,710 voters in 2004 and focused to bring all of them to the polls

Fair and well-run elections are necessary for an effective democratic government. Voters nationwide should be confident that their voter registration applications have been properly processed and that their votes will be fairly counted when they go to their polling places in every election.

The purpose of this report is to examine processes and procedures in Pennsylvania to allow for a fuller understanding of the problems encountered prior to and on Election Day, November 2, 2004. We are recommending changes and calling upon various State and County Governmental entities to act on reforms to safeguard and advance our Pennsylvania election system. This report presents our top priorities, which call for immediate attention.

Project Vote Verification Project Uncovers Many Problems Prior to Election Day

Nationally, Project Vote created the 2004 Voter Verification Project to monitor and ensure that the names of voter registration applicants actually made it onto the voting rolls. The first step of the monitoring program was a surveying process in which Project Vote and allied organizations interviewed local and statewide public and elected officials to determine the breadth of the possible problems voters might be facing in the 2004 elections. This effort along with the voter verification efforts carried out in thirteen states revealed a number of weaknesses in administration of elections across the country, despite efforts to comply with the 2002 Help America Vote Act (HAVA). The problems, which were identified, include:

- Consistent, long-term under funding of election administration and implementation
- Complex and confusing voter registration cards
- Confusing and haphazardly implemented provisional ballot guidelines
- Incorrectly and inconsistently implemented ID requirements
- Inconsistent rejection of voter registration cards
- Continued faulty purges of the voting rolls
- Resistance to allowing access to public information
- Inadequate distribution of voting machines
- The inability to respond to heavy demand for early voting, and
- Poor, incorrect, or nonexistent training for poll workers

In Pennsylvania beginning in July 2004, Project Vote, the American Friends Service Committee and other allies in Allegheny County conducted an extensive review of 10,000 copies of voter registration applications from people who had been registered by Allegheny County ACORN. We embarked on this project to determine how many names were not on the existing and subsequent voter files and to figure out ways in which to correct the problems before the close of the registration deadline. Some of the problems that were encountered mirror the issues listed above, in addition to extreme backlogs of forms waiting to be added to the voter file, and in some cases not being added at all by Election Day.

Project Vote volunteers were committed to ensure that all voters who tried in good faith to become registered were indeed successful. These volunteers spent hundreds of hours reviewing these 10,000 applications that had been submitted to the Allegheny County Board of Elections well

before the registration deadline. Eight thousand of them were found to be on the voter file. Volunteers followed the process in an effort to fix as many of the problems of the remaining 2,000 applications in a timely fashion. Through tracking the voter registration applications 500 additional names were added to the voter file in time to vote on Election Day who otherwise may not have been added.¹ It is not clear whether the remaining 1500 unprocessed applications ever made it onto the rolls prior to Election Day, and certainly the lack of staffing at the County Board of Elections was part of the problem. In turn, these folks would have relied on provisional ballots in order to vote, and provisional ballots – as we discuss later – were not available.

The Project Vote verification process in Allegheny County was aided by two legal victories. In August 2004 the ACLU sued the Allegheny County Board of Elections. Common Pleas President Judge Joseph M. James determined that the fee of \$1,000 for the purchase of the voter file was unreasonable and unfair. Allegheny County citizens are now able to acquire voter files for free and \$50 for each additional copy in an election cycle. In October 2004 Project Vote, assisted by local attorney Mike Healey and the Advancement Project, initiated a Freedom of Information Act (FOIA) request and obtained copies of voter registration applications and letters that had been sent to voters informing them that their voter registration was incomplete. The letter enumerated the problems: no signature, incomplete address, no party affiliation, no birth date and address zoning problems. After receiving these records, Project Vote voter verification volunteers were able to add more than 490 names onto the voter files prior to Election Day.

Registration Problems, Fraud and Scams Uncovered Before Election Day

Everybody Vote, a nonpartisan coalition of young-adult organizations in Pittsburgh, called a news conference on October 27, 2004 to expose a problem of a group of students from the University of Pittsburgh. Their voter registration applications were fraudulently altered by others who changed their party affiliation and addresses. The thirteen students represented at the press conference had been duped by men who claimed to be collecting signatures to legalize medicinal marijuana or to lower auto insurance rates but who deceitfully switched their party affiliation from Democrat to Republican and also changed their address which also relocated their polling site location.

Another voter scam discussed at the news conference was the official-looking notice posted at Ross Park Mall that tells Democrats to wait until Nov. 3 to vote. The notice indicated, "Due to the immense voter turnout that is expected on Tuesday, Nov. 2, the state of Pennsylvania has requested an extended voting period." This faux notice was printed on letterhead with the Allegheny County seal.

The notice states that Republicans will vote on Tuesday, while Democrats will vote on Wednesday. A copy of this notice was presented at the December 15, 2004 hearing in Allegheny County by a North Hills resident.²

Gathering Evidence on Voting Irregularities

The Election Day Election Protection (EP) Program of 2004 was the nation's most far-reaching program to protect voter rights. The nonpartisan voter information, advocacy and protection program was carried out by a coalition of more than 150 national and local nonprofit organizations dedicated to ensuring that every citizen had the opportunity to cast a vote that would be counted. In this fall's elections, Election Protection deployed 25,000 volunteers, including 8,000 lawyers and law students in 17 states.

¹ A Multi-faceted Approach: Bridging differences to advance voters' rights in Allegheny County, Pennsylvania...one voter at a time by Celeste Taylor and Scilla Wahrhaftig. Article available online at www.advancementproject.org.

² A copy of the notice can be found at www.electionprotection2004.org.

In Allegheny County, ACORN and Project Vote coordinated more than 300 local and national election protection volunteers on Election Day in Pittsburgh and Wilkinsburg. A few days before the election, David Schlitz, a volunteer attorney with People for the American Way Foundation, joined with Project Vote and ACORN to conduct multiple trainings and prepare the hundreds of volunteer poll monitors for November 2, 2004.

Volunteer poll monitors represented different racial groups, various faith communities, the disabilities community, civil rights, voting rights and environmental rights organizations. Thirty law students from the University of Pittsburgh and 40 law students from Cornell University – who rode a bus all night to help out with this citizen mobilization to protect voters' rights – joined them. Also assisting in this effort was the law firm of Eckert Seamans Cherin & Mellott, which provided 24 mobile field attorneys throughout the day. Local volunteer attorney Mike Healey stationed himself at the County Courthouse to deal with the many problems that were presented there.

Election Day Problems Identified and Recorded

By using election protection volunteers, 1,000 complaints were logged in from Pennsylvania and 20 affidavits were secured from voters in Allegheny County on Election Day documenting problems involving provisional ballots, name not on the voter file, unknown polling place, broken machines and voter intimidation.³

In conjunction with People for the American Way's national Election Protection program and Working Assets, Philadelphia County ACORN and Project Vote recruited, trained and mobilized 400 Election Protection volunteers to assist with GOTV and distribute Know Your Rights literature for the week prior to Election Day. Harrisburg and Lancaster County ACORN and Project Vote had an Election Protection Project with 100 volunteers they had recruited and trained. These volunteers distributed Know Your Rights literature before Election Day and covered 13 precincts on Election Day, handling 50 complaints.

The Election Day EP Program in Allegheny County deployed more than 300 community poll monitors to 60 polling sites where voters reported hundreds of problems throughout the day. The poll-monitoring efforts by the Pittsburgh EP Program have been captured on videotape and show voters experiencing many problems on Election Day 2004 that demonstrate the need for significant reform of the election system.⁴

The most common and disturbing Election Day problem in Allegheny County was the lack of provisional ballots that resulted from the decision of the County Election Bureau to provide only 12 such ballots at each polling site. Some polling locations reported having none at the beginning of the day while others ran out within hours of polls opening. It proved nearly impossible to get any additional provisional ballots delivered throughout the day as frantic voters and frustrated poll workers clogged the phone lines at the Allegheny County Election Bureau and also at the 1-866-OUR-VOTE hotline. As a result, the Friends Meetinghouse staging area for Allegheny County Election Protection received hundreds of calls as cell phones of many of the volunteers rang all day. Hundreds of complaints were subsequently reported and handled from callers and from walk-in voters who saw the Election Protection signs posted outside on the lawn. We have no idea how many more complaints we could have handled had we had even greater capacity.

³ Complaints are logged into the Election Information Reporting System at www.voteprotect.org.

⁴ Ten minute documentary produced by Terri Taylor. Copies are available from the Allegheny County ACORN office at 412-441-8551.

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This one problem with the provisional ballots alone disenfranchised hundreds of citizens in Pennsylvania who became frustrated with the long lines and confusing messages from poll workers. Voters were told that sites had run out of provisional ballots without any recourse until an unprecedented move by a County Judge who ordered that the Allegheny County Courthouse stay open an hour and a half beyond the usual closing time to 9:30pm, to accommodate the many voters who were not able to obtain a provisional ballot prior to the normal poll closings at 8:00pm.

Many of the problems associated with provisional ballots could have been avoided if voters' names were placed onto the rolls in a timely fashion and if voters were able to definitively confirm their name on the rolls prior to Election Day. This would have also allowed them time to fix the problem before it was too late. A report that examined a sampling of 775 problems nationwide found only 3% of the provisional ballot problems experienced on Election Day 2004 were the fault of the voter.⁵

Two National Hotlines Were Created to Document and Resolve Problems Experienced by Voters on Election Day, November 2, 2004

No. 1: Election Incident Reporting System (EIRS)⁶

- USA Total Incidents Reported—40,003
 - Registration related—14,813
 - Absentee ballot related—3,936
 - Machine related—2,242
 - Provisional ballot related—1,996
 - Voter Intimidation—1,876

- Pennsylvania Incidents—4,523
 - Registration related—1,650
 - Absentee ballot related—340
 - Machine related—284
 - Provisional ballot related—327
 - Voter Intimidation—299

- Philadelphia County Incidents—1,699
 - Registration related—483
 - Absentee ballot related—123
 - Machine related—180
 - Provisional ballot related—97
 - Voter Intimidation—157

- Allegheny County Incidents—1,000
 - Registration related—422
 - Absentee ballot related—340
 - Machine related—30
 - Provisional ballot related—137
 - Voter Intimidation—45

⁵ "Continuing Failures in Fail-Safe Voting: A Preliminary Analysis of Provisional Voting Problems in the 2004 Election". www.demos-usa.org

⁶ Election Reporting Information System can be accessed at www.voteprotect.org

No. 2: 175,213 Total Calls Received by Common Cause and NBC Hotline

County Rankings as reported by 1-866-MY VOTE 1

State	County	Calls
1. PA	ALLEGHENY	6089
2. FL	BROWARD	5904
3. CA	LOS ANGELES	5836
4. NY	NEW YORK	5185
5. PA	PHILADELPHIA	4049

Problems Reported on EIRS and by Affidavits

Voter Registration

As reported on EIRS, 1650 Pennsylvania voters complained that they had registered but had never received their registration cards, or were informed that they were not on the rolls. In some cases, this affected voters who had updated their registrations after moving, while other voters who had been voting at the same place or had been registered at the same address for years were also turned away. While there were many scattered complaints across the state, the problems in Dauphin County seemed more severe. In Dauphin County an election protection attorney volunteer documented 4 incidents where persons were turned away who were registered to vote and had voted in 2003 at the same polling location. Calls to the Dauphin County Election Bureau went unanswered and when answered voters were on hold for at least twenty minutes.

Absentee Ballots

Nationally, millions of Americans voted early or voted absentee this year and many of them live in Pennsylvania. In news reports and in the calls we received before Election Day, voters, including voters with disabilities, senior citizens and students, complained that they had not received their absentee ballots on time. Some were not allowed to vote in their polling place because the voter eligibility list at every polling place stated they had already applied for an absentee ballot.

Pennsylvania's process to request, receive and return absentee ballots is confusing and places an undue burden on many voters. A voter must fit into one of 14 categories of "exceptions" to be eligible to cast an absentee ballot in Pennsylvania. Except for emergencies, absentee ballots must be returned to election bureaus by the Tuesday before Election Day. To add to the confusion, Pennsylvania created an Alternative Ballot for persons who have a disability or who are 65 years of age or older who are assigned to an inaccessible polling place. Those eligible must apply at least seven days before Election Day.⁷

⁷ Election Day 2004: An Analysis Compiled by The Pennsylvania Voters Coalition

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Election Protection volunteers helped voters with questions and complaints regarding the use of absentee ballots, mostly from voters who had requested but had never received them. Other voters reported receiving them too late in order to submit them before the deadline. Below is the copy of a report from EIRS at www.voteprotect.org that documents the problem of a voter in Allegheny County.

041523	11/02/04, 1:14 PM PST	Absentee- ballot related problem	PITTBURGH , ALLEGHENY County, Pennsylvania	Voter is registered in Clarion County but living (college student) in Allegheny County. He applied for an absentee ballot on 10/22/04 and sent the application on 10/25/04. When he did not receive an absentee ballot later that week, he called and was told they never received his application and that the only way he could vote was to drive (2 hours) to Clarion county. This morning, he got a court order regarding his current address in order to cast a provisional ballot. However, when he got to the polling place that corresponds to his current address (Oakland), he had to wait in a long line and then found out that they had run out of provisional ballots. The officials sent him downtown to County Elections. He had to wait several hours there because they had run out of provisional ballots as well. He did finally cast a provisional ballot there, after waiting for more ballots to arrive.
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Voting Machines

Numerous voting machine problems were reported and experienced throughout Pennsylvania but none were as severe as those in Mercer County, Pennsylvania.

“Last November, the Mercer County election *was* a nightmare, according to a review committee. The 22-page report goes as far as to say that county workers “demonstrated remarkable negligence,” noting that they failed to store their voting machines properly and to test or certify them before the election. “

This lack of preparation became evident on Election Day, when many of the machines malfunctioned. In one precinct, four out of every five votes cast did not register. As the situation worsened, it became clear that there was little emergency planning, with a “grossly inadequate” number of backup paper ballots and an insufficient number of phone lines.

As a result, more than 4,000 votes were lost out of 52,000 cast. Mercer County can thank its lucky stars that it was not located in Florida in 2000, where those 4,000 votes would have made a difference.”⁸

Voter Intimidation and Suppression

An EP volunteer in Philadelphia reported three separate incidents of a large SUV with white men parked in front of the polling site in a predominantly black neighborhood. The SUV was idling and the men were staring down voters and pretending to be from the District Attorney’s office. When the EP volunteer confronted them, they admitted that they were in fact Republican attorneys from Tennessee.⁹

⁸ Pittsburgh Post-Gazette Editorial, February 15, 2005

⁹ EIRS www.voteprotect.org

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Provisional Ballots

Provisional ballot problems accounted for hundreds of the problems documented on Election Day in Allegheny County. Volunteer poll monitors were able to document what they experienced onto affidavits.

"I worked for Project Vote at the Wilksburg Senior High School. I was there from 7am-2pm. Approximately 20 out of 100 people were not able to vote despite having voting cards that show the correct polling location. Their names were not on the roster. The polling location began the day with twelve provisional ballots at 7am. There were no provisional ballots between 10am thru 2pm. Five people who wanted to vote by provisional ballot during this period left because there was none available. An additional ten [ballots] were provided around 2pm."¹⁰

Another Allegheny County voter reported to an EP volunteer that she had changed her name and address and re-registered to vote. However, when she went to her polling place, she was informed by an election official that she was not on the registration roll at either her old or new polling place. The official told her that the polling place did not have any provisional ballots. She left without casting her vote.

Allegheny County Advocates Hold Public Hearing on Voting Irregularities

On December 15, 2004 Project Vote, ACORN and the Election Protection Coalition coordinated a public hearing. The proceeding was held in the Pittsburgh City Council chambers where dozens of disenfranchised voters and poll workers testified about the many problems they encountered on Election Day, November 2, 2004.

The evening meeting was granted by special permission from the City Council. It was presided over by Councilman Doug Shields and a panel that included Scilla Wahrhaftig, American Friends Service Committee; Martha Conley, NAACP Pittsburgh Branch; Sue Broughton, League of Women Voters, Pittsburgh Chapter; Vicki Beasley, People For the American Way Foundation; Aurora Vasquez, Advancement Project; Matt Preston, Everybody Vote volunteer; Rasheedah White, ACORN; Khari Mosley, Pa. Hip Hop Political Convention; and Greg Moore, NAACP National Voter Fund.

Carlos Brossard, of the Western Pennsylvania Black Political Assembly, was critical of the county's decision to supply each polling place with 12 provisional ballots, as were many of the other participants at the hearing.

"This hip-pocket position was not based on sound reason or logic," he said. "There was no single process that told us who was turned away or for what reason they were turned away...How in heaven's name can you have an election without minimum operational procedures?"¹¹

Many people testified that the poll workers did not know to use ballots marked "absentee" as provisional ballots when they were told by the County Election Bureau to begin using them once the real provisional ballots ran out.

¹⁰ Affidavit on file at the Allegheny County ACORN office.

¹¹ New Pittsburgh Courier story as reported by Sonya Toler on December 18, 2004.

Several people testified to waiting in the long lines for almost three hours to try and vote or straighten things out. Because they had to go to work or school, they simply left before voting.

One man said he substituted for his wife as a poll worker and found that no one else working at the poll had received training on provisional ballots. "I quickly found myself to be the provisional ballot expert," he said.

At the December 15, 2004 hearing in Allegheny County voters submitted voter affidavits that documented problems with provisional ballots. The affidavits are being kept as part of the evidence that will be utilized to bring about reform in Allegheny County and in the state of Pennsylvania. Proceedings of the three-hour hearing were videotaped.¹²

"It is clear that our voting system in Pennsylvania fell short of our democratic ideals on Election Day, November 2, 2004. A total of 175,213 nationwide calls were received on the NBC and Common Cause hotline where two counties, Allegheny and Philadelphia were in the top five in the nation for the number of complaints demonstrate the magnitude of the many problems where local standards varied, national standards were unevenly applied, and inequities and uncertainties abounded. Procedures for registration were unnecessarily complicated and daunting for new voters; election workers and poll workers were too few and inadequately trained; same day remedies for voters were rare and difficult to implement with exceptions due in large to the Election Protection Poll monitors; there were instances of voter intimidation and suppression; and in many areas strong voter turnout simply overwhelmed the system and that lead to the disenfranchisement of thousands of voters."¹³

RECOMMENDATIONS

Voter Registration

- Redesign the voter registration application to be less complicated. This could be achieved by working with literacy experts who would make the voter registration application more user friendly and ensure that required information is captured easily.¹⁴
- The State should offer statewide web access by the citizenry to the voter database to determine whether a person is on the official voter roll.¹⁵
- The State should create a system for web access to a polling place locator.¹⁶ This polling place locator should include details of handicapped access.
- The State must create a system for statewide standards, guidelines, and deadlines to ensure timely processing of new voter registration applications, e.g. counties shall process all voter applications within seven working days of their receipt.

¹² Copies of the tapes can be requested from Allegheny County ACORN at 412-441-6551.

¹³ Shattering The Myth – An Initial Snapshot of Voter Disenfranchisement in the 2004 Election. www.pfaw.org
www.naacp.org www.lawyerscommittee.org

¹⁴ "American Election Administration: Next Steps", November 2004, Jo-Anne Chasnow.

¹⁵ View the public access portal for North Carolina at www.sboe.state.nc.us or view the Kentucky portal at www.elect.ky.gov and go to "voter information".

¹⁶ See www.everybodyvote.com, developed by a local non-profit, and housed at Carnegie Mellon University.

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Absentee Ballots

- Pennsylvania law should be changed to provide for “permanent, no excuse” absentee voting, thus allowing citizens to vote absentee for any reason; and once applied for, absentee ballots will be mailed for all future elections.
- The deadlines to apply for and return absentee ballots should be up to the time the polls close, on Election Day.

Voting Machines

- There must be established statewide standards for the improvement, replacement, acquisition and monitoring of all voting machines to ensure that they are available in sufficient quantities, working properly, tested prior to every election, and able to accurately record how voters want to vote.

Voter Suppression, Scams and Intimidation

- Scaring, or cheating voters out of their right to vote or to have their vote counted undermines the very foundations of our democratic society. Politicians, political strategists, and party officials who may consider voter intimidation and suppression efforts as part of their tactical arsenal should be prepared to be exposed and prosecuted. State and federal officials including the US Department of Justice, the State Attorney General and all political and party officials should publicly repudiate such tactics make clear that those who engage in these activities are violating the 1965 Voting Rights Act and will be prosecuted to the fullest extent of the law.¹⁷

Provisional Ballots

- Provisional ballots in every county should be counted within a specific, reasonable, uniform timeline established by the state. For example, “all provisional ballots will be counted within 10 days of election day.”
- Statewide standards must be established for uniformity in providing a minimum number of provisional ballots at every polling location. Polling places should NEVER run out of provisional ballots.
- Provisional ballots in every county should be counted within a specific, uniform timeline established by the state. For example, all provisional ballots will be counted within 10 days of Election Day.
- Pennsylvania must collect data from every county, after every election, including how many provisional ballots were used, how many were counted, and how many were rejected. The rejections should be in categories of rejection, e.g. not registered, not cast in proper jurisdiction, no ID from newly registered who registered by mail, etc. This data should be posted on the website of the Secretary of State as soon as it is collected, along with other election results.¹⁸
- State-developed poll worker training must include vital provisional ballot information to be conveyed to each potential provisional ballot voter: 1) does the voter need to provide specific ID for the ballot to count; 2) does the voter have additional time after election day

¹⁷ “The Long Shadow of Jim Crow-Voter Suppression in America Today” www.pfaw.org and www.naacp.org

¹⁸ Cook County, Illinois Clerk David Orr created a model described in his “Report to the Nation on America's Election Process”, December 7, 2004.

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to provide necessary ID; 3) is the voter casting the provisional ballot from a polling place in the "correct jurisdiction", to ensure that the provisional ballot will not be discarded?

- Pennsylvania should design the provisional ballot to serve simultaneously as a voter registration application.
- Pennsylvania must act in the best interest of the voters in counting provisional ballots. All ballots cast anywhere in the state should be counted – for all offices for which the voter is eligible to vote.
- Every person casting a provisional ballot must be given a receipt including access to a free-access system to determine if the ballot was counted.

Poll worker training and recruitment

- In response to HAVA, Pennsylvania must develop uniform, statewide, mandatory, substantive training to be used universally throughout the state.¹⁹
- Insufficient numbers of poll workers at polling places demand that future recruitment efforts are collaborative with various community groups, to encourage more and better recruitments. The State should offer guidelines.
- Pennsylvania must ensure that the recruitment process is inclusive and that it encourages participation by citizens from all communities.

The problems described in this report led to widespread voter confusion, voter discouragement, and voter disenfranchisement. In our experience these problems were more likely to occur in low and moderate-income communities and communities of color. Since our mission is to increase the participation of low and moderate-income people in the electoral process through voter registration, education, and mobilization, these problems directly affect the ability of our constituency to take part in Pennsylvania elections.

Due to the significant problems in Pennsylvania during the November 2, 2004 Election, the trust is at risk. Pennsylvania ACORN and Project Vote are committed to ensure that significant progress happens quickly to correct many of these problems. The Pennsylvanian voters arriving at the polls to vote in important elections in 2005-2006 should not be faced with the same problems that occurred on Election Day November 2, 2004. Improving our election procedures will help to restore trust in our democratic process. Without such trust, our democracy will be in a crisis.

National and Pennsylvania ACORN History and Background

ACORN -- Association of Community Organizations for Reform Now -- is the nation's largest community organization of low and moderate-income families, with over 175,000 member families organized into 800 neighborhood chapters in 80 cities across the country. Since 1970 ACORN has taken action and won victories on issues of concern to our members. Our priorities include: better housing for first time homebuyers and tenants, living wages for low-wage workers, stopping predatory lenders, more investment in our communities from banks and governments, and better public schools. We achieve these goals by building community organizations that have the power to win changes -- through direct action, negotiation, legislation, and voter participation.

In 2004 ACORN registered 1,125,158 voters nationwide in low-income African-American and Latino neighborhoods. We built on our record-breaking voter registration drive by contacting each new and infrequent voter in our communities twice at their home and twice on the phone with information about important issues in the election and a reminder to go vote.

¹⁹ HAVA impacts every part of the voting process from voting machines to provisional ballots, from voter registration to poll worker training.

We reached the same registered voters all over again, plus their neighbors resulted in contacting 1,284,909 new and infrequent voters between two and four times each and door-knocked on another 2.2 million voters on Election Day, November 2, 2004.

Our track record of accomplishments in these communities combined with our commitment to recruit our army of canvassers from the residents of the neighborhoods in which we worked has made this one of the most successful voter mobilization efforts in recent memory.

“ACORN’s goal is to make sure the voices of low and moderate income Americans are heard loud and clear in the political process. We have knocked on virtually every door in our neighborhoods this year, and we brought over a million new voters to the polls. ACORN’s campaign truly represents democracy in action.”

Maude Hurd, National ACORN President

During the 2004 Presidential Election, Pennsylvania ACORN members and canvassers registered more than 132,710 voters across the state in 15 counties and increased voter participation by 35% over the 2000 election.

Pennsylvania ACORN consists of 18 neighborhood chapters. It is the largest grassroots community organization in the state and is made up of low and moderate-income residents. The states’ most tenured office, Philadelphia ACORN was established 977, Allegheny County ACORN opened in the fall of 2000, Harrisburg ACORN opened in the fall of 2003, and Allentown ACORN started signing up its first member in January of 2004.

We are dedicated to providing quality voter education and conducting mass voter registration and mobilization of voters in Pennsylvania. We are committed to protecting the rights of these voters by advocating for greater efficiency, improved accountability and increased transparency of all systems that are encompassed in Our Right To Vote.

Special thanks and appreciation goes to Jo-Anne Chasnow with Project Vote. Her expertise, experience and perseverance was invaluable with the writing and editing of this Pennsylvania Election Administration Action Agenda.

Celeste Taylor, a graduate of the University of Pittsburgh has worked for 25 years as an activist for human and civil rights groups. Currently she is the PA ACORN Policy Director for Election Administration and Legislative Campaigns. From 2001 thru 2004 Ms. Taylor served as a Field Director for Good Schools Pennsylvania, a group that was instrumental in acquiring over 200 million in additional resources for Pennsylvania Public Schools. Ms. Taylor was the 1999-2000 Pittsburgh Director of the NAACP National Voter Fund. Special recognition for her work includes the 2003 Allegheny County ACORN Community Leadership Award, 2002 National Council for Urban Peace and Justice Community Service Award, 2001 League of Women Voters of Greater Pittsburgh Good Government Award and the 2000 YWCA of Greater Pittsburgh Racial Justice Award.

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TAB 13

'A Rich History of Corruption'

HARRISBURG, Pa. -- Over five years after the near meltdown of the Florida presidential recount, politicians are still arguing over how best to reform state election laws. Ground zero in that battle now is Pennsylvania, which features two close statewide races, for governor and U.S. senator.



Ed Rendell

Democrats claim anything that impedes or discourages someone from voting is a violation of the Voting Rights Act. Republicans insist the state's rancid history of voter fraud requires preventive measures. The conflict of visions, to borrow Thomas Sowell's phrase, couldn't be more complete.

Take the bill the GOP-controlled Legislature passed, which would require voters show a form of official ID or a utility bill; another bill would end Philadelphia's bizarre practice of locating over 900 polling places in private venues, including bars, abandoned buildings and even the office of a local state senator. City officials admit their voter rolls are stuffed with phantoms. The city has about as many registered voters as it has adults, and is thus a rich breeding ground for fraud.

But Democratic Gov. Ed Rendell vetoed both bills last month, saying that in a time of voter apathy "the government should be doing everything it can to encourage greater participation." He warned that requiring an ID could disenfranchise the homeless, nursing-home residents and the poor. Mr. Rendell says there is no evidence people routinely impersonate others to vote. He also says requiring an ID at the polls doesn't combat absentee ballot fraud. True enough; election officials properly worry that some 25% of voters now don't show their face when voting. In 1998, Austin Murphy, a former Democratic congressman, pleaded guilty to fraudulently voting absentee ballots for nursing-home residents near Pittsburgh.

But Mr. Rendell's history doesn't inspire confidence that he takes fraud of any kind seriously. In 1994, Philadelphia Democrat Bill Stinson was booted from office as a state senator by a federal judge who found his campaign had rounded up 250 tainted absentee ballots. Mr. Rendell, then Philadelphia's mayor, had this reaction to the Stinson scandal: "I don't think it's anything that's immoral or grievous, but it clearly violates the election code." In 1997, Mr. Rendell admitted to the Journal's editorial board that Philadelphia judges had "a rich history of corruption" that called into question how fairly city laws are enforced.

Now governor, Mr. Rendell isn't eager to depart from business as usual. In 2004, a court had to order him to make changes in the deadlines for absentee military ballots so they would be counted. At the same time, his secretary of state asked prison wardens to post a document

outlining how prisoners could vote absentee. When GOP Rep. Curt Weldon held a news conference to denounce illegal voting by prisoners, a TV camera crew captured voter operatives behind him carrying absentee ballots out of the prison.

Still, many liberals insist fraud isn't an issue in Pennsylvania. "Show us the fraud," said Elizabeth Milner, chairman of the state's League of Women Voters, urging a veto of voter ID. Well, Donna Hope of Philadelphia can show her, because in 2004 an organizer for Voting is Power, an offshoot of the Muslim American Society, registered her to vote despite her admission that she was a noncitizen. Although she was turned away from the polls for that reason that November, someone eventually voted in her name.

Ms. Hope, a citizen of Barbados, said the women registering her told her that if she "had been in the U.S. for seven years or more you can register to vote." Jocelyn Budd, the woman who is listed on Ms. Hope's registration form, recalls canvassing her street but not specifically registering her. "I heard that people were forging [registration] cards to meet goals, but I never falsified any information," she says.

As for the group that registered Ms. Hope, Noreen S. Ahmed-Ullah of the Chicago Tribune reported in 2004 on internal Muslim American Society documents which showed it is the "public face" in the U.S. of the Muslim Brotherhood, an international group that has spawned violent organizations including Palestinian Islamic Jihad and Hamas.

MAS leaders say the documents obtained by the Tribune are either outdated or inaccurate. Shaker Elsayed, a top MAS leader, says that while the group was founded by Brotherhood members, it is independent. An MAS spokesperson denies the group has any connection to registration fraud.

Irregularities like these are representative of mushrooming fraud, and the general public clearly believes some safeguards are needed. Despite claims by NAACP chairman Julian Bond that voter ID laws represent "an onerous poll tax," polls show upward of 80% favor them. Andrew Young, the former Atlanta mayor and U.N. ambassador, believes that in an era when people have to show ID to rent a video or cash a check "requiring ID can help poor people." He notes that his native Georgia is deploying a mobile bus to issue free voter IDs.

But no antifraud laws will work if prosecutors and judges don't crack down on election irregularities. Several tell me they fear being accused of racism and aiding voter-suppression tactics if they pursue touchy fraud cases. One district attorney told the U.S. Government Accountability Office that he doesn't pursue phony voter registrations because they are "victimless and nonviolent crimes."

Even those few who are prosecuted often view the punishment as the cost of doing politics. Barbara Landers, a former Democratic state Senate aide, was convicted in 1994 on 30 counts of misleading absentee voters in the Stinson scandal. She was given a suspended sentence and fined only \$1,000. Last month, she pleaded guilty to misappropriating up to \$115,000 in state grants meant to help the needy. "If the book had been thrown at her for voter fraud, she might have been deterred from subsequent behavior," one Philadelphia prosecutor told me.

The integrity of the ballot box is just as important to the credibility of elections as access to it. In not closing off opportunities for fraud and chaos, Pennsylvania is inviting trouble in its fall elections that could rival that of Florida in 2000.

Mr. Fund is a columnist for OpinionJournal.com¹.

<http://online.wsj.com/article/SB114489182380724748.html>

<http://OpinionJournal.com>

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November 16, 2006

Lawrence Norton, Esq.
Office of the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Re: MUR 5820
Association of Community Organizations for Reform Now and
Project Vote/Voting for America

Dear Mr. Norton:

This letter responds to the complaint designated MUR 5820 on behalf of the Association of Community Organizations for Reform Now ("ACORN") and Project Vote/Voting for America ("Project Vote") (collectively, "Respondents").

The complaint not only fails to set forth "a clear and concise recitation of the facts which describe a violation of a statute or regulation over which the Commission has jurisdiction," 11 CFR § 111.4(d)(4), it is riddled with legal and factual errors and omissions. The complainant fails to disclose, for instance, that some of the claims it repeats in order to allegedly demonstrate illegal partisan favoritism by Respondents have been found by a court to be false and defamatory. He does not mention that one of the key documents relied on to demonstrate the alleged "connection" to a federal election (Complaint Tab 1) was only a draft, a fact discernable by reading the depositions the complainant himself submitted. He does not see fit to point out that another key document (Complaint Tab 3) has already been the basis for a complaint filed with this Commission and dismissed with a finding of no reason to believe. In short, this complaint is an attempt to recycle previously discredited documents and defamatory claims, to get not only a second but a third bite at the apple by resurrecting charges that have already been investigated and dismissed.

Although the complaint alleges that Respondents have engaged in activities in connection with a federal election, it does not point to a single public communication that so much as referred to a federal candidate or party. It provides no factual basis to suggest that either Respondent had made a regulated expenditure, other than the defamatory statement of a disgruntled former employee. We therefore urge the Commission to find no reason to

FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL
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believe that either Respondent has violated the Federal Election Campaign Act of 1971, as amended (FECA) and dismiss the complaint.

I. RESPONDENTS AND THEIR ACTIVITIES

A. Description of Respondents

ACORN is the nation's largest community organization of low- and moderate-income families, working together for social justice and stronger communities. It is a nonprofit membership corporation organized under the laws of the state of Arkansas. ACORN has grown to more than 220,000 member families, organized in 850 neighborhood chapters in over 100 cities across the U.S. and in cities in Canada, the Dominican Republic and Peru. ACORN's accomplishments include successful campaigns for better housing, schools, neighborhood safety, health care, job conditions, and more. Increasing civic involvement and political participation among residents of low income and minority communities is a core component of ACORN's mission. Increasing voter registration and turnout in these communities is an end in and of itself for the organization because it strengthens their voice when organizing for change.

Project Vote is a leading technical assistance and direct service provider to the civic participation community. It is a nonprofit corporation organized under the laws of the state of Louisiana and exempt from federal income tax under Internal Revenue Code section 501(c)(3). Project Vote provides professional training, management, evaluation and technical services on a broad continuum of key issues related to nonpartisan voter engagement and participation in low-income and minority communities.

The complaint inaccurately refers to Project Vote as ACORN's "affiliated entity." The organizations do not describe themselves that way; they are allied organizations that frequently work closely together on specific projects. ACORN is governed by a seventy-seven person Board of Directors that reflects leadership elected from the neighborhood level up. The Board includes two representatives from each state with local ACORN groups, plus the President of the Association. Project Vote is governed by a five person Board of Directors, of whom one also sits on the ACORN Board. The governing documents of the two organizations do not create any corporate affiliation. That is, the members and board of one corporation have no authority to appoint or approve the members or board of the other. To the extent there is any overlap on the boards or among the officers of the corporations, it is a result of mere happenstance, not the exercise of corporate authority by one organization over an affiliate.

It is certainly true that neither ACORN nor Project Vote has registered or filed any report with the Commission. Neither accepts contributions nor makes expenditures as those terms are defined under the FECA, nor does either make electioneering communications. All public communications by both Respondents comply with applicable Federal Election Commission regulations on corporate activity (as discussed in greater detail below).

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Hence, as a matter of law neither has any obligation to register with or report any funds received or disbursed to the Commission.

B. Respondents' Activities in 2004

Both Respondents engaged in a variety of election-related activities in 2004. Below we will respond to specific allegations raised in the complaint, but to provide context it may be useful to begin with an overview of the actual activities of each organization.

Project Vote provided funding, technical support, and oversight to a number of different organizations engaged in wholly nonpartisan voter registration and get-out-the-vote efforts in 2004. In Florida, the jurisdiction that is the focus of most of the complaint, Project Vote provided funding support for ACORN to carry out these activities. It also provided staff to supervise the use of that funding to ensure that all activities complied with its requirement that they be entirely nonpartisan -- that is, that the voter registration and get-out-the-vote services and communications be provided to all without reference to known party or candidate preference, and that they not encourage support for a given candidate or party.

In addition to carrying out the nonpartisan voter registration and mobilization activities funded by Project Vote, ACORN participated actively in an effort to pass an amendment to the Florida state constitution¹ that would raise the minimum wage in the state by one dollar per hour and require future adjustments to keep pace with inflation. This effort involved bringing together a coalition of supportive organizations, gathering signatures to qualify the initiative for the ballot, educating the public about its merits, encouraging voters to support the measure, and turning those supporters out to the polls. A large portion of this activity is regulated by the state, and therefore ACORN and its coalition allies formed a state ballot measure committee, Floridians for All, to carry out those regulated activities. ACORN provided significant financial support to this committee, contributions which were duly reported to the state, as required.

The initiative was successful, garnering 71% of the vote. As a result, Florida's minimum wage was \$6.40 per hour as of January 1, 2006.

II. RESPONSE TO FACTUAL ALLEGATIONS

A. Florida 2004

1. The document at Tab 1 of the complaint was an internal first draft that was rejected and revised.

¹ Florida state law does not provide a process to enact law by ballot initiative other than through constitutional amendment. As a result, Florida citizens unable to obtain favorable action from the Florida legislature frequently use the constitutional amendment process to bring policy issues before the citizens of the state.

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The document on which the complainant bases most of his complaint (Complaint Tab 1, "Floridians for All Campaign Plan"), was an internal draft. The depositions provided by the complainant include the description of this document as "an early draft." As demonstrated by the declarations of Brian Kettenring (Attachment 1) and Steve Kest (Attachment 2), it was drafted by an employee (Mr. Kettenring) who did not have authority to adopt or implement such a plan. After this employee's supervisor (Mr. Kest) reviewed the plan, he instructed the employee to revise it substantially. As indicated by Mr. Kettenring's declaration, the draft attached to the complaint was assigned to a staff person for revision. That person subsequently left ACORN staff, apparently taking the unimplemented draft with him.

Despite rejecting Mr. Kettenring's first draft, the organization decided to pursue a ballot initiative to raise the minimum wage in Florida. ACORN has a long and continuing history of advocating on behalf of low-income workers, and specifically of working to secure an increase in the minimum wage. The ultimate contours of the resulting Florida campaign are reflected in Exhibits A, B, and C to Mr. Kettenring's declaration.

The draft document was never circulated outside the organization, and it does not represent a plan that was implemented by the organization. A communication that is publicly distributed only because an unauthorized person wrongfully obtains internal draft documents and disseminates them without ACORN's knowledge or consent cannot be attributed to ACORN.² This document demonstrates at most the subjective intent of a single ACORN employee. It would be novel indeed to suggest that the mere fact that a single person in the organization was explicitly aware of the potential indirect partisan result of a state ballot measure campaign might trigger federal political committee status or turn the costs of advocacy around that state ballot measure into a federal expenditure. As discussed below in the Legal Analysis, absent evidence that an organization has made public communications that expressly advocate the election or defeat of one or more clearly identified federal candidates³ or coordinated its electoral activities with a federal candidate or political party, there is no basis for the FEC to regulate efforts to amend a state constitution by ballot initiative. Ballot measure advocacy is properly regulated by the states.

2. The "Victory 2004 Florida Coordinated Plan" has already been the subject of an FEC complaint and adjudged not to constitute reason to believe the named organizations illegally coordinated activities with the Democratic Party.

² It appears that Mr. Iglesias may have received his copy of this document from the former employee. Although the draft was produced in discovery during the Mac Stuart litigation as an exhibit to a deposition, that copy was marked as an exhibit, unlike the copy filed with this complaint. (See Attachment 4.)

³ In this case, there is not even any evidence that any public communications by ACORN or Project Vote so much as referred to a clearly identified candidate, much less included express advocacy.

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The complaint introduces a document titled, "Victory 2004 Florida Coordinated Plan." Although not entirely clear on this point, the complaint seems to suggest that ACORN's work in support of the minimum wage initiative was coordinated with organizations who were also coordinating activities with the Democratic National Committee, the Florida Democratic Party, and the Kerry-Edwards campaign, and *ergo* the ballot measure work must be considered an in-kind contribution to the party or campaign. Unfortunately, the complaint fails to mention that this very document has already been considered by the Commission in MUR 5586. In January of this year the Commission dismissed that matter, finding no reason to believe that the document was sufficient to demonstrate a violation. The complaint named four organizations that were not parties or candidates -- Academy of Florida Trial Lawyers, Florida Education Association, Service Employees International Union, and Florida AFL-CIO. Declarations filed in that matter and the Commission's own General Counsel's Report indicate that two of the organizations never saw the document until it was provided to them with the complaint in the matter; one of them saw it in August but did not sign it, respond to it, or distribute it to others; one of them received it, signed it, but took no further action. The responses to that MUR and their accompanying affidavits and declarations are attached to this response as Attachment 5, for convenience of reference. These documents compellingly demonstrate that the "Victory 2004" was never implemented and cannot serve as a basis to conclude that the named organizations were coordinating their electoral efforts with any party or candidate.

In addition, while all four of those organizations supported Amendment 5, the Florida minimum wage initiative, the individuals named in the "Victory 2004" document as participating in coordinated activities did not. (See Attachment 1, declaration of Brian Kettenring, affirming that the individuals who signed onto the coordinated campaign were not the ones who participated in the initiative work on behalf of their organizations.) Get out the vote efforts conducted by ACORN were not targeted based on partisan affiliation. (See Attachment 1, Kettenring declaration, para. 12.) There is thus no evidence that the organizations served or even could have served as vehicles for coordination of state ballot measure advocacy or the associated get-out-the-vote efforts, and neither Respondent engaged in any conduct that would have allowed its communications to be treated as coordinated and therefore in-kind contributions under the standards discussed below in Part IV, Legal Analysis.

3. All work in furtherance of the ballot measure was conducted in compliance with Florida law, and no public communications referred to any federal candidates or political parties.

Despite rejection of Mr. Kettenring's draft plan, ACORN successfully pursued a ballot initiative to raise the minimum wage in Florida. The conduct of this initiative campaign is reflected in materials used to solicit funds for it, as well as those distributed publicly to encourage support for the measure. In addition to the proposals attached as exhibits D and E to Mr. Kettenring's declaration (Attachment 1), see the letters used to appeal for

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institutional funding in support of the measure attached as exhibits C and D to that declaration. As demonstrated by these solicitations, funds were raised for this measure in order to promote its passage as a desirable policy goal, and to support ACORN's goal of increased political and civic participation by members of low income and minority communities. Walk lists for get-out-the-vote canvassers did not include party affiliation and partisan criteria were not used as a screen in developing those lists. The purpose and operation of the initiative campaign was demonstrably not to support specific candidates or partisan objectives.

The conduct of the get-out-the-vote activities associated with the initiative campaign further demonstrates that it did not tread into any area within the FEC's jurisdiction. As the copies of flyers and door hangers in Attachment 6 indicate, the campaign's public communications focused exclusively on the ballot measure in question. A perusal of the ballot committee's web site, floridiansforall.org, provides further evidence of a focus exclusively on the issue of increasing the minimum wage, with no references to candidates or parties.

4. The complaint refers to ACORN's election-related activity in other states in 2004 but fails to assert any FECA violation.

It is true that ACORN and Project Vote engaged in voter registration and voter motivation efforts in states other than Florida in 2004. Encouraging civic engagement is part of what ACORN does. Absent an allegation that these activities were not consistent with the regulations in 11 CFR 114.4 governing corporate communications beyond the restricted class, it does not appear that any violation is being asserted. In the absence of any such assertion, Respondents cannot know what evidence to produce to rebut the complaint on this point.

B. Funding of Florida State Ballot Measure in 2004

Despite rejection of Mr. Kettering's draft plan, ACORN determined to pursue a campaign to amend the Florida constitution via ballot initiative in order to raise the state's minimum wage. In order to carry out this plan, it developed a coalition of allied organizations supportive of the initiative. Florida requires that ballot measure advocacy be funded through ballot committees registered with the state, so the coalition created Floridians for All, which duly registered with the state. Its receipts and expenditures were reported as required by the state. This information can be viewed online: visit <http://election.dos.state.fl.us/online/commsrch.asp> and enter "Floridians for All" into the search box. Far from being "undisclosed and unlimited," funding for this effort was fully disclosed in compliance Florida law.

State ballot measure committees are not, as a rule, required to register with the Commission unless they engage in a specific activity that is regulated by FECA. ACORN knows of no such activity. (See, e.g., Kettering Declaration, Attachment 1,

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paragraphs 11 and 13, demonstrating that public communications focused on the measure and did not reference candidates or parties.) Solicitations for the ballot measure activity similarly did not refer to candidates or parties. (See Kettenring Declaration, Attachment 1, Exhibits D and E.) Get out the vote efforts were targeted without reference to partisan criteria.

The complaint states that some of this work was funded by "American Families United." There is such an organization, with a web site located at www.americanfamiliesunited.com. Its focus seems to be on immigration issues, and it is unlikely it would have funded work on the Florida ballot measure. Project Vote did receive funding for its voter registration work from an organization called America's Families United. (See Attachment 3, Declaration of Zach Pollett.) In any case, whatever organization may have provided the funding, the complaint fails to assert any violation of FECA in this regard.

C. The Complaint Raises Numerous Matters Outside the Commission's Jurisdiction, Including Claims Found to Be Defamatory

The complaint includes a number of assertions about alleged misconduct that lies well outside the Commission's jurisdiction. It would not be a productive use of the time and resources of either the Respondents or the Commission to address that entire laundry list which can only have been included for the sole purpose of trying to paint ACORN as a bad actor. We trust the Commission will not draw any negative inference from our failure to be diverted into a discussion of the use of federal grant funds more than a decade ago, but in any case that allegation is so far outside the FEC's jurisdiction as to be laughable.

Allegations of voter fraud are similarly not within the Commission's enforcement purview, but because of their connection to elections these allegations deserve at least a brief response. ACORN expends considerable effort working to ensure the integrity of its voter registration drives, and flags for officials cards which may be incomplete or improper. In the unfortunate but rare cases when an employee has submitted a duplicate or inaccurate voter registration form, ACORN has consistently taken prompt action in response. ACORN has worked with law-enforcement officials to investigate and, where appropriate, prosecute those who abuse ACORN's trust by engaging in dishonest conduct rather than providing the services for which they were hired. Despite systematic efforts to distract or disparage ACORN on the part of those who oppose its goals of increasing political participation by low-income and minority voters, in none of these cases have there been any findings of wrongdoing by ACORN itself.

In this regard, Mr. Iglesias encloses extensive materials pertaining to Mac Stuart's lawsuit against ACORN wherein Mr. Stuart alleged that ACORN had engaged in extensive illegal actions. Although he appears to have had extensive access to the case files, Mr. Iglesias failed to include information regarding the final disposition of the case,

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information that is essential to assess the credibility of any facts asserted by Mr. Stuart. ACORN counter-claimed against Mr. Stuart for defamation, based on Mr. Stuart's oral and written publication of his claims about ACORN's wrongdoing prior to instituting the litigation. After limited discovery, and on motion of both parties, the court entered judgment in ACORN's favor on the defamation claims and dismissed Mr. Stuart's claims with prejudice. In other words, the court determined that Mr. Stuart's claims about voter registration fraud by ACORN had been false and Mr. Stuart agreed to judgment to that effect being entered against him.

Any assertions made by Mr. Stuart deserve to be evaluated in light of this material information regarding his truthfulness. The single statement from Mr. Stuart's deposition that is cited in the complaint (that ACORN was "fraudulently withholding Republican voter registrations") was the basis for ACORN's first counter-claim for defamation (see Attachment 7, pages 7-8, para. 8 and 13) on which judgment was entered in its favor (see Attachment 8). The complainant's failure to disclose that this allegation had been found to be false gives cause to wonder about the reliability of his other assertions.

D. The Complaint Fails to Assert Facts That Could Indicate That Either Respondent's Activities in 2006 Constitute a Violation of FECA

1. The complaint states that ACORN has undertaken voter registration and mobilization in states including Pennsylvania, but does not provide any basis to suspect that these activities are not carried out in compliance with FECA.

It is difficult to discern precisely what violation the complaint may be asserting with regard to ACORN and Project Vote's activities in Pennsylvania, Ohio, and other states in 2006. It attaches a document in which Pennsylvania ACORN indicates an intent to register and engage voters. Both organizations have, in fact, done so. This is not a violation of FECA.

The complaint further sets out information from Project Vote's web site indicating the biographies and credentials of a number of Project Vote's personnel. No legal violation is indicated here. It is not illegal for an incorporated nonprofit dedicated to voter registration and citizen involvement to select its staff based on their organizing and political campaign experience. Campaign organizing experience is hardly irrelevant to organizing a massive nonpartisan voter participation project.

Absent specific allegations of even an arguable violation of FECA, it is difficult for Respondents to know what evidence to adduce to disprove Mr. Iglesias's suggestion that their voter involvement activities in 2006 merit investigation by the Commission. Unless unsupported innuendo alone is sufficient to merit investigation, this complaint simply fails to present any claims in this regard that have enough facial credibility to warrant any further use of the Commission's limited resources.

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2. The reference to a payment from SEIU to Voting is Power mischaracterizes ACORN's relationship with this union and further does not even allege a violation of FECA.

The complaint states, based on documents of unknown origin, that SEIU paid a large sum of money in 2004 to a 501(c)(3) organization, Voting is Power, to carry out a voter registration project. The complaint does not connect Voting is Power to either ACORN or Project Vote except to claim that SEIU is an "Acorn affiliate."

The source for this latter statement seems to be the ACORN web site, which lists two SEIU locals (Local 100 and Local 880) on its links page as part of the "family" of friendly and allied organizations. Local 100 operates in Louisiana, Arkansas, and Texas; Local 880 is active in Illinois and Missouri. Neither seems to have any operations in Pennsylvania or Florida. The fact that ACORN has a working relationship with two SEIU locals does not make the entire international union an "affiliate" of ACORN. It certainly does not make any actions of that union attributable to ACORN.

After inquiry among senior ACORN and Project Vote staff, we have been unable to identify any link between Respondents and Voting is Power. In any case, although the complaint alleges that this organization has engaged in a vote fraud scheme, it does not assert any violation of FECA that this Commission would have the authority to investigate.

3. The reference to GWBush.com appears to be a cut-and-paste error.

Although it is not discussed elsewhere in the complaint or attachments, at the conclusion of his "legal analysis" in part II.A. Mr. Iglesias states that "the costs associated with www.gwbush.com constitute 'expenditures' under the Act and Commission regulations." Respondents take no position as to the accuracy of this legal conclusion. Because the paragraph containing it begins as a discussion of the Floridians for All campaign in 2004 and ACORN's current voter involvement activities, this lone reference to gwbush.com appears to be a word-processing relic.⁴

Attachment 9 provides the results of a Whois search on this domain name, which indicates it is owned by a Mr. Zack Exley and not by ACORN or Project Vote. Inquiry among ACORN staff has turned up no indication that anyone has any connection to Mr. Exley. We attempted to contact him at the phone numbers and e-mail addresses associated with the registration but without success, so can provide no further information regarding this apparently irrelevant assertion.

⁴ The exact phrase, "Therefore, the costs associated with www.gwbush.com constitute 'expenditures' under the Act and Commission regulations" appears in a complaint filed against Zack Exley in 1999 (MUR 4894).

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III. LEGAL ANALYSIS**A. Neither ACORN nor Project Vote made "expenditures" as defined in FECA and Commission regulations.**

The Act defines the term "expenditure" as including "anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(9)(A)(i). To cure the statutory term of constitutionally problematic vagueness, the Supreme Court has construed expenditure "to reach only funds used for communications that expressly advocate the election or defeat of a clearly identified candidate." See *Buckley v. Valeo*, 424 U.S. 1, 80 (1976). Commission regulations accordingly define an *independent expenditure* as "an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate" that is not coordinated with a candidate or party. 11 C.F.R. § 100.16(a).

Under the Commission's regulations, a communication contains express advocacy when it uses phrases such as "vote for the President," "re-elect your Congressman," or "Smith for Congress," or uses campaign slogans or words that in context have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidates, such as posters, bumper stickers, or advertisements that say, "Nixon's the One," "Carter '76," "Reagan/Bush," or "Mondale!" See 11 C.F.R. § 100.22(a); see also *FEC v. Massachusetts Citizens for Life*, 479 U.S. 238, 249 (1986) ("[The publication] provides in effect an explicit directive: vote for these (named) candidates. The fact that this message is marginally less direct than "Vote for Smith" does not change its essential nature."). Courts have held that "express advocacy also include[s] verbs that exhort one to campaign for, or contribute to, a clearly identified candidate." *FEC v. Christian Coalition*, 52 F.Supp. 2d 45, 62 (D.D.C. 1999) (explaining why *Buckley* at 44, n.52, included the word "support," in addition to "vote for" or "elect," on its list of examples of express advocacy communication).

The complaint does not indicate that any communication made by either Respondent included such express advocacy, or even so much as a reference to a clearly identified candidate. As has been demonstrated above, the materials produced and distributed to promote the Florida ballot initiative focused on that measure and did not reference any candidate or party. Neither ACORN nor Project Vote has made any independent expenditures, and therefore they are not subject to the requirement to file any reports of such expenditures with the Commission.

B. Neither ACORN nor Project Vote has made expenditures or received contributions, so neither qualifies as a political committee.

The Federal Election Campaign Act of 1971, as amended ("the Act"), defines a political committee as "any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes

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expenditures aggregating in excess of \$1,000 during a calendar year.” 2 U.S.C. § 431(4)(A). The Act requires all political committees to register with the Commission and file a statement of organization within ten days of becoming a political committee, including the name, address, and type of committee; the name, address, relationship, and type of any connected organization or affiliated committee; the name, address, and position of the custodian of books and accounts of the committee; the name and address of the treasurer of the committee; and a listing of all banks, safety deposit boxes, or other depositories used by the committee. *See* 2 U.S.C. § 433.

The Commission’s regulations further provide that “any cost incurred for activity designed to encourage individuals to register to vote or to vote is not an expenditure if no effort is or has been made to determine the party or candidate preference of individuals before encouraging them to register to vote or to vote.” 11 C.F.R. § 100.133. Corporations are further required to engage in such activity in accordance with 11 C.F.R. 114.4(c) and (d). Those provisions require, in turn, that voter registration and get-out-the-vote drives not include any express advocacy of clearly identified candidates or the candidates of a clearly identified party; that they not be coordinated with any candidate or political party; and that the drive not be directed primarily to individuals previously registered or intending to register, or in the case of get-out-the-vote drives those currently registered, with the political party favored by the corporation. 11 C.F.R. § 114.4(c)(2) and (3); 114.4(d).

The Act defines the term “contribution” as including “anything of value made by any person for the purpose of influencing any election for Federal office.” 2 U.S.C. § 431(8)(A)(i); *see also* *FEC v. Survival Education Fund, Inc.*, 65 F.3d 285, 295 (2d Cir. 1995) (where a statement in a solicitation “leaves no doubt that the funds contributed would be used to advocate [a candidate’s election or] defeat at the polls, not simply to criticize his policies during the election year,” proceeds from that solicitation are contributions). Commission regulations further treat as a “contribution” the costs of a “coordinated communication” that meets both a content and conduct test. 11 C.F.R. § 109.21. The content standards, in turn, include only (1) electioneering communications under 11 C.F.R. § 100.29; (2) a public communication that republishes campaign materials, (3) a public communication containing express advocacy; and (4) a public communication as defined in 11 C.F.R. § 100.26 that refers to a political party or to a clearly identified candidate for Federal office, is directed to voters in the relevant jurisdiction, and is publicly distributed within a specified time before a federal election. 11 C.F.R. § 100.21(c).

As discussed above, neither Respondent has made any independent expenditures. The voter registration and get-out-the-vote activities in question did not include statements of express advocacy, or indeed any reference to any political candidate or party. No effort was made to determine party or candidate preference before encouraging individuals to register to vote; voter registration efforts were not directed to those previously registered or intending to register with any political party; get-out-the-vote efforts were not directed

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on the basis of partisan affiliation or registration because that information was not included on walk lists and those lists were drawn up without regard to party affiliation. Hence, these activities did not constitute "expenditures" under the Act.

As for the making of contributions, several theoretical bases for doing so are not at issue here: the making of direct contributions to a Federal candidate, a political party, or a political committee; engaging in electioneering communications; or republication of campaign materials. Neither Respondent has engaged in conduct that would meet the conduct prong of the coordination conduct regulations, and both have demonstrated that they did not make any public communications that referred to a clearly identified Federal candidate or political party. Therefore, there is no reason to believe that either Respondent has made any Federal "expenditures" or "contributions" as defined under the Act and regulations.

Finally, Respondents have not made any solicitations that indicated that funds received would be used to advocate for a candidate's election or defeat. Solicitations for funding of the ballot measure activity did not so much as refer to candidate elections. There is, therefore, no basis to find any reason to believe that either Respondent has received any "contributions."

The Commission has explicitly considered the activities of a state ballot measure committee, and concluded that they are "in connection with any election other than an election for Federal office" under 2 U.S.C. §441i(e)(1)(B). AO 2003-12. Subsequent opinions have cast some doubt on this conclusion, but not because of any finding that state ballot measure committees generally engage in activities in connection with an election for Federal office. Some commissioners have stated their views that ballot measure activity generally is not covered by the soft money ban of section 441i(e). AO 2005-10, concurrence of Commissioners Toner and Mason. Others have indicated that the conclusion in AO 2003-12 is best supported by reasoning that the activities of a ballot committee established, maintained, financed or controlled by a federal candidate when the measure will be in front of the voters on a day when the federal candidate is also on the ballot are in connection with an election for federal office. AO 2005-10, concurrence of Commissioners Weintraub and McDonald. However, in no case has any commissioner indicated that the activities of a state ballot measure committee that is not established, maintained, financed, or controlled by a federal candidate could be in any way regulated by the Commission, unless the committee makes "expenditures" or receives "contributions" as described and discussed above.

Absent the receipt of contributions or making of expenditures in connection with a federal election, the law does not require either Respondent to register as a political committee. Their failure to do so does not constitute a violation of FECA or Commission regulations.

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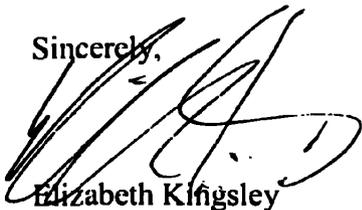
IV. CONCLUSION

This complaint fails to demonstrate reason to believe that a violation of FECA has occurred on both factual and legal grounds. It relies on discredited slander and a rejected draft to allege a partisan motivation underlying wholly nonpartisan voter registration and get-out-the-vote activities and state-regulated ballot measure advocacy. It relies on an unsigned and unimplemented plan that neither Respondent was even facially party to in order to suggest that voter mobilization activities were impermissibly coordinated. It includes assertions about voter registration and mobilization activities in other states and in the most recent election cycle, and in at least one case undertaken by organizations other than Respondents, without alleging a single fact that would cause these activities to violate FECA.

Neither Respondent has made express advocacy communications that would constitute independent expenditures, so neither is required to file reports of such with the Commission. Their voter registration and get-out-the-vote drives were conducted in compliance with Commission regulations and therefore did not constitute expenditures. Neither made any solicitation that would cause it to receive contributions under FECA. Neither, therefore, is required to register as a political committee.

For these reasons, we urge the Commission to find no reason to believe a violation has occurred and to dismiss this complaint with regard to both ACORN and Project Vote.

Sincerely,



Elizabeth Kingsley

Response to Complaint in MUR 5820: Index of Documents

Tab #	Document
1	Declaration of Brian Kettenring, with Exhibits: <ul style="list-style-type: none"> ▪ Exhibit A: "Floridians for All: Statewide Ballot Initiative Campaign to Raise the Minimum Wage, December 2003" ▪ Exhibit B: Summary of Minimum Wage Initiative and Campaign ▪ Exhibit C: "Floridians for All: Campaign Deliverables" ▪ Exhibit D: Letter from Anthony Hill to Clarence Pittman, September 10, 2004 ▪ Exhibit E: Letter from Anthony Hill to John L. Lewis, September 4, 2006
2	Declaration of Steve Kest
3	Declaration of Zach Polett
4	"Floridians for All: Campaign Plan for a November 2004 Minimum Wage Constitutional Amendment Initiative October 1, 2003" title page with Exhibit sticker
5	Response to MUR 5586 of Florida Education Association and Academy of Florida Trial Lawyers; Florida AFL-CIO; and Service Employees International Union
6	Floridians for All flyers
7	<i>Mac Stuart v. ACORN</i> , Defendant's Answer, Affirmative Defenses, and Counter-Claims
8	<i>Mac Stuart v. ACORN</i> , Final Order of Dismissal With Prejudice of Counts I and II of the Amended Complaint and Judgment In Favor of ACORN on Counterclaims I and II for Defamation
9	WHOIS search results for "gwbush.com"

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TAB 1

Declaration of Brian Kettenring

I, Brian Kettenring, being of legal age and sound mind, do hereby depose and state as follows:

1. I was the state Head Organizer in Florida in 2003 and 2004. As state Head Organizer I was responsible for ACORN activity in Florida but was subject to supervision by the National ACORN staff, including Steve Kest, National ACORN Staff director, Helene O'Brien National ACORN Field Director, and Zach Polett, National ACORN Political Director. I did not have the authority to implement a statewide campaign to increase the minimum wage without authorization from one or more of the above.
2. I was not authorized and did not have the authority to commit ACORN to a statewide minimum wage initiative campaign that relied on national ACORN resources.
3. I personally drafted the document entitled Floridians for All contained in Tab 1 of the complaint. I did so without any input from my supervisors or ACORN management. The draft represents my effort to set out a plan for Florida's ACORN Chapter to increase the minimum wage for Floridian workers.
4. The document was submitted to Steve Kest, ACORN's Executive Director, for review and approval. I was told the draft needed to be re-written.
5. I gave the draft to a staff person named Joe Johnson to edit. Shortly thereafter he left ACORN on bad terms. He had not returned an edited version of the document to me. The document attached to the complaint is the unedited, unapproved and unimplemented draft document. The document was never distributed by ACORN or me to any person outside the organization and was only circulated within ACORN for review/edits and approval, which it did not receive.
6. After Joe Johnson left, Terri Shuck redrafted the proposal. Her draft is attached as Exhibit A. Gayle Stolz wrote the final draft, which is attached as Exhibit B. Exhibit A and Exhibit B may have been distributed to a few organizations.
7. Attached as Exhibits D and E are letters I drafted to seek fund from two labor unions. These letters are similar to other letters I wrote to raise funds from other organizations.
8. I drafted what is attached as Exhibit C and used it as the primary document to explain the campaign to outside organizations.
9. To my knowledge, no one working on behalf of ACORN, including myself, met professionally with any of the people who signed the document attached to the complaint as Tab 3. ACORN did not coordinate any activity with the people who signed the document.

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10. I did work with SEIU, the AFL-CIO, Florida Education Association and the Academy of Trial Attorneys, but not the individuals who signed the agreement and only on ballot initiative matters.

11. No literature used by ACORN in 2004 during its voter registration program or get out the vote campaign contained any references to, endorsement for or opposition to any candidate for federal or local office or any political party.

12. The walk lists used by ACORN employees to select which doors to knock on did not contain any information identifying the party or voting preference of the registered voter. Bob Lelievre, the person responsible for the program that cut the walk lists, was specifically instructed to leave references to political parties off all walk lists at the request of ACORN and not to use partisan affiliation as a filter in selecting addresses. As a result, ACORN employees trying to get out the vote would attempt to visit the door of every registered voter in a neighborhood.

13. ACORN employees assisted over 180,000 applicants to register to vote in Florida in 2004 and knocked on hundreds of thousands of doors encouraging voters to support the minimum wage initiative. ACORN employees never advocated for or against any candidate for federal, state or local office as part of their duties or responsibilities. ACORN employees were trained and instructed to advocate only for the initiative and not for any candidate or party, and if they did otherwise it would have been without authority

14. Increasing the minimum wage was the primary objective of the minimum wage initiative, and increasing participation in the democratic process was the secondary objective. Strategic decisions were made based on passing the initiative, not potential partisan impact.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Brian Kettering
Brian Kettering

11/15/06
Date

Floridians for All
A Statewide Ballot Initiative Campaign to Raise the Minimum Wage
December 2003

EXECUTIVE SUMMARY

Floridians for All is seeking \$2 million to support a systematic voter mobilization program in Florida that will increase registration and turn-out among low-income citizens motivated by a ballot initiative to raise the minimum wage. Led by Florida ACORN, labor unions, community and civil rights organizations, the faith community, elected officials, and thousands of grassroots activists are uniting behind this campaign as a galvanizing strategy for progressives in 2004. The goals of this campaign are to:

- 1) Boost turnout among low-income and minority voters in November 2004 by an additional .5% - 3%. Experience from other states has shown that minimum wage initiatives can mobilize large numbers of new voters without mobilizing opposition voters.
- 2) Win a progressive policy victory in Florida that will establish a minimum wage of \$6.15 with indexing that will immediately benefit over 300,000 full-time workers living below the federal poverty level. Thousands more will receive residual raises just above the new minimum, and the entire state will benefit from the stimulus resulting from low-wage workers plowing their earnings directly back into the economy.
- 3) Build an enduring capacity and statewide infrastructure for grassroots mobilizations and citizen participation in Florida for 2004 and beyond.

Specific objectives for 2004 to build list, increase voter registration and turnout among low-income voters, and strengthen organizing capacity in Florida will lead to the following outcomes:

1. List Building

- The campaign will gather 700,000 petition signatures (necessary to ensure the 500,000 valid signatures for ballot qualification), including 490,000 names with phone numbers (70% of petition signers), and 100,000 -140,000 email addresses (15% of petition signers).
- The list of petition signers will be matched against the state voter file to identify low-frequency voters and non-voters for targeted registration and turnout efforts by Florida ACORN and allied organizations.

- Florida ACORN will enlist 50,000 contributors who have given an average of \$25 through the canvass to help finance the campaign and create a renewable resource of support for future organizing and advocacy actions beyond 2004.

2. Voter Registration and Turnout

- In conjunction with Project Vote, Florida ACORN will register 122,000 primarily African-American, Caribbean, and progressive Latino citizens, resulting in a net increase of 68,000 new voters. Our track record shows that of the 70% of registrants for whom we get a phone number, 80% of these will vote.
- In addition, overall turn-out will increase by 32,000 to 192,000 new and infrequent voters motivated by the minimum wage amendment itself.¹ When the economy is bad, low-income voters are more discouraged and less likely to vote. Giving low-wage workers the opportunity to vote themselves a raise is the most compelling reason many of them will go the ballot box in 2004.

3. Field Capacity

- In addition to a professional campaign team of strategists, pollsters, fundraisers, and a full-time coalition coordinator, Florida ACORN is deploying a field structure of 35 trained community organizers, a voter registration team of 50 staff statewide, and up to 60 canvassers.
- Working with coalition allies, the campaign will enlist over 2,000 volunteers for signature gathering at the polls on Primary Election Day in March, replicating the successful model organized by the Florida Education Association (teachers) that gathered 400,000 signatures as voters came to cast their ballots. The process of recruiting 40 captains, each overseeing 10 team leaders, each of these recruiting ten volunteers, will provide an invaluable volunteer network for the November general election and beyond.
- Justicecorps, ACORN and other progressive groups will recruit over 300 student volunteers to come to Florida for at least one week of signature gathering during their winter breaks in December and January. Each student will obtain roughly 1,000 signatures, adding as many as 300,000 signatures to the total effort.

The field organizing budget for the campaign is \$2 million, covering the period of September 2003 to November 2004. The field budget will generate earned media as well as low-cost paid advertising in the African American and Latino press. The Floridians for All coalition will develop a separate media-buy budget for the fall of 2004.

¹ Research shows that initiative states generally have higher turnouts. The best example of this is in Washington in 1998, where experts found as much as a 4% increase attributable to the minimum wage ballot initiative. In a presidential election, the potential turnout impacts will not likely reach 4%, but will reach .5% - 3% depending upon the scope of GOTV effort and the competitiveness of the presidential race.

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LAY OF THE LAND

The 2004 election in Florida is shaping up to be just as close as 2000. Although there have been demographic changes and growth throughout Florida, when the 2000 vote total is adjusted for 2004 it is still a razor thin margin, with unofficial NCEC analysis predicting the presidential contest could be determined by a margin of as few as 25,542 votes out of a total of 6.4 million.

While both major political parties are actively courting African-American and Latino voters, the reality is that any presidential campaign will ultimately fall short of expectations within these communities. Given this, and the lingering resentment from the 2000 election debacle which disenfranchised thousands of voters, the chance that low-income and minority communities will not participate is a real possibility. Moreover, when the economy is bad, low-income voters are more discouraged and less likely to vote. The minimum wage ballot campaign is meant to appeal to these *non-traditional* voters, those infrequent voters who cannot be counted on to turnout through traditional means, and instead need a more compelling reason to vote. The minimum wage campaigns addresses their self-interest and the question of "why vote" to increase their participation in the political process.

The empirical evidence from other states indicates that initiatives generally increase voter turnout, and that minimum wage initiatives can significantly increase the turnout of supporters without increasing turnout from the opposition. ACORN's own experience running municipal and state minimum wage ballots -- Denver, Houston (1996), Missouri (1996), New Orleans (2002) -- supports the conclusion that these efforts are highly motivating to low-wage voters. The best example of this is in Washington in 1998, where research by the Ballot Initiatives Strategy Center (BISC) found as much as a 4% increase attributable to the minimum wage ballot initiative.

Certainly, historically under-represented constituencies and low-wage workers are not only overlooked, but ill-served by state policy-makers in Florida. When the 2003 legislative session finally came to an end, an anti-living wage bill was passed, workers compensation rights were curtailed, the Everglades restoration project was delayed, and state spending was slashed leaving more people uninsured, more children with a second-rate education, and working families worse off than when the session started. As Florida is the fourth largest state and growing by 350,000 new residents each year, counties and cities are continually forced to further stretch limited state resources. Now, in the midst of one of the worst fiscal crises in Florida's history, the conservative legislature has chosen to pare the already emaciated state budget even further, leaving local government with few options but to raise property and sales taxes.

Working families are being attacked from all sides, through the elimination of social programs at the expense of corporate tax cuts. In the face of corporate lobbyists, gerrymandered legislative districts and the high costs of electoral campaigns, working families must build new alliances and public support to overcome the ongoing assaults from Tallahassee. Advocates of social justice have been forced to turn to the constitutional amendment process to implement real systemic change in Florida, as evidenced through both the Coalition for Smaller Class Size, and the Universal Pre-Kindergarten Amendments. The need for a progressive statewide mechanism to affect tangible, social change has never been greater.

THE CASE FOR RAISING THE MINIMUM WAGE

If the federal minimum wage had been increased to keep up with rising prices over the last 25 years, it would now bring in \$15,431 per-year—not the \$10,712 it currently does if one works 40 hours per week for \$5.15 per hour. Though the cost of living keeps rising, the federal minimum wage has stagnated, with Congress refusing to take action in over six years. As a result the more than 300,000 minimum wage workers in Florida are forced to stretch their dollars even further.

At the current poverty level of \$18,400 for a family of four, a family surviving on the earnings of a minimum wage earner is almost 42% below the poverty line. In Florida, 38 percent of minimum wage earners are the sole wage earner in their household and provide the entire household income. In 2001, over 28% of Florida's workers earned less than the poverty line (approximately \$8.70 per hour). A full 20% of those workers earned less than \$7.69 an hour, a result that can be partially explained by the concentration of workers in the lowest wage job sectors – retail and service. A whopping 37.3% of the state's workforce is employed in service sector jobs, with another 19.6% in the low wage retail sector.

Trying to survive on \$5.15 per hour means many basic necessities, such as quality healthcare, nutritious food, adequate shelter and clothing, are often beyond the reach of these workers and their families. Raising the minimum wage to \$6.15 an hour would result in a raise of \$2,000 a year for workers, a huge difference in the lives of workers who are struggling to make ends meet and provide for their families. Hundreds of thousands more will see wage increases as the wage floor is raised in the low-wage sector. The entire state will benefit from the stimulus resulting from these workers plowing their increased earnings directly back into the economy, potentially over \$300 million in the first year alone².

CAMPAIGN COMPONENTS

1. Research

Policy Analysis on Impact of Minimum Wage: Florida ACORN is putting together an extensive collection of research to demonstrate the impact of increasing the minimum wage for Florida's workers. The Economic Policy Institute in Washington, DC has agreed to provide significant technical and research support to the campaign by providing a number of policy pieces:

- A Florida Minimum Wage Snapshot - Looking to examine the history of low-wage workers in Florida, this piece will examine who will benefit from a minimum wage increase by looking specifically at demographic information. This piece will also examine trends over time in Florida by looking at the history of wage levels and also comparing Florida wage levels to other Southern states and regions of the country. In examining the impact of a minimum wage increase, we will also look at the impact on

² It is not yet known what the average hourly wage gain for the 300,000 plus beneficiaries would be. Assuming an average \$.50 raise for 303,000 workers working 2080 hours per year (52 weeks x 40 hours/week), we estimate an additional \$315 million would go into the pockets of Florida families.

social assistance programs and some of the other social problems associated with poverty. This first piece is set to be released in mid-October 2003.

- Florida's True Cost of Living - A second piece will look at the cost of living in Florida and demonstrate what it actually costs to live in Florida today. Incorporating costs of housing, health care, transportation, food, child care and other expenses in several major cities across the state, we will explain the true costs of living for various family sizes in Florida and the impact that a minimum wage increase will have.
- We will also have several pieces examining the opposition response to our work which will address the fallacies of doomsday predictions of a minimum wage increase and further demonstrate the gains that will be made by workers and the state as a whole.
- Finally, we plan to examine the impact on immigrant communities, and how they would directly benefit from raising the minimum wage.

Public Opinion Polling with Over-samples of Nonvoters and Low Frequency Voters: An essential part of our research is polling, both at the beginning and later ends of the campaign. We will conduct an early poll in December 2003 with 501(c)(4) funds that will allow us to ask critical questions without restrictions. This poll will allow for a strategy that connects registration, signature gathering and mobilization efforts to voters in the base turnout neighborhoods by determining the best localized message. This poll will test both non-voting and infrequent voters in order to understand not only the motivations of our base voters, but also to drive turnout in under-performing precincts where we focus our registration and mobilization efforts. We will also conduct polling later in the campaign to determine the effectiveness of our messages and messengers and gauge the responses of the electorate. Using this information, we will be able to better refine our outreach and also our Election Day turnout efforts. We are using the polling firm of Lake, Snell, and Perry.

2. Targeted Voter Registration and Turnout

African American: According to NCEC, there are 440,000 unregistered VAP (Voting Age Population) African-Americans in Florida. Of the 440,000 unregistered voters statewide, 176,000 of these voters live in the 475 majority African-American precincts in Florida. Registering 62,000 new African-American voters in these majority precincts can result in a net vote gain of approximately 30,000 votes (assuming 70% turnout of new registrations and 70% approval for the measure). In the past six weeks, we have already registered 5,000 primarily African American and Caribbean voters in Dade and Orange Counties. Over the coming year, we will concentrate our voter registration activities in African American/Caribbean communities in the following counties:

Miami-Dade
Orange
Hillsborough
Broward

Pinellas
Duval
Leon

Latinos: There are 800,000 Latino voters in Florida, 400,000 of whom are non-Cuban, and 345,000 new potential Hispanic citizens of voting age. The Latino population is the fastest growing population in Florida. The campaign will register 1/3 of the potential 2000 Census VAP in Miami (195,859) and Orlando (23,414) which will result in 60,00 new registered voters and a gain of 25,000 new voters for the minimum wage (based on 70% turnout and 60% approval of the measure).

Union Members: The AFL-CIO is formulating a targeted plan for registering its members in Florida in 2004. The minimum wage campaign is coordinating with labor as to how best to use this effort to the fullest advantage. Union members are registered at approximately a 60% rate in Florida. Union members have demonstrated that they do not like to be told to vote for a particular candidate. Instead, members respond more favorably to discussions about issues, and where the candidates stand. The minimum wage initiative is an excellent issue for unions to use as a mobilizing tool because it is an issue that labor has a strong history of supporting. The state AFL-CIO officially endorsed the minimum wage ballot initiative at its annual meeting in September.

3. List Building and Enhancement

Database: We will database new registrants and integrate them centrally into the campaign strategy. The petition gathering process is also an opportunity to build a statewide database of working families and activists numbering in the hundreds of thousands. In addition to utilizing phone numbers acquired through petition gathering, we will also develop an extensive email database and the capacity to mass-mail to these voters. In early signature gathering efforts we have found that 15-20% of respondents are providing email addresses; a response rate that would result in an email database of at least 100,000 voters. This database could turn out to be one of the most powerful components of the entire campaign as we build a statewide turnout operation for Election Day 2004. The ability to mass-email constituents on upcoming events, releases of new studies, and just generally reach out to supporters in a cost efficient manner is a very powerful tool.

List Enhancement: ACORN is on the steering committee of America Votes, a collaborative list enhancement and technical assistance organization for large-scale membership organizations. We hope that we will be able to cost-effectively match the list of petition signers against the Florida voter file through this collaborative list enhancement program. As a result of this process, we will be identify low-frequency voters on the petition list for more rigorous GOTV contact and save resources by reduced contact of regular 4 in 4 voters who consistently vote. We will also consider testing a segment of 4 in 4 voters on the list for volunteer recruitment since they are the most civically-minded and may be willing to move up the ladder of activism for the campaign.

4. Field Capacity

We will build the field capacity to directly and personally reach those poor and working class voters who will not be reached by labor or other committed forces. These are the voters who we

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register during the petition gathering process who we will be able to reach through phone banking, email, mail, and most important, precinct walking and Election Day turnout strategies.

Organizers: Florida ACORN already has 25 trained community organizers working in the state. Two experienced organizers will start working in Palm Beach County at the beginning of the year. In 2004, our intent is to hire another eight organizers for a full compliment of 35 for the campaign. Organizers are responsible for overseeing the voter registration staff and canvassing operation, as well as implementing the voter contact and turn-out plan in their county. Florida ACORN has also hired a coalition coordinator who is currently focused on outreach with African American congregations.

Voter Registration and Canvassing Staff: With funding support, training and technical assistance from Project Vote! we will hire fifty staff to register voters in our target communities. The canvas works to reach both constituents and other voters through direct contact at the doors. An individual canvasser is able to reach approximately 60 voters per night and have conversations with 20 voters. Currently we have a canvas staff of 10 people in Orlando and Tallahassee resulting in direct and indirect contact with over 600 voters per night. A field canvas of 45 people in several locations across the state will ultimately be able to reach over 13,000 voters per week, resulting in both signatures, phone numbers, emails and donations. Overall, in the course of the campaign, we will reach these voters at least 7 times, through door-knocking, direct mail, phone calls and email where available. The opportunity to utilize email and the web is extensive particularly in neighborhoods we are targeting through our canvass. Our website at www.floridiansforall.org will allow for updates, a download of the petition and also secure online donations.

5. Coalition Building

Florida ACORN is mobilizing a set of organizations in support of the campaign so as to succeed in mobilizing the grassroots and to be able to withstand the onslaught from business elites. In the early stages of the campaign we have already received the endorsements of the two largest labor organizations in Florida, the Florida AFL-CIO and the Florida Education Association (a joint NEA and AFT union). This major institutional support is only the beginning of our coalition building around the state, which will result in the endorsements of over 500 organizations statewide. We will enlist the support of organizations in targeted sectors: e.g. African-American churches, community organizations, local unions, local activist groups, etc. Our coalition is already gathering endorsements from local churches, community organizations and local union affiliates. We are also mobilizing legal capacity, led by the Brennan Center, and policy capacity, led currently by the Economic Policy Institute, and communications capacity, led by the Center for Community Change, to run an aggressive statewide campaign.

Realizing that no one organization is large enough to run a ballot campaign alone, our coalition will rely on mobilizing our membership and coordinating our message in order to win. Hence, the Floridians for All Coalition has been registered in the state solely for work on the minimum wage campaign. It will be led by a steering committee of key institutional supporters. In order to be a member of the steering committee a group will have to meet one of the following requirements: a) either contribute \$50,000 to the Floridians For All account or b) commit to

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gathering 50,000 signatures. By limiting the steering committee to these groups we will assure that only those groups that are firmly committed and invested in the campaign will have management direction.

Each organization that is a partner in Floridians For All will designate someone to act as a liaison to the campaign. That person will be responsible for coordinating the internal signature gathering and organizational media with the larger coalition. As the signature gathering phase progresses, those partners that committed 50,000 signatures to have a place on the steering committee, will need to develop internal organizational programs to collect these signatures. Signatures will then be turned over to the initiative campaign staff, who will handle verification and submission. Each participating organization will also be expected to host 1-2 large press events in which they target their message to their constituency.

The day-to-day operations will be overseen by a campaign director who will join Floridians For All in the late fall of 2003. Floridians for All will also have a full time volunteer coordinator to work with sites around the state, oversee organizational signature commitments, provide technical assistance and materials to partner groups, and help them handle local press work. In addition, Floridians for All will have two people on staff doing database and petition verification work. These two people will work exclusively on ensuring that signatures are presented to county election officials, verified and then presented to state officials. Coordinating with 67 election supervisors is a massive job in itself.

6. Volunteers

Coalition Partners: Florida ACORN will work with Floridians for All to put 2,000 volunteers and workers on the doors from April to August, and 3,000 from Labor Day through Election Day. Many of these people will come from organizations that have affiliated with the campaign and through a field captain system that is being created to build the volunteer base statewide. One part of this volunteer network is the March primary program during which we will staff polling sites across the state in order to collect signatures from registered voters going to the polls. The teachers union has shown this strategy to be a very successful one, having gathered over 400,000 signatures in one day alone! At even a quarter of this effort, Floridians for All will be able to gather 100,000 signatures, nearly 14% of our 700,000 goal, in one day. We are working to develop a network of poll captains around the state who will be responsible for making this massive one-day mobilization possible.

College Students: Justicecorps, ACORN and other progressive groups will recruit over 300 student volunteers to come to Florida for at least one week of signature gathering during their winter breaks in December and January. Each student will obtain roughly 1,000 signatures, adding as many as 300,000 signatures to the total effort.

7. Signature Gathering

In order to gather the 488,000 necessary valid signatures by the deadline of August 4, 2004, we anticipate needing to gather approximately 700,000 signatures (70% validity rate). The signatures must come from at least 12 of the existing Congressional Districts prior to the 2002

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redistricting. The required geographic diversity requires our signature gathering programs to be based in major cities around the state (Orlando, Tampa, Miami, Jacksonville, St. Petersburg) in order to both build statewide capacity for the campaign as well as achieve the requisite number of signatures. The signatures will be gathered through both internal capacity (canvass and organizational site gathering) and also professional signature gathering firms.

The internal signature-gathering phase has begun with our canvass program in Orlando and surroundings. This program contains two key components, one of which is the door-to-door signature gathering. Florida ACORN's door canvass allows us to not only gather valid signatures and new voter registrations, but also solicit funds to offset the costs of signature gathering. We will also be conducting signature gathering and voter registration at high-density sites such as supermarkets and other retail stores. Signatures that are gathered by coalition members will also be counted as part of the internal signature goal.

We believe that internal ACORN led operations in Orlando, Tampa/St. Petersburg and Miami will be able to provide 100,000 of the required signatures. In combination with 200,000 signatures from organizational partners (Jobs with Justice, AFL-CIO and affiliates, and congregational groups, among others) this will require the campaign to purchase 350,000 signatures. As detailed in the attached budget, this would cost approximately \$490,000 (at \$1.40/signature, based on early quotes). In early 2004 we will begin using professional signature gathering firms to collect the remaining signatures needed to qualify for the ballot.

8. Legal

Paul Sonn and Nathan Newman of the Brennan Center in New York have drafted the ballot initiative language. We have been careful to ensure that the language of the question fulfills the single issue requirement of a Florida ballot initiative so that it will pass approval by the Supreme Court. We fully expect an unfriendly opinion on this ballot question from the Attorney General office and an astronomical economic impact statement from Tallahassee. Though these opinions will not help us in the court of public judgment, we will be able to generate our own amicus briefs to the court and release our own economic impact statement. Once we gather the necessary 10% signature requirement to receive a hearing at the Florida Supreme Court, our lawyers will be prepared to demonstrate how this question satisfies the single issue requirement. After passing this legal challenge, we will proceed to collect the remaining signatures and get the certified by county election officials.

9. The Campaign Climax (Labor Day 2004 through 11/2/04)

While gathering the signatures, building the coalition and qualifying for the ballot are large undertakings by themselves, the actual campaign doesn't really begin until Labor Day when voters return from the summer lull and turn their attention to the Presidential election. With the enormous amount of press that will be focused on the Florida election in general, it is important to be able to reach our members and constituency on the importance of turning out to vote for a minimum wage increase. On Labor Day, we will hold a large press conference with allies from across the state as a re-introduction of the campaign to the voters. In late September we will

release the results of a statewide poll showing support for the initiative and complement that with personal stories from workers benefiting from this minimum wage increase.

In October we will begin our volunteer phone banks. Similar to the phone banking operations run as part of the Small Class Size Initiative, we will turn out members and constituents to call petition signers and other targeted voters to come out and vote themselves a raise. Callers will tell personal stories about the impact this raise will have for them and urge voters to come out specifically around this issue. Instead of typical GOTV which targets voters to turnout solely for the sake of turning out, the minimum wage campaign gives voters a very clear reason to vote and shows tangible results in the communities.

Leading up to the election, we will coordinate door-to-door efforts with other GOTV efforts including an extensive, yet to be developed, Election Day plan. The popularity of early voting in the 2002 election means that there will be more early voting poll sites and a higher percentage of voters who cast their votes in the weeks leading up to Election Day, instead of only on November 2. Aware of this fact, our phone banks will highlight the opportunities for early voting and coordinate with voters to provide rides to the polls.

CAMPAIGN TEAM

The following consultants and individuals are lending their expertise to the campaign.

- **Gail Stoltz** – Gail is the former political director at the DNC, and is coordinating overall political strategy for the campaign from DC, including developing the campaign plan, polling, hiring the campaign manager, and spreading the word about the campaign in DC.
- **Terri Shuck** – the former development director at People for the American Way, Terri is overseeing the development of our \$2 million fundraising plan, starting initially with outreach to the progressive foundation community. Terri and I intend to hire a second, Florida-based fundraiser, who will focus on major donor development.
- **Will Robinson** – a national leader in progressive initiatives, media, and political strategy, Will is helping to develop our media strategy and providing overall strategic support.
- **Robert Raben** – Robert is the former Assistant Attorney General under Janet Reno and now runs the Raben Group in DC, a legislative firm. Robert has been assisting the campaign build support in Congress and with other key national contacts.

In addition, several organizations are donating the expertise of senior staff and other resources to the campaign.

Center for Community Change – **Seth Borgos** and his colleagues at CCC have been assisting the effort as a strategic partner in fundraising and policy/coalition building work.

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Economic Policy Institute – *Jeff Chapman* has produced a wonderful first report for the campaign “Time to Repair the Florida Wage Floor,” and has committed to produce three other documents in the coming year. In addition, EPI has provided invaluable policy expertise to the campaign.

Brennan Center – *Paul Sonn* and *Nathan Newman* at the Brennan Center drafted the initiative, but have also been involved in identifying and accessing the strategic legal resources (often pro bono), necessary for a comprehensive, aggressive legal strategy.

Justicecorps – *Randy Shaw* and *Sarah Norr* at Justicecorps (www.justicecorps.org) are coordinating the “Winter Break for Justice” Program, which will bring 300+ college students to Florida from around the state and nation for volunteer signature gathering and voter registration. This program seeks to inspire a new generation of young people to get involved in social justice issues; and help get the signature drive done.

Key ACORN Staff – ACORN has dedicated significant staff resources itself to ensuring the success of the campaign. Key personnel include:

- ***Frank Houston*** – Signature Drive Coordinator – a former PIRG canvass director, Frank built Florida ACORN’s canvass program in Orlando. He is now overseeing the development of our 8 city signature gathering staff.
- ***Chris Causey*** – Coalition Organizer – Chris is working full time to build Floridians for All, focusing on outreach to key constituencies: students, Black churches, labor, civic organizations, etc.
- Florida ACORN’s Head Organizers: ***Brian Kettenring*** (statewide), ***Eric Thompson*** (Miami), ***Vanessa Martin*** (Tampa), ***Heather Partlow*** (St. Petersburg), and ***Stephanie Porta*** (Orlando) are overseeing ACORN’s community organizing, base building, and leadership development in the state, ensuring the grassroots membership participation necessary to activating base voters in this campaign. Collectively, they oversee a community organizing staff of 15; these operate separate and apart from the campaign itself.
- ACORN National Staff Support: National Political Director ***Zach Pollett*** and National Executive Director ***Steve Kest*** are substantially engaged in ensuring the success of this crucial campaign. We are receiving tremendous assistance from ACORN’s communications, research, field, legislative, and political departments.
- National Political Staff Support: ACORN nationally, beginning November 10th, is sending four trained political staff under the direction of national political organizer ***Jessica Angus*** to Florida. These national political staff will work to ensure the success of our signature drive.

The \$2 million budget for the field campaign is attached. We appreciate the consideration of a significant contribution to Floridians for All and look forward to a partnership that will directly benefit hundreds of thousands of low-income families in Florida and demonstrate the power of citizen participation for furthering social justice in America.

The Initiative:

The goal is to pass a Florida constitutional amendment initiative to create a state minimum wage of \$6.15 indexing for inflation.

Who will benefit?

According to the Economic Policy Institute, an estimated 300,000 Florida workers would receive a direct raise from the proposed initiative. Moreover, thousands more would receive residual raises because of their wage level just above the new minimum.

Floridians sorely need a raise. In 2001, over 28% of Florida's workers earned less than the federal poverty line (now \$8.85 an hour in 2003 dollars for a family of four). A full 20% of the those workers earned less than \$7.69 an hour, a result that can be partially explained by the concentration of worker into the lowest wage job sectors-retail and service. A whopping 37.3% of the state's workforce is employed in service sector jobs, with another 19.6% in low wage retail sector.

The Plan:

- Winning -- Getting enough votes
- Build a Coalition
- Qualify the initiative for the ballot
- The Opposition
- Research/
- Polling
- Communication/ Media
- Legal
- Administration/Compliance
- Fundraising Plan
- Budget
- Campaign Team and Staffing

Winning the campaign:

'Support for the minimum wage '

The Political Dynamics of the Florida Minimum Wage by Lake Snell Perry and Associates Poll November 18-20th, 2003.

Results show overwhelming and intense support for raising the Florida minimum wage, particularly among progressive base voters and key turnout targets.

More than four fifths of voters overall – 81% -favor increasing the Florida minimum wage for \$5.15 to \$6.15 and then indexing the minimum wage to inflation each year. Only 14% are opposed to the initiative with only 5% undecided. **The intensity of support is noticeably strong, with 67% of adults strongly favoring an increase in the minimum wage.**

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The opportunity to seize the initiative and vote themselves a raise directly, rather than rely on a hostile state legislature and governor to do so, appears to be highly motivating. In all, findings suggest that this initiative could be an especially effective vehicle for turning out progressive voter in 2004.

Majorities of every demographic group favor increasing the minimum wage and no more than one-third of any groups oppose the increase. While Democrats (88 % favor, 75 strongly favor) are more likely than Republicans (71% favor) to back the proposal, **an even higher percentage of Independents (90 % favor, 82 percent strongly favor) are in favor.**

	<i>Favor</i>	<i>Strongly Favor</i>
<i>Democrats</i>	88 %	75%
<i>Republicans</i>	71%	53%
<i>Independents</i>	90%	82%

Three-fifths of Floridians (60%) consider the minimum wage to be an important issue. As with the minimum wage ballot, intensity behind the minimum wage is pronounced, as 38% see it as very important. * Minimum Wage Polling Memo attached

The campaign has four major components to winning the ballot initiative:

1. Having enough resources to defend against the opposition's media campaign in an expensive crowded market.
2. Increase turn out of African American, Hispanic, low income and women voters.
3. Taking advantage of the intense support for the minimum wage and lack of intense negative feelings even by the voters opposed to the initiative.
4. Getting the voters supporting the minimum wage to continue down the ballot the after voting for the top of the ticket –in 2004 the presidential contest.

Defending the Initiative and Making the Opposition's Job Even Harder

The campaign must raise enough funds to defend the initiative against a negative campaign, no doubt a much better funded one. The Minimum Wage Coalition does not to match them dollar for dollar however we cannot be dark on the airways or out spent by 3 or 4 to 1.

The initiative's weakest supporters will be the easiest to convince to stop supporting the measure; it is likely that the support drops from it unusually high 81% to 67% - 63% (67% strongly support). It will be harder to erode the next level of voter that feels the minimum wage is personally important to them –60% (38 % very important).

The initiative campaign can maintain a substantial amount of its support by having progressive/supporting officials, candidates and allies re-enforcing base support for the minimum wage in materials, press statements, media, and public events. Minority media, radio especially is an affordable mechanism to maintain the initiative's strength (and remind an important voter to go out to vote and when there vote down ballot; two hits one buy.) The initiative can perform at or above base performance for Florida with a reasonable media budget, plus participating in the massive field and grassroots campaign.

The initiative has the advantage of not being affected by the new campaign finance rules (or the latest proposed restrictions being considered by the FEC); as mentioned above the initiative can advertise in the last 60 days before the election, can use paid media to get-out-the-vote, and accept union, corporate, individual money in any amount.

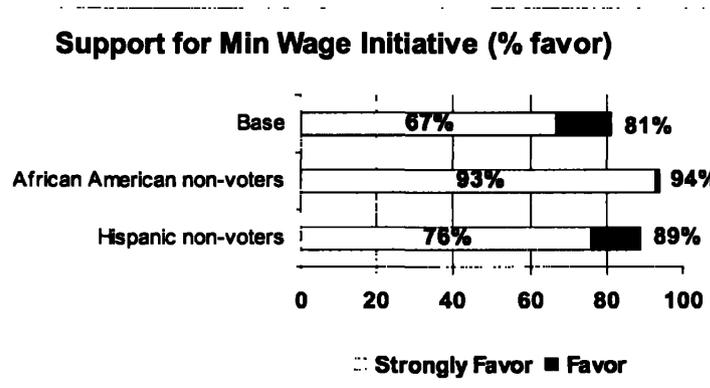
The campaign will benefit from organizations wanting to increase turn-out among African Americans, Hispanics, unmarried women, non-college women, lower income and progressive households –all strongly in favor of the minimum wage and base voters for the presidential .The minimum wage is a motivational reason for these voters to vote their own direct self-interest. The initiative is one of few ways to buy TV and radio time to promote a progressive issue Get-Out-The-Vote message that does not have to use Federal allowable only funds.

Increase turn out of African American, Hispanic, Low-Income and Women Voters.

The minimum wage initiative has the potential to increase participation by groups that have not registered or although registered are not motivated to actually vote.

The Political Dynamics of the Florida Minimum Wage December 3, 2003 Poll:

Support is even stronger among less likely voters. Among registered African-Americans with no vote history, 94 percent favor the initiative (93 percent strongly). Among registered Hispanics with no vote history, 89 percent favor the initiative (76 percent strongly).



Progressive-leaning base groups are also relatively more likely than Floridians overall to support the minimum wage increase. African Americans (95 percent favor, 91 percent strongly favor), including younger African Americans (96 percent strongly favor) and African American women (93 percent strongly favor) with no vote history are almost unanimous in their support. Unmarried women (90 percent favor, 82 percent strongly), non-college women (87 percent favor, 76 percent strongly), lower income voters (89 percent favor, 76 percent strongly), and residents of union households (86 percent favor, 70 percent strongly) are all more likely than the electorate overall to strongly support increasing the minimum wage.

The Importance of the Minimum Wage

While results on the ballot indicate substantial support for increasing the minimum wage, particularly among progressive base voters, additional findings suggest that the minimum wage could serve as an effective motivator of turnout among these

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same groups. ***Relative to the overall electorate, minorities, women, and other turnout targets are more likely to view the minimum wage as both an important issue and one that would increase their interest in next year's election.***

Nearly three-quarters of registered African Americans with no vote history (74 percent) say this issue is very important. The initiative also is important to African Americans more generally (70 percent very important), unmarried women (58 percent), Hispanic non-voters (52 percent), lower income voters (48 percent), and voters who say they are less likely to vote (46 percent).

Other progressive-leaning groups who are relatively more likely to perceive this issue as very important include non-college women (47 percent very important) and younger non-college Floridians (47 percent). The high levels of support for the minimum wage proposal supplemented by the large percentages of people who consider the minimum wage to be very important argue that raising the minimum wage is more than an abstract concept. Rather, results suggest that putting this issue on the ballot would lead many progressive-leaning voters, and those with no vote history, to take electoral action.

Interest in the Election

Further, a minimum wage initiative could heighten interest in the 2004 election among progressive voters. Forty-five percent of Floridians overall say that a minimum wage proposal on the ballot would make them more interested in the election, 6 percent say the proposal would make them less interested, and 50 percent are undecided. Again, there is considerable intensity surrounding the minimum wage proposal, with 28 percent of adults indicating it would make them much more interested in next year's election.

Interest is disproportionately high and strong among progressive base and leaning groups. African Americans (52 percent), in particular African American women (28 percent) and younger African Americans (29 percent) with no vote history, are especially responsive to the prospect of a minimum wage proposal. In addition, majorities of unmarried women (40 percent), Hispanics with no vote history (34 percent), younger non-college Floridians (35 percent), members of union households (28 percent), and non-college women (29 percent) say the minimum wage would raise their level of interest.

Implications for Turning Out Less Likely Voters

This heightened interest in the minimum wage among non-voters and less likely voters could motivate many of these progressive-leaning groups to turnout. Two-thirds (66 percent) of African Americans with no vote history, including 69 percent of both younger African American non-voters and African American women with no vote history, say the minimum wage on the ballot would make them much more interested in next year's election. Among Floridians under 30, another group of less likely voters, 58 percent would be much more interested in an election that featured a minimum wage proposal.

In all, 52 percent of less likely voters¹ indicate they would be more interested in the 2004 election if a minimum wage proposal is on the ballot, and 30 percent say they

¹ Less likely voters includes all voters in the base sample who indicate they are less than "almost certain" to vote in next year's election.

would be much more interested. The intensity behind the minimum wage (46 percent of less likely voters consider the minimum wage to be very important) suggests that a minimum wage proposal on the ballot could turn out less reliable voters.

Increasing participation among populations that are under represented in the American electorate is not an easy task; however the support and intense interest demonstrated by the poll for the minimum wage provides the campaign an opportunity to couple self interest with the act of voting to increase progressive clout in the 2004 Florida election.

The campaign will target specific infrequent voters and new registrants from target populations: African Americans, Hispanics, low-income and women.

1. Register and/or identify new/infrequent poor and working class voters goal 100,000; 70% phone rate 70,000; 80% turn out of voters with phone number= 56,000 voters.
2. Register and/or identify new/infrequent single women voters goal 130,000: 70% phone rate 91,000; 80% turn out with phone numbers = 72,800. (White, African American, Hispanic)
3. African American new registrants 50,000; 70% phone numbers 35,000; 80% turn out =28,000.
4. Hispanic population –(non-Cuban – lower participation than Cuban population) 50,000 new/infrequent voters: 70% phone number 35,000; 80% turn out with phone numbers=28,000.
Total turn out 184,800.

The minimum wage initiative on the ballot will increase the participation and turnout of the numerous national and local efforts working in these low participation populations. The total number affected is not attainable at this time.

Taking advantage of the strong support and lack of intensity on the other side

The minimum wage gives voters a reason to vote of their own self-interest; highly motivational to infrequent voters to go vote and non-voters to register and vote.

Early projections by NCEC indicate that 6.4 million Floridians will vote in the 2004 general election that is 300,000 more than 2000.

Florida has been in a dead heat since 2000, and NCEC sites that there are only 10% ticket splitters in the current electorate. If base performance is 45% or close in a presidential year, the initiative has to target at least 200,000 voters (190,000 –6%) for contact specifically on the minimum wage; to increase base turnout and /or maintain the support among independents –who are the most supportive of the initiative then Democrats or Republicans.

Dozens of groups and organizations are planning registration drives to register new voters, contact the voter with issues important to them and their families, and mobilize that voter on election day. The target populations for many of the registration efforts are the strongest supporters of the minimum wage initiative; the initiative coalition campaign plan is to make the minimum wage initiative as a major component for the registration/mobilization efforts. The goal of the campaign is to identify and contact

200,000 new base supportive voters (based on the NCEC projection, a final goal will be determined when NCEC finalizes its projection). A voter contact program will be designed to reach this targeted voter list.

The campaign will have three lists of voters and potential voters to utilize as the voter contact plan is refined and enhanced.

The initiative campaign will have a database of 650-700,000 names of Florida citizens who signed the petition; some sub-set approximately 500,000 will be registered voters.

This process will provide the campaign with three important lists:

- ✓ Names, addresses, phone numbers of 150,000 – 200,000 voter registration targets who are likely minimum wage supports (Citizens signing the petition providing name, address, phone number who are determined by county election office to be not registered to vote)
- ✓ Email addresses for approximately 150,000 – 200,000 Florida supporters, the signature gathering operations is collecting email addresses at a rate of 20% to date.
- ✓ Newly registered voters: to date the campaign has registered 19,000 new voters in the course of gathering signatures, the campaign will register between 25, 000-40,000 by the May campaign internal deadline for signature completion. Goal 200,000

Depending on NCEC targeting and increased voter registration results, the campaign will identify and target 200,000 supporters. By targeting supports either close to or in base precincts; in communities/media markets with strong organizational infrastructure; and with in the strongest supporters of the initiative (single women, house holds under 50,000, etc) the campaign will build an voter contact and turn out operation.

The campaign will consider providing the resources to local groups to do a field voter contact plan with lists, materials, and canvas management to reach their constituency and membership if the voters are part of the target new voter universe.

Minimize the ballot drop-off:

Florida has one of the highest rates of voter drop-off in the country. Florida voters in high numbers only vote for top of the ticket race, and then quit. This is a problem for other races down ballot after the President and of course ballot questions.

There will be a tremendous operation to turn out voters that support the minimum wage since they are the populations under-represented in the electorate and their increased participation is the goal of efforts through out Florida. The campaign needs to have a strategy to remind and invest the voter in looking for the minimum wage ballot number line. *' Don't short change yourself –remember to vote yourself a raise! Vote Yes on #1. ' Don't forget to vote Yes on #1 and vote for a raise' 'Don't leave \$2000 at the ballot box- Remember to vote Yes on #1 and pick-up the raise in your paycheck.'*

The opposition has the same problem, getting their voters to go down ballot to vote against the initiative. They have an even more difficult job because starting off very few oppose the idea and there is very little intensity around the anti-side. Whether this initiative is on the ballot or not, is relatively unimportant to their voters. It is not a wedge or turnout issue for the opposition or its allies.

The message delivered by the coalition and everyone supporting the minimum wage has to be to minimize the ballot drop-off; the minimum wage could be ahead by 10 points and have a huge turn out of the right voters and...lose. The campaign must have a strategy with each partner to move 'Don't forget' message to their membership and turn out targets. We have a request for Florida down-ballot drop off analysis from NCEC to design message and contact plan.

For many progressive turnout targets the minimum wage is a powerful motivational message to get them to register and turn out to vote, 'don't forget' has to be part of their message. The campaign will produce the materials, flyer, buttons whatever for some local groups to distribute to get the message out.

Since there is not restriction the paid media campaigning for ballot initiative in the last 60days before the election, groups can use the minimum wage initiative to motivate voters to get out to vote, the campaign will work with the media campaigns to include the 'Don't Forget' message.

Building the Coalition

The success of the minimum wage initiative will rely heavily on the strength and participation of the coalition partners. The coalition partners and supporting political officials and candidates will be the basis for getting and keeping the initiative at 45 % (?) (base performance in Florida).

The coalition operates on multiple levels.

- **Steering Committee:**
 1. Decision-making authority
 2. Contribute \$50,000 or 50,000 signatures
- **Sponsoring Committee:**
 1. Endorse the initiative
 2. Publicly advocate the passage of the initiative
 3. Communicate to their membership, congregation, list recommended support for the initiative
 4. Contribute and raise funds
 5. Participate in Campaign field operation

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Floridians For All A Campaign to Raise the Florida Minimum Wage



www.floridiansforall.org

Endorsing Organizations (41)

Updated February 23, 2004

ACORN (Association of Community Organizations for Reform Now)

AFT (American Federation of Teachers) Local 4077, Bronson

Agape Assembly Baptist Church, Orlando

All Nations Church of God of Prophecy, Orlando

Central Florida Presbytery of the Presbyterian Church, Peace with Justice Committee

CWA (Communication Workers of America) Local 4077, Jacksonville

Church World Service

Faith Assembly Church of God, Orlando

First Haitian Baptist Church, Orlando

Florida AFL-CIO

Florida Alliance for Retired Americans (ARA)

Florida Consumer Action Network (FCAN)

Florida Council of Churches

Florida Education Association

Floridians for Alternatives to the Death Penalty

Florida Women's Consortium

Human Services Coalition, Miami

IBEW Local 728, Ft. Lauderdale

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Interfaith Ministerial Alliance (IMA), St. Petersburg

LESPA-NEA, Tallahassee

McCabe United Methodist Church, St. Petersburg

Mt. Zion Missionary Baptist Church, St. Petersburg

New Bethel Missionary Baptist Church, Sarasota

New Life Christian Center, Kissimmee

Orange County Democratic Executive Committee

PACE Local 3-984, Brandon

PACE Local 3-985, Brandon

Peace with Justice

Pentecostal Temple Church of God in Christ, St. Petersburg

Pine Hills Community Church, Orlando

Sarasota United for Responsibility and Equity (SURE)

Service Employees International Union (SEIU) Florida State Council

Source of Health, St. Petersburg

South Florida Interfaith Committee for Worker Justice

South Florida Jobs with Justice

St. Andrew United Church of Christ, Sarasota

St. James United Methodist Church, Sarasota

St. John the Baptist Episcopal Church, Orlando

Stewart Isom CME Memorial Church, St. Petersburg

The Lords House, St. Petersburg

TruVine Missionary Baptist Church, Sarasota

TWU Local 291, Miami

Potential Coalition members:

AFSCME
Building Trades Unions
Florida Trial Lawyers
Job for Justice
People for the American Way
AME Baptist Church
NAACP
Alliance for Small Business
Endorsing Elected Officials:

Leadership Structure:
Campaign co-chairs

Qualification of Initiative:

488,000 valid signatures are required to qualify for the ballot. The signatures must come from at least 12 of the 2000 congressional districts, not the new 2002 districts.

Review by the Florida Supreme Court:

10% (50,000) valid signatures –triggers review of ballot language by Florida Supreme Court. The Supreme Court is charged with determining the legality of the question and making sure the question fulfills the requirements for the placement on the ballot. Specifically the court will insure that the question is single issue only, and the ballot summary is clear and true summation of the question. These are the only two grounds on which the legality of the question can be challenged. Florida legal council experienced with the ballot initiative and Supreme Court process has reviewed the initiative language. They concluded that the initiative is ' single issue and clear' and should pass the court review. The campaign has turned in over 50,000 valid signatures.

The deadline for the court to render a decision on the initiative language is (D/M/).

Signature Verification and Qualification:

In order to gather 488,000 valid signatures the campaign is designed to turn in 650,000 – 700,000 signatures anticipating a validity rate of 70.8%. (495,600)

The signatures should be turned in by April 30. The official deadline for qualification is August 4, 2004; however if the signatures are not into the 67 Florida election offices responsible for verifying the signatures by May, the county offices will not get the verification completed in time to qualify the initiative. The county offices have 30 days to verify the signatures and send the verified signatures to the Secretary of State Elections Department for determination of the statewide qualification. July 4th will be the last day to turn in signatures to counties, as that is 30 days from the qualifying deadline August 4.

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The campaign will be charged \$.10 for each submitted signature at the county level for verification.

Defending the signature gathering process from the opposition

In recent years business opponents to ballot measures have attacked the signature gathering process at every level and from every aspect, the background of paid staff, the signatures validity, where and how the signatures are gathered and more. It has increased the cost to the initiative sponsors in addition to possibility of keeping the measure off the ballot. Although their legal challenge costs maybe considerable, it is a fraction of the costs incurred to run a campaign to defeat the measure at election time.

The campaign will prepare for a state and local challenge from the opposition to the qualification process. The legal council for the campaign will be responsible building a state wide defense team from endorsing organizations, supporting lawyers and legal firms- trial lawyers in Florida and nationally. The legal team will prepare the signature staff and volunteers for possible challenges.

Qualification Budget:

Commercial signature firms are charging \$1.30-1.50 per qualified signature in Florida. The cost per signature for the campaign is \$1.10 per signature, \$715,000 for 650,000 signatures; this cost is based on the campaign's actual experience of gathering signatures. It is projected that the coalition partners and allied groups will provide 125,000 to 150,000 signatures, reducing the financial commitment to \$571,500-\$550,000.

A benchmark in the signature process will be the number of signatures secured on March 9th the Florida Presidential Primary election. The campaign will run a special operation to cover 400-targeted precincts with paid and volunteer personnel to gather 50,000-70,000 signatures.

The county election offices charge \$.10 to verify each name; for 650,000 names \$65,000, 700,000=\$70,000.

The Opposition:

The likely suspects will show up to oppose this initiative. The leaders will come from the businesses in the impacted retail and service sectors. The Chamber of Commerce, the National Association of Independent Businesses, The Hotel and Restaurant Association, Disney and related corporations, the Republican Party leadership, office holders, activists, and allied organizations, Governor Jeb Bush who has already said 'it is a bad idea for Florida' and the entire Bush-Cheney Re-elect campaign mechanism. One of the most effective parts of the opposition's campaign will be the local small business owner, a sympathetic figure to the public unlike the multi-national heartless corporation.

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No doubt the Employment Policies Institute, an industry sponsored DC think tank will release data about the negative impact of a minimum wage increase in Florida. A FSU professor David MacPherson has released several studies for the Employment Policies Institute on the negative effects of the wage increases and will no doubt be commissioned to do similar work in this campaign and be a Florida expert.

Policy Research:

The campaign will produce Florida-specific research to analyze the potential impact of increasing the minimum wage on Florida's workers, businesses and government. The research will anticipate the usual arguments and dire predictions levied by the opposition in other minimum wage fights, such as job loss, business flight, displacement of low skilled workers by higher skilled workers, public budget and tax increases, and alternative policy solutions (e.g. EITC, education and training).

Inarguably the most important research to be undertaken for this campaign is an ambitious economic impact study by Robert Pollin and Mark Brenner of the Political Economy Research Institute (PERI) at University of Massachusetts, Amherst. In partnership with the Florida Minimum Wage Campaign, the Center for American Progress has agreed to produce the study, which will examine the economic effect of our proposal on the Florida economy, including benefits to low wage workers and their families, local business and government coffers. The study is due out in July 2004.

In addition to the Pollin study, the Economic Policy Institute (EPI) in Washington, DC has agreed to provide significant technical and research support to our campaign by producing a series of policy reports to build the economic case for the initiative and refute the oppositions' charges. These include:

1. Time to Repair the Florida Wage Floor - EPI, October 2003
See <http://www.floridiansforall.org/index.php?id=97>
The study identifies the minimum wage workforce in Florida and quantifies the benefits they would receive under the proposal. It also examines wage trends and the economic impact of previous minimum wage increases.
2. Raising the State Minimum Wage: Experience in Other States – EPI, March 2004
This study will examine the impact of raising the minimum wage from states that have already done so- such as Oregon, Washington, Massachusetts and California. It will detail the benefits and dispel myths about negative impact on workers and businesses, including addressing recent public debates over the issue of state minimum wage indexing.
3. Economist Support a Minimum Wage Increase – Joint project with EPI assistance, Aug-Sept, 2004
Like it or not, economists carry a lot of weight in the arena of public opinion on proposals such as ours. This battle – like other minimum wage and living wage fights nationwide – will at some level be characterized by “dueling economists”.

We'd like to organize and focus the firepower of our economic support in an impressive Sign-On Letter in Support of the Florida Minimum Wage Increase. This tactic has been used effectively in other campaigns (e.g. Santa Monica, Sacramento, the federal minimum wage increase fight in 1996). Our sign-on goal is 30-40 economists. Although we'd like to have a high percentage of those names be Floridians, our economist friends have warned that we may have to throw the net wider given the paucity of progressive economists in the state. Depending on our success at recruitment, we might have to consider extending the sign-on invitation to other academics in the fields of political science, government relations, sociology, business and/or labor studies.

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4. Latinos, Immigrants and the Minimum Wage – Although our concept for this report is still somewhat open, we'd like to develop a policy angle that emphasizes the need for and potential concentration of benefits among the state's Latino and immigrant constituencies. EPI has agreed to help with this angle. We have also recently been contacted by the employment policy specialist at the National Council of La Raza, inquiring as to what role they could play in the campaign. We will certainly invite them to help think through and/or conduct research that highlights the disproportionate burden of low wage work carried by their constituency and, therefore, the potential benefits of our proposal to Latinos and immigrants.

Additional Research

We are currently looking for research partners to undertake two additional pieces that we think are important:

Florida's True Cost of Living – This piece will calculate what it actually cost to live in the state today. Incorporating cost of housing, health care, transportation, food, child care, taxes and other expenses in several major cities across the state, this report will present the true cost of living for various family sizes, emphasizing the number of families that fall short of this measure and highlighting the role of a minimum wage increase in closing that gap. Because there are several methodologies already developed to make these calculations, we don't think this will require much heavy lifting – simply some updating of the figures and some modest narrative work to put it in the context of our proposal.

Tourism in Florida: The Low Wage Trap and the Way Out – It goes without saying that tourism and the service industry upon which it rests will play an important role in the campaign. Most certainly, the tourism and hospitality industries can be expected to substantially bankroll the opposition. In addition, the importance of tourism to the Florida economy will no doubt provide much of the rhetorical ammunition against the increase. At the same time, tourism service workers stand to be among the largest and most visible group to benefit from the proposed increase – and their current wages and working conditions are dire enough to serve as an important motivating force for voters on our side. We would like to produce a report that examines the role

of tourism in our economy – laid starkly against the poor wages of those on whom the industry depends. We would also like this piece to emphasize that the tourism industry – uniquely dependent on location for the tourist consumer base – is not likely to make good on the opponents’ exit threats (i.e. you can’t serve Disneyland customers from Georgia). This report would also give us a chance to emphasize the potential benefits to the industry from raising wages – lower absenteeism and turnover leading to decreased recruitment, hiring and training costs for businesses and higher customer satisfaction.

To complement the work of EPI, PERI, the Center for American Progress and other national think tanks and academics, the campaign will engage several Florida economic experts to be available to the press, to talk shows, to give briefings, speeches, and debate the opposition’s economic experts. Once identified, these Florida experts will be key to validating the economic research from the national groups and answer the unavoidable charges that ‘these outsiders from Washington think tanks don’t really know Florida’.

Opposition Research:

The campaign will employ a research firm or research staff to conduct the in-depth analysis including but not limited to the oppositions’:

- Fundraising and source of funds,
- Leaderships and spokespersons,
- Employment record and policies, benefits provided,
- Tax records
- Operations in states with higher/lower minimum wages
- Elected Officials’ voting records, fundraising, etc.

The research operation will work with the research departments and experts with in the coalition membership to enhance the campaign’s ability and utilize the existing resources. The opposition team will provide data and response for the campaigns’ polling, message development and communication. The research team will communicate with the research arms of progressive ballot measure campaigns in Florida and across the country to understand the opposition’s tactics and strategy.

Survey Research ‘Polling’:

The campaign has hired the polling firm of Lake Snell Perry to provide survey research. The campaign as conducted an initial benchmark poll of 600 voters November 18-20, 2003. The poll also surveyed two specific over-samples; 100 African American registered voters with no vote history and 100 Hispanic registered voters with no vote history.

The polling plan includes:

- Survey of 800 infrequent voters to measure the Minimum Wage

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Initiatives impact a turnout tool March 2004

- Focus groups to be determined by polling results. Some with GOTV targets (on turn out messages and getting them to vote down ballot) and some with soft supporters to see how we hold on to their votes.
- Message survey to develop positive message for Minimum Wage and the best defense against the opposition's most effective messages –July.
- Tracking polls – September-October.

Communication / Media:

Developing a strong message through paid and earned media will be pivotal to campaign's success. We have no illusion of out spending the deep pockets of the business industry. We will have to be on some television and radio airwaves to make sure our message is heard and charges by the opposition are answered. A major part of the success will be the through earned media development, press conferences, editorial boards, letters to editor, minority and specialty media and commentators amplification of the message to base constituencies.

An aggressive earned media and press operation is critical to the strategy to win. This is one of the critical activities of the coalition members and allied groups and elected officials and community leaders.

The campaign will develop a coordinated message structure with the communication staff and operations of the coalition organizations and supporting officials. The campaign will design and produce message material for the coalition partners; request that each organization make the minimum wage issue a priority in its member contact, public and paid communications.

The media firm Mac Williams –Robinson has been retained to provide communication and media strategy to the campaign. Will Robinson will be the lead partner on the account.

We currently hold a commanding lead in our own polling. If we can stay on course it is likely we will win, but anything can happen. Florida can become once again the battleground for winning the Presidency; a concerted effort could be waged by the Chamber, NFIB, or other allied group to impact that election through this initiative. America could be hit with another national tragedy. We are not sure all TV and radio stations will take ballot campaign advertising this year. It is for any of these reasons that we should be prepared and flexible. Florida is a large and expensive state, we may want to buy media state wide or reach for a specific target groups or specific target area.

There are ten major markets in Florida. The range in cost from \$516 per point in Miami down to \$54 per point in Gainesville.

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Markets	Cost Per Point Adults 25-54	A 35+ Within State	A 35+ % of DMA with in state	A 35+ % of State Total
Tampa	\$254	2,290,686	100	24.7
Miami	\$516	2,262,482	100	24.4
Orlando	\$235	1,647,074	100	17.8
West Palm Beach	\$131	1,004,167	100	10.8
Jacksonville	\$107	663,118	87.7	7.2
Ft. Myers	\$99	590,495	100	6.4
Mobile-Pensacola	\$86	296,317	45.9	3.2
Tallahassee	\$60	199,962	64.2	2.2
Panama City	\$26	175,930	100	1.9
Gainesville	\$54	132,931	100	1.4

A traditional campaign of 900 – 1000 points of TV in all major markets totals could total over \$1.8 million dollars. We do not know if this is wise or necessary. Tracking polls later this year can help us refine if, when, and where we need to go up on the air.

In preparation for that we think we should look at four types of media:

1. Collateral Media. Web or flash media to be used on a website, on Palm pilots, or as part of an email “viral marketing” program. This can be developed in conjunction with the signature collection and approval process or the fall campaign.
2. Early media to assist or pressure the signature gathering or approval process. This would be radio or TV in number of markets late in the spring or before the National Conventions begin. Any Trail Lawyers or 3rd party groups who may want to make in-kind contributions of airtime can also adapt this media. A possible early media strategy could look like this:

TV:

MARKET	1 st Quarter 2002		2nd Quarter 2004	
	Adults 25-54	700 GRP Buy	Adults 25-54	700 GRP Buy
Tampa	\$254	\$177,800	\$ 293.37	\$205,359
Miami	\$516	\$361,200	\$ 595.98	\$417,186
Orlando	\$235	\$164,500	\$ 271.43	\$189,998
West Palm Beach	\$131	\$91,700	\$ 151.31	\$105,914
Jacksonville	\$107	\$74,900	\$ 123.59	\$86,510
Ft. Myers	\$99	\$69,300	\$ 114.35	\$80,042
Mobile-Pensacola	\$86	\$60,200	\$ 99.33	\$69,531
Tallahassee	\$60	\$42,000	\$ 69.30	\$48,510
Panama City	\$26	\$18,200	\$ 30.03	\$21,021
Gainesville	\$54	\$37,800	\$ 62.37	\$43,659

\$1,267,728

Radio:

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MARKET	1st Quarter 2002		2nd Quarter 2004	
	Adults 35-64	300 GRP Buy	Adults 35-64	300 GRPs
Daytona	\$57	\$17,100	\$ 65.84	\$19,751
Ft. Myers-Naples	\$45	\$13,500	\$ 51.98	\$15,593
Ft. Pierce-Stuart	\$32	\$9,600	\$ 36.96	\$11,088
Ft. Walton Beach	\$19	\$5,700	\$ 21.95	\$6,584
Gainesville-Ocala	\$43	\$12,900	\$ 49.67	\$14,900
Jacksonville	\$69	\$20,700	\$ 79.70	\$23,909
Lakeland-Winter Haven	\$36	\$10,800	\$ 41.58	\$12,474
Melbourne-Titusville	\$39	\$11,700	\$ 45.05	\$13,514
Miami-Ft. Lauderdale	\$250	\$75,000	\$ 288.75	\$86,625
Panama City	\$12	\$3,600	\$ 13.86	\$4,158
Pensacola	\$43	\$12,900	\$ 49.67	\$14,900
Sarasota-Bradenton	\$80	\$24,000	\$ 92.40	\$27,720
Sebring*	n/a			
Tallahassee	\$33	\$9,900	\$ 38.12	\$11,435
Tampa-St. Petersburg	\$144	\$43,200	\$ 166.32	\$49,896
West Palm Beach	\$87	\$26,100	\$ 100.49	\$30,146

*unmetered market

\$342,689

Obviously, dropping markets would bring down cost. We may want to only go up in markets where we need backup on our signature gathering. We can also do a combination of radio and TV, which would bring down the cost to somewhere between a statewide radio buy of \$300,000 and a lower statewide TV of \$1.2 million. You can see from the differences between first quarter and third quarter rates the media costs in the state continuously creep up.

3. A fall persuasion/reinforcement campaign. One to three weeks of TV and radio in key markets. We may want to go up early, go dark and then go back up at the end or to defend ourselves if attacked. One benefit to any early media is that it will not be drowned out by the deluge of candidate spots at the end of the campaign. Depending on the markets this buy could be between \$1.2 million and \$2.2 million a week.
4. Targeted GOTV media. A series of targeted media buys to key GOTV constituencies. This may include black radio and Spanish language targeted to exclude older Cubans in key markets. We may also want to create some ads in other languages such as Creole. We should also consider doing senior GOTV radio. It is easy to reach seniors effectively and less expensively through stations that are often the 7th or 10th most listened to stations in the market. This GOTV advertising can be paid for

by the type of funds that cannot be used by 527s sixty days before the election. We can ask our GOTV audiences to vote to help working people and send Governor Bush a message!

Spanish Language TV and Radio: \$321,654
(Miami TV is \$207K)
(Miami Radio is \$34K)
African American Radio and TV: \$278,567
Additional language radio: TBD
Targeted Senior Radio: \$150,400 - \$320, 150

Time placement:

We can start reserving time as soon as possible. At this time the campaign will not have to send any money to the stations to reserve time. We can probably cancel the time as late as 14 – 10 days before the starting airdate. We may want to lock in time in several key weeks in the fall now to ensure that these slots are not lost to upcoming deluge of candidate advertising. We can always cancel later. It may also be worthwhile to begin the conversations with the stations now to see if any stations or groups of stations (e.g.: Hearst Broadcasting) have set a policy to refuse ballot ads.

A good placeholder number for media would be \$1.2 million for early media and \$1.8 million for later media. We should also hold \$250,000 for GOTV radio.

Production Costs:

We have no idea how much the production costs will be until we know where and how many spots we will be putting on the air. In general, TV spots cost between \$5000 and \$15,000 a piece. Radio spots cost between \$1500 and \$4500. The larger the market the more expensive the voice over and any images we may buy. The cost of a TV shoot that will vary between \$14,000 and \$28,000, depending on the number of spots we will be shooting. It may be safe to project in the budget cost of a middle-sized shoot (\$18,000), two TV Commercials (\$4500 and \$8000) and three radio ads (\$1500, \$2000, and \$3500).

Specialty media/ radio, TV, newspapers ethnic, community, and

Legal:

Paul Sonn and Nathan Newman of the Brennan Center in New York have been assisting the campaign on legal questions.

The campaign will retain Florida counsel with expertise in the Florida election law.

The campaign to date has received legal advice and assistance from Mark Herron and Ron Mayer, Florida election law attorneys.

Compliance/Administrative:

The campaign will employ experienced compliance staff or service to assure the proper systems are set up for expenditures and fundraising practices. The campaign compliance will be responsible for proper reporting and documentation for campaign activity.

Campaign Team:

Field and Qualification – Campaign Team: The campaign team currently led by Brian Kettnering, Florida ACORN Head Organizer, a veteran of numerous living wage (Chicago, Oakland, Sacramento) and election campaigns.

Frank Houston- Signature Drive Coordinator- a former PIRG canvass director, Frank built Florida ACORN's canvass program in Orlando. He manages the development and operation of an 8-city signature operation.

The Florida ACORN operation has substantial support and attention from Zack Pollett ACORN National Political Director and Steve Kest ACORN National Executive Director. Jessica Angus, ACORN National Political Organizer has spent considerable time with the Minimum Wage Campaign, directing four national staff detailed to the campaign to assure the signature drive's success.

Campaign Manager: Hiring

Campaign Strategy: Gail Stoltz, will be consulting on overall strategy, campaign management, developing national relationships and coalition plan. Gail's experience as DNC National Political Director, DSCC Political Director, and SEIU Government Affairs Director, has given her a breath of experience with initiatives and strategies for voter mobilization and turnout.

Polling: Celinda Lake and David Cantor, Lake Snell Perry and Associates; a national polling firm that has polled for Governors, US Senators and Representatives, national party committees, labor unions and AFL-CIO. The firm has in depth experienced on ballot initiatives including the minimum wage and working on voter turnout campaigns.

Media: Will Robinson, MacWilliams Robinson; a national media and communications firm, Will is a veteran of numerous progressive initiative fights both supporting and defeating ballot initiatives. His expertise is beyond producing TV and radio, Will has a track record of innovative strategy combining field, message, and turnout to initiative fights.

Fundraising: Terri Shuck, National fundraising consultant, has signed on to develop and oversee a national fundraising effort. Terri has a vast network developed in her work with People for the American Way, Campaign for American's Future, the Youth Project. Terri has developed the national fundraising plan and fundraising committee, close to a million dollars have been raised to date.

Timeline:

January 2004

- ✓ Submit 50,000 valid signature to Counties –trigger Supreme Court Review

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February

- ✓ Collect 200,000 signatures (total 300,000)
 - ✓ Submit to counties for validation
 - Hire Manager
 - Hire Florida Fundraiser
 - ✓ Prepare instrument for test
 - ✓ New registrants 25000
 - ✓ Launch email campaign for signatures
- Data enter signature names, email, and new voters –match to file

March

50-70,000 signatures on March 9th Primary Day 400 precincts
Conduct test for low frequency and non-voters
Email signature campaign
Hire Communication Director
Hire Field Director
200,000 additional signatures (550,000 TD)
Choose legal council –negotiate retainer/monthly fee
Set up HQ office (negotiate in-kind)
Set-up Administration/ Compliance/ Accounting system
Data entry - List build

April

150,000 Signature (700,000 TD)
Email Signature campaign
Hire Research staff/firm
Technology hire and set-up
Data entry – List build
August 30 - Submit signatures

May

Finish Signature Gathering (clean –up)
Email Signature campaign to May 15
Launch Email / Web campaign;
Set up Regional offices (2)
Hire Regional staff (3 media markets)
Data entry signatures

June

Final Signatures due June 30
Email campaign moves to message, fundraising, and recruitment
Field in targeted precincts
Data entry – signatures /new voters
Hire Regional staff (1 media market)
Voter Registration-

July

Message poll
Focus Groups
Data entry –signature/new voters

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Hire Regional staff (4 media markets)
Voter registration

August

August 4th Qualification date
Production Shoot
Volunteer Coordinators/ Volunteer canvas set-up
Paid Canvas
Voter registration

September

Tracking Poll
Canvas Paid
Volunteer / coalition canvas
Paid media: radio
Specialty/community newspapers
Voter Registration

October

Voter data base –enhancement final (end voter registration)
Tracking Poll
Canvas
Paid Media Radio / ??TV specialty/broadcast/cable
Specialty/community media

November

Slate message
Protect the ballot operation with coalition
GOTV

Fundraising:

Terri Shuck, former Development Director for People for the American Way has signed on as the fundraising consultant and leading the national fundraising effort. A national funding support group of leading progressive donors and philanthropic advisors has held three national calls since October, and substantially leveraging contributions of \$500,000 in the first quarter of the campaign. We intend to have \$1 million in commitments by the end of March to for the ballot qualification drive and research and polling to frame the argument for raising the state minimum wage.

A Florida fundraising director will start in early spring to work with the national consultant on the Florida major donor plan as well as developing funding sources from unions and other allied organizations. The following chart summarizes our fundraising goals and progress as of the end of February, 2004.

	Goal	Committed	Pending	Balance
National Donors	1,335,000	465,000	575,000	295,000

Florida Donors	924,000	89,000		835,000
Unions	500,000	23,000		477,000
Allies In-Kind	500,000	280,000		220,000
Internet	100,000			100,000
Outside Fund -media	750,000			750,000
Total	4,409,000	857,000	575,000	2,677,000

**Budget and Funding Plan:
Attached**

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Floridians for All

Campaign Deliverables

This campaign will increase November 2, 2004 turnout between 198,000 and 358,000 new voters, see the registration of 200,000 new voters, and built the lists, field capacities, and coalition relationships to advance progressive interests in the near and long term.

Turnout

**1. 166,000 New Voters Based Upon Voter Registration
(80% Turnout of 70% of 220K + 65% of 30%)**

ACORN is planning its largest voter registration effort in our organization's history. In its early stages, that drive has already registered 116,000 new voters as of early August 2004. Our track record shows that of the 70% of registrants for whom we get a phone number, 80% of these will vote on election day when we run our standard program of 8-10 touches through election day, including phone, mail, and canvass. Of voters who do not provide a phone number 65% of these will vote based upon past experience.

**2. 32,000 - 192,000 New Voters Mobilized from Amendment Itself
.5% - 3% Increased Turnout Statewide**

NCEC projections indicate a voter turnout of 6.4 million in November 2004, an increase of 300,000 from 2000. We believe our initiative could boost turnout an additional .5% - 3%. Experience from other states shows that initiative states generally have higher turnouts, and that minimum wage initiatives can mobilize large numbers of new voters without mobilizing opposition voters. The best example of this is in Washington in 1998, where experts found as much as a 4% increase attributable to the minimum wage. Because this is a presidential election, the potential turnout impacts will not likely reach 4%, but may reach .5% - 3%.

List Building:

1. 60,000 Emails of Supporters Who Sign the Petition

We have collected and are presently databasing more than 60,000 emails from petition signers.

2. List of 500,000 Valid Registered Voters Who Have Signed Our Petition

We collected 984,000 signatures through the end of the signature drive, with 571,000 of these validated by the Secretary of State, nearly 100,000 more valid signatures than required for certification. We have photocopies of 500,000 plus of the petitions gathered for strategic list-building.

Field Capacity:

1. A High Skill, Trained, Community Organizing Staff of 40 Organizers Statewide in 8 Metro Areas

ACORN currently has among the largest, most talented staffs of organizers working on a common Florida agenda. Our staff size is 30 currently, and will grow as we open two new offices in the next 6 months. ACORN community organizers spend 24 hours a week knocking on doors, recruiting members, talking issues, and identifying indigenous leadership. They also spend 8 hours weekly running volunteer phonebanks. The average ACORN organizer recruits 15 new, dues-paying members monthly, and mobilizes members for over 400 hours of volunteer political activity per month in their community. We presently have community organizers working in six metro areas: Miami, Ft. Lauderdale, Palm Beach, St. Petersburg, Tampa, and Orlando. We plan to begin community organizing in Jacksonville and Tallahassee shortly.

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2. A Political Staff Comprising 20 Managers and 200-400 Political Staff

The signature drive forced ACORN to build field infrastructure to collect the million signatures that qualified Amendment 5 for the ballot. We turned the burden of the signature-gathering process into an opportunity to build capacity, capacity that is now registering 15,000 new voters each week and, beginning August 23rd, will begin a massive GOTV effort.

Coalition:

1. A Coalition of More than 500 Organizations Around the State, Mobilized Around Minimum Wage

FFA has hired a coalition builder that will see the coalition grow into a both deep and broad formation that allies unions, faith groups, community organizations, civil rights groups, ethnic organizations, small businesses, etc. with each other. Through a series of activities, including mini-conferences and strategy meetings, joint work, etc., FFA will build greater capacity and operational unity for progressive forces in Florida.

280A4184949

Floridians For All A Campaign to Raise the Florida Minimum Wage

www.floridiansforall.org

Clarence Pittman, President
International Longshore Association Local 1416
Jacksonville, FL

September 10, 2004

Brother Clarence:

On the eve of the most important election of our lifetimes, working families are again under attack and again fighting back like never before. As this most important election of our lifetimes comes down to the wire here in Florida, I write to ask your support for a strategy that could make the difference November 2 – Amendment 5, the Florida Minimum Wage Initiative.

Floridians for All, the coalition campaign behind Amendment 5, is not merely a campaign to win a raise for the 850,000 Florida workers that would benefit. Moreover, it is a campaign to bring record numbers of workers and their family members to the polls. As AFL-CIO member unions have an unprecedented strategy to mobilize your members this fall, think of Floridians for All as the campaign to drive out the workers that haven't yet joined your union.

Here are the basics on the campaign:

- Amendment 5 is a constitutional amendment establishing a Florida minimum wage at \$6.15 and indexing it to inflation.
- Floridians for All is a coalition of more than 100 organizations, including the FL AFL-CIO and scores of international and local unions. If your union hasn't yet endorsed, see materials at www.floridiansforall.org.
- Floridians for All collected 984,000 signatures to place Amendment 5 on the ballot. The campaign has registered over 145,000 new voters in Florida this year, the largest voter registration project in the state.
- Floridians for All is not only a coalition, but also a state PAC, and has raised more than \$1 million so far to place Amendment 5 on the ballot and to fight for its passage.
- Amendment 5 is polling at 81% according to polls by Democratic pollster Celinda Lake. More importantly, we polled groups that are important to bring to the polls November 2, such as African Americans. Among African Americans who are registered to vote but have a low-propensity to vote, 5 polls at 94%!
- Minimum wage initiatives have been shown to increase turnout. In Washington State in 1998, a minimum wage initiative there increased turnout 4% overwhelmingly from supporters.

Floridians for All will run a \$2 million campaign to drive new voters out in support of Amendment 5. Here's how the campaign will deliver the working families vote November 2:

- Working with partner organizations, we will register over 200,000 new voters. When we get a phone number for new registrants, 80% of them will vote on election day. **This work could deliver 166,000 new pro-worker votes alone.**
- We are purchasing \$1 million in GOTV oriented media (not persuasion media, mobilization media), with a heavy emphasis on 500,000 new registrants and low-propensity voters in African-American precincts across the state.
- We have a \$750,000 canvass program that will touch all the targeted voters in our universe four times with in-person conversations through election day.
- All told, through our 8-10 touch GOTV program, we believe we can bring as much as an additional .5%-3% of the vote out. **That's an additional 32,000 –192,000 new pro-worker votes.**

Floridians for All needs your help to complete its mission. Your union's contribution of \$50,000.00 to Amendment 5 is a direct contribution to the cause of working families in Florida, and the most efficient means to get out our vote November 2. Thank you for your consideration.

Please send contributions to:

Floridians for All PAC
1380 W. Flagler
Miami, FL 33135

Sincerely,

Anthony C. "Tony" Hill, Sr.
Campaign Director, Floridians for All
(904) 705-5182

28044184951

Floridians For All A Campaign to Raise the Florida Minimum Wage

www.floridiansforall.org

Anthony Hill, Jr., Campaign Director
Floridians for All

September 4, 2004

John L. Lewis, President
United Mine Workers
2004 Election is Ours Drive
Chicago, IL, 60605

Dear John:

On this the eve of Labor Day, working families are again under attack and again fighting back like never before. As this most important election of our lifetimes comes down to the wire here in Florida, I write to ask your support for a strategy that could make the difference November 2 – Amendment 5, the Florida Minimum Wage Initiative.

Floridians for All, the coalition campaign behind Amendment 5, is not merely a campaign to win a raise for the 850,000 Florida workers that would benefit. Moreover, it is a campaign to bring record numbers of workers and their family members to the polls. As AFL-CIO member unions have an unprecedented strategy to mobilize your members this fall, think of Floridians for All as the campaign to drive out the workers that haven't yet joined your union.

Here are the basics on the campaign:

- Amendment 5 is a constitutional amendment establishing a Florida minimum wage at \$6.15 and indexing it to inflation. Florida is one of only 5 states with no state minimum wage on the books!
- Floridians for All is a coalition of more than 100 organizations, including the FL AFL-CIO and scores of international and local unions. If your union hasn't yet endorsed, see materials at www.floridiansforall.org.
- Floridians for All collected 984,000 signatures to place Amendment 5 on the ballot. The campaign has registered over 145,000 new voters in Florida this year, the largest voter registration project in the state.
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28044184952

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- All told, through our 8-10 touch GOTV program, we believe we can bring as much as an additional .5%-3% of the vote out. **That's an additional 32,000 -192,000 new pro-worker votes.**

Floridians for All needs your help to complete its mission. Your union's contribution of \$50,000.00 to Floridians for All PAC is a direct contribution to the cause of working families in Florida, and the most efficient means to get out our vote November 2. Thank you for your consideration.

Please send contributions to:

**Floridians for All PAC
1380 W. Flagler
Miami, FL 33135**

Sincerely,

**Anthony Hill, Jr.
Campaign Director, Floridians for All
(904) 705-5182**

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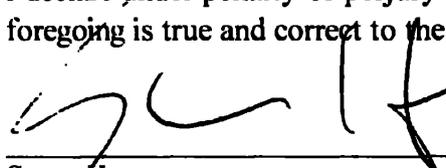
TAB 2

Declaration of Steve Kest

I, Steve Kest, being of legal age and sound mind, do hereby depose and state as follows:

1. I am the executive director of ACORN and was so in 2004.
2. I received a copy of the document entitled "Floridians for All, Campaign Plan for November 2004, Minimum Wage Constitutional Amendment Initiative" from Brian Kettenring, Florida ACORN Head Organizer at the time.
3. I discussed the Floridians For All draft proposal contained as Tab 1 to the complaint with Brian Kettenring. The proposal was not approved as drafted. The draft contained inappropriate statements such as "retake the White House in 2004 and rebuild the Florida Democratic Party", "increase the turnout of working class, mainly Democratic voters without increasing opposition turnout." "George Bush and other Republicans by increasing Democratic turnout in a close election" or "make the difference for a Democratic Presidential candidate but also lend significant support to Congressional and local races." These statements do not represent why ACORN wants to increase the minimum wage. ACORN chapters are not authorized to carry out any activity in pursuit of these goals.
4. State ACORN Chapters, including Florida ACORN, are not authorized to commit ACORN to a campaign that utilizes national resources without approval from myself and/or other ACORN national staff. The Florida Minimum Wage campaign was a campaign that required national resources and national approval.
5. Brian Kettenring was not authorized, and was not able to, commit the Florida ACORN Chapter to a minimum wage campaign without approval from me or other national staff.
6. Neither I nor any other national staff approved the Floridians For All document as written. The campaign was eventually approved but without any of the partisan provisions, goals or purposes mentioned in the draft document.
7. The funds provided to ACORN by Project Vote in Florida and Pennsylvania in 2004 were used for a voter registration project. None of the public communications disseminated as part of that project referred to any candidates or political parties.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Steve Kest

11/13/06

Date

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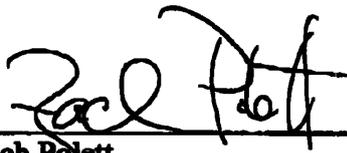
TAB 3

Declaration of Zach Polett

I, Zach Polett, being of legal age and sound mind, do hereby depose and state as follows:

1. I am the executive director of Project Vote and I held that position in 2004.
2. Project Vote provided funding to ACORN in Florida in 2004 for voter registration and get out the vote activity. The Joint Effort Agreement between Project Vote and ACORN specifically requires that ACORN conduct its activity in a "scrupulously non-partisan manner."
3. America's Families United was a not for profit 501(c)3 organization that provided funding to Project Vote for some of its non-partisan voter registration work.
4. Project Vote did oversee a national campaign to assist over a million low income and minority citizens to register to vote and participate in democracy. ACORN was one of the organizations that Project Vote oversaw. None of the activity that Project Vote oversaw included any public communication that referred to any federal, state or local candidate or political party.
5. Project Vote assisted over 100,000 citizens to register to vote in Pennsylvania in 2004.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



 Zach Polett

11/13/06

 Date

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TAB 4

Floridians for All

Campaign Plan for a November 2004 Minimum Wage Constitutional Amendment Initiative

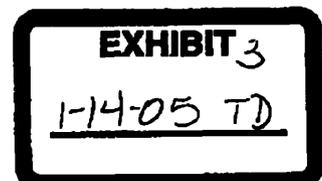
October 1, 2003

Prepared by:

Florida ACORN
Association of Community Organizations for Reform Now
1830 49th St. South
St. Petersburg, FL 33707
www.acorn.org

For More Information Contact:

Brian Kettenring
Florida ACORN Head Organizer



28044184960

TAB 5

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MEYER AND BROOKS, P.A.
ATTORNEYS AT LAW
2544 BLAIRSTONE PINES DRIVE
TALLAHASSEE, FLORIDA 32301
850/878-5212

RONALD G MEYER
THOMAS W BROOKS
ANTHONY D DEMMA
MARY F ASPROS
JENNIFER S BLOHM

2004 DEC 15 11:48

MAILING ADDRESS
POST OFFICE BOX 1547
TALLAHASSEE, FLORIDA 32302
FAX 850/656-6750
email rmeyer@meyerandbrooks.com

LYNN T THOMAS
LEGAL ASSISTANT

December 7, 2004

Lawrence Norton, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 5586
Florida Education Association and Academy of Florida Trial Lawyers

Dear Mr. Norton:

This letter constitutes the response of the Florida Education Association ("FEA") and the Academy of Florida Trial Lawyers ("AFTL") to the complaint in the above-referenced Matter Under Review. For the reasons stated below, the Commission should dismiss the complaint against FEA and AFTL.

The complaint attempts to allege that FEA and AFTL made coordinated contributions/expenditures to the Democratic Party and/or Democratic candidates for federal office in violation of the Federal Election Campaign Act ("FECA") as amended by the Bipartisan Campaign Reform Act of 2002 ("BCRA"). In its inadequate effort to support these allegations, the complainant relies solely on an unsigned document entitled "Florida Victory 2004." However, other than naming FEA and AFTL as respondents and referencing the unsigned "Florida Victory 2004" document, the complaint does not allege any specific action purportedly taken by FEA or AFTL that would constitute a violation of the FECA/BCRA; the complaint does not reference a single specific federal election activity or public communication purported to have been engaged in by FEA or AFTL.

Accordingly, the complainant has not established a factual basis to support the allegations that FEA and AFTL violated FECA/BCRA. Indeed, as the affidavits attached to this letter demonstrate, no such basis exists.

Neither FEA nor AFTL had any knowledge of nor participated in any of the activities listed in the document entitled "Florida Victory 2004." In fact, AFTL did not engage in any activities involving federal candidates in the 2004 election cycle, and FEA only engaged in permissible restricted class communications. No one at FEA or AFTL ever saw or signed the document entitled "Florida Victory 2004."

260-4132356

Lawrence Norton, Esquire
December 7, 2004
Page Two

An unimplemented document drafted by a third party cannot support a violation of FECA/BCRA by FEA or AFTL. The complaint completely fails to contain "a clear and concise recitation of facts which describe a violation of a statute or regulation over which the Commission has jurisdiction" as required by 11 CFR §111.4(3). Instead, the complaint relies solely on conjecture and assumption with no basis in fact. Accordingly, the complaint as it pertains to FEA and AFTL should be dismissed.

Based on the foregoing, FEA and AFTL respectfully request that the Commission dismiss the complaint. If you have any questions, please do not hesitate to contact me.

Sincerely yours,



Ronald G. Meyer

Enclosures

260 1132337 28944184962

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEON

Before me personally appeared Andy Ford who, after being duly sworn, stated the following:

1. I am President of the Florida Education Association which is located at 213 South Adams Street, Tallahassee, Florida 32301.

2. On November 8, 2004, FEA received the complaint and its attachments filed by the Republican Party of Florida. Prior to receiving the complaint, neither I, nor any other officer, agent or employee of FEA, had ever seen the document entitled "Florida Victory 2004" which was attached to the complaint. Neither I, nor any authorized representative of the FEA ever signed any version of the document entitled "Florida Victory 2004."

3. The only federal election communications engaged in by FEA during 2004 were restricted class communications, i.e. communications to FEA's members, officers and their immediate families. FEA did not engage in any public communications or electioneering communications during the 2004 election cycle. FEA did not participate in nor undertake any of the activities listed in the document entitled "Florida Victory 2004."

4. FEA did not make any expenditures in coordination, cooperation, or at the suggestion of any federal candidate, authorized political committee of a candidate, candidate's agents or a national, state or local committee of a political party. FEA did not make any in-kind contributions to a federal candidate or political party.

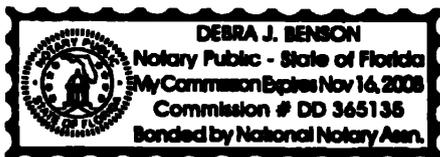
FURTHER AFFIANT SAYETH NAUGHT.

Andy Ford
Andy Ford

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me on this 2 day of December, 2004, by Andy Ford, , who is personally known to me OR _____ who has produced satisfactory evidence of identification (check one) and who did OR _____ did not (check one) take an oath stating that the foregoing was executed for the purposes stated therein.

Type of Identification Produced: Personally Known



Debra J. Benson
NOTARY PUBLIC

Debra J. Benson
PRINTED NAME
My Commission Expires:

26041329984184963

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEON

Before me personally appeared Alexander Clem who, after being duly sworn, stated the following:

1. I am President of the Academy of Florida Trial Lawyers, Inc. ("AFTL") which is located at 218 South Monroe Street, Tallahassee, Florida 32301.

2. Prior to AFTL's receipt of the Florida Republican Party's complaint and its attachments, neither I nor any other officer, agent or employee of AFTL, had ever seen the document entitled "Florida Victory 2004" which was attached to the complaint. Additionally, neither I, nor any other officer, agent or employee of the AFTL, ever signed any version of the document entitled "Florida Victory 2004." AFTL did not participate nor undertake any of the activities listed in the document entitled "Florida Victory 2004."

3. AFTL did not engage in any public communications or electioneering communications involving federal candidates during the 2004 election cycle. AFTL's election activities in 2004 consisted solely of support or opposition of state and local candidates and ballot initiatives.

4. AFTL did not make any expenditures in coordination, cooperation, or at the suggestion of any federal candidate, an authorized political committee of a federal candidate, a federal candidate's agents, or a national, state, or local political party. AFTL did not make any in-kind contributions to federal candidates and/or political party committees.

FURTHER AFFIANT SAYETH NAUGHT.

Alexander Clem

Alexander Clem

STATE OF FLORIDA
COUNTY OF ~~ORANGE~~ LEON

The foregoing instrument was acknowledged before me on this 30 day of ~~December~~ ^{November}, 2004, by Alexander Clem, ✓, who is personally known to me OR _____ who has produced satisfactory evidence of identification (check one) and who ✓ did OR _____ did not (check one) take an oath stating that the foregoing was executed for the purposes stated therein.

Type of Identification Produced: _____

Ronald G. Meyer

NOTARY PUBLIC

RONALD G. MEYER

PRINTED NAME

My Commission Expires:



Ronald G. Meyer
MY COMMISSION # 00631175 EXPIRES
August 18, 2005
BONDED THE TROY FAIR INSURANCE, INC.

260441323394184964

American Federation of Labor and Congress of Industrial Organizations



815 Sixteenth Street, N.W.
Washington, D.C. 20006
(202) 637-5000
www.aflcio.org

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Baxter M. Atkinson
Nat LaCour

RICHARD L. TRUMKA
SECRETARY-TREASURER

Morton Bahr
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John W. Wilhelm
Capt. Duane Woarh
Joseph J. Hunt
Cecil Roberts
Melissa Gilbert
John J. Flynn
William H. Young

December 13, 2004

Lawrence H. Norton
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 5586

Dear Mr. Norton:

I am writing on behalf of the Florida AFL-CIO in response to the complaint filed against it and other respondents by the Republican Party of Florida. The complaint makes no allegations specific to the Florida AFL-CIO, but broadly asserts that its alleged participation in an "agreement" dated September 3, 2004 and entitled "Florida Victory 2004" violates the Federal Election Campaign Act (the "Act") in numerous ways. That assertion is wrong as a matter of fact and law, and we urge the Commission to find no reason to believe that the Florida AFL-CIO has violated the Act, and to dismiss the complaint as to the Florida AFL-CIO.

As set forth in the attached Declaration of Cynthia Hall¹, the Florida AFL-CIO had virtually no contact with the Florida Democratic Party (FDP) with respect to the "Florida Victory 2004" coordinated campaign plan. Ms. Hall participated in a single telephone call with the FDP regarding such a plan in August; briefly reviewed and signed it around September 1; did not discuss it or show it to anyone; and promptly locked it in a drawer and left it there, undisturbed, until, literally, last Friday, December 10.

As Ms. Hall also relates, the Florida AFL-CIO's political activities during 2004 consisted solely of outreach to its restricted class of members of affiliated unions, executive and administrative employees, and their families. The Florida AFL-CIO undertook no general public communications on election-related activities. Indeed, the complaint does not allege a single instance of any.

¹ We are enclosing a faxed version of the declaration. The original will be filed upon its receipt in my office.

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COUNSEL
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Moreover, the Florida Victory Plan itself on its face solely concerns plans and activities of the FDP, and nowhere mentions the Florida AFL-CIO except on the signature page. In fact, the Florida AFL-CIO undertook none of the activities described in the plan (none of which the plan attributes to it in any event), and neither the version of the plan attached to the complaint nor the version that Ms. Hall signed included the "field and fundraising help levels" referred to on the signature page. Nor did the Florida AFL-CIO contribute any field help; and, in fact, all of its financial contributions to the FDP, a total of \$16,000 non-federal, were made before the conference call and the conveyance of the plan to Ms. Hall. At no time did the FDP actually request or suggest that the Florida AFL-CIO engage in any non-restricted class communications or other outreach, nor did they even discuss any.

Under these factual circumstances, the applicable law is straightforward and dispositive that there is no violation. The core allegation of the complaint seems to be that there were unlawful coordination and resulting in-kind contributions to the FDP, in violation of 2 U.S.C. §§ 441a(a)(7) and 441b. However, if a labor organization's communications are confined to its restricted class, as was the case here with the Florida AFL-CIO, the ACT's restrictions on coordination are inapplicable and the labor organization makes no contribution (or expenditure) as a matter of law. See 2 U.S.C. §441b(b)(2)(A); 11 C.F.R. §§ 100.81, 100.134, 114.3. Contrary to the assertions in the complaint, this fundamental feature of the Act was not changed by the Bipartisan Campaign Reform Act of 2002.

Moreover, even if the Florida AFL-CIO's participated in devising, discussing and approving the Florida Victory Plan in ways that far exceeded the minimal contact that actually occurred, there would be no resulting coordinating or in-kind contribution within the meaning of the Act. For, a labor organization and a state political party committee lawfully can freely consult about the party's own activities, and the party committee can implement the labor organization's requests or suggestions concerning what the party committee should do.

This analysis of the applicable law is set forth in the final General Counsel's Report that was approved by the Commission in MUR 4291 in 2000. At issue in relevant part was the national AFL-CIO's review and approval of numerous state Democratic Party coordinated campaign plans. The General Counsel recommended that the Commission take no further action. For, as here, the plans did not "make any "unmistakable reference" to, much less request or suggest, any specific communications by the AFL-CIO to the general public"; rather, "[w]here the . . . plans referred to communications to the general public, they referred to the state parties' plans for their *own* communications to the general public" General Counsel's Report at 16 (June 12, 2000) (emphasis in original). And, although the AFL-CIO as well as "individual state AFL-CIO federations . . . had access to volumes of non-public information about [state and national Democratic Party committees'] plans, projects, activities and needs," the General Counsel acknowledged that "under no theory of law, either prior to or after [*FEC v. Christian Coalition*, 52 F. Supp. 2d 45 (D.D.C. 1999),] has coordination of a recipient political committee's own communications with a third party rendered the political committee's communications illegal." *Id.* at 18, 19.

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The same conclusions apply to the facts in the instant case; and here, the Florida AFL-CIO's role with respect to the FDP's coordinated campaign plan was far less engaged and influential than those described in MUR 4291.

Nothing in BCRA altered the law of coordination in this respect. Although BCRA repealed the then-extant regulations concerning coordination, the Commission's post-BCRA coordination regulations exclusively, and properly, concern only a third party's public communications, not those of the political committee involved. See 11 C.F.R. Part 109. Accordingly, there can be no reason to believe that unlawful coordination occurred with respect to the Florida AFL-CIO.

Finally, the complaint's other apparent allegation against the Florida AFL-CIO as a non-party respondent similarly fails. There can be no reason to believe that the Florida AFL-CIO violated 2 U.S.C. § 433 by failing to register as a political committee, for it is not a political committee by virtue of any of the activities described in Ms. Hall's declaration.

In sum, then, there is no reason to believe that the Florida AFL-CIO violated the Act, and we respectfully request that the Commission so conclude and dismiss the complaint against it.

Yours truly,



Laurence E. Gold
Associate General Counsel

Enclosure

cc: Cynthia Hall

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FEDERAL ELECTION COMMISSION**MUR 5586****DECLARATION OF CYNTHIA HALL**

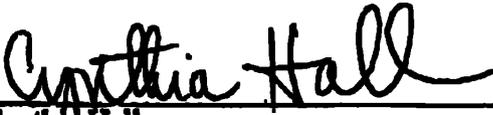
1. I am the president of the Florida AFL-CIO, which is located at 135 S. Monroe St., Tallahassee, FL 32301. The Florida AFL-CIO is a state central labor body whose affiliates principally include many local unions of national and international unions affiliated with the AFL-CIO. As President, I am the chief executive officer of the Florida AFL-CIO.
2. During 2004 the Florida AFL-CIO undertook various activities concerning federal, state and local elections taking place in Florida. For purposes of the Federal Election Campaign Act, I understand that the "restricted class" of the Florida AFL-CIO within Florida consists of its executive and administrative personnel and their families, and the members of its affiliated unions and their families. All of the Florida AFL-CIO's activities concerning federal elections in 2004 were directed only at this restricted class.
3. Some time during August 2004 I participated in a conference call initiated by the Florida Democratic Party that included representatives of the FDP and several non-party organizations. The FDP stated that it would soon circulate a coordinated campaign plan for the FDP and requested that each organization review and sign it, as well as make financial contributions to the FDP.
4. I subsequently received a document dated September 1, 2004 called "Florida Victory 2004," which appears substantially similar to the September 3, 2004 "Florida Victory 2004" document attached to the complaint in this case. I had never seen the September 3 document until I received it with this complaint.
5. Shortly after I received the document dated September 1, I skimmed it, signed it and sent the signature page with my signature alone on it to the FDP. I did not show it to anyone and did not discuss it with anybody from that time until the November 2 general election. In fact, I put it in a locked drawer in my office, where it remained undisturbed until this past Friday, December 10, when I retrieved it in the course of preparing this declaration.
6. The Florida AFL-CIO had virtually no contact with the FDP from the time I signed the Florida Victory Plan until the November 2 general election. Rather, the Florida AFL-CIO's political activities wholly and independently involved outreach to the restricted class described above. I was neither notified of nor attended any meetings as described on page 1 of the Florida Victory Plan, or any similar meetings or calls, and no other Florida AFL-CIO representative had any such contacts either. At no time did the FDP request,

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suggest or otherwise discuss with the Florida AFL-CIO any general public communications or activities by the Florida AFL-CIO.

- 7. The signature page in each version of the Florida Victory Plan refers to an agreement "to contribute field and fundraising help at the levels ascribed below." Neither document ascribes (or describes) any such levels. The Florida AFL-CIO contributed no field help to the FDP during 2004. The Florida AFL-CIO made non-federal (and no federal) financial contributions to the FDP during 2004 totaling \$16,000; all of these preceded the conference call described above and my receipt of the September 1 Florida Victory Plan.
- 8. I have read the various speculative assertions in the complaint about the role of "non-federal entities" in Florida during 2004. Those assertions are false with respect to the Florida AFL-CIO, which, in fact, the complaint specifically refers to only in its first paragraph.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 13, 2004.


 Cynthia Hall

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LAW OFFICES
LICHTMAN, TRISTER & ROSS, PLLC
1666 CONNECTICUT AVENUE, N.W., SUITE 500
WASHINGTON, D.C. 20009

ELLIOTT C. LICHTMAN
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LAURA A. POSSESSKY¹
RICHARD L. THOMAS²
JOSEPH J. KRANYAK³

¹ALSO ADMITTED IN MD
²ADMITTED IN TX ONLY

LAURENCE E. GOLD
OF COUNSEL

December 13, 2004

By Facsimile to 202/219-3923

Office of General Counsel
Federal Election Commission
999 E Street, NW
Washington, D.C. 20004

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COMMISSION
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Re: MUR-5586 - Response to Complaint on behalf of Service
Employees International Union

Dear Sir or Madam:

The Service Employees International Union, AFL-CIO ("SEIU") responds to the complaint filed by the Republican Party of Florida in this matter as follows:

1. SEIU is an international labor organization. SEIU was served with a copy of the complaint by letter dated November 3, 2004 addressed to its International President at its headquarters in Washington, D.C. Since SEIU is not named in the complaint, including the list of Respondents in Attachment B, it should not have been served with a copy of the complaint and no action may be taken against it in response to the complaint. See, 2 U.S.C. §437g(a)(1) (Commission shall notify "any person alleged in the complaint to have committed such a violation"); 11 C.F.R. § 111.4(d)(1) (complaint should "clearly identify as a respondent each person or entity who is alleged to have committed a violation"); 11 C.F.R. § 111.5(a) (Commission shall notify "each respondent").

2. The Commission's letter to SEIU states that the complaint indicates that "Florida Service Employees International Unions (sic)" may have violated the Act. The opening paragraph of the complaint also lists "Florida SEIU" among the group of organizations participating in the Victory 2004 Florida Coordinated Campaign, although "Florida SEIU" is not listed as a respondent on Attachment B. There is no entity known as "Florida Service Employees International Union" or "Florida SEIU". An intermediate body known as the SEIU Florida State Council is made up of six local unions operating in Florida who are affiliated with SEIU. The State Council is not named in the complaint. Moreover, to the extent that the complaint's

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reference to "Florida Service Employees International Union" or Florida SEIU" might be construed as a reference to the State Council, that body is an independent entity, with its own bylaws and officers, and it cannot be served by notice to the International union.

3. The unsigned Signature Page for the document entitled "Florida Victory 2004" which is attached to the complaint includes "Monica Russo, Florida SEIU." Ms. Russo is an officer of SEIU Local 1199FLORIDA, an affiliated local union of SEIU. There is no allegation in the complaint that SEIU Local 1199FLORIDA engaged in any unlawful activity under the Federal Election Campaign Act, and the local has not been served with the complaint in any event.

4. If called upon to respond, Ms. Russo would testify that she had no role whatsoever in the development or drafting of the document entitled "Florida Victory 2004"; that while she received an electronic copy of the document dated September 1, 2004 (not September 3, 2004 as in the attachment to the complaint), she did not sign that document or otherwise respond to it and did not distribute it to others. Ms. Russo would also testify that neither she nor, to the best of her knowledge, anyone associated with SEIU Local 1199FLORIDA or the Florida State Council, participated in a "Coordinated Campaign Decision Making Table" or in meetings of such a table, as described on page 1 of "Florida Victory 2004". Finally, she would testify that the information contained in "Florida Victory 2004" concerning the plans for the coordinated campaign played no role in the political campaign activities undertaken by SEIU Local 1199FLORIDA during 2004.

5. The gravamen of the complaint insofar as it involves nonparty entities is that they unlawfully coordinated their public activities in connection with the 2004 federal election with federal candidates and the Florida Democratic Party. Under 11 C.F.R. §109.21, a public communication will be found to be coordinated with a candidate or political party only if it satisfies *both* a content standard and a conduct standard. In the Explanation and Justification for its coordination regulations, the Commission stated that the purpose of the content standard is to serve "as a 'filter' or a 'threshold' that screens out [sic] certain communications from even being subjected to analysis under the conduct standards." See Final Rules, "Coordinated and Independent Expenditures," 68 Fed. Reg. 421, 430 (Jan. 3, 2003). The screening function of the content standard is critical because of the highly intrusive nature of investigations into alleged coordination between outside groups and political parties or candidates and is particularly important with respect to complaints filed by partisans against their political opponents, as is the case here. See, e.g., *AFL-CIO v. FEC*, 333 F.3d 168 (D.C.Cir. 2003); *FEC v. Christian Coalition*, 52 F.Supp. 2d 45, 88 (D.D.C. 1999).

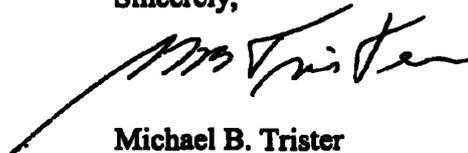
The Commission cannot perform its screening function in this case because the complaint does not allege a single public communication or activity by any SEIU entity which is alleged to have been coordinated with any federal candidate or political party committee. While the unsigned document entitled "Florida Victory 2004" describes a variety of hypothetical grassroots political campaign activities, the document does not remotely suggest that the entities named in the document would be involved in carrying out those activities. It is impossible therefore for the Commission to conclude that there is reason to believe that SEIU or any other entity affiliated with SEIU violated the Federal Election Campaign Act as alleged in the complaint, and it should

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be dismissed without further action.

6. The complaint also fails to allege any facts that even suggest a violation of the conduct standard for coordination by any SEIU entity. In MUR 4291 (2000), the Commission considered whether a union had coordinated its public communications during the 1996 election cycle with the Democratic Party through the union's participation in the coordinated campaign. The General Counsel's final report, which was based on extensive discovery and was accepted by the Commission, found that the state coordinated campaign plans made available to the union contained a great deal of information about the plans, projects, and needs of the party in each individual state, but this evidence was insufficient to establish a case of improper coordination because the plans did not make any reference to, much less request or suggest, any specific public communications by the union. See, MUR 4291, General Counsel's Report (June 9, 2000), 16-20. Similarly, "Florida Victory 2004" describes at most certain activities which the Florida Democratic Party intended to undertake and seeks financial and volunteer support from outside entities for those activities. The document contains no "request or suggestion" that the non-party entities to which it was sent conduct any activities of their own. See 11 C.F.R. § 109.21(d)(1). Furthermore, because the document does not even mention specific public communications or activities to be conducted by any outside group, it cannot amount to "material involvement" in any activities subsequently undertaken by the groups which received the document, *see id.* § 109.2(d)(2), nor can it amount to "substantial discussion," *see id.* § 109.21(d)(3), with those groups within the meaning of the applicable rule. Finally, as noted earlier, Ms. Russo, who received "Florida Victory 2004" and never signed it, would testify that it played no part in the planning or design of any of her union's political activities during 2004.

Sincerely,



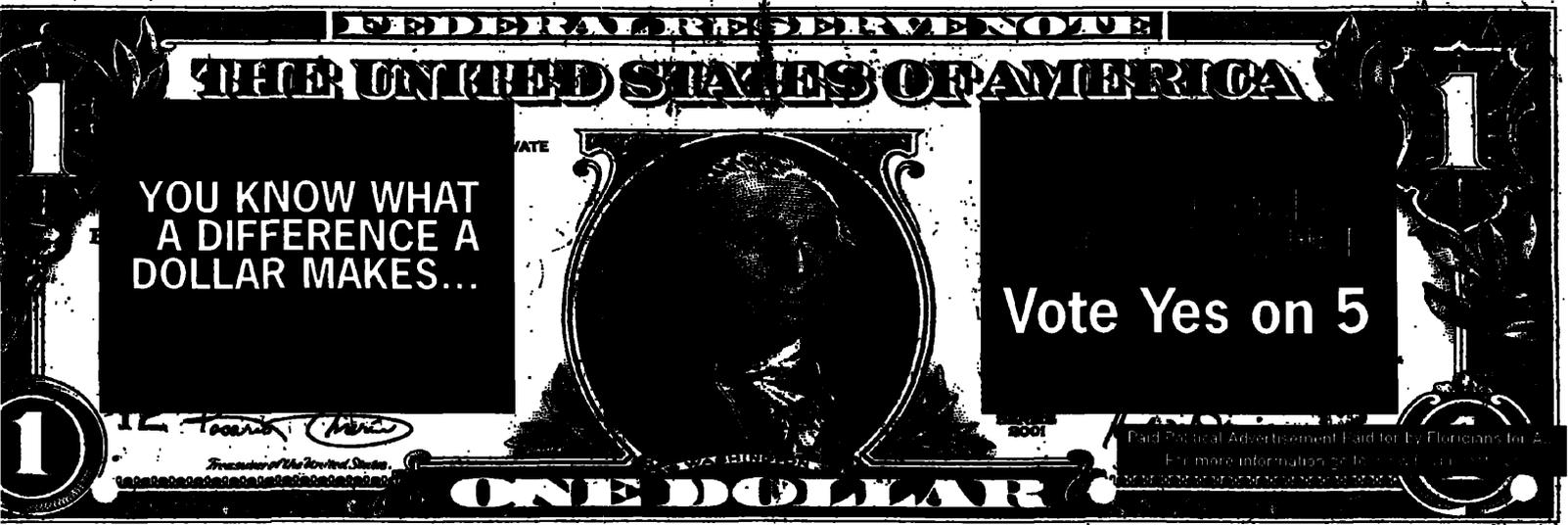
Michael B. Trister

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TAB 6

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...TO YOUR NEIGHBORS, FRIENDS FAMILY MEMBERS.

DID YOU

More than 850,000 Florida workers would get a raise if the minimum wage increased by \$1.00.

Retail stores in Florida's low-income neighborhoods would see an increase in sales if their neighbors earned \$1.00 more per hour.

The vast majority of Florida minimum wage workers are adults, not teenagers (79% are 20 and older) and most work full-time.

Six out of 10 Florida minimum wage earners are women – 25% are single mothers, many of whom work full-time.

The paychecks these workers bring home, on average, account for about half of their families' earnings.

A full-time worker earning \$6.15 an hour lives 25% below the federal poverty level.



**A DOLLAR MAKES ALL THE DIFFERENCE IN THE WORLD
VOTE YES ON AMFNDMENT 5 – NOVEMBER 2**

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**VOTE YES ON
Amendment 5**

**RAISE FLORIDA'S
MINIMUM WAGE**

Paid Political Advertisement Paid for by Floridians for All For more information go to www.floridiansforall.org

**IF YOU HAVE PROBLEMS OR QUESTIONS CALL
TOLL-FREE: 866-OUR-VOTE (866-687-8683)**

1. The polls will be open from 7:00 a.m. to 7:00 p.m. If you are already standing in line when the polls close, you have the right to cast your vote.
2. Bring your photo ID.
3. If you have children, you can take them into the voting booth with you.
4. If you are voting on unfamiliar equipment, you can ask to see a demonstration on how to use the machine before you vote.
5. If you do not have your voter registration card or photo ID with you, you can still vote. Ask the poll workers which forms you need to fill out or find an Election Protection volunteer for help.

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TAB 7

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 04-22764-CIV-KING/O'SULLIVAN

MAC STUART,

Plaintiff,

v.

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,
INC., d/b/a ACORN, an Arkansas corporation,

Defendant.

**DEFENDANT'S ANSWER, AFFIRMATIVE DEFENSES AND COUNTER-CLAIMS
TO PLAINTIFF'S AMENDED COMPLAINT**

Defendant, Association of Community Organizations for Reform Now, Inc.

("ACORN"), by their attorneys, hereby respond to the Amended Complaint of Plaintiff Mac
Stuart as follows:

INTRODUCTION

1. ACORN denies the allegations contained in paragraph 1 of the Amended
Complaint, but admits that the Amended Complaint purports to be an action as described in
paragraph 1 of the Amended Complaint.

JURISDICTION

2. ACORN denies knowledge or information sufficient to form a belief as to the
allegations in paragraph 2 of the Amended Complaint.

VENUE

3. ACORN admits the allegations in paragraph 3 of the Amended Complaint.

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4. ACORN admits that it is incorporated under the laws of the State of Arkansas and that it has a national office in New Orleans, Louisiana.

5. ACORN admits that this lawsuit is between citizens of different states, thereby satisfying the diversity of citizenship requirement for jurisdiction under 28 U.S.C. § 1332(a), but is without knowledge to admit or deny whether the amount in controversy for Plaintiff's claims exceeds the sum or value of \$75,000.

VENUE

6. ACORN admits that Plaintiff is a resident of Miami-Dade County, Florida, admits that ACORN is incorporated under the laws of the State of Arkansas and is doing business in Miami-Dade County, Florida, and denies the remaining allegations in paragraph 6 of the Amended Complaint.

PARTIES

7. ACORN admits that Plaintiff is a resident of Miami-Dade County, Florida.

8. ACORN admits that Plaintiff was employed by ACORN from November 2003 until August 5, 2004.

9. The allegations in paragraph 9 of the Amended Complaint purport to state a legal conclusion to which no answer is required. To the extent an answer is required, ACORN denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 9 of the Amended Complaint.

10. ACORN admits the allegations in paragraph 10 of the Amended Complaint.

11. ACORN admits the allegations in paragraph 11 of the Amended Complaint.

12. The allegations in paragraph 12 of the Amended Complaint purport to state a legal conclusion to which no answer is required. To the extent an answer is required, ACORN

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denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 12 of the Amended Complaint.

STATEMENT OF FACTS

13. ACORN admits that it supports establishing a minimum wage in the State of Florida, but denies the remaining allegations in paragraph 13 of the Amended Complaint.

14. ACORN admits that it hired petition collectors to collect petition signatures in support of the Florida Minimum Wage Amendment, but denies the remaining allegations in paragraph 14 of the Amended Complaint.

15. ACORN admits that, in 2003 and 2004, its petition collectors were required to ascertain whether individuals were registered to vote in Florida before allowing individuals to sign a petition in support of the Florida Minimum Wage Amendment, but denies the remaining allegations in paragraph 15 of the Amended Complaint.

16. ACORN denies the allegations in paragraph 16 of the Amended Complaint.

17. ACORN denies the allegations in paragraph 17 of the Amended Complaint.

18. ACORN admits that the Florida Secretary of State validated enough petition signatures to qualify the Florida Minimum Wage Amendment for the November 2004 general election ballot, but is without knowledge as to the remaining allegations in paragraph 18 of the Amended Complaint.

19. ACORN admits that the allegations in paragraph 19 of the Amended Complaint.

20. ACORN admits that Mathew Besant was a supervisor of Plaintiff at the time of his hire in November 2003.

21. ACORN denies the allegations in paragraph 21 of the Amended Complaint.

22. ACORN denies the allegations in paragraph 22 of the Amended Complaint.

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20a.¹ ACORN denies the allegations in the second paragraph 20 of the Amended Complaint.

21a. ACORN denies the allegations in the second paragraph 21 of the Amended Complaint.

22a. ACORN denies the allegations in the second paragraph 22 of the Amended Complaint. ACORN denies information or knowledge that a copy of a written notice was attached as Exhibit "A" of the Amended Complaint, as Plaintiff did not attach said exhibit to its Proposed Amended Complaint.

23. ACORN denies knowledge or information sufficient to form a belief as to the allegations in the first sentence of paragraph 23 of the Amended Complaint. ACORN admits that it suspended Plaintiff on August 2, 2004 and terminated Plaintiff's employment on August 5, 2004, and denies the remaining allegations in the second sentence of paragraph 23 of the Amended Complaint.

24. ACORN denies the allegations in paragraph 24 of the Amended Complaint.

25. ACORN denies the allegations in paragraph 25 of the Amended Complaint.

26. ACORN denies the allegations in paragraph 26 of the Amended Complaint.

27. ACORN denies knowledge or information sufficient to form a belief as to the allegations in paragraph 27 of the Amended Complaint.

STATEMENT OF CLAIMS

COUNT I - FLORIDA WHISTLEBLOWER CLAIM UNDER SECTION 448.102(1)

ACORN incorporates by reference its responses to the allegations in paragraphs 1 through 27 of the Amended Complaint as if fully set forth herein.

¹ The Amended Complaint has two groups of allegations numbered as paragraphs 20-22. ACORN is answering the second group of allegations numbered 20, 21 and 22 as 20a, 21a and 22a, respectively.

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28. ACORN denies the allegations in paragraph 28 of the Amended Complaint.

29. ACORN denies the allegations in paragraph 29 of the Amended Complaint.

30. ACORN denies the allegations in paragraph 30 of the Amended Complaint.

31. ACORN denies the allegations in paragraph 31 of the Amended Complaint.

32. ACORN denies the allegations in paragraph 32 of the Amended Complaint.

33. ACORN denies the allegations in paragraph 33 of the Amended Complaint.

ACORN avers that the WHEREFORE paragraph and its respective subparts, which appear after paragraph 33 of the Amended Complaint, do not contain allegations that require a response. To the extent that the WHEREFORE paragraph includes any allegations requiring a response, ACORN denies them.

COUNT II - FLORIDA WHISTLEBLOWER CLAIM UNDER SECTION 448.102(3)

ACORN incorporates by reference its responses to the allegations in paragraphs 1 through 27 of the Amended Complaint as if fully set forth herein.

34. ACORN denies the allegations in paragraph 34 of the Amended Complaint.

35. ACORN denies the allegations in paragraph 35 of the Amended Complaint.

36. ACORN denies the allegations in paragraph 36 of the Amended Complaint.

37. ACORN denies the allegations in paragraph 37 of the Amended Complaint.

ACORN avers that the WHEREFORE paragraph and its respective subparts, which appear after paragraph 37 of the Amended Complaint, do not contain allegations that require a response. To the extent that the WHEREFORE paragraph includes any allegations requiring a response, ACORN denies them.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE
(Unclean Hands)

38. Plaintiff's claims are barred by the doctrine of unclean hands.

SECOND AFFIRMATIVE DEFENSE
(Failure to State a Claim for Relief)

39. The Amended Complaint fails to state a claim for which relief may be granted.

THIRD AFFIRMATIVE DEFENSE
(Improper Notice)

40. Count One is barred because Plaintiff did not properly bring the activity, policy or practice underlying his claim to the attention of ACORN as required under Section 448.102, Florida Statutes.

FOURTH AFFIRMATIVE DEFENSE
(Lack of Objection)

41. Count Two is barred because Plaintiff did not object to, or refuse to participate in, any activity, policy or practice of ACORN which was in violation of a law, rule or regulation as required under Section 448.102, Florida Statutes.

FIFTH AFFIRMATIVE DEFENSE
(No Violations of Law)

42. Plaintiff's claims are barred because ACORN did not violate any laws, rules or regulations.

SIXTH AFFIRMATIVE DEFENSE
(Legitimate Reason to Fire Plaintiff)

43. Plaintiff's claims are barred because ACORN had a legitimate, non-discriminatory reason for firing Plaintiff.

DEFENDANT'S COUNTERCLAIMS

Now comes the Defendant ACORN, by its attorneys and, as and for its Counterclaims against the Plaintiff, alleges as follows:

PARTIES

1. Defendant ACORN is a corporation incorporated under the laws of the State of Arkansas. ACORN is authorized to do business in Miami-Dade County, Florida.
2. Plaintiff Mac Stuart is a resident of Miami-Dade County, Florida.

JURISDICTION AND VENUE

3. This is an action for monetary damages in excess of seventy-five thousand dollars (\$75,000) exclusive of interest, attorneys' fees, and costs.
4. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1332, 1367, 1441 and 1446.
5. Venue is proper in this Court under 28 U.S.C. § 1391 because Stuart is a resident of the Southern District of Florida and certain of the events giving rise to the claim occurred in this District.

FACTUAL BACKGROUND

6. Stuart worked for ACORN from November 2003 until August 5, 2004.
7. On August 5, 2004, Stuart was fired from ACORN for failure to follow numerous ACORN policies and procedures.
 - A. **False Oral Statements Made by Stuart**
 8. After Stuart was terminated from his employment with ACORN, on or about October 1, 2004, Stuart told a reporter for Florida Today, a newspaper in Melbourne, Florida, that "[t]here was a lot of fraud committed" by ACORN. The false statements Stuart made to the

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reporter included statements that ACORN knowingly submitted thousands of invalid registration cards and knowingly failed to turn in cards from registered Republicans.

B. False Written Statements Made by Stuart

9. After Stuart was terminated from his employment with ACORN, on August 6, 2004, Stuart sent an e-mail to Aliana Perez at WSVN (the "WSVN E-mail"), a television news station in Miami, Florida, falsely stating that ACORN committed "voter fraud" and other "illegal" activities.

10. After Stuart was terminated from his employment with ACORN, on August 6, 2004, Stuart sent an e-mail to ACORN employees (the "Employee E-mail") falsely stating that ACORN "committed a crime."

COUNT I
DEFAMATION / SLANDER

11. ACORN re-alleges and incorporates herein by reference paragraphs 1 through 10.

12. Stuart has orally made false statements against ACORN, including allegations of voter registration fraud and illegal withholding of Republican voter registration applications.

13. At the time Stuart made false statements that ACORN committed voter registration fraud and illegally withheld Republican voter registration applications to the reporter for Florida Today, Stuart knew the statements were false or had serious doubts as to their truth.

14. Stuart's primary purpose in making the above false statements was to indulge ill will, hostility, and harm to ACORN.

15. Stuart's false statements that ACORN committed voter fraud and illegally withheld Republican voter registration applications are actionable per se. These false statements clearly expose ACORN to hatred, contempt, and ridicule. The false statements charge ACORN with committing voter registration fraud that ACORN did not commit.

16. Stuart knew the above false statements would be reported in news publications, including Florida Today. Stuart's false statements that ACORN committed voter registration fraud have been published in the Washington Times, the Florida Times-Union, Newsmax.com, and other publications.

17. ACORN has suffered a loss to its good will and reputation as a proximate cause of Stuart's false statements.

18. Stuart's false statements were not privileged because Stuart made them with malice, hatred and ill will toward ACORN and the desire to injure ACORN, in that Stuart had expressed a desire to seek revenge against ACORN for terminating his employment. Because of Stuart's malice in making the false statements, ACORN seeks punitive damages.

WHEREFORE, ACORN demands judgment against Stuart for:

- (a) Compensatory damages according to proof;
- (b) Punitive damages;
- (c) Interest as allowed by law;
- (d) Costs of suit; and
- (e) Such other and further relief as this Court may deem just and proper.

COUNT II
DEFAMATION / LIBEL

19. ACORN re-alleges and incorporates herein by reference paragraphs 1 through 10.

20. Stuart has published numerous false statements against ACORN, including false allegations of voter registration fraud in the WSVN E-mail and Employee E-mail.

21. At the time Stuart sent the WSVN E-mail, identified in paragraph 9, accusing ACORN of committing voter registration fraud and exploiting minorities, Stuart knew the statements were false or had serious doubts as to their truth.

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22. At the time Stuart sent the Employee E-mail, identified in paragraph 10, accusing ACORN of committing crimes, Stuart knew the statement was false or had serious doubts as to its truth.

23. The WSVN E-mail and Employee E-mail are libelous on their face. They clearly expose ACORN to hatred, contempt, ridicule and obloquy because they charge ACORN with committing voter registration fraud.

24. The WSVN E-mail and Employee E-mail were seen and read by numerous individuals.

25. ACORN has suffered a loss to its goodwill and reputation as a proximate cause of the above-described publications.

26. The above-described publications were not privileged because Stuart published them with malice, hatred and ill will toward ACORN and the desire to injure ACORN, in that Stuart had expressed a desire to seek revenge against ACORN for terminating his employment. Because of Stuart's malice in publishing the above-described false statements, ACORN seeks punitive damages.

WHEREFORE, ACORN demands judgment against Stuart for:

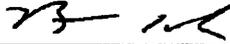
- (a) Compensatory damages according to proof;
- (b) Punitive damages;
- (c) Interest as allowed by law;
- (d) Costs of suit; and
- (e) Such other and further relief as this Court may deem just and proper.

DEMAND FOR TRIAL BY JURY

ACORN hereby demands a trial by jury for all matters so triable.

28044184988

Respectfully submitted,



Faith E. Gay
Florida Bar No. 129593
Angela Daker
Florida Bar No. 681571
Brian H. Koch
Florida Bar No. 637335
White & Case LLP
Wachovia Financial Center, Suite 4900
200 South Biscayne Blvd.
Miami, FL 33131
Telephone: (305) 371-2700
Facsimile: (305) 358-5744
fgay@whitecase.com
Counsel for Defendant ACORN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by U.S. Mail this 12th day of April, 2005 to Stuart A. Rosenfeldt, Esq., Rothstein Rosenfeldt Adler, 300 S.E. 2nd Street, Suite 860, Fort Lauderdale, Florida 33301.



Brian H. Koch

28044184990

TAB 8

FILED *SAW* D.C.
DEC 06 2005
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 04-22764-CIV-KING/O'SULLIVAN

MAC STUART,

Plaintiff,

v.

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,
INC., d/b/a ACORN, an Arkansas corporation.

Defendant.

**FINAL ORDER OF DISMISSAL WITH PREJUDICE OF COUNTS
I AND II OF THE AMENDED COMPLAINT AND JUDGMENT IN
FAVOR OF ACORN ON COUNTERCLAIMS I AND II FOR DEFEAMATION**

THIS MATTER is before the Court upon the Parties' Joint Stipulation for Voluntary Dismissal of Counts I and II of the Amended Complaint with Prejudice, and due cause appearing therefor, it is hereby:

ORDERED AND ADJUDGED that Counts I and II of the Amended Complaint are hereby dismissed with prejudice. It is also:

ORDERED AND ADJUDGED that judgment is granted in favor of ACORN on Counterclaims I and II.

DONE and ORDERED in Chambers at Miami, Florida this 6 day of Dec, 2005.

James Lawrence King

JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE

Conformed copies to:
Magistrate Judge O'Sullivan
All Counsel of Record

53/106

28044164991

28044184992

TAB 8

Login

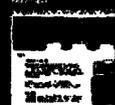
Your cart

NetworkSolutions.



WHOIS Search Results

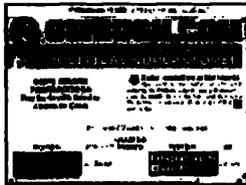
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 transactions.

WHOIS Record For



gw bush.com

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- Site Confirm Seals - Display a security seal and gain visitor trust.

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CALL 1-80

CONTA

Registrant:
Exley, Zack

Make this info private

PO Box 1245
 Murray Hill Station
 New York, NY 10156
 US

Domain Name: GWBUSH.COM

Administrative Contact :
 Exley, Zack
 countercoup@MAIL.COM
 PO BOX 1245
 NEW YORK, NY 10156-1245
 US
 Phone: 917-482-3487

Technical Contact :
 Esosoft Corporation,

See

2804A18499E

hostmaster@esosoft.net
154-A West Foothill Boulevard
Suite 250
Upland, CA 91786
US
Phone: (206) 203-6053
Fax: (206) 203-6054

Record expires on 30-Nov-2006
Record created on 01-Dec-1998
Database last updated on 05-Oct-2006

Domain servers in listed order: Manage DNS

NS2.EV1SERVERS.NET
NS1.EV1SERVERS.NET

Show underlying registry data for this record

Current Registrar: NETWORK SOLUTIONS, LLC.
IP Address: 66.98.195.87 (ARIN & RIPE IP search)
IP Location: US(UNITED STATES)-CALIFORNIA-LOS ANGELES
Record Type: Domain Name
Server Type: Apache 2
Lock Status: REGISTRAR-LOCK
Web Site Status: Active
DMOZ no listings
Y! Directory: see listings
Web Site Title: George Bush GWBush Store Stickers : Bumper Sticker
Meta Description: With over 1000 categories and over 14,000 bumper stickers, t-shirts, buttons, and decals Sticker Giant offers FREE Shipping with most of its Funny Bumper Stickers
Meta Keywords: stickers, sticker, funny stickers, political stickers, bumper stickers, bumper sticker
Secure: No
E-commerce: No
Traffic Ranking: Not available
Data as of: 25-Jul-2006

BUY THE AVAILABLE EXTENSIONS FOR THIS DOMAIN NA

- gwbush .tv
- gwbush .us
- gwbush .bz
- gwbush .vg
- gwbush .gs
- gwbush .tc
- gwbush .me

Continue 

SEARCH AGAIN

Enter a search term:

e.g. networksolutions.cc

Search by:

- Domain Name
- NIC Handle
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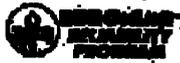
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28044184995

HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

1726 M Street, NW, Suite 600 Washington, DC 20036

OFFICE OF THE GENERAL COUNSEL (202) 328-3500 (202) 328-6918 fax
COUNSEL

2006 NOV 24 A 9 13

November 17, 2006

Lawrence Norton, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5820

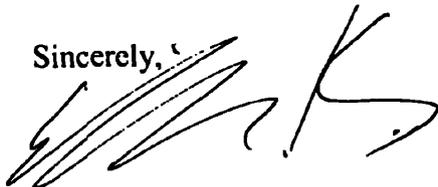
**Association of Community Organizations for Reform Now and Project
Vote/Voting for America**

Dear Mr. Norton:

Enclosed please find the signed Declaration of Robert Lelievre. We intended for this Declaration to be included in Association of Community Organizations for Reform Now and Project Vote/Voting for America's response to the complaint filed in MUR 5820. Unfortunately, we received it after filing the response on November 16, 2006. Thus, we request that this document be added to the response and duly considered in the Federal Election Commission's review of MUR 5820.

Please contact me if you have any questions or concerns. I can be reached at (202) 328-3500.

Sincerely,



Elizabeth Kingsley

28044184997

Declaration of Robert Lelievre

I, Robert Lelievre, being of legal age and sound mind, do hereby depose and state as follows:

1. My company, Lelievre Information Services, developed the computer application that generated the walk lists used by ACORN in Florida in 2004.
2. I used voter data provided by the State of Florida as the basis of the information used in the walk lists.
3. I used the whole list and did not screen out any voters based on party affiliation.
4. ACORN specifically asked me to exclude party information fields from information that would be printed on the walk list.
5. I specifically turned on the mask on the field that contained party identification on the walk list. The walk list used by ACORN did not contain any party identification information.
6. Without that information, people using the lists generated by my application would not have been able to identify whether a person on the list was in a party or, if they were, which party.
7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Robert Lelievre

Robert Lelievre

11/14/2006

Date

28044184998



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV - 6 2007

Elizabeth Kingsley, Esq.
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street, NW, Suite 600
Washington, DC 20036

RE: MUR 5820
Association of Community
Organizations for Reform Now;
Project Vote/Voting for America

Dear Ms. Kingsley:

On September 28, 2006, the Federal Election Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 10, 2007, the Commission found, on the basis of the information in the complaint, and information provided by your clients that there is no reason to believe the Association of Community Organizations for Reform Now and Project Vote/Voting for America violated 2 U.S.C. §§ 433 and 434(a), provisions of the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Camilla Jackson Jones, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Shonkwiler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark D. Shonkwiler
Assistant General Counsel

Enclosure
Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

Respondents: Association of Community Organizations
for Reform Now (ACORN)
Project Vote/Voting for America

MUR 5820

I. INTRODUCTION

This matter was generated by a Complaint filed with the Federal Election Commission by Manuel I. Iglesias against the Association of Community Organizations for Reform Now ("ACORN"), a non-profit organization whose mission is to increase civic involvement and political participation in low and moderate-income and minority communities, and Project Vote/Voting for America ("Project Vote"), a non-profit organization that provided funding for voter registration efforts. *See* 2 U.S.C.

§ 437g(a)(1). This matter involves allegations that ACORN and Project Vote/Voting for America ("Project Vote"), a non-profit organization that provided funding for voter registration and get-out-the-vote ("GOTV") efforts in Florida, violated the Federal Election Campaign Act of 1971, as amended ("FECA" or "the Act") by (1) failing to register as political committees, and (2) failing to file disclosure reports. Complaint at 2; *see* 2 U.S.C. §§ 433 and 434(a). For the reasons set forth below, the Commission finds no reason to believe that the Association of Community Organizations for Reform Now and Project Vote/Voting for America violated 2 U.S.C. §§ 433 and 434.

II. FACTUAL AND LEGAL ANALYSIS

The Complaint provides a copy of a document called the "Floridians For All" Campaign Plan, attributed to ACORN, which states that the objective of the 2004 GOTV campaign was to "defeat George W. Bush and other Republicans by increasing Democrat

2004105113

(sic) turnout in a close election.” Complaint at 1. ACORN and Project Vote assert that the document that is the basis for the Complaint was an early draft prepared by a local ACORN organizer that was never approved or adopted. ACORN Response at 4. ACORN contends that it rejected the partisan proposals in this early draft, and that its 2004 Florida voter registration and mobilization effort was entirely non-partisan and conducted in compliance with the FECA. ACORN Response at 3.

In support of its position, ACORN submits a declaration from Brian Kettenring, who attests that he drafted the “Floridians for All” document cited by the Complaint without supervision or input from the ACORN national staff. ACORN Response, Attachment 1, Declaration of Brian Kettenring, (“Kettenring Decl.”) at ¶¶ 1-2. Mr. Kettenring states that he did not have authority to implement any statewide campaigns without authorization, and that after submitting the draft to ACORN’s National Staff Director, he was informed that it was unacceptable and needed to be re-written.¹ *Id.* at ¶¶ 3-4. ACORN asserts that the document attached to the Complaint was a copy of Mr. Kettenring’s unedited, unapproved and unimplemented draft that may have been retained by a disgruntled former employee.² *Id.* at ¶ 6.

Respondents maintain that ACORN’s actual voter registration and mobilization efforts were non-partisan, and that no literature used by ACORN in its voter registration

¹ ACORN National Staff Director submitted a declaration stating that Kettenring did not have the authority to commit ACORN to a campaign that utilized national resources without approval from national staff. ACORN Response, Attachment 2, Declaration of Steve Kest (“Kest Decl.”) at ¶ 3. This declaration further states that the national ACORN staff did not approve the original draft, precisely because it included statements, provisions or purposes that were partisan and did not represent why ACORN wanted to increase the minimum wage. *Id.* at ¶ 6.

² Kettenring attests that after receiving instructions from the ACORN national staff to remove all partisan references and goals, the draft document contained in the Complaint was given to an employee to edit, who left ACORN shortly thereafter on bad terms. The revised drafts of the document are attached as Exhibits A & B to Kettenring’s Declaration.

or GOTV campaigns, including the final version of the “Floridians for All” ballot initiative campaign plan, contained any reference to or endorsement of any party or candidate.³ Kettenring Decl. at ¶¶ 6-7 and 11. Respondents maintain that “walk lists” used by canvassers did not contain information that would indicate party or voting preferences, and that the person responsible for the program was specifically instructed by ACORN to leave references to party preferences off all walk lists and not to use party affiliation as a filter in selecting addresses.⁴ *Id.* at ¶ 12.

The Act defines a “political committee” as any committee, club, association or other group of persons that receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. 2 U.S.C. § 431(4)(A) and 11 C.F.R. §§ 100.5(a), 102.1(d). The Act requires such political committee to register with the Commission and file the appropriate reports disclosing its receipts and disbursements to the public. 2 U.S.C. §§ 433 and 434(a). For the purpose of triggering political committee status, the Act defines the terms “contributions” and “expenditures” as including “anything of value made by any person for the purpose of influencing any election for Federal office.” *See* 2 U.S.C. § 431(8)(A)(i), (9)(A)(i).

³ Project Vote is a non-profit organization, which provided funding to ACORN's 2004 voter registration and GOTV activities. Project Vote's Executive Director, Zach Polett submitted a declaration stating that the Joint Effort Agreement between Project Vote and ACORN “specifically requires that ACORN conduct its activity in a ‘scrupulously non-partisan manner.’” Polett Decl. at 2. Polett declares that none of the ACORN activities that Project Vote funded or oversaw included any public communication that referred to any federal, state or local candidate or political party. *Id.* at ¶ 4.

⁴ In support of this assertion, Respondents submit the declaration of Robert Lelievre, owner of Lelievre Information Services, a company that developed the computer application that generated the walk lists used by ACORN for canvassing. ACORN Response, Declaration of Robert Lelievre (“Lelievre Decl.”) at ¶ 1. Mr. Lelievre states that in generating the walk lists, he used the voter data provided by the State of Florida and he used the entire list without screening or filtering voters for party affiliation. *Id.* at ¶¶ 2-3. He further attests that ACORN specifically asked him to exclude party affiliation fields from any information that was to be printed on the ACORN walk lists. *Id.* at 4.

Complainant alleges that ACORN and Project Vote failed to register as a political committee with the Commission, and failed to file disclosure reports. Complaint at 6-7; *see* 11 C.F.R. §§ 104.5(c)(2) and 109.10. Specifically, Complainant contends that the voter registration and GOTV campaigns sponsored by ACORN and Project Vote were partisan in nature, and therefore expenditures associated with these events, which were valued in excess of \$1,000, should have been disclosed to the public.

A review of the information contained in the Complaint and Responses, as well as that which is publicly available, does not support Complainant's claims that the voter registration and GOTV efforts undertaken by ACORN or Project Vote were partisan. Complainant submits the unsigned ACORN memorandum as evidence that the voter registration and GOTV campaign sponsored by ACORN and Project Vote in support of the Florida minimum wage initiative included expenditures made for the purpose of influencing a federal election. ACORN submits two affidavits from individuals responsible for drafting the plan for the Florida voter registration and GOTV effort in support of the minimum wage initiative, both of whom swear that the ideas reflected in the original draft were stricken from subsequent drafts and never disseminated or implemented. Additionally, ACORN and Project Vote submitted declarations from staff in charge of the effort affirming that, "No effort was made to determine party or candidate preference before encouraging individuals to register to vote; voter registration efforts were not directed to those previously registered or intending to register with any political party; get-out-the-vote efforts were not directed on the basis of party affiliation." ACORN Response at 11-12, Polett Decl. at ¶ 4.

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Given that the available information indicates that the actual ACORN and Project Vote effort (as opposed to the first draft of a planning document) did not include express advocacy, *see* 11 C.F.R. § 100.22, and there is no other information to suggest ACORN and Project Vote made expenditures, there is no basis for investigating the claim that Respondents are political committees. Accordingly, the Commission finds no reason to believe that the Association of Community Organizations for Reform Now and Project Vote/Voting for America failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).

2014111018

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 5820, 5843 and 5859
 MUR 5820: Association of Community)
 Organizations for Reform Now)
 (ACORN); Project Vote/Voting for)
 America; MUR 5843: Association of)
 Community Organizations for Reform)
 Now (ACORN); Give Missourians A)
 Raise, Inc. and Sherwin Carroll, as)
 Treasurer; MUR 5859: Association of)
 Community Organizations for Reform)
 Now (ACORN); Lois Murphy for)
 Congress Committee and Katherine A.)
 Rowe, as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on October 10, 2007, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in the above-captioned matter:

MUR 5820:

1. Find no reason to believe that the Association of Community Organizations for Reform Now and Project Vote/Voting for America failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007; subject to revision pursuant to the meeting discussion.
3. Approve the appropriate letters.
4. Close the file.

MUR 5843:

1. Dismiss the allegations that the Association of Community Organizations for Reform Now and Give Missourians a Raise, Inc. and Sherwin Carroll, in his official capacity as Treasurer, failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).

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MUR 5843 (continued):

2. Approve the appropriate letters.
- 3.. Close the file.

MUR 5859:

1. Find no reason to believe that the Association of Community Organizations for Reform Now or Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer, violated 2 U.S.C. § 441b.
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007.
3. Approve the appropriate letters.
4. Close the file.

Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub

voted affirmatively for the decision.

Attest:

October 11, 2007
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

Attachment 6
MUR 5843
Association of Community Organizations for Reform Now
(“ACORN”)

Document	Date	Page
Complaint	10/11/2006	2
Response from Association of Community Organizations for Reform Now (ACORN)	12/07/2006	6
Notification to Association of Community Organizations for Reform Now (ACORN)	12/14/2007	16
Vote Certification	10/10/2007	17
Statement of Reasons: Chairman Lenhard and Commissioner Weintraub	12/20/2007	19
Statement of Reasons: Vice Chairman Mason and Commissioner von Spakovsky	12/31/2007	21



MISSOURI REPUBLICAN STATE COMMITTEE
RONALD REAGAN REPUBLICAN CENTER

General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

MUR # 5843

Re: Complaint Against the Association of Community Organizations for Reform Now
("Acorn")

2006 OCT 12 P 3:12

Dear Sir:

Pursuant to 2 U.S.C. § 437g, and upon information and belief, this complaint concerns violations of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 437 et seq. ("the Act"), and Commission regulations at 11 C.F.R. § 1.1 et seq., by the Association of Community Organizations for Reform Now ("Acorn") and their affiliated entity "Give Missourians a Raise, Inc."

Specifically, based upon publicly available information (including documentary video footage of Acorn employees) and press reports there is reason to believe that Acorn, and its affiliated entity "Give Missourians a Raise, Inc", must each file the independent expenditure reports required by 2 U.S.C. § 434(c) and 11 C.F.R. §§ 104.4(c), 104.5(c)(2) and 109.10 for at least all reporting periods in 2006 including the current reporting period. Further, there is reason to believe that Acorn and Give Missourians a Raise, Inc. have received contributions and/or made expenditures aggregating in excess of \$1,000 during a calendar year without registering as political committees under the Act and Commission regulations. See 2 U.S.C. §§ 431(4)(A), 433(a); 11 C.F.R. §§ 100.5(a), 102.1(d).

I. STATEMENT OF THE FACTS

A press report in the publication ROLL CALL summarizes a video that has been posted on the following web site. <http://www.youtube.com/watch?v=oJ6SrZODbHg>.

In this video footage former, mostly minority, employees of Acorn are protesting Acorn's failure to pay them for work performed for Acorn. These employees include Josephine Perkins who states she was a supervisor hired by Acorn to work on its voter registration project. Ms. Perkins notes that Acorn was directing their employees to solicit votes for Democrat candidate for the U.S. Senate, Claire McCaskill. Ms. Perkins' statements suggest that this was a willful and knowing violation of the Act by Acorn. Ms Perkins' statements suggest that the Acorn affiliate organization Give Missourians a Raise is actively working to expressly advocate the election of Claire McCaskill.

P O Box 73, 204 East Dunklin / Jefferson City, MO 65102 / (573) 636-3146 / www.mogop.org
Paid for by the Missouri Republican State Committee - Richard C. Peerson, Treasurer
This communication is not authorized by any candidate or candidate committee.

180006140000

The ROLL CALL story of October 10th by David Drucker describes this as follows:

“ACORN Is Accused of Meddling in Senate Race: Former workers employed by a community activist group to register voters in support of a ballot initiative to raise the minimum wage are alleging they were instructed to promote state Auditor Claire McCaskill's (D) Senate candidacy - which, if true, could violate federal election laws. The Association of Community Organizations for Reform Now, commonly known as ACORN, is accused by a now-terminated employee of being told to urge individuals she was registering to vote as a part of the organization's campaign in favor of Proposition B to vote for McCaskill over Sen. Jim Talent (R). As reported by PubDef.net, a St. Louis political Web site, Josephine Perkins contends she was terminated last week after she notified the teams she supervised that it was illegal for them to campaign for McCaskill while being paid by ACORN and Give Missourians a Raise, the political action committee supporting Proposition B. Several other workers made similar charges - all of which were denied by ACORN....”

In the words of the Acorn employee on the video, “I get people to register to vote for Claire McCaskill”. And, former Acorn supervisor Perkins stated, “People were sent out to door knock for Claire McCaskill.”

II. LEGAL ANALYSIS

A. Independent expenditure reports.

The Act and Commission regulations provide that any person who makes independent expenditures in excess of \$250 must file a signed statement or report on FEC Form 5 with the Commission. See 2 U.S.C. § 434(c); 11 C.F.R. § 109.10(b).

The expenditures associated with the Acorn and Give Missourians a Raise campaign were made on behalf of U.S. Senate candidate Claire McCaskill and, as such, constitute "expenditures" under the Act and Commission regulations, 2 U.S.C. § 431(9) and 11 C.F.R. § 100.8, because those expenditures were expressly made for the purpose of influencing voters to support Claire McCaskill, a candidate for the U.S. Senate.

Accordingly, Acorn and Give Missourians a Raise must file quarterly disclosure reports beginning with the first quarter in which more than \$250 was disbursed for such independent expenditures and for every quarterly reporting period thereafter. See 11 C.F.R. §§ 109.10(b). Failure to file required independent expenditure reports constitutes a violation of the Act and Commission regulations and would warrant a through investigation by the Commission.

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B. Failure to register as a political committee.

The Act and Commission regulations define a "political committee" as a committee, club, association or other group of persons which receives contributions or makes expenditures aggregating in excess of \$1,000 during a calendar year. See 2 U.S.C. § 431(4); 11 C.F.R. § 100.5. The costs associated with activity described by the Acorn employees in the video and any related communications advocating that voters support Democrat candidate Claire McCaskill – a clearly identified federal candidate – constitute expenditures under the Act and Commission regulations. See 11 C.F.R. § 109.1. If a group of individuals satisfy the definition of a political committee, they are required to file a Statement of Organization within ten days of qualifying. See 11 C.F.R. § 102.1(d).

A review of the Commission's web site indicates that neither Acorn nor Give Missourians a Raise have filed a Statement of Organization with the Commission. If the costs associated with the efforts in support of Senate candidate Claire McCaskill exceed \$1,000 in any year, then they are required to file a Statement of Organization. This failure to file such a statement constitutes a violation of the Act and requires further investigation by the Commission.

C. Knowing and Willful Violations of The Act.

The statements of the Acorn employees and former employees in the video suggest that Acorn was aware of the requirements of the Act and that, notwithstanding this awareness of the Act, they nonetheless violated the requirements of the Act. If found to be so, this would constitute a knowing and willful violation of the Act subject to those penalties specified in § 437g subsection (d).

III. CONCLUSION

The actions of Acorn and Give Missourians a Raise and their apparently willful failure to comply with the Act and Commission regulations warrants further investigation and enforcement by the Commission. Therefore, the Commission should immediately investigate this matter and find reason to believe that Acorn and Give Missourians a Raise have violated the Act and Commission regulations for the reasons set forth herein.

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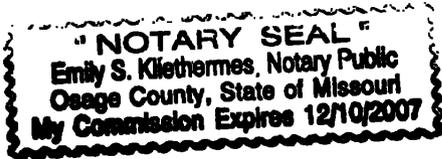
Under penalty of perjury, I, Jared Craighead, do state that the facts contained in this complaint are true to my best information and belief.


Jared Craighead, Executive Director
Missouri Republican State Committee

Date: 10-11-06

State of Missouri)
) ss
County of Osage)

Subscribed and sworn to before me this 11 day of October, 2006.




NOTARY PUBLIC

My commission expires 12/10/2007.

Enclosures

28044190007

HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

1726 M Street, NW, Suite 600 Washington, DC 20036

(202) 328-3500 (202) 328-6918 fax



December 7, 2006

Lawrence Norton, Esq.
Office of the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Re: MUR 5843
Association of Community Organizations for Reform Now

Dear Mr. Norton:

This letter responds to the complaint designated MUR 5843 on behalf of the Association of Community Organizations for Reform Now ("ACORN").

The basis for this complaint is a video blog interview with former ACORN employees. These employees, most notably a Ms. Josephine Perkins, state with varying degrees of clarity that as part of their work for ACORN they were instructed to solicit the public to vote for Senate candidate Claire McCaskill. The only other source cited is a Roll Call article reporting on the first of these interviews which provides no additional factual information. Fundamentally, this is a complaint based solely on unsworn hearsay allegations from individuals with admitted animus against ACORN. As discussed below, the verifiable facts contradict these allegations. Accordingly, we urge prompt dismissal of this matter.

The Organizations

ACORN is the nation's largest community organization of low- and moderate-income families, working together for social justice and stronger communities. It is a nonprofit membership corporation organized under the laws of the state of Arkansas.

The complaint characterizes Give Missourians a Raise as an "Acorn affiliate organization." This is incorrect. Give Missourians a Raise is the name of the state ballot measure committee organized to promote a measure to raise the minimum wage in Missouri. ACORN was one of a coalition of organizations that created and supported the ballot measure through this state-regulated committee. ACORN held a seat on its steering committee and supported it with contributions, but as one member of the

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MUR 5843
December 7, 2006
Page 2

coalition ACORN did not have the authority to control the committee's actions. Finally, ACORN served as a vendor to provide canvassing services to the committee.¹

Activities In Missouri

The people interviewed in the video refer to two different types of election-related activities that ACORN conducted in Missouri in 2006. From July through October 9, the close of the registration period for voters under state law, ACORN sent paid employees out into the community to register new voters. This campaign consisted of simple appeals to register to vote -- the written materials and employee training included only encouragement to get voters to complete a registration form, not any reference to any candidate, state or federal.

ACORN also supported the minimum wage ballot measure. Prior to the time period in question in this complaint, it worked with the ballot committee Give Missourians A Raise to gather signatures to qualify the measure for the ballot. In October, ACORN was hired to conduct a get-out-the-vote (GOTV) canvass in support of the minimum wage ballot measure. The training for field managers for this effort began in late September. Ms. Perkins had worked on the voter registration activities, but ACORN terminated her employment before the GOTV activities were launched. The allegations Ms. Perkins and others make in the videos all apparently pertain to this GOTV effort.

Response to the Allegations of the Complaint and Video

Other than Ms. Perkins, who clearly has her own agenda, the employees in the video are primarily concerned with expressing anger and frustration over not being paid for work performed. It is a true and highly regrettable fact that the St. Louis canvass operation experienced some significant administrative delays processing payroll, and at the time of this video a number of employees had not been properly paid. Although the organization subsequently straightened out these problems and all employees were paid for work performed, at the time they were understandably very upset at the situation and angry with ACORN.²

The date of the video is October 4, a Wednesday. Ms. Perkins states that "Monday and Tuesday people were sent out to door-knock for Claire McCaskill." She also states that she was fired the previous Friday (September 29) for theft. In fact, although the theft in question occurred on that Friday, her employment was not terminated until she came in to the office Monday when a staff training was being held. [See Declaration of Johanna Sharrard, paragraph 9]. Since Ms. Perkins did not participate in this training, it is unclear

¹ Technically, the committee hired another vendor which sub-contracted with ACORN to provide some of the canvassing services involved.

² Please note that we do not seek to excuse this failure to pay employees. Whatever the cause, this is not conduct ACORN supports or would ask the Commission to condone. However, it does not constitute a violation of FECA.

MUR 5843
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Page 3

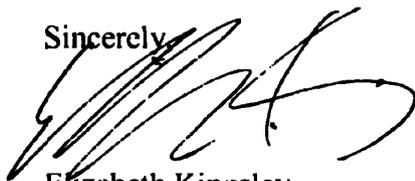
that she could have any basis for knowing how ACORN instructed its workers. She plainly has no direct evidence of what ACORN's employees said at the door while canvassing in the days after she was fired.

Attached hereto are declarations from several employees of ACORN in St. Louis. These include the staff responsible for the GOTV effort in St. Louis and two field managers. All refute the statements of the former employees in the video and confirm that this operation was focused solely on support for ballot issues and not federal candidates.

Also attached is a copy of the script distributed to ACORN's canvassers, and talking points for responding to objections from people they spoke to. The substance of both is the minimum wage initiative. There is no evidence of any reference to any candidates, much less explicit encouragement to vote for someone.

This complaint is based on the hearsay statements of individuals who, with whatever justification, plainly had ill will for the organization against which they made their claims. Their unsubstantiated claims are countered by declarations from four different employees provided under penalties of perjury and the actual training materials employed by the canvass. We respectfully submit that in light of this evidence, to call the basis of this complaint flimsy would be an overstatement. We urge the Commission to find no reason to believe a violation has occurred and dismiss this complaint with regard to ACORN.

Sincerely,



Elizabeth Kingsley

Declaration of Johanna Sharrard

I, Johanna Sharrard, being of legal age and sound mind, do hereby depose and state as follows:

1. I was in charge of the Association of Community Organizations for Reform Now (ACORN) Get Out the Vote (GOTV) campaign in St. Louis Missouri from September 13, 2006 through October 4, 2006. At some time after that, I began to split the duties with Amy Busefink.
2. The GOTV campaign consisted of sending teams of approximately 10 workers out in vans with lists of registered voters in a neighborhood and having them go door to door talking with the voters and recording the results of the contact.
3. The ACORN GOTV campaign focused on Proposition B, which was a ballot initiative that raised the minimum wage in Missouri.
4. On September 18-22 and September 24-25, 2006 I conducted field manager training in preparation for the GOTV campaign. There were no other field manager trainings before October 4, 2006.
5. At no time did I discuss or train any field managers to do any work for or say anything about Claire McCaskill while on the doors doing GOTV. I am not aware of any ACORN staff doing so and if they had, they were not authorized to do so.
6. The only issue mentioned during the training was Proposition B.
7. Josephine Perkins was not asked to be a field manager by ACORN and did not attend either of the field manager training sessions.
8. I led the training of workers on Monday, October 2, 2006.
9. Prior to the October 2nd training, Selisia Washington, Head ACORN Organizer for St. Louis, advised me that Ms. Perkins had stolen Ms. Washington's purse on Friday September 29th and asked me to terminate Ms. Perkins. Ms. Perkins had been invited to the training. She arrived at the training after the formal instructions had been given and the workers were breaking up into groups to practice their presentations at the door (role plays). I asked to speak with Ms. Perkins privately and told her she was terminated. She became loud and disruptive, claiming she was being terminated unfairly. Ms. Washington then asked Ms. Perkins to speak with her privately. When Ms. Washington finished speaking with Ms. Perkins, Ms. Perkins again attempted to disrupt the role plays. She was directed outside. The police were called but told me that they could not stop Ms. Perkins from shouting from the sidewalk. About a half hour later Ms. Perkins left. Claire McCaskill's name never came up.
10. Ms. Perkins never had a "team" for GOTV because she was not a field manager.

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11. At no time, either during the October 2 training or any time before or subsequent to that, did I discuss or train the workers to do any work for or say anything about Claire McCaskill while on the doors. I am not aware of any ACORN staff doing so and to have done so would have been unauthorized.
 12. The only issue I mentioned during the October 2 training was Proposition B, raising the minimum wage.
 13. I was a field director overseeing the deployment of approximately 10 teams of 10 canvassers each night from when the GOTV campaign began on October 3, 2006 to when it ended on November 7, 2006.
 14. I have never mentioned working for Claire McCaskill or seeking votes for Claire McCaskill at any time while working on the GOTV campaign. I am unaware of any ACORN staff doing so and to do so would not have been authorized.
 15. I have never conducted any training seeking to get workers to encourage registered to voters to support Claire McCaskill
 16. I have never told workers to go to a door and say:
Are you familiar with Claire McCaskill?
Are you in support of Claire McCaskill?
Can we count on you to vote for Claire McCaskill?

or to otherwise mention Claire McCaskill in any manner. I am not aware of any ACORN staff having done so and to do so would not have been authorized.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Johanna Sharrard/Signature

12/4/06

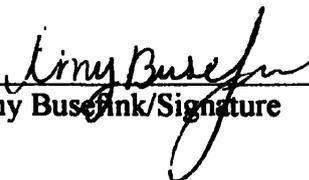
Date

Declaration of Amy Busefink

I, Amy Busefink , being of legal age and sound mind, do hereby depose and state as follows:

- 1. I have been in charge of deploying workers for the Association of Community Organizations for Reform Now (ACORN) Get Out the Vote (GOTV) campaign in St. Louis Missouri since October 9.
- 2. I have been working on the GOTV campaign in St. Louis since October 13 2006.
- 3. I train new workers and deploy approximately 50 workers each night to door knock registered voters.
- 4. ACORN staff and I have never mentioned working for Claire McCaskill or seeking votes for Claire McCaskill at any time while working on the GOTV campaign.
- 5. I have never conducted any training seeking to get workers to get registered voters to support Claire McCaskill
- 6. ACORN staff and I have never told workers to go to a door and say:
 Are you familiar with Claire McCaskill?
 Are you in support of Claire McCaskill?
 Can we count on you to vote for Claire McCaskill/

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



 Amy Busefink/Signature

10/24/06

 Date

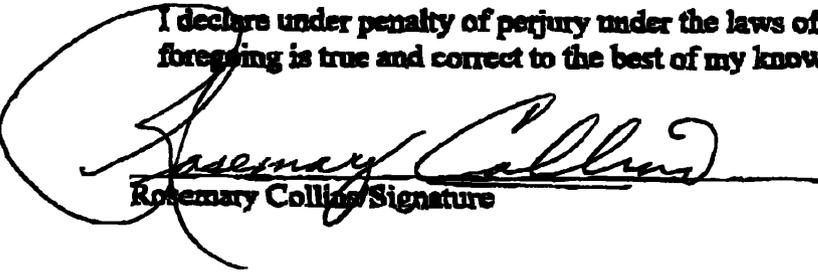
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Declaration of Rosemary Collins

I, Rosemary Collins, being of legal age and sound mind, do hereby depose and state as follows:

1. I attended the field manager training the Association of Community Organizations for Reform Now (ACORN) conducted the week of September 24, 2006 in preparation for the Get Out the Vote (GOTV) campaign.
2. At no time during the training was there any discussion about doing any work for or saying anything about Claire McCaskill while on the doors.
3. The only issue mentioned during the training was Proposition B, raising the minimum wage.
4. I attended the training for workers on October 2, 2006.
5. At no time during the training was there any discussion about doing any work for or saying anything about Claire McCaskill while on the doors.
6. The only issue mentioned during the training was Proposition B, raising the minimum wage.
7. I have been a field manager for ACORN responsible for taking out approximately ten workers an afternoon to knock on the doors of registered voters since GOTV campaign began on October 4, 2006.
8. I have never heard anyone mention working for Claire McCaskill or seeking votes for Claire McCaskill at any time while working on the GOTV campaign.
9. I have never heard any training seeking to get workers to get registered to voters to support Claire McCaskill
10. I have never heard anyone tell workers to go to a door and say:
Are you familiar with Claire McCaskill?
Are you in support of Claire McCaskill?
Can we count on you to vote for Claire McCaskill?
11. I never heard Johanna Sharrard tell anyone that they would be fired if they did not seek support for Claire McCaskill while door knocking.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.


Rosemary Collins Signature

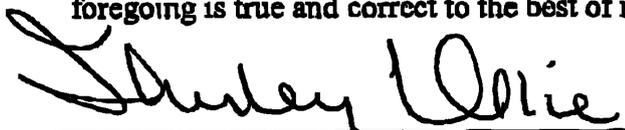
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Declaration of Shirley Ollie

I, Shirley Ollie, being of legal age and sound mind, do hereby depose and state as follows:

1. I attended the field manager training the Association of Community Organizations for Reform Now (ACORN) conducted the week of September 24, 2006 in preparation for the Get Out the Vote (GOTV) campaign.
2. At no time during the training was there any discussion about doing any work for or saying anything about Clare McCaskill while on the doors.
3. The only issue mentioned during the training was Proposition B, raising the minimum wage.
4. I attended the training for workers on October 2, 2006.
5. At no time during the training was there any discussion about doing any work for or saying anything about Clare McCaskill while on the doors.
6. The only issue mentioned during the training was Proposition B, raising the minimum wage.
7. I have been a field manager for ACORN responsible for taking out approximately ten workers an afternoon to knock on the doors of registered voters since GOTV campaign began on October 4, 2006.
8. I have never heard anyone mention working for Claire McCaskill or seeking votes for Claire McCaskill at any time while working on the GOTV campaign.
9. I have never heard any training seeking to get workers to get registered to voters to support Claire McCaskill .
10. I have never heard anyone tell workers to go to a door and say:
 Are you familiar with Claire McCaskill?
 Are you in support of Claire McCaskill?
 Can we count on you to vote for Claire McCaskill?
11. I never heard Johanna Sharrard tell anyone that they would be fired if they did not seek support for Claire McCaskill while door knocking.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Shirley Ollie /Signature



Date

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INTRODUCTION:

Hi, is _____ home?

Hi, my name is _____ with ACORN and SEIU.

PROBLEM:

We're out in your neighborhood today because there's a question on the ballot to raise the minimum wage from \$5.15 to \$6.50 / hour.

AGITATION:

Right now, working families making minimum wage are only bringing home \$206 / week Do you think this is fair?

OR

Did you know the minimum wage hasn't been raised in 9 years, and meanwhile congress has given themselves a \$30,000 raise. Do you think that's fair?

SOLUTION:

We need people to get out and vote YES on Proposition B to raise the minimum wage.

ASKS: *(as they appear and need to be marked on the walk list)*

Question 1 - Can we count on you to get out and vote yes to raise the minimum wage?

Question 2 – (Blank for now)

Question 3 - In addition to raising the minimum wage state wide, ACORN is doing work in your community – is this an organization you'd like to be a part of? Great – let's get you signed up by just filling in your name, address, phone number, and email address.

Question 4 - Would you like to get a yard sign to show your support in raising the minimum wage?

Additional Questions: (Not a part of walk list)

Job Interest Form – Is there anyone you know looking for a job? We're hiring Outreach Workers to do what I'm doing, starting at \$8 / hour. Just give me the name and phone number and we'll call them about an upcoming interview.

Register to Vote - Is there anyone else home who needs to get registered to vote?

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Getting over the First Objection

One of the hardest things for new doorknockers to overcome is the first objection someone gives them on the doors. Most of the time, the first objection is just someone's attempt to get rid of the canvasser – it is NOT because they aren't interested in Raising the Minimum Wage! The difference between a canvasser hitting the standards and not hitting them depends on their ability to get over these objections. That is why it's so important that you, as a Field Manager, give them the tools to be able to do this!

Common First Objections & Rebuttals:

- 1. I'm busy / I'm not interested / I don't have time. (There are MANY variations of this)*
"This will just take a moment – we're out here working to Raise the Minimum Wage!"
"I understand, but this is about getting the minimum wage raised in MO!"
- 2. I don't want to sign anything.*
"This is just our commitment form so we know we have the votes we need to get this minimum wage raised come Election Day!"
"Don't worry, we're not asking you for any information we don't already have – this is just a pledge form to show we can count on your vote to raise the minimum wage."
- 3. The minimum wage doesn't concern me / Why should I care if the minimum wage gets raised?*
"Anyone making minimum wage brings home \$206 / week – do you think that's enough for anyone to live on? Do you think that's fair?"
"By raising the minimum wage, we'd be giving a raise to _____ number of families across the state – isn't that important?"
- 4. My vote doesn't count / I don't believe in voting.*
"I understand, but the only way we'll get the minimum wage raised is by getting 1 million people to the polls to vote 'yes' this November, and that won't happen if you don't vote."
"Do you believe in getting the minimum wage raised? The only way it'll happen is by voting – we know the government won't do it on their own!"
- 5. I think raising the minimum wage will make the cost of living go up for everybody.*
"Don't worry – in other states where we've worked to raise the minimum wage this hasn't been a problem."
"Studies have actually shown that raising the minimum wage brings money back into the community, since there's more money in people's pockets to spend!"



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 14 2007

Elizabeth Kingsley, Esq.
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street, NW, Suite 600
Washington, DC 20036

RE: MUR 5843
Association of Community
Organizations for Reform Now

Dear Ms. Kingsley:

On October 19, 2006, the Federal Election Commission notified your client, Association of Community Organizations for Reform Now, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your client, the Commission voted to dismiss this matter. Documents related to the case will be placed on the public record within 30 days. *See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).* A Statement of Reasons explaining the Commission's action will be forthcoming.

If you have any questions, please contact Camilla Jackson Jones, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Shonkwiler".

Mark D. Shonkwiler
Assistant General Counsel

28044190043

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 5820, 5843 and 5859
 MUR 5820: Association of Community)
 Organizations for Reform Now)
 (ACORN); Project Vote/Voting for)
 America; MUR 5843: Association of)
 Community Organizations for Reform)
 Now (ACORN); Give Missourians A)
 Raise, Inc. and Sherwin Carroll, as)
 Treasurer; MUR 5859: Association of)
 Community Organizations for Reform)
 Now (ACORN); Lois Murphy for)
 Congress Committee and Katherine A.)
 Rowe, as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on October 10, 2007, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in the above-captioned matter:

MUR 5820:

1. Find no reason to believe that the Association of Community Organizations for Reform Now and Project Vote/Voting for America failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007; subject to revision pursuant to the meeting discussion.
3. Approve the appropriate letters.
4. Close the file.

MUR 5843:

1. Dismiss the allegations that the Association of Community Organizations for Reform Now and Give Missourians a Raise, Inc. and Sherwin Carroll, in his official capacity as Treasurer, failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).

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MUR 5843 (continued):

2. Approve the appropriate letters.
3. Close the file.

MUR 5859:

1. Find no reason to believe that the Association of Community Organizations for Reform Now or Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer, violated 2 U.S.C. § 441b.
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007.
3. Approve the appropriate letters.
4. Close the file.

Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub

voted affirmatively for the decision.

Attest:

October 11, 2007
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

28044190037



FEDERAL ELECTION COMMISSION
WASHINGTON, D C. 20463

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 5843
Association of Community Organizations)	
For Reform Now (ACORN))	
Give Missourians a Raise, Inc. and)	
Sherwin Carroll in his official)	
capacity as treasurer)	

Statement of Reasons
Chairman Robert D. Lenhard and
Commissioner Ellen L. Weintraub

On October 10, 2007, the Commission voted to dismiss the allegations that the Association of Community Organizations for Reform Now and Give Missourians a Raise, Inc. and Sherwin Carroll, in his official capacity as Treasurer, failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a). The complaint, filed by the Missouri Republican State Committee, alleged, based on an Internet video featuring a disgruntled former employee of ACORN and a related news story, that three people had directed ACORN workers to solicit votes for Senate candidate Claire McCaskill. ACORN provided sworn statements denying the allegations. Accordingly, the Office of General Counsel (OGC) recommended that the Commission find no reason to believe (NO RTB) that a violation occurred. However, some commissioners felt that because ACORN had not submitted a statement from one individual identified in the video that dismissal was more appropriate.¹

¹ Although ACORN submitted sworn statements from the disgruntled former employee's supervisor and two individuals from the St. Louis office who conducted the training at which the instruction was allegedly given, ACORN did not submit an affidavit from the Kansas City individual who was named in the internet video.

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(SOR MUR 5843, con't)

While we would have supported a NO RTB finding, as recommended by OGC, we agreed to dismiss this matter because it comported with our belief that a finding of RTB was unwarranted.

Robert D. Lenhard (ATD)

Robert D. Lenhard
Chairman

12/20/07

Date

Ellen L. Weintraub

Ellen L. Weintraub
Commissioner

12/20/07

Date

2804219004E



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In re)	
)	
Association of Community Organizations for)	
Reform Now (ACORN))	MUR 5843
Give Missourians a Raise, Inc., and)	
Sherwin Carroll in his official capacity as treasurer)	

**STATEMENT OF REASONS OF VICE CHAIRMAN DAVID M. MASON AND
COMMISSIONER HANS A. von SPAKOVSKY**

The Missouri Republican State Committee filed the complaint in this matter alleging that Respondents violated the Federal Election Campaign Act, 2 U.S.C. § 431 *et seq.* ("FECA"). The Office of General Counsel ("OGC") recommended that the Commission find no reason to believe ("RTB") that a FECA violation occurred. *See* 2 U.S.C. § 437g(a)(2) (2002). However, instead of finding no RTB, the Commission voted to dismiss this matter.¹

I. BACKGROUND

Respondent Give Missourians a Raise, Inc. ("GMAR") is a Missouri state ballot-initiative committee that promoted a state minimum-wage ballot initiative in 2006. It hired Respondent Association of Community Organizations for Reform Now ("ACORN") to promote the initiative by canvassing door-to-door.² The complaint alleges that while supporting the initiative, ACORN and GMAR expressly advocated the election of Claire McCaskill to the United States Senate. The complaint further alleges that Respondents violated FECA by not registering as political committees and reporting as FECA requires. *See* 2 U.S.C. §§ 433 (1980), 434 (2004).³

To support the allegations, the complaint refers to an Internet video in which Josephine Perkins, a former ACORN employee, claims three people from ACORN – Brian Montague and

¹ Voting affirmatively were Chairman Lenhard, Vice Chairman Mason, and Commissioners von Spakovsky, Walther, and Weintraub. The Commission has five members, because one member has left the Commission.

² ACORN Resp. at 1-2 (Dec. 7, 2006).

³ Compl. at 1-3 (Oct. 11, 2006).

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two other people named "Jeff" and "Johanna" – directed individuals associated with ACORN to solicit votes for McCaskill.⁴ The complaint also quotes what it identifies as an October 10, 2006, *Roll Call* story describing the video. The story says that in the video, the former employee alleges, and ACORN denies, that ACORN terminated her "after she notified the teams she supervised that it was illegal for them to campaign for McCaskill while being paid by ACORN and" GMAR.⁵ Complainant has no personal knowledge of the allegations in the video or story, and no one has sworn to them.⁶

In its response, ACORN denies that its written materials and employee training referred to McCaskill.⁷ GMAR denies it is a political committee or engaged in express advocacy.⁸

ACORN provides sworn statements from two individuals who trained ACORN field managers and two field managers who attended the training:

- ACORN trainer Johanna Sharrad denies she trained field managers to work for or say anything about McCaskill while doing door-to-door get-out-the-vote ("GOTV") activity. She is unaware of any ACORN staff doing so, and states that if they did, they were not authorized to do so. She also states that ACORN dismissed Perkins before training began.⁹
- ACORN trainer Amy Busefink denies (1) that she conducted training seeking workers to get registered voters to support McCaskill, (2) that ACORN staff and she mentioned working or seeking votes for McCaskill while working on the GOTV effort, and (3) that she told workers to go door-to-door and ask three specific questions about McCaskill.¹⁰ Busefink may have made these three statements, because in another video Perkins alleges ACORN instructed workers to ask when going door-to-door: "Are you familiar with Miss McCaskill? Are you in support of Miss McCaskill? Can we count on you to vote for Miss McCaskill?"¹¹

⁴ *Id.* at 1 (citing *ACORN and McCaskill*, PUB DEF VIDEO REPORT), available at <http://www.youtube.com/watch?v=oJ6SrZODbHg> (all Internet sites visited Oct. 25, 2007).

⁵ *Id.* at 2.

⁶ See, e.g., *id.* at 1-3.

⁷ See ACORN Resp. at 2.

⁸ GMAR Resp. at 1 (Dec. 6, 2006) (GMAR "is not a political committee under [FECA] and did not make expenditures for the purpose of influencing federal elections.").

⁹ Dec. of Johanna Sharrad at 1-2 (Dec. 4, 2006).

¹⁰ Dec. of Amy Busefink at 1 (Oct. 24, 2006).

¹¹ *More ACORN Allegations*, PUB DEF VIDEO REPORT, available at <http://www.youtube.com/watch?v=jsT0LdeVomc>.

- ACORN field managers Rosemary Collins and Shirley Ollie maintain that (1) the training did not discuss, and they never heard anyone mention, working for or saying anything about McCaskill while going door-to-door, (2) they never heard any training seeking to get workers to get registered voters to support McCaskill, (3) they never heard anyone tell workers to go door-to-door and ask the three specific questions about McCaskill, and (4) they never heard Sharrad tell people they would be fired if they did not seek support for McCaskill while going door-to-door.¹²

ACORN also provides scripts it instructed canvassers to use when going door-to-door, and the scripts do not mention McCaskill.¹³

However persuasive these sworn statements may be, ACORN provides nothing that persuasively rebuts the allegation in the video that Montague directed individuals associated with ACORN to support McCaskill. None of the sworn statements, for example, came from him.

II. DISCUSSION

A. Political Committees, Registration Requirements, and Reporting Requirements

FECA defines a political committee as a committee, club, association or other group of persons¹⁴ that receives more than \$1,000 in contributions¹⁵ or makes more than \$1,000 in expenditures¹⁶ in a year. 2 U.S.C. § 431(4). The statute also establishes registration requirements for political committees, *id.* § 433(a), (b), reporting requirements for political committees, *e.g.*, *id.* § 434(a), (b), and reporting requirements for independent expenditures.¹⁷ *Id.* § 434(c), (d), (g).

B. Dismissal versus No RTB

In 2007, the Commission described the difference between dismissing and finding no RTB. The Commission will dismiss a matter or part of a matter when it

¹² Dec. of Rosemary Collins at 1 (Dec. 7, 2006); Dec. of Shirley Ollie (Dec. 7, 2006).

¹³ See ACORN Resp. Attach.

¹⁴ Defined in 2 U.S.C. § 431(11) (2002).

¹⁵ Defined in *id.* § 431(8); see generally *FEC v. Survival Education Fund*, 65 F.3d 285, 295 (2d Cir. 1995).

¹⁶ Defined in 2 U.S.C. § 431(9); see generally *McConnell v. FEC*, 540 U.S. 93, 191-92 (2003), cited in *Anderson v. Spear*, 356 F.3d 651, 663-66 (6th Cir.), cert. denied, 543 U.S. 956 (2004); *FEC v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238, 248-49 (1986) (citing *Buckley v. Valeo*, 424 U.S. 1, 42, 44 n.52, 80 (1976)); *Center for Individual Freedom v. Carmouche*, 449 F.3d 655, 665 & n.7 (5th Cir. 2006) (citing *Anderson*, 356 F.3d at 664-65), cert. denied, ____ U.S. ____, 127 S.Ct. 938 (2007); *Political Committee Status*, 72 FED. REG. 5595, 5597 (F.E.C. 2007).

¹⁷ Defined in 2 U.S.C. § 431(17).

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does not merit further use of Commission resources, due to factors such as the small amount or significance of the alleged violation, the vagueness or weakness of the evidence, or likely difficulties with an investigation, or when the Commission lacks majority support for proceeding ... for other reasons.

Statement of Policy Regarding Comm'n Action in Matters at the Initial Stage in the Enforcement Process, 72 FED. REG. 12545, 12546 (F.E.C. 2007). By contrast, the Commission will find no RTB in a matter or on part of a matter when – considered in light of the response and publicly available information – it does not “give rise to a reasonable inference that a violation has occurred.” *Id.* This includes occasions when alleged facts – even if one assumes they are true – “would not constitute a violation of the law.” *Id.*; *cf.* FED. R. CIV. P. 12(b)(6) (2000).¹⁸ Unlike a dismissal, a finding of no RTB in effect provides a clean bill of health to respondents *vis-à-vis* the issue at hand. *See id.* at 12545-46.

C. Dismissal of this Matter

In this matter, OGC correctly found weak support for the claim that ACORN expressly advocated the election of McCaskill, a flaw that undermines Complainant’s claims.¹⁹ The complaint is based solely on allegations in an Internet video and a newspaper story to which no one has sworn, and Complainant itself claims no personal knowledge of the alleged facts. Furthermore, the video appears principally concerned with employment disputes, including allegations of theft and nonpayment of wages. GMAR even goes so far as to assert that the complaint is “as thin as homeopathic soup that was made by boiling the shadow of a pigeon that had starved to death[.]”²⁰ Whatever the merits of this particular statement, the weakness of the evidence Complainant presents leads the Commission to conclude (1) that the alleged FECA violations – if they occurred – may have been of limited effect and cost and (2) in any event, that this matter does not merit further use of Commission resources, due to the vagueness and weakness of the evidence and likely difficulty in locating and securing cooperation from non-respondent witnesses Montague and Perkins. Therefore, the Commission voted to dismiss this matter.

However, the Commission declined to go a step further and find no RTB, because the ACORN response, by providing nothing that persuasively rebuts the allegation about Montague, does not sufficiently refute the allegations in the complaint. Even if the Commission accepts as true the sworn statements from the two ACORN trainers and the two ACORN field managers, these statements do not refute the allegation that Montague, and therefore ACORN and by extension GMAR, directed individuals associated with ACORN to support McCaskill. The

¹⁸ The *Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process* also discussed when the Commission will find RTB, *see* 72 FED. REG. at 12545, and when the Commission will dismiss with admonishment. *See id.* at 12546.

¹⁹ *See supra* nn. 15-16.

²⁰ GMAR Resp. at 3 (quoting Abraham Lincoln, *SPEECHES & WRITINGS 1832-1858* at 769 (Library of Am. 1989) (from Sixth Lincoln-Douglas Debate)).

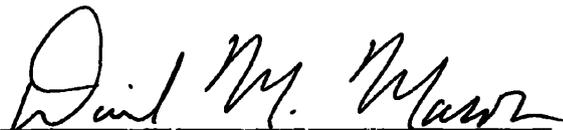
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Commission, of course, does not presume that the allegation about Montague is true. *Cf.* 2 U.S.C. § 437g(a)(2). Nevertheless, without anything that persuasively rebuts the allegation about him, the Commission cannot give what in effect is a clean bill of health to Respondents.

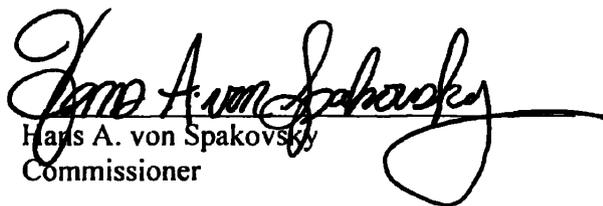
III. CONCLUSION

For the foregoing reasons, the Commission voted to dismiss this matter.

December 31, 2007



David M. Mason
Vice Chairman



Hans A. von Spakovsky
Commissioner

28044190052

Attachment 7

MUR 5859

**Association of Community Organizations for Reform Now
("ACORN") and Lois Murphy for Congress**

Document	Date	Page
Complaint	10/16/2006	2
Response from Association of Community Organizations for Reform Now (ACORN)	12/15/2006	5
Notification with Factual and Legal Analysis to Association of Community Organizations for Reform Now (ACORN)	11/06/2007	7
Vote Certification	10/10/2007	12

Jim GERLACH

OUR CONGRESSMAN

Post Office Box 87
Uwchland, PA 19480-0087
Phone: 610-458-7374
Fax 610-458-7826
www.jimgerlachforcongress.com

October 16, 2006

VIA FACSIMILE
VIA OVERNIGHT MAIL

Federal Election Commission
Office of the General Counsel
999 E Street, N.W.
Washington, D.C. 20463

MUR # 5859

OCT 24 P 9:01

Re: Complaint against ACORN and the Lois Murphy for Congress Committee

Dear Commissioners:

This letter constitutes a formal complaint filed under 2 U.S.C. § 437(g)a of the Federal Election Campaign Act ("FECA") on behalf of the Jim Gerlach for Congress Committee.

It is our belief, based on the information set out below, that the congressional campaign committee of Lois Murphy is illegally coordinating activities with The Association of Community Organizations for Reform Now (ACORN). This illegal coordination violates FEC regulations regarding endorsements of organizations, 11 CFR 114.4(C) (6).

The regulation in question clearly lays out limits to generalized endorsements by corporations, such as ACORN. The regulations were clearly intended to prevent these organizations from illegally coordinating with a federal campaign as a way of evading the very strict limits of both the Federal Election Campaign Act and the Bipartisan Campaign Reform Act.

In the attached press release from ACORN specifically shows the coordination of the endorsement. It reads:

"The Association of Community Organizations for Reform Now (ACORN) endorsed Lois Murphy for Congress. Lois will join members of ACORN to canvass in Pottstown following the endorsement today. Lois and ACORN will be

Jim GERLACH

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reaching out to members of the community to talk about minimum wage, education, and healthcare.”

Clearly the stated intention of ACORN to canvass with Ms. Murphy violates 11 CFR 114.4(C) (6) (ii), which prevents coordination of endorsements.

We ask that the FEC open an investigation at once on the illegal coordination between ACORN and Lois Murphy and put a stop to this egregious violation of federal election law immediately.

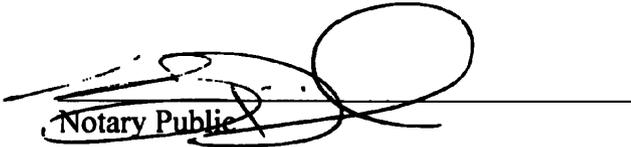
The above is true and correct to the best of our knowledge, information, and belief.

Sincerely,



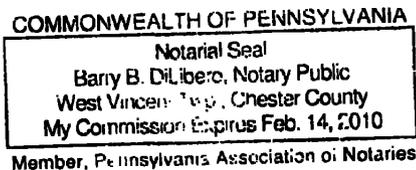
Brandon Moody
Campaign Manager

Subscribed and sworn to before me on this
15 day of October, 2008.



Notary Public

My commission expires on _____



ACORN Endorses Lois Murphy

Saturday, April 29, 2006

Narberth, PA— The Association of Community Organizations for Reform Now (ACORN) endorsed Lois Murphy for Congress. Lois will join members of ACORN to canvass in Pottstown following the endorsement today. Lois and ACORN will be reaching out to members of the community to talk about minimum wage, education, and healthcare.

“I am honored to be endorsed by the Association of Community Organizations for Reform Now,” Lois Murphy said. “ACORN plays such an integral role in helping improve communities throughout Pennsylvania and the country, and I am very grateful to have their support.”

“ACORN has fought for many of the same critical issues that I will fight for as a member of Congress,” Murphy said. “They have spent over three decades working to increase the minimum wage, improve schools in low-income neighborhoods, and improve the environmental conditions for those living in some of our biggest cities.”

Lois's opponent, Jim Gerlach, has a long record of voting against Pennsylvania's working families. In 2005, he blocked a vote to increase the minimum wage to \$7.25 an hour [Vote #365, 7/12/05].

ACORN, the Association of Community Organizations for Reform Now, is the nation's largest community organization of low- and moderate-income families, working together for social justice and stronger communities. ACORN works in more than 75 cities across the United States to improve housing conditions for the economically disadvantaged, increase community safety, secure living wages for all workers and improve the quality of local schools. (www.acorn.org)

HARMON, CURRAN, SPIELBERG

1726 M Street, NW, Suite 600 Washington, DC 20036

EISENBERG, LLP

FEDERAL ELECTION
COMMISSION (202) 328-6918 fax
OFFICE OF GENERAL
COUNSEL

2006 DEC 15 P 3 41

December 15, 2006

Lawrence Norton, Esq.
Office of the General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

Re: MUR 5859
Association of Community Organizations for Reform Now

Dear Mr. Norton:

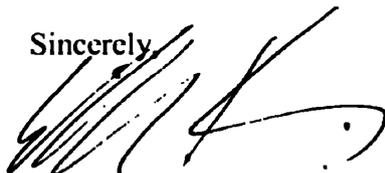
This letter responds to the complaint designated MUR 5859 on behalf of the Association of Community Organizations for Reform Now ("ACORN").

This complaint incorrectly states that ACORN coordinated the public announcement of its endorsement of Lois Murphy with the candidate's campaign. In fact, as demonstrated by the enclosed declaration of Ali Kronley, the endorsement was made and the announcement event conducted by Pennsylvania ACORN PAC ("PA-APAC"), a political committee registered with the state of Pennsylvania.

This announcement event was carried out with minimal costs. The participants at the rally and subsequent canvass were volunteers. The materials they used were produced in-house at an estimated cost of \$300 total. In order to plan the rally, ACORN dedicated approximately 50% of one staff member's time over a period of ten days. Her primary activity was calling members of ACORN to encourage them to attend the rally and participate in the canvass. The costs associated with her salary and benefits for that time total \$645. The only other expenditure connected with the PA-APAC's support of Ms. Murphy was a check in the amount of \$100, written by the PAC at the time it communicated its endorsement to the Murphy campaign.

All of the funds in the PA-APAC account are donated by individual ACORN members, in amounts well under the federal contribution limits. In other words, the funds used to announce the endorsement of Ms. Murphy were all federally permissible. There was no illegal expenditure or contribution of corporate funds.

Sincerely,



Elizabeth Kingsley

Declaration of Ali Kronley

I, Ali Kronley, being of legal age and sound mind, do hereby depose and state as follows:

1. My name is Ali Kronley. I am the Head Organizer for ACORN in Pennsylvania.
2. ACORN's governing documents provide for members who pay dues and elect local governing boards, who in turn appoint representatives to the national ACORN governing board.
3. Pennsylvania ACORN maintains a state PAC (PA-APAC) which receives contributions only from individual members of ACORN and their immediate family members. Members contribute to PA-APAC by making small monthly donations. These range from three to ten dollars. As a result, no individual in the past 5 years has contributed more than \$120 per year PA-APAC.
4. On March 27, 2006, PA-APAC made a contribution to Lois Murphy for Congress in the amount of \$100.
5. On April 29, 2006, PA-APAC held a rally to announce its endorsement of Lois Murphy. After the rally, Ms. Murphy and ACORN members went door to door in the neighborhood to encourage voters to support Ms. Murphy. These members all served in a volunteer capacity, without compensation.
6. The endorsement rally was promoted to ACORN members through the efforts of one staff organizer who devoted 50% of her time over 10 days to this project. The estimated costs attributable to this organizer's salary and benefits for this time are \$645.
7. All materials used in the canvass after the rally, including flyers and window signs, were produced in-house, at an estimated cost of approximately \$300.
8. The staff and materials costs for the endorsement rally and canvass were paid by PA-APAC.
9. To the best of my knowledge, ACORN made no other expenditures for, contributions to, or public communications that identified Lois Murphy.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Ali Kronley
 Ali Kronley/Signature

12/14/06
 Date

20045190072



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV - 6 2007

Elizabeth Kingsley, Esq.
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street, NW, Suite 600
Washington, DC 20036

RE: MUR 5859
Association of Community
Organizations for Reform Now

Dear Ms. Kingsley:

On October 30, 2006, the Federal Election Commission notified your clients, Association of Community Organizations for Reform Now, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 10, 2007, the Commission found, on the basis of the information in the complaint, and information provided by your clients that there is no reason to believe they violated 2 U.S.C. § 441b, a provision of the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact Camilla Jackson Jones, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Shonkwiler", with a long horizontal line extending to the right.

Mark D. Shonkwiler
Assistant General Counsel

Enclosure
Factual and Legal Analysis

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

Respondents: Association of Community Organizations
for Reform Now (ACORN)
Lois Murphy for Congress Committee
and Katherine A. Rowe, as Treasurer

MUR 5859

I. INTRODUCTION

This matter was generated by a Complaint filed with the Federal Election Commission by Jim Gerlach for Congress Committee and Mike DeHaven, in his official capacity as treasurer, against the Association of Community Organizations for Reform Now ("ACORN"), a non-profit organization whose mission is to increase civic involvement and political participation in low and moderate-income and minority communities, and Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as treasurer. *See* 2 U.S.C. § 437g(a)(1). The Complaint alleges that ACORN made coordinated expenditures that resulted in excessive and unreported in-kind contributions to Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer (the "Murphy Campaign"), in violation of 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, the Complaint cites a April 29, 2006 press release from Lois Murphy's website entitled, "ACORN Endorses Lois Murphy," which describes a rally and post-event door-to-door canvassing by Ms. Murphy and rally participants to discuss with potential voters the issues of health care, minimum wage and education. *Id.* Complaint, Attachment 1. For the reasons discussed below, the Commission finds no reason to believe that the Association of Community Organizations for Reform Now or Lois

Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer, violated 2 U.S.C. § 441b.

II. FACTUAL AND LEGAL ANALYSIS

Respondents assert, and the available information suggests, that the Murphy Campaign incorrectly identified ACORN in its press release as the entity that endorsed Candidate Murphy, when it was actually a related state political committee registered in Pennsylvania -- Pennsylvania ACORN ("PA-APAC") -- that made the endorsement and sponsored the subsequent rally and canvassing. ACORN Response at 1; Murphy Response at 2. ACORN and Murphy contend that they did not violate the Act because (1) it was the political action committee, PA-APAC, and not ACORN that sponsored and made disbursements in connection with the event; (2) the attendees at the event were all PA-APAC volunteers; (3) the expenditures made by PA-APAC were within federal contribution limits; and (4) the Murphy Campaign's participation in the event was permissible under the Act. *Id.*

The Murphy Campaign submits the declaration of its Campaign Manager, Jill Harris, who states that in late March 2006 the Campaign received a letter from PA-APAC, not ACORN, endorsing Murphy's candidacy, that the Campaign worked with PA-APAC volunteers in preparation for the public announcement of the endorsement. The Murphy Campaign acknowledges that the April 26, 2006 press release mistakenly stated that ACORN endorsed Murphy, when it should have stated that PA-APAC endorsed Murphy. Murphy Response, Attachment 3, Declaration of Jill Harris ("Harris Decl.") at ¶¶ 2-4. Harris also confirms that Murphy attended the PA-APAC rally to

accept its endorsement and that Murphy never received an endorsement from the national ACORN. *Id.* at ¶¶ 5-6.

Respondents also contend that the costs associated with the event were minimal and well within federal guidelines. ACORN Response at 1; Murphy Response at 2. The Declaration of Ali Kronley, Head Organizer for ACORN in Pennsylvania, states that the estimated costs for the rally totaled \$1,045 -- which is comprised of \$300 for materials, \$100 donation by PA-APAC to the Murphy Campaign, and \$645 in estimated labor costs for the PA-APAC employee who coordinated the rally. ACORN Response, Attachment 1, Declaration of Ali Kronley ("Kronley Decl.") at ¶¶ 4-7. Additionally, Kronley states that the funds in the PA-APAC account are made up of donations made by individual ACORN members, usually at a rate of approximately \$3-\$5 a month per member, and that in the past five years no individual has contributed more than \$120 per year. *Id.* at ¶ 3.

The Complaint's assertion that ACORN coordinated the rally and canvassing event with the Murphy Campaign appears to be incorrect. It was not ACORN, but an affiliated state political committee, PA-APAC, that endorsed Murphy at its rally and canvassing event. ACORN Response, Attachment 1, Murphy Response, Exhibit C. While it is true that ACORN, as a corporation, was prohibited from making in-kind contributions to the Murphy campaign in the form of labor and materials for the event, *see* 2 U.S.C. § 441b(a), PA-APAC, as a political action committee, was not so circumscribed and was permitted to make such disbursements, subject to the applicable contribution limits and disclosure requirements. *See* 11 C.F.R. §§ 109.21 and 114.4(C)(6). The \$945 expended by PA-APAC for the rally and canvassing event, in

addition to its \$100 direct contribution to the Murphy Campaign, were within the \$2,000 contribution limit set forth in the Act.¹ *See* 2 U.S.C. § 441a(a)(1)(D).

Accordingly, based on the information in the Complaint, and the Responses submitted thereto, the Commission finds no reason to believe that the Association of Community Organizations for Reform Now or Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer, violated 2 U.S.C. § 441b.

¹ PA-APAC's contribution was disclosed by the Murphy Campaign in its Pre-Primary Report filed May 4, 2006.

28074190100

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 5820, 5843 and 5859
 MUR 5820: Association of Community)
 Organizations for Reform Now)
 (ACORN); Project Vote/Voting for)
 America; MUR 5843: Association of)
 Community Organizations for Reform)
 Now (ACORN); Give Missourians A)
 Raise, Inc. and Sherwin Carroll, as)
 Treasurer; MUR 5859: Association of)
 Community Organizations for Reform)
 Now (ACORN); Lois Murphy for)
 Congress Committee and Katherine A.)
 Rowe, as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on October 10, 2007, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in the above-captioned matter:

MUR 5820:

1. Find no reason to believe that the Association of Community Organizations for Reform Now and Project Vote/Voting for America failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007; subject to revision pursuant to the meeting discussion.
3. Approve the appropriate letters.
4. Close the file.

MUR 5843:

1. Dismiss the allegations that the Association of Community Organizations for Reform Now and Give Missourians a Raise, Inc. and Sherwin Carroll, in his official capacity as Treasurer, failed to register as political committees and failed to file disclosure reports, in violation of 2 U.S.C. §§ 433 and 434(a).

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MUR 5843 (continued):

2. Approve the appropriate letters.
- 3., Close the file.

MUR 5859:

1. Find no reason to believe that the Association of Community Organizations for Reform Now or Lois Murphy for Congress Committee and Katherine A. Rowe, in her official capacity as Treasurer, violated 2 U.S.C. § 441b.
2. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated October 1, 2007.
3. Approve the appropriate letters.
4. Close the file.

Commissioners Lenhard, Mason, von Spakovsky, Walther, and Weintraub

voted affirmatively for the decision.

Attest:

October 11, 2007
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

23944190082

Attachment 8**MUR 5970****Association of Community Organizations for Reform Now
("ACORN") and Donna Edwards for Congress**

Document	Date	Page
Complaint	1/29/2008	2
Response from SEIU Local 100	03/20/2008	115
Response from Communities Voting Together	05/27/2008	118
Response from Association of Community Organizations for Reform Now (ACORN)	05/27/2008	128
Notification with Factual and Legal Analysis to Association of Community Organizations for Reform Now (ACORN)	12/10/2008	133
Notification with Factual and Legal Analysis to Citizens Services, Inc.	12/10/2008	136
Notification with Factual and Legal Analysis to Communities Voting Together	12/10/2008	138
Notification with Factual and Legal Analysis to Citizens Consulting, Inc	12/10/2008	142
Response from Citizens Services, Inc.	3/24/2008	144
Response from Citizens Consulting, Inc.	4/11/2008	150
Notification with Factual and Legal Analysis to SEIU Local 100	12/10/2008	152
Vote Certification	10/22/2008	154

January 29, 2008

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COMMISSION
SECRETARIAT

SENSITIVE

2008 JAN 30 P 4:11

MUR # 5970

Thomasena Duncan, Esquire
Office of General Counsel
Federal Election Commission
Enforcement Division
999 E Street, N.W.
Washington, D.C. 20463

I, Lori Sherwood, of _____ Rockville, Maryland 20853, am an adult citizen of the State of Maryland. I am filing the within Complaint with your office as it is my belief that violations of the Federal Election Campaign Laws and Commission Regulations have occurred.

Based on my examination of various records and documents I believe the Donna Edwards for Congress Committee ("Edwards Campaign") has received substantial assistance by way of unreported, in-kind contributions from organizations who profess to have operated independently of the Edwards Campaign.

More specifically:

1. I have learned that in her capacity as Executive Director of The Arca Foundation, Donna Edwards is responsible for administering and overseeing grants that are awarded and distributed by Arca. *See Exhibit 1*

2. a) By way of example and not limitation, the Arca Foundation contributed \$100,000.00 in grants to the League of Conservation Voters ("LCV") from 2004-2006. *See Appendix 1*

b) That after having been intimately involved in the award of an Arca grant to LCV, Donna Edwards was appointed to the Board of Directors of the League of Conservation Voters. After receipt of grant money from Ms. Edward's group and her appointment to the LCV Board, LCV endorsed Donna Edwards for Congress in 2006 and 2008. *See Exhibit 2* LCV and its principals contributed over \$15,000.00 to the Edwards Campaign through its board members, employees, and the LCV PAC. *See Appendix 2* Ironically, Congressman Albert Wynn who received a "scorecard rating" of 92 from the LCV was not endorsed by LCV. The difference may lie in the fact that Congressman Wynn was in no way involved in channeling \$100,000.00 to LCV prior to LCV's endorsement of Ms. Edwards, nor was Congressman Wynn the recipient of \$15,000.00 after grant monies were given to LCV by Arca.

3. Similarly, in 2006 the Arca Foundation contributed \$35,000.00 in grants to another not for profit known as the Friends of the Earth. *See Appendix 1*

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COMMISSION
OFFICE OF GENERAL
COUNSEL

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4. Thereafter, Friends of the Earth endorsed Donna Edwards in 2006 and contributed over \$5,000 to her campaigns through their board members, employees, and its PAC. *See Appendix 2*

5. All told, the Arca Foundation awarded \$ 4,289,640.00 in grants to 39 organizations from 2002-2006. *See Appendix 1*

6. The scenario involving LCV and Friends of the Earth has been repeated with 37 other organizations all of whom received monies from Arca and had persons aligned with each group make campaign contributions to the Edwards Campaign. In total, the 37 other organizations contributed over \$75,000.00 to the Edwards Campaign including monies from board members and employees.

7. In the course of my examination of records I also reviewed campaign literature bearing an authority line, "Paid for by 1199 SEIU Federal PAC and not authorized by any candidate or candidate's committee". *See Exhibit 3.*

8. Each piece of literature in *Exhibit 3*, together with the expenditures made to produce the same, were paid for by 1199 SEIU. Despite the express language of the authority line, it appears that these examples of campaign literature were not produced independently from the candidate's committee, but rather were the direct result of collaboration between the Edwards Campaign and SEIU. As such, the literature distributed by SEIU appears to inaccurately and incorrectly reflect independence from the Edwards Campaign. If SEIU has collaborated with the Edwards Campaign, the expenditures of money made by SEIU to benefit the Edwards Campaign would circumvent the clear prohibitions contained in the federal election laws.

9. In reviewing available information, I have learned that according to SEIU's website, Anna Burger, is the overseer of SEIU's national political operations. *See Exhibit 4.*

10. Moreover, I have learned that Anna Burger, as Secretary/Treasurer of SEIU International is a co-founder and collaborator with Donna Edwards in a corporation chartered in the District of Columbia known as "THEY WORK FOR US." The corporation formed on February 12, 2007 listed Anna Burger and Donna F. Edwards as two of the five (5) Directors of "THEY WORK FOR US, INC." *See Exhibit 5*

11. "THEY WORK FOR US, INC." was purportedly formed as a nonprofit corporation in the District of Columbia for the purpose of "providing informal public policies and legislation that reflect a progressive populist agenda on economic and related issues." *See Exhibit 5.*

12. However, it appears that contrary to the stated purposes listed in the Articles of Incorporation of THEY WORK FOR US, INC., the entity has become a conduit for campaign contributions to the Edwards Campaign and a vehicle to openly

engage in campaign activities designed, intended and directed to oppose her opponent, Albert Wynn.

13. **THEY WORK FOR US** has apparently facilitated placement of political advertising in conjunction with SEIU on radio stations in the Washington Metropolitan Area which support Donna Edwards and oppose Albert Wynn. See *Exhibit 6*

14. As Board Members of **THEY WORK FOR US** Donna Edwards and Arma Burger have effectively coordinated efforts of **THEY WORK FOR US** and SEIU in the purchase of radio and television access for the express purpose of promoting the candidacy of Donna Edwards. If proven this concerted action would constitute a violation of laws and regulations prohibiting the coordination of efforts by those who purportedly exercise independence from campaign committees of candidates.

15. In addition, the Edwards Campaign and another ostensibly independent, political organization, Emily's List have clearly joined forces. The Edwards Campaign, has utilized Emily's List funds and strategies to promote the candidacy of Donna Edwards and to oppose Albert Wynn.

16. In support of the foregoing, I learned that on January 22, 2008 the Edwards Campaign and Emily's List expressly collaborated, sending campaign messages to Emily's List supporters. The email, sent as a fund raising device was approved and expressly authorized by the Edwards Campaign. See *Exhibit 7*

17. Thus, it is clear that the fund raising apparatus and campaign efforts of Emily's List, together with the expenditure of funds and resources to promote the candidacy of Donna Edwards constitutes an ongoing, joint collaborative effort between the candidate's campaign and Emily's List. This type of coordination and collaboration could violate federal campaign finance law.

18. As noted above, in her position as Executive Director of Area, Ms. Edwards has the ability to direct and influence decision making within these political organizations. Thus, the expenditures made by the SEIU, Emily's List and others to her campaign can in no way be called independent. To the contrary, the expenditures and the activities undertaken by these organizations are interdependent, with SEIU, Emily's List and others involved in a coordinated effort with the Edwards Campaign all undertaken to avoid federal campaign contribution limitations.

19. There are other relationships between Ms. Edwards and her contributors which are potentially questionable. For example, in her capacity as the Executive Director of the Arca Foundation where she oversees the award and distribution of substantial monies to organizations who profess to be not for profit, I identified evidence of what appears to be campaign expenditures by grant recipients without any attribution in campaign finance records of the Edwards Campaign for campaign services provided by groups receiving Arca money.

20. By way of example, the League of Conservation Voters has committed staff, retained canvassers, hired automated telephone messaging services for voter contact, promoted her campaign on the LCV website, sent mailings on behalf of Donna Edwards which support would well exceed any statutory limitations on campaign contributions. Given the intimate relationship of Ms. Edwards to this organization, her capacity as a member of its Board, and the oversight of grant monies funneled from Arca to LCV, there is at least the appearance of coordination from groups who are supposedly independent. This involvement raises serious questions about the presence of a highly sophisticated and intricate level of coordination by the groups and the campaign. Given what appears to be well developed and significant collaboration, the question that arises is whether the Edwards Campaign is engaged in an effort to skirt campaign federal laws by virtue of the failure of the Campaign to reveal campaign efforts, activities and expenditures undertaken by organizations aligned with her campaign. See *Exhibit 8*

21. Another of the relationships which raises questions and causes concern involves allegedly independent expenditures by a 527 organization known as "Communities Voting Together" ("CTV") which is located at 1024 Elysian Fields, New Orleans, Louisiana.

22 1024 Elysian Fields is also the address for "SEIU Local 100", the Association of Community Organizations for Reform, Now ("Acorn") and The Elysian Fields Corporation. See *Exhibit 9*.

Wade Ruttko, President of Elysian Fields Corporation is also the Chief Organizer for SEIU Local 100, Founder of Acorn, and a member of the Board of Directors of Tides Center and Tides Foundation. See *Exhibit 10* Tides Received \$245,000 in grant money from Arca Foundation between 2002-2006. See *Appendix 1*

23. Donna Pharr is the Custodian of Record for "Communities Voting Together", the Assistant Treasurer for Acorn, and Deputy Treasurer for the American Institute for Social Justice and Voting for America, Inc. Both of these organizations received a combined total of \$230,000 in grants from Arca between 2003 and 2006. See *Appendix 1*

24. Recently, the group known as "Communities Voting Together" of 1024 Elysian Fields Avenue, New Orleans, Louisiana printed and distributed thousands of handouts attacking Congressman Wynn. See *Exhibit 11* Members aligned with the group were attempting to hire canvassers to assist the Edwards Campaign. As was the case for the three groups identified above, there was no attribution of any campaign contributions from "Communities Voting Together," to the Edwards Campaign, despite the fact that the "Communities Voting Together" name appeared on the authority line for the literature. "Communities Voting Together" was also active in the 2006 primary mailing at least 3 pieces of direct mail to voters in the 4th Congressional District.

25. In an attempt to gain an understanding about this group which uses a New Orleans address, I learned that in addition to "SIRIU Local 100", "Acorn" and "Elysian Fields Corporation" (the latter 2 purport to be not for profit) that the Edwards Campaign has a link to another not for profit, Citizens Services, Inc. ("CSIF"), a Louisiana corporation formed on January 7, 2005. Like the other entities, its address is reported to be at 1024 Elysian Fields, New Orleans, Louisiana. See *Exhibit 12*.

26. I learned that Citizens Services, Inc. qualified to do business in Maryland as a foreign corporation and gave a registered agent address of 11 East Chase St., in Baltimore. In checking to verify the address, I learned that there is no record of Citizen Services, Inc. actually having an office in Baltimore. According to recent records from the Maryland State Department of Taxation and Assessments Citizens Services, Inc.'s ability to do business in Maryland was forfeited less than 2 months after the 2005 primary. See *Exhibit 13*

27. Notwithstanding, the fact that Elysian Fields Corporation, Acorn, and Citizens Services Inc., claim to be not for profit; they have been actively involved in making what purport to be independent expenditures, in support of the Edwards Campaign. I have identified at least three separate instances where the Edwards Campaign has collaborated with these ostensibly independent groups.

28. Specifically the Edwards Campaign paid Citizens Services, Inc. C/O of 16 West 25th Street, Baltimore, Maryland 21218 a total of \$76,866.80 in three separate payments, all purportedly for "Door to Door Get Out The Vote" activities. This information comes directly from Edwards Campaign reports. See *Exhibit 14*

29. Having previously learned that Citizens Services, Inc., did not actually have an office in Baltimore, I learned that Acorn is the business located at 16 West 25th Street, Baltimore, Maryland. In looking at the Edwards Campaign reports, I saw that the checks were made payable to Citizens Services Inc, but sent to Acorn at 16 West 25th Street, Baltimore, Maryland. See *Exhibit 15*.

30. However, what was not revealed in the Edwards Campaign reports was the fact that all of the organizations supporting the Edwards Campaign are domiciled in the same office at 1024 Elysian Fields Avenue and, that all had roles which were allegedly independent of the Edwards Campaign.

31. The efforts of these well heeled groups in promoting the Edwards Campaign raise serious questions about the involvement of corporations which have applied for and sought not for profit status but are receiving monies from a candidate for services. At the same time these groups are actively engaged in a coordinated effort to assist the Edwards Campaign. That assistance is not reflected in campaign finance reports which may violate federal reporting requirements.

32. Arca Foundation is a 501(c)(3) organization, and as such, is prohibited from engaging in partisan political campaign activity, yet public records and filings reveal that Arca's grant money was followed by campaign contributions made from grant

recipients and those closely aligned with these organizations to Donna Edwards, the Executive Director of Arca.

33. Under the Internal Revenue Code, all section 501(c)(3) organizations are absolutely prohibited from directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office. Contributions to political campaign funds or public statements of position (verbal or written) made on behalf of the organization in favor of or in opposition to any candidate for public office clearly violate the prohibition against political campaign activity. Violation of this prohibition can result in denial or revocation of tax-exempt status and the imposition of certain excise tax. (www.irs.org)

34. Not for profit groups are prohibited from engaging in advocacy for candidates which is coordinated with a candidate's campaign committee. The evidence attached herewith suggests that improper coordination and concerted action exist between the Edwards Campaign and groups outside of Maryland.

It is respectfully submitted that the Federal Elections Commission determine whether the Edwards Campaign and its contributors have exceeded campaign finance limitations; whether they have failed to properly make known the sources of monies and support; whether organizations granted §501(c)(3) status actively engaged in prohibited activities; and whether the Edwards Campaign failed to properly attribute funds to contributions in a manner consistent with federal law.

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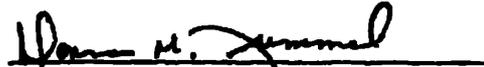
Respectfully submitted,


Lori Sherwood

County of Prince George's : : ss

On this 29th day of January, 2008, before me, Donna H. Sumner, the undersigned officer, personally appeared Lori Sherwood, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


Notary Public

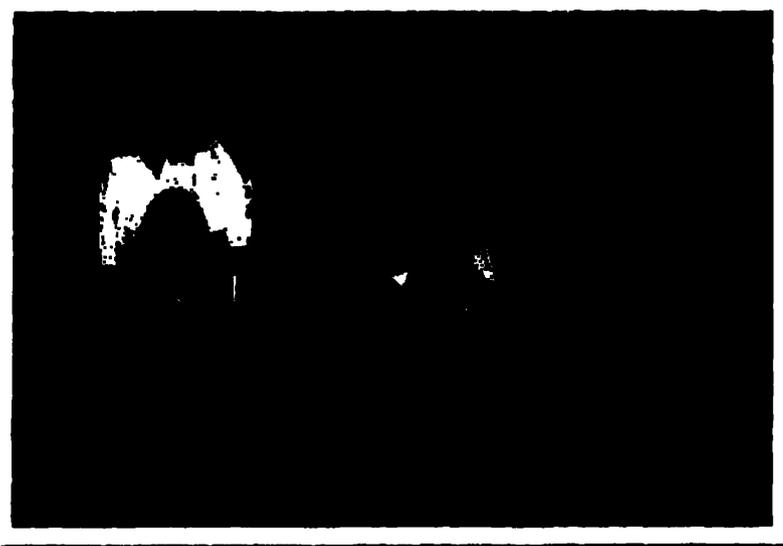
My Commission Expires: 03/01/2009

2904422663



Board & Staff

Board Photo



[Click image for a larger view](#)

Standing (L to R): Beverly Helton, Donna F. Edwards, Smith Bagley, Mike Lux, Mary E. King, Michael B. Trister, Eric Sklar, DeWayne Wickham

Seated (L to R): Annie Lipsitz, Nicole Bagley, Margery Tabankin, Nancy R. Bagley, Janet Shank

Arca Foundation Board of Directors

Smith Bagley, President
Nancy R. Bagley, Vice President
Mary E. King, Secretary
Eric Sklar, Treasurer
Nicole Bagley
Mike Lux
Janet Shank
Margery Tabankin
DeWayne Wickham

Michael B. Trister, Legal Counsel

Arca Foundation Staff

Donna F. Edwards, Executive Director
Annie Lipsitz, Program Associate
Beverly Helton, Administrator

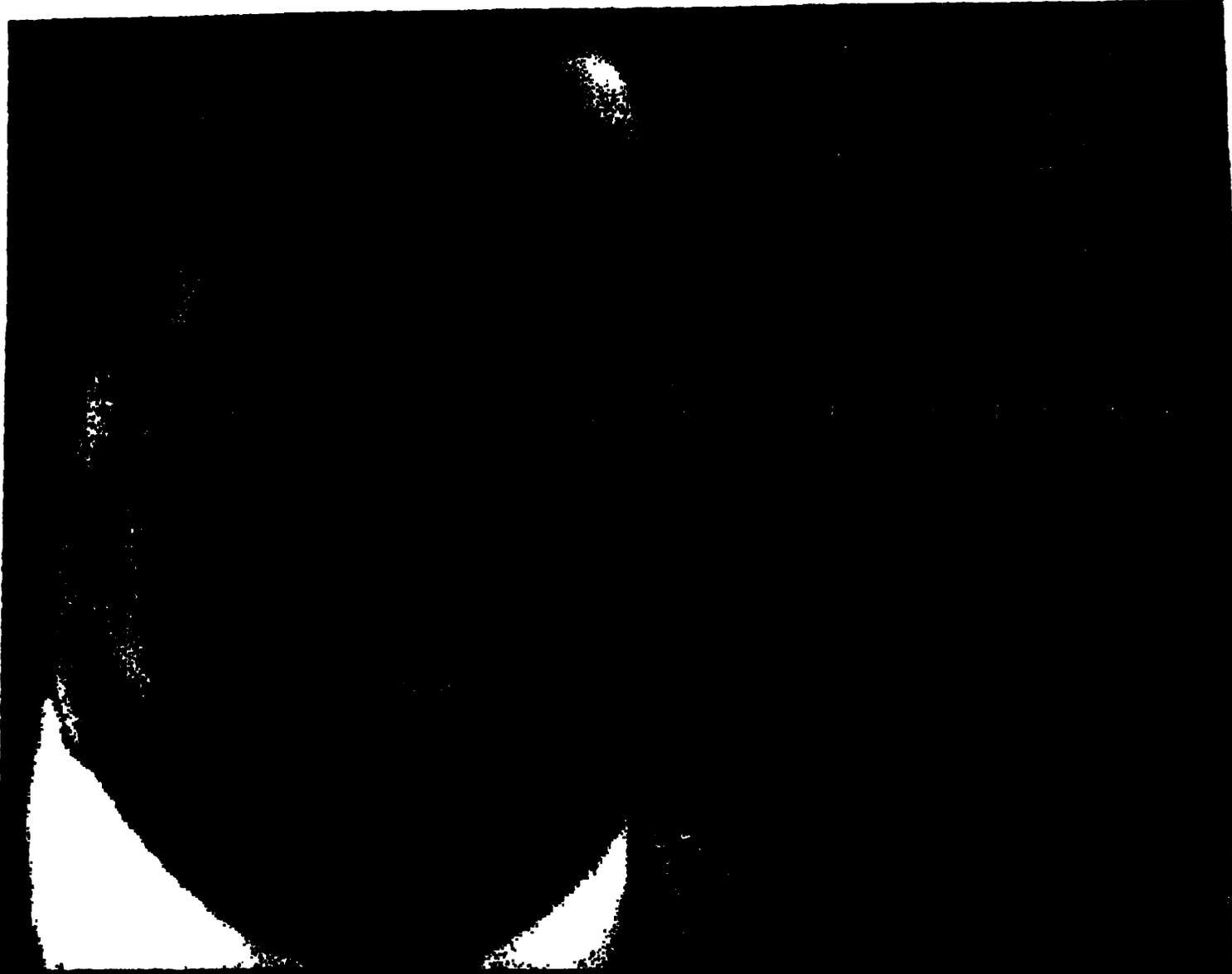
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29044222665



When It Comes to **Big Oil**, **St. Myer** is on **High Ground** - **State**

29044222666

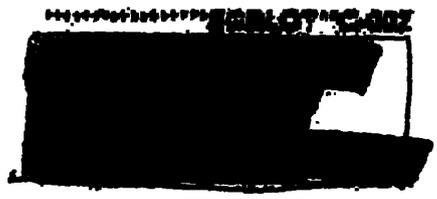


Why isn't Al Wynn on side?

Bold the by 1998/10/1 Political PAC and not authorized by any individual or organization. (11/1) 10/10/10



611 North Banner Street
Baltimore, MD 21201



FORGET THE
MISDEEDS
AND
Contact: [illegible]

7
162

On Feb. 12th Vote Dennis Edwards for Congress

29044222667

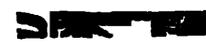


After 15 years in Congress,
Al Wynne has changed.

It's time for us to make a change.

**ON FEBRUARY 15, 2007
EDONNA TO WIN**

Federal PAC and not authorized by any candidate or candidate's committee. (212) 408-8416.

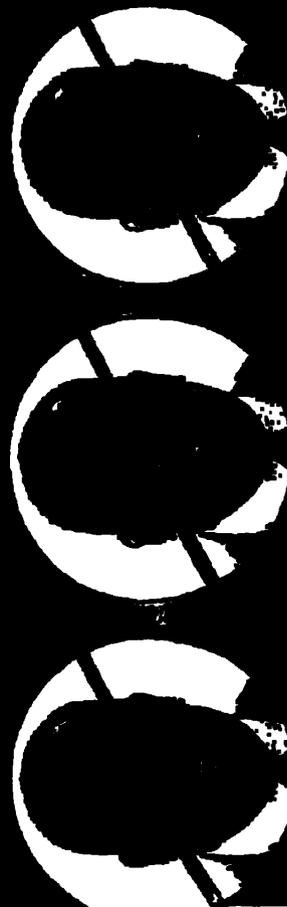


7 Street
.1201

159

Please Mail
U.S. Funds
PAID
Country Club

29044222668



NOW IT'S TIME FOR US TO MAKE A CHANGE



How To Apply

The Arca Foundation has no standard application form. The Foundation does not respond to letters of inquiry. Due to our small size we do not accept proposals electronically. Please send a clear, concise proposal (one copy only) to:

**Executive Director
The Arca Foundation
1308 19th Street, NW
Washington, DC 20038**

The Foundation does not consider requests in the following categories:

**Scholarship funds
Scholarly research
Individuals
Government programs
Capital projects/endowments
Groups outside the United States**

Proposals should include the following elements in the following order:

Cover Letter

A cover letter should describe the project in a brief paragraph, state its total cost and request a specific grant amount from Arca. The letter should be signed by the Executive Director or Board Chair, and/or Project Director of the tax-exempt organization requesting the grant.

One-Page Summary

A one-page summary—separate from the body of the proposal—is required, highlighting the project's purpose and goals.

Proposal Narrative

A proposal narrative should summarize the policy issue being addressed; present the organization's approach to the problem and specific goals; and provide background on the organization's history, current range of activities, and qualifications for carrying out the specific project. The more concise the better, with a maximum of ten pages, preferably double-sided.

Staffing

Include short bios or resumes of project staff and key consultants. Also include a Board of Directors list, including their organizational affiliations.

Financial Information

- ▶ All past Arca grants to the organization (year, amount and project);

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- All grants received by the organization for the current fiscal year (amount, source and project);
- Line-item organizational budget, for current and previous fiscal year (please show individual staff salaries and allocations);
- Line-item project budget, income and expenses for the year for which funds are requested;
- Project grants received in the year for which funds are requested (amount and source);
- Potential funding sources for the project (amounts requested and contact person);
- Completed lobbying expense certification available here;
- IRS documents confirming the organization's status as a tax-exempt [501 c(3)], or publicly supported [509(a)] nonprofit organization.

Please make sure these materials are current.

* **Special note for fiscal sponsors:** Fiscal sponsors must submit a letter on their letterhead assuming full fiscal, legal and programmatic responsibility for the applicant, together with the fiscal sponsor's organizational budget, list of board of directors, or tax-exemption documentation.

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29044222670

The League of Conservation Voters Endorses Donna Edwards For Congress

Edwards Provides Clear Alternative to Incumbent on Environmental Policy

TEMPLE HILLS, MD – July 19, 2006 – The League of Conservation Voters (LCV) announced their endorsement of Donna Edwards in her bid to unseat 7-term incumbent Albert Wynn in the Democratic primary in Maryland's 4th District. LCV, the independent political voice for the environment, was impressed with Edwards' commitment and proven leadership on behalf of numerous environmental causes.

"Environmental protection goes hand-in-hand with sound economic development," said Edwards. "We have spent decades doing the research and the results are indisputable: we need to take action now. As we advance through the 21st Century, we need leadership for environmental policies that are bold and visionary. Instead of providing that leadership, the incumbent voted with President Bush on the energy bill that gave the oil companies over \$25 billion in tax breaks while energy costs have soared. In Congress I will champion policies for renewable energy sources, expanding Metrorail across the Wilson Bridge and the Inner Purple Line. I will be an advocate for real solutions in our communities for clean air and water. I am honored to have earned LCV's endorsement."

Ms. Edwards has provided leadership on various environmental issues during her career. She has worked to protect the Potomac River shoreline and watershed in the face of intense development. She is a strong supporter of increased mass transit and transit oriented development. By contrast, the incumbent has on a number of occasions voted against key environmental legislation. In addition to voting with the Bush administration on the energy bill, he also voted to weaken the Endangered Species Act and against raising car mileage standards.

"LCV is proud to endorse Donna Edwards. We see her as an unabashed environmental champion in the United States Congress," said LCV President Gene Karpinski. "She knows well that the key to reinvigorating America's economy is the protection of our existing resources and a sustained effort to develop and market new and renewable forms of energy. She knows it's American ingenuity and the American work ethic that will solve our energy challenges."

###

If you have any questions, or would like to set up an interview with Donna Edwards, please contact Daniel Weber at dan@donnaedwardsforcongress.com or call (301) 316-1880.

29044222671



LEAGUE OF CONSERVATION VOTE

THE INDEPENDENT POLITICAL VOICE
FOR THE ENVIRONMENT

Enter Email

Enter Zip

Board of Directors

Names and organization names presented here are for identification purposes only.

Bill Roberts, Chair
Baldon Fund

John H. Adams
Natural Resources Defense Council

Marcia Aronoff
Environmental Defense

Paul Austin
Conservation Minnesota & Conservation Minnesota Voter Center

Brent Blackweider (honorary)
Friends of the Earth

Everett (Brownie) Carson
Natural Resources Council of Maine

Sherwood Boehlert
Accord Group

Carol Browner
The Albright Group, LLC

Marcia Bystryn
New York League of Conservation Voters

Carrie Clark
Conservation Council of North Carolina

Donna F. Edwards - currently on leave of absence
The Arca Foundation

George T. Frampton, Jr.
Bates, Shiller & Flexner

Wade Greene (honorary)
Rockefeller Family and Associates

Lisa Guthrie
Virginia League of Conservation Voters

John (Jay) A. Harris
Changing Horizons Fund

Rampe R. Hornel
Global Environment Project Institute

John Hunting (honorary)
Baldon Fund

Tom Klemen
National Parks Conservation Association

William H. Meadows III

29044222672

The Wilderness Society

Jorge Mursuli
People for the American Way

Scott A. Nathan
The Baupost Group

John D. Podesta
Center for American Progress

Lana Pollack
Michigan Environmental Council

Jonathan Polner
Oregon League of Conservation Voters

Larry Rockefeller
American Conservation Association

Theodore Roosevelt, IV (honorary Chair)
Lehman Brothers

Donald K. Ross
Rockefeller Family & Associates

Rodger O. Schlickelsen
Defenders of Wildlife

Peggy Shepard
West Harlem Environmental Action WE ACT

Susan Smartt
California League of Conservation Voters

Linda B. Uhlstein
Brico Fund LLC

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**2007 The League of Conservation Voters, Inc.
1920 L Street, NW, Suite 800, Washington, DC, 20036**

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George Graham,
President

María Castaneda,
Secretary-Treasurer

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New York | Maryland/DC | Massachusetts

NEW YORK:

Principal Headquarters: New York City
 310 West 43rd Street
 New York, New York
 10036
 (212) 582-1890
www.1199seiu.org

Albany
 155 Washington Avenue
 Albany NY
 12210
 (518) 396-2300

Buffalo
 974 Kenmore Avenue
 Buffalo, NY
 14216
 (716) 982-0540

Gouverneur
 95 East Main Street, 2nd Fl.
 Gouverneur, NY
 13642
 (315) 287-9013

Kingston
 75 Crown Street
 Kingston, NY
 12401
 (845) 339-1900

Long Island (Uniondale)
 50 Charles Lindburgh, Ste. 602



In the News

Annual Celebration Honors Members Who Became Citizens In 2007.

Infection Control

Together We Can Make A Difference

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Upcoming Events

Jan. 31 - Seminar Has Been Canceled: Rehabilitation Nursing Concepts and the Care of Stroke Victims

Feb. 02 - MD/DC Region Young Workers' Program Launch Party

Feb. 04 - Understanding Fluids and Electrolytes

[All Events](#)

Occupations

- Registered Nurses
- Professional Workers
- Hospital Workers
- Clinic Workers
- Nursing Home Workers
- Homecare Workers
- Drug Store Workers
- Human Service Workers
- Retired Members

Regions

- New York City/Long Island
- Capital/Hudson Valley
- Upstate New York
- Maryland/DC
- Massachusetts

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Unlondale, NY
11553
(516) 542-1115

North Country (Gouverneur)
95 East Main Street, 2nd Fl.
Gouverneur, NY
13642
(315) 287-9013

Rochester
225 W. Broad Street, Ste. B
Rochester, NY
14608
(585) 244-0830

Staten Island
1282 Richmond Road
Staten Island, NY
10304
(718) 980-9009

Syracuse
404 Oak Street, Rm. 120
Syracuse, NY
13203
(315) 424-1743

Unlondale
50 Charles Lindburgh, Ste. 602
Unlondale, NY
11553
(516) 542-1115

Westchester (White Plains)
99 Church Street
White Plains, NY
10601
(914) 993-6700

White Plains
99 Church Street
White Plains, NY
10601
(914) 993-6700

MARYLAND/DC:

Baltimore
611 north Eutaw Street

29044222675

Baltimore, MD
21201
(410) 332 1199

Cheverly
6490 Landover Road Suite B
Cheverly, MD 20785-1443
(301) 341-0000

MASSACHUSETTS:

Boston
150 Mt. Vernon Street, Suite 300
Boston, MA, 02125
(877) 409-1199

CAPE COD (Hyannis)
94 Main Street
Hyannis, Massachusetts
02601
(877) 409-1199, #6

WESTERN MASSACHUSETTS (NORTHAMPTON)

Mailing Address:
PO Box 60339
Florence, Massachusetts
01062

Street Address: This is a small office; meetings by appointment
only
27 Locust Street
Northampton, Massachusetts
01060
(413) 586-7886

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Anna Burger

CHAIR, CHANGE TO WIN;

INTERNATIONAL SECRETARY-TREASURER

SERVICE EMPLOYEES INTERNATIONAL UNION, CLC

Hailed by *Fortune Magazine* as "the most powerful woman in the labor movement" and named as one of *Washingtonian's* 100 Most Powerful Women in 2006, Anna Burger is both a top ranking officer at SEIU, the nation's largest and fastest growing union, and the first chair of America's newest labor federation, Change to Win.



Founded in September 2006 by SEIU and six other major unions representing six million workers, Change to Win is developing joint industry-based organizing campaigns aimed at ensuring that workers, not just CEOs, benefit from today's global economy.

The 1.9-million member SEIU is focused on uniting workers in three key sectors to improve their lives and the services they provide. It is the largest union of health care and property service workers and second-largest public employee union in North America. Since Burger's election as Secretary-Treasurer in 2001, half a million workers have united in SEIU.

A longtime strategist who oversees SEIU's national political operations, Burger directed the grassroots member action program that helped pro-worker candidates win both majorities in Congress in 2006, and the largest mobilization by any single organization in the history of U.S. politics in 2004. During this cycle, SEIU members built the largest labor PAC in the country by voluntarily raising more funds than any other union.

Her focus on organizing helped lead to a dramatic shift in "new" labor's priorities: SEIU now spends half of its resources to help more workers unite together to achieve the American Dream.

Breaking with tradition is nothing new for Burger; in the 1970-80's she was out front on picket lines, anti-war protests and feminist rallies. She played a significant role in SEIU's recognition of choice as a key issue for women's health, and most recently, has been a passionate advocate for comprehensive immigration reform. Throughout her career, she has pushed labor to deepen its commitment to equality for all. Today, SEIU is the most diverse union in America, with a leadership that reflects its ranks: more than half of SEIU members are represented by local unions led by women or people of color.

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ISSUE SPOTLIGHT ON

A Solution for Our Health Care Crisis

We all know our health care system is broken. See why working people, business, and elected officials must fix it together. [More -](#)

Become a health care voter! Support...

Americans
for Health Care

INSTITUTE
Change
Developing Leaders,
Developing Organizations

Burger began her career in 1972 as a rank-and-file Pennsylvania state caseworker and union activist before her election as SEIU Local 688's first female president. She moved on to run the statewide political program and later became SEIU's national field director. She has been an active delegate to the Democratic National Convention since 1984 and has worked on the party's platform. She resides in Washington, D.C., with her husband, Earl F. Gohl, Jr. Their daughter, Erin Burger Gohl, studies at Smith College.

» [Media Kit on Anna Burger](#)

» [President Andrew L. Stern](#)

» [Secretary-Treasurer Anna Burger](#)

» [Executive Vice President Eliseo Medina](#)

» [Executive Vice President Tom Woodruff](#)

» [Executive Vice President Mary Kay Harty](#)

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29044222678

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**

270393



CERTIFICATE

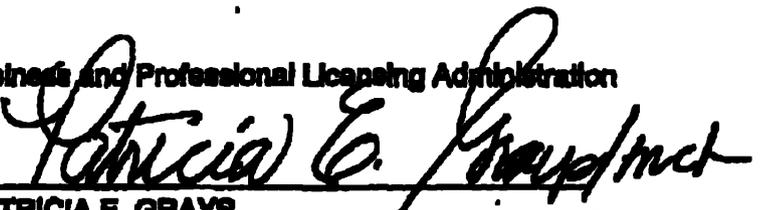
THIS IS TO CERTIFY that all applicable provisions of the District of Columbia NonProfit Corporation Act have been complied with and accordingly, this **CERTIFICATE OF INCORPORATION** is hereby issued to:

THEY WORK FOR US, INC.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of this office to be affixed as of the 12th day of February, 2007.

LISA M. MORGAN
Interim Director

Business and Professional Licensing Administration


PATRICIA E. GRAYS
Superintendent of Corporations
Corporations Division

Adrian M. Fenty
Mayor

ARTICLES OF INCORPORATION

OF

THEY WORK FOR US, INC.

To: Department of Consumer and Regulatory Affairs
Business & Professional Licensing Administration
Corporations Division
941 North Capital Street, NE
Washington, DC 20002

We, the undersigned natural persons of the age of twenty-one years or more, acting as incorporators of a corporation, adopt the following Articles of Incorporation for such corporation pursuant to the provisions of the District of Columbia Nonprofit Corporation Act (D.C. Code, Title 29, Chapter 3):

FIRST: The name of the corporation is: They Work For Us, Inc.

SECOND: The period of duration is perpetual.

THIRD: The primary purposes for which the corporation is organized shall be dedicated to promoting national public policies and legislation that reflect a progressive populist agenda on economic and related issues.

FOURTH: The corporation shall not have members.

FIFTH: The corporation may exercise all power or authority granted to it under the District of Columbia Nonprofit Corporation Act or otherwise, including, but not limited to, the power to accept donations of money or property, and to own or lease property, whether real or personal.

FEB 19 2007

SIXTH: In carrying out its purposes, the corporation shall not have or exercise any power or authority granted to it under the District of Columbia Nonprofit Corporation Act, or engage directly or indirectly in any activity, that would prevent it from qualifying as an organization described in Section 501(c)(4) of the Internal Revenue Code.

SEVENTH: The corporation shall not be operated for the primary purpose of carrying on a trade or business with the general public for profit.

EIGHTH: The affairs of the corporation shall be managed by a Board of Directors. Qualifications for membership on the Board of Directors shall be described in the Bylaws. The number of members of the Board of Directors shall be fixed by the Bylaws and may be increased or decreased from time to time as provided in them, but in no event shall the number of members be less than three. Each member of the Board of Directors shall be elected or appointed in the manner and for the term provided in the Bylaws.

NINTH: Upon the termination, dissolution, or winding up of the corporation in any manner or for any reason, its assets, if any, remaining after payment (or provision for payment) of all liabilities of the corporation shall be distributed to, and only to, one or more charitable or social welfare organizations described in Section 501(c) of the Internal Revenue Code.

TENTH: The number of members of the initial Board of Directors shall be five. The names and addresses of the initial Board of Directors, who shall serve until their successors are elected or appointed and qualified, are as follows:

Anna Burger
1800 Massachusetts Ave, NW
Washington, DC 20036

Donna F. Edwards
8904 Glen Lane

29044222681

Fort Washington, MD 20744

El Pariser
PO Box 9218
Berkeley, CA 94709

Chuck Rocha
5 Gateway Center
Pittsburgh PA 15222

Steven Rosenthal
888 16th Street, NW
Suite 630
Washington DC 20006

ELEVENTH: The private property of officers or directors of the corporation shall not be subject to payment of corporation debts to any extent whatsoever.

TWELFTH: Any reference in these Articles to any provision of the Internal Revenue Code shall be deemed to mean such provision as it now exists or is later amended or superseded, as the case may be.

THIRTEENTH: The address of the initial registered office of the corporation in the District of Columbia is Suite 630, 888 16th Street, NW, Washington, DC 20006, and the name of the initial registered agent at such address is Melissa Roy, a resident of the District of Columbia.

FOURTEENTH: The names and address of each incorporator is as follows:

Melissa Roy
888 16th Street, NW
Suite 630
Washington, DC 20006

Steven Rosenthal
888 16th Street, NW
Suite 630
Washington, DC 20006

Nicole Washington

29044222682

888 16th Street, NW
Suite 630
Washington, DC 20006

IN WITNESS WHEREOF, we have signed and acknowledged these Articles of Incorporation this 1st day of February 2007.

INCORPORATORS:

[Signature]
Steve Rosenthal
[Signature]

District of Columbia) ss

I, Lester Roberts, a Notary Public, hereby certify that on February 1st, 2007, personally appeared before me, H. Jay, S. Rosenthal and D. [Signature], who, being first duly sworn, declared that they severally and individually signed the foregoing document as incorporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal in the day and year written above.

[Signature]

NOTARY PUBLIC

My Commission expires: 04/14/2011



SEIU: They Work For Us

MARKET	STATION	1/20-1/26	
		\$ SPENT	GRP'S
Washington DC			
	WRC (NBC)	\$0	0.00
<i>Broadcast</i>	WUSA (CBS)	\$0	0.00
	WJLA (ABC)	\$0	0.00
<i>Political CPP</i>	WTTG (FOX)	\$0	0.00
	News Ch 8	\$0	0.00
<i>Issue CPP</i>			
		\$0	0.0
<i>Cable</i>			
		\$0	0.0
<i>Radio</i>	WMML-FM 102.3	\$0	
	WOL-AM 1450	\$0	
	WHUR-FM 96.3	\$0	
	WTOP-FM 103.5	\$0	
	WYCB-AM 1340	\$2,500	
	WPGC-FM 95.5	\$0	
	WPGC-AM 1580	\$3,525	
	WPRS-FM 104.1	\$8,250	
		\$14,275	0.0
GRAND TOTAL:		\$14,275	0.0

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SEIU: They Work For Us

MARKET	STATION	1/27-2/3	
		\$ SPENT	GRP'S
Washington DC	WRC (NBC)	\$0	0.00
	<i>Broadcast</i> WUSA (CBS)	\$0	0.00
	WJLA (ABC)	\$0	0.00
	<i>Political CPP</i> WTTG (FOX)	\$0	0.00
	News Ch 8	\$0	0.00
<i>Issue CPP</i>		\$0	0.0
<i>Cable</i>		\$0	0.0
		\$0	0.0
<i>Radio</i>	WMMJ-FM 102.3	\$0	
	WOL-AM 1450	\$0	
	WHUR-FM 96.3	\$0	
	WTOP-FM 103.5	\$0	
	WYCB-AM 1340	\$2,600	
	WPGC-FM 95.5	\$0	
	WPGC-AM 1580	\$3,525	
	WPRS-FM 104.1	\$9,600	
		\$15,725	0.0
GRAND TOTAL:		\$15,725	0.0

2904422685

From
To:
Sent: 1/22/2008 11:04:11 A.M. Eastern Standard Time
Subj: Three weeks to go for Donna Edwards!

Dear Mary Ann,

There are three things you need to know about the race in Maryland's fourth congressional district.

First the more voters in this district learn about incumbent Albert Wynn -- that he's taken \$420,000 from big oil, gas, and electric companies ... voted with Dick Cheney to give them huge tax breaks ... supported the White House-backed energy bill ... taken over \$32,000 worth of privately funded travel to places like Jamaica, San Juan, and Florida ... voted for the resolution authorizing the Iraq war -- the more they move to Donna Edwards, his dynamic, energetic challenger in the Feb. 12 primary.

Second, Donna Edwards is poised to beat Wynn. She nearly did it in 2006, and she is running even stronger in 2008.

The third thing? Donna Edwards needs your immediate help. She can't oust this entrenched incumbent without it. With just three weeks to go, every dollar will enable her to compete with Wynn's war chest and mobilize her voters on election day.

Make an online contribution to Donna Edwards today!

Donna Edwards is the only truly progressive Democrat in this race. She is running a strong grassroots campaign, winning important endorsements from SEIU, National Organization for Women, League of Conservation Voters, Democracy for America, Clean Water Action, Sierra Club, and more. And she's done it all on a shoestring budget!

But to win on Feb. 12, she needs to raise \$57,000 a week for the final three weeks to get her message out to voters on TV in the expensive D.C.-area media market -- and get them to the polls on election day.

You can make an immediate impact for Donna Edwards by contributing online to her campaign today.

Thank you for your swift response.

Warmest regards,

Ellen L. Malcolm
President

P.S. If you and other EMILY's List members send Donna Edwards the most generous contribution you can afford today, we can overcome Wynn's corporate special interest backers and send this promising lawyer, community activist, and progressive voice for change to Washington. **Please support Donna Edwards today so she can win on Feb. 12!**

HELP ELECT DONNA EDWARDS!



Dear Supporter

This year – more than ever – it's time for a change. And change can begin with Maryland's congressional primary election on Tuesday, February 12th.

The League of Conservation Voters has endorsed Democrat Donna Edwards for Congress because she will tackle the challenge of global warming and be a leader for clean energy solutions.

Click here to volunteer: <http://www.lcv.org/HelpElectDonna>

Every Saturday, from now until the February 12th primary, LCV volunteers will be going door-to-door in Montgomery County encouraging targeted Democratic primary voters to support Donna Edwards for Congress. This race may be decided by just a handful of votes and each face-to-face contact we make brings us close to a Donna Edwards victory on February 12th.

Click here to volunteer: <http://www.lcv.org/HelpElectDonna>

Can't join us for a weekend canvass? Sign up to make phone calls from the comfort of your own home. We'll e-mail you a list of targeted voters in the district, as well as a script and talking points. In close elections, every voter we engage can help make the difference.

Click here to volunteer: <http://www.lcv.org/HelpElectDonna>

The incumbent, Al Wynn, has taken hundreds of thousands of dollars in campaign cash from PACs like Constellation Energy, the Nuclear Energy Institute and FirstEnergy Corp. They're funding Wynn because he votes with them and against the environment, like his vote with Republicans for the Bush-Cheney energy bill that gave billions to Big Oil.

Elections have consequences. This February, we can elect a candidate to Congress who will make solving global warming a top priority. Get involved. Help elect Donna Edwards!

To learn more about volunteer opportunities, contact Courtney Fryxell at 202-454-4564 or courtney_fryxell@lcv.org.

Sincerely,
Mike Palamuso
National Campaigns Director
League of Conservation Voters

P.S. To learn more about Donna's record of leadership, visit www.lcv.org.

Paid for by the League of Conservation Voters, www.lcv.org.

Not authorized by any candidate or candidate's committee.

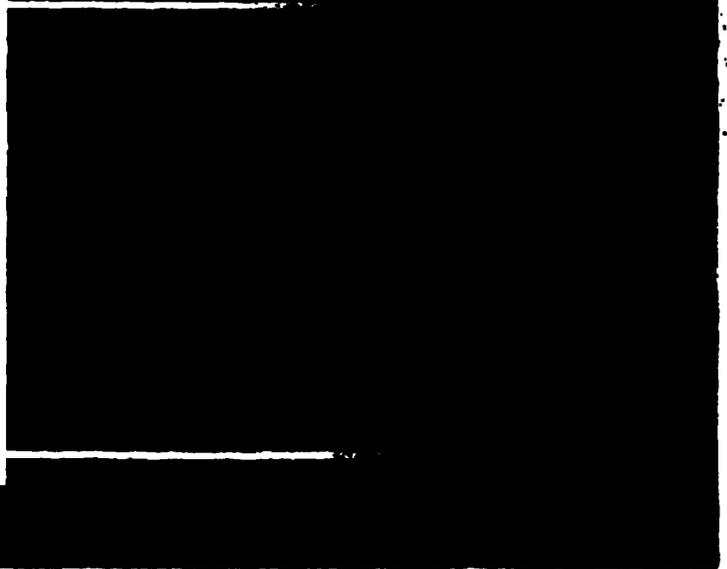
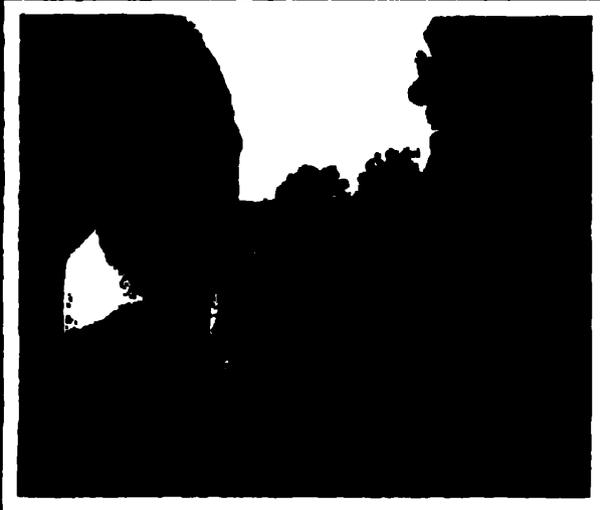
29044222687

29044222688



WHO WILL
PROTECT OUR MOST
PRECIOUS GIFT?

Donna Edwards Will Tackle the and Be a Leader for Clean Energy



**Give the Gift of a Better Future
On February 12th, Vote Democrat**

29044222689

Challenge of Global Warming Solutions

29044222690



...and she
is up to the challenge. In Congress,
Edwards will be more than just another vote
for clean energy bills, she will be a leader.

leave us out in the cold.

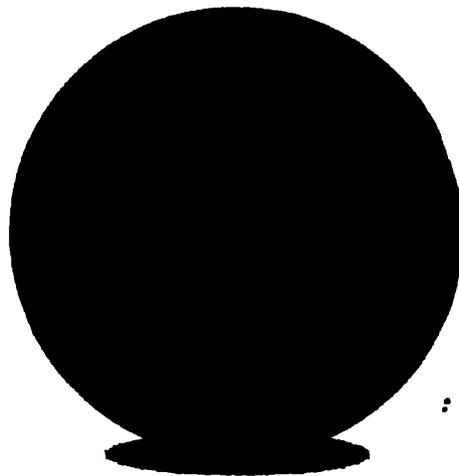
Support Donna Edwards for Congress



League of Conservation Voters
Nine State Circle, Suite 202
Annapolis, MD 21401

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**A clean energy future: It's the
most important gift we can give**



**On February 12th, Join the
League of Conservation Voters in Supporting**

Donna Edwards for Congress

29044222691

When it Comes to Solving Global Warming and Promoting Clean Energy Donna Edwards Will Never Drop the Ball

For too long, we've had a congressman whose votes don't mirror our values on critical issues like global warming and clean energy. Let's react to make 2008 the year we elect someone who cares about those issues—the most pressing of our generation. Meet Democrat Donna Edwards.

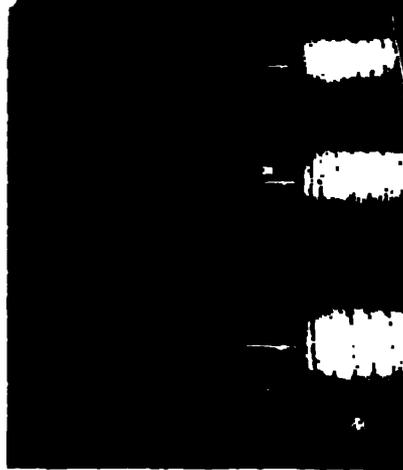


The Most Important New Year's Resolutions Stop Global Warming

For Donna Edwards, protecting our environment isn't just this year's resolution—it's a lifelong commitment, demonstrated by 20 years of hard work. As more and more of us realize that global warming is the challenge of our generation, we finally have the chance to do something concrete about it: elect Donna Edwards to put clean energy issues at the top of the agenda in Congress.

Donna Edwards: A Leader For Environmental Issues

To make real change, we need a representative who will do more than just vote for the environment. We need a leader like Donna Edwards, who has a specific, common-sense plan to create new, "green-collar" jobs, reduce energy costs and improve gas mileage. And she'll never drop the ball by voting for oil company profiteering over clean energy investment.



2904422-2693



Don't Drop the Ball



League of Conservation Voters
Nine State Circle, Suite 202
Annapolis, MD 21401

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Form **8872**
(November 2002)

Political Organization Report of Contributions and Expenditures

OMB No 1545-1086

Department of the Treasury
Internal Revenue Service

► See separate instructions.

A For the period beginning 04/01/2006 and ending 06/30/2006

B Check applicable box: Initial report Change of address Amended report Final report

1 Name of organization: Communities Voting Together Employer identification number: 20 - 1566613

2 Mailing address (P.O. box or number, street, and room or suite number):
1024 Elyssa Fields Avenue

City or town, state, and ZIP code:
New Orleans, LA 70117

3 E-mail address of organization:
not-provid

4 Date organization was formed:
09/01/2004

5a Name of custodian of records:
Donna Pharr

5b Custodian's address:
1024 Elyssa Fields Avenue
New Orleans, LA 70117

6a Name of contact person:
Donna Pharr

6b Contact person's address:
1024 Elyssa Fields Avenue
New Orleans, LA 70117

7 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number:
1024 Elyssa Fields Avenue

City or town, state, and ZIP code:
New Orleans, LA 70117

8 Type of report (check only one box)

- First quarterly report (due by April 15)
- Second quarterly report (due by July 15)
- Third quarterly report (due by October 15)
- Year-end report (due by January 31)
- Mid-year report (Non-election year only due by July 31)

- Monthly report for the month of (due by the 20th day following the month shown above, except the December report, which is due by January 31)
- Pre-election report (due by the 12th or 15th day before the election)
 - (1) Type of election
 - (2) Date of election
 - (3) For the state of
- Post-general election report (due by the 30th day after general election)
 - (1) Date of election
 - (2) For the state of

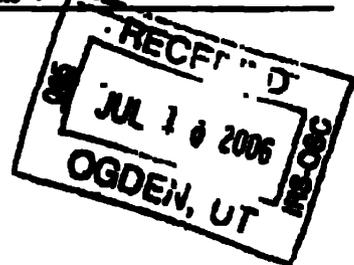
9 Total amount of reported contributions (total from all attached Schedules A) 9. \$ 257

10 Total amount of reported expenditures (total from all attached Schedules B) 10. \$ 0

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Sign Here | Donna Pharr
Signature of authorized official

07/07/2006
Date



29044222694

100



SEIU Local 100 Directory

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Arkansas

LITTLE ROCK
 2101 Main St.
 Fayetteville, AK 72208
 (479) 267-0059
 (479) 267-0060 FAX
arlr@seiu100.org



Louisiana

NEW ORLEANS
 1024 Elysian Fields Ave.
 New Orleans, LA 70117
 504-872-0480 ext 118
 504-817-8045 FAX
lno@seiu100.org

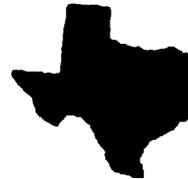


BATON ROUGE
 5177 Greenwell Springs Rd.
 Baton Rouge, LA 70806
 (225) 923-3102
 (225) 923-3144 FAX
lbr@seiu100.org

SHREVEPORT
 5000 Greenwood Rd.
 Shreveport, LA 71109
 (318) 636-9027
lsap@seiu100.org

Texas

DALLAS
 4415 San Jacinto
 Dallas, TX 75204
 (214) 823-2001
txds@seiu100.org



HOUSTON
 2600 S. Loopwest Sult 310
 Houston, TX 77054
 (713) 863-9877
txho@seiu100.org

2904422695



Louisiana Secretary of State
COMMERCIAL DIVISION
Corporations Database



Louisiana Secretary of State
Detailed Record

Charter/Organization ID: 34222214N

Name: ELYSIAN FIELDS CORPORATION, INC.

Type Entity: Non-Profit Corporation

Status: Active

Annual Report Status: In Good Standing Add Certificate of Good Standing to Shopping Cart

Last Report Filed on 10/09/2007

Mailing Address: 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

Domicile Address: 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

File Date: 11/06/1986

Registered Agent (Appointed 2/12/2004): NATIONAL REGISTERED AGENTS, INC., 1280 CLAUSEL STREET, MANDEVILLE, LA 70448

President: WADE RATHKE, 1024 ELYSIAN FIELDS, NEW ORLEANS, LA 70117

Treasurer: DONNA PHARR, 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

Officer: MILDRED EDMOND, 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

Amendments on File

AMENDMENT (10/09/2007)

DOMICLE, AGENT CHG OR RESIGN OF AGT (02/12/2004)

DOMICLE, AGENT CHG OR RESIGN OF AGT (08/12/1988)



29044222696



Louisiana Secretary of State
COMMERCIAL DIVISION
Corporations Database



Louisiana Secretary of State
Detailed Record

Charter/Organization ID: 04700320X

Name: ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW

Type Entity: Non-Profit Corporation or Co-op (Non-Louisiana)

Status: Active

Annual Report Status: In Good Standing Add Certificate of Good Standing to Shopping Cart

Last Report Filed on 12/10/2007

Mailing Address: 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

Domicile Address: 523 W. 15TH ST., LITTLE ROCK, AR 72202

Principal Office: 1024 ELYSIAN FIELDS AVENUE, NEW ORLEANS, LA 70117

Principal Bus. Est. in Louisiana: 1024 ELYSIAN FIELDS AVENUE, NEW ORLEANS, LA 70117

Qualified: 01/10/1977

Registered Agent (Appointed 3/02/2004): NATIONAL REGISTERED AGENTS, INC., 1280 CLAUSEL STREET, MANDEVILLE, LA 70448

President: MAUDE HURD, 60 EDSON ST., DORCHESTER, MA 02124

Vice President: MARIA POLANCO, 505 GEORGIA AVE., BROOKLYN, NY 11208

Secretary: MAXINE A. NELSON, 4308 W. 9TH AVE., PINE BLUFF, AR 71603

Amendments on File

- STMT OF CHG OR CHG PRIN BUS OFF (FOREIGN (03/02/2004)
- STMT OF CHG OR CHG PRIN BUS OFF (FOREIGN (08/01/2001)
- STMT OF CHG OR CHG PRIN BUS OFF (FOREIGN (12/27/1988)
- STMT OF CHG OR CHG PRIN BUS OFF (FOREIGN (03/08/1979)



29044222697



COMMERCIAL DIVISION
Corporations Database



*Louisiana Secretary of State
Detailed Record*

Charter/Organization ID: 35852073N

Name: ACORN CAMPAIGN SERVICES, INC.

Type Entity: Non-Profit Corporation

Status: Active

Annual Report Status: In Good Standing **Add Certificate of Good Standing to Shopping Cart**

Last Report Filed on 12/10/2007

Mailing Address: 1024 ELYSIAN FIELDS, NEW ORLEANS, LA 70117

Domicile Address: 1024 ELYSIAN FIELDS, NEW ORLEANS, LA 70117

File Date: 01/07/2005

Registered Agent (Appointed 1/07/2005): NATIONAL REGISTERED AGENTS, INC., 1280 CLAUSEL STREET, MANDEVILLE, LA 70448

Director: JOE LARA, 6688 SPRINGFIELD ST., SAN DIEGO, CA 92114

Director: TONI MCELROY, 3307 WENTWORTH, HOUSTON, TX 77004

Amendments on File
SUPPLEMENTAL INITIAL REPORT (04/22/2005)

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29044222698



Louisiana Secretary of State
COMMERCIAL DIVISION
 Corporations Database



***Louisiana Secretary of State
 Detailed Record***

Charter/Organization ID: 04909290N

Name: CITIZENS CONSULTING, INC.

Type Entity: Non-Profit Corporation

Status: Active

Annual Report Status: In Good Standing [Add Certificate of Good Standing to Shopping Cart](#)

Last Report Filed on 11/26/2007

Mailing Address: 1024 ELYSIAN FIELDS AVE., NEW ORLEANS, LA 70117

Domicile Address: 1024 ELYSIAN FIELDS AVENUE, NEW ORLEANS, LA 70117

File Date: 07/27/1979

Registered Agent (Appointed 3/16/2004): NATIONAL REGISTERED AGENTS, INC., 1280 CLAUSEL STREET, MANDEVILLE, LA 70448

Secretary/Treasurer: MILDRED BROWN, 711 E. STREET, SE, APT. 104, WASHINGTON, DC 20003

Amendments on File

DOMICLE, AGENT CHG OR RESIGN OF AGT (03/16/2004)

DOMICLE, AGENT CHG OR RESIGN OF AGT (11/07/1988)

AMENDMENT (08/16/1979)

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29044222699

100



2004 Executive Board

Officers:

- **Vernon Bolden - Baton Rouge, LA - President**
- **Rosetta Gore - Little Rock, AR - Vice President**
- **Monica Silva - Houston, TX - Secretary**
- **Mildred Edmond - New Orleans, LA - Treasurer**
- **Wade Rathke - New Orleans, LA - Chief Organizer**

Board Members:

- **Jeraldine Willoughby - Dallas, TX - Executive Board**
- **Martha Harris - Shreveport, LA - Executive Board**
- **Aaron Butler - Baton Rouge, LA - Executive Board**
- **Linda Sennett - Lafayette, LA - Executive Board**
- **Dorothy Turner - Houston, TX - Executive Board**

● **Please send correspondence to home offices. Click on office links for the address.**

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- ▶ **Employment**
- ▶ **Executive Board**

2904422700

A'A

TIDES | CENTER

Board of Directors

Noa Emmett Aluli, Director

Noa Emmett Aluli is a Native Hawaiian physician on Moloka'i and a long time activist for the preservation of Hawaiian culture and beliefs, the preservation of historical sites, and environmental integrity. He serves as a member of a number of organizations pursuing this work and he serves as the Chairman of the Kaho'olawe Island Reserve Commission, the State agency overseeing the clean-up and restoration of Kaho'olawe.

Dan Carol, Director

Political strategist Dan Carol is a long-time pioneer of new generation network politics and the catalyst and co-founder of The Apollo Alliance. Formerly an energy and budget analyst at the Congressional Budget Office and former Research Director for the Democratic National Committee, Dan's work to strengthen the tools and tactics of progressives has been profiled by the Wall Street Journal and his commentary has been featured in The Huffington Post, The Nation, Alternet, Salon, and Boston Review.

Stephanie J. Clohesy, Board Chair

Stephanie J. Clohesy is a public service leader with experience in public policy, women's rights, citizen participation, democratization, and organizational and leadership development for the U.S. and international nonprofit sectors. Currently an independent consultant, she specializes in providing strategic organizational and program planning and development.

Martha Jiménez, Board Secretary

Martha Jiménez has over 20 years of experience in leadership positions in nonprofit, philanthropic health, and governmental organizations. She was Vice President of Policy and Development at TransFair USA, Senior Program Officer at The California Endowment, and Executive Director of the Latino Coalition for a Healthy California. She has received numerous awards including the San Francisco Bar Association's Award of Merit. Martha currently serves as the Senior Health Deputy for Supervisor Gloria Molina, L.A. County Board of Supervisors.

Larry Litvak, Board Vice Chair

Lawrence (Larry) Litvak serves as a board member of, or adviser to, several nonprofit and for-profit organizations. Larry was part of the management team at Working Assets, a socially progressive wireless, long distance, and credit card company, until 2003 when he semi-retired as CFO, and continues to work part-time for the company. Before joining Working Assets, Larry co-managed \$3.2 billion in assets as a Senior Vice President and Portfolio Manager for the U.S. Trust Company of Boston. He is the author of *Pension Funds and Economic Renewal* and *Innovations in Development Finance*.

John R. O'Neil, Board Treasurer

John O'Neil is the President of the Center for Leadership Renewal, a global network of leadership researchers, practitioners, and advisors. He has been active in speaking, writing, venture capital activities and leadership advising, consulting most frequently with senior officers and directors on strategic planning, leadership development, and organizational issues. John has shared his insights, inspirations and innovations in several books including the best-selling *Paradox of Success*, as well as *Leadership Aikido* and *Seasons of Grace*.

Drummond Pike, Tides Founder and CEO

Drummond Pike is founder and chief executive officer of Tides. Awarded as an Outstanding Foundation Professional, Drummond helped pioneer the advent of donor advised funds in philanthropy. Through his leadership, Tides has helped increase the capacity and effectiveness of thousands of social change organizations. Drummond was a founder and Associate Director of the Youth Project in Washington, DC, and served as Executive Director of the Shalan Foundation from 1976 to 1981. He was among the original founders of Working Assets, a telecommunications company dedicated to progressive philanthropy and political activism.

Wade Rathke, Director

Wade Rathke is Chief Organizer of the New Orleans-based Local 100 of the Service Employees International Union, AFL-CIO. He is also founder and Chief Organizer of ACORN, a national network of community organizations representing the interests of low and moderate income people. Wade serves on the boards of both Tides Center and Tides Foundation.

Maya Wiley, Director

Maya Wiley is the founder and Director of Tides Center project Center for Social Inclusion, an applied research and advocacy organization which supports community groups to dismantle structural racism. A civil rights attorney and social justice advocate, she has worked for the ACLU, the NAACP Legal Defense & Educational Fund, and the United States Attorneys Office for the Southern District of New York. Maya also served as an advisor to the Open Society Institute and as a consultant to the Open Society Foundation. She has assisted several nonprofits on program and strategy development.

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29044222701

Management Team

Drummond Pike, Founder and CEO

Drummond Pike is founder and chief executive officer of Tides. Awarded as an Outstanding Foundation Professional, Drummond helped pioneer the advent of donor advised funds in philanthropy. Through his leadership, Tides has helped increase the capacity and effectiveness of thousands of social change organizations. Drummond was a founder and Associate Director of the Youth Project in Washington, DC, and served as Executive Director of the Shalan Foundation from 1976 to 1981. He was among the original founders of Working Assets, a telecommunications company dedicated to progressive philanthropy and political activism.

Ellen Friedman, Executive Vice President

Ellen Friedman has been with Tides since 1987. She serves as Executive Director of Tides Center and Executive Vice President of Tides. Ellen also manages the Community Clinics Initiative, a partnership with The California Endowment working to strengthen community health centers throughout California. She brings a long history of advising individual donors on issues of philanthropic planning, violence against women, the Jewish community, and environmental issues. Before coming to Tides, Ellen served as a Program Officer at the Conrad N. Hilton Foundation in Los Angeles. She is a board member of the 3 Guineas Fund, Presidio Hill School, Institute for Jewish Spirituality and the Family Violence Prevention Fund.

Farnaz Golshani, Director of Programs and Services

Farnaz Golshani joined Tides Center in March 2007. She has a very diverse background of experiences and skills ranging from teaching English and photography in the Los Angeles Unified School District, working as a visual artist, running youth development and gang prevention programs, and consulting to nonprofits and foundations. Most recently, Farnaz consulted to foundations through FSG Social Impact Advisors, a respected philanthropic consulting firm. Prior to moving to San Francisco in 2006, Farnaz was the Vice President of Programs at Chrysalis, an L.A.-based nonprofit that helps homeless individuals become self sufficient through employment opportunities. Farnaz holds a Masters in Public Policy from the Harvard Kennedy School of Government and a BA in English and Fine Arts from the University of California, Los Angeles.

Jane Levikow, Director of External Relations

Jane Levikow joined Tides Center in 1995. She has over twenty years of experience in providing strategic vision, leadership, and management to all aspects of nonprofit organizations. Before joining Tides Center she was a Sister of Social Service, a religious community of women dedicated to social justice, where she served as the social justice director. Jane has served on the board of directors and steering committees of the Peace and Justice Center of Southern California, Building Bridges/Out and Equal, and the Interfaith Task Force on Central America and Health Access, to name a few, and also volunteers for various AIDS charities and gay and lesbian organizations. Jane holds an undergraduate degree in psychology from Lone Mountain University of San Francisco and an MA in ethics from the Weston Jesuit School of Theology.

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2904422702

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ACORN INSTITUTE INC
1024 Elysian Fields Ave
New Orleans, LA 70117
<http://www.acorninstitute.org>

Mission and Programs

Mission

ACORN Institute addresses problems in low-to-moderate income communities identified in years of community organizing by ACORN, the Association of Community Organizations for Reform Now, and the housing development and loan counseling of ACORN Housing Corporation. ACORN Institute is currently focused largely on the needs of the low-to-moderate income New Orleans residents devastated by Hurricane Katrina.

Programs

After Hurricane Katrina devastated New Orleans and the Gulf Coast, ACORN Institute immediately began the ACORN Hurricane Recovery and Rebuilding program. This program is organizing for the right to return and rebuild and providing a national voice for displaced families through the national ACORN Katrina Survivors Association. Also under this program the ACORN Home Clean-Out Project is gutting and preserving homes in low-to-moderate income New Orleans neighborhoods.

ACORN Institute sponsors community education programs that include partnerships between community organizations, service providers, and others, to help low and moderate homeowners avoid the tactics of predatory lenders and promote financial literacy.

The ACORN Institute, along with the American Institute for Social Justice (AISJ) and the Organizers' Forum, publish Social Policy magazine.

ACORN Institute also supports ACORN International which helps improve the lives of low-to-moderate income families and sustains grassroots organizing in countries throughout the world.

Program / Activities (NTEE Code)

Alliance/Advocacy Organizations
 Housing Rehabilitation
 Alliance/Advocacy Organizations

Results

Accomplishments for Fiscal Year Ending 12/31/2006

1. Through the ACORN Home Clean-Out project more than 1,800 homes in low-to-moderate income New Orleans neighborhoods were gutted and preserved in 2006.
2. The first nationwide organization of displaced New Orleans residents and other Katrina Survivors, the ACORN Katrina Survivors Association was organized.
3. Through an extensive community-based research project ACORN Institute helped create "Planning Principles for the City of New Orleans," a detailed set of recommendations for policymakers and planners on how to rebuild a New Orleans with

Basic Information

This organization is required to file an IRS Form 990 or 990-EZ.

EW: 72-1488419
Contact: Ms. Sara Abee
Phone: (504) 943-0044 x185
Fax: (504) 949-8983
E-mail: support@rebuild@acorn.org
Fiscal Year: 2006

Assets: \$584,098
Income: \$1,503,159
Year Founded: 1970

No. of Board Members:

No. of Full Time Employees: 0

No. of Part-Time Employees: 0

Volunteers: 0

Audited Statements Available to Public: Yes

Funding: This organization is seeking funds from contributions and grants.

Locations Served: National
 New Orleans
 Mexico, Argentina, Peru, Dominican Republic, India

Board of Directors

GEORGE BUTTS, VICE PRESIDENT
 MILDRED EDMOND, SECRETARY
 DONNA PHARR, ASSISTANT TREASURER
 PAT HOUSE, PRESIDENT/TREASURER

2904422703

a place for everyone.?

Objectives for Fiscal Year Beginning 01/01/2007

1. To gut and initialize the rebuilding process for 2,000 homes in low-to-moderate income New Orleans neighborhoods flooded after Hurricane Katrina.
2. To support the creation and implementation of a rebuilding plan for the 9th Ward in New Orleans stemming from community input and involvement.

Financial Data

From the organization's FORM 990

Revenue and Expense: Fiscal Year Ending December 31, 2005

Revenue		Expenses	
Contributions	\$1,196,620	Program Services	\$842,066
Government Grants	\$300,660	Administration	\$44,015
Program Services	\$909	Other	\$15,818
Investments	\$0	Total Expenditures	\$1,001,715
Special Events	\$0		
Sales	\$0		
Other	\$2,660		
Total Revenue	\$1,503,159	NET GAIN/LOSS	\$501,444

Balance Sheet: Fiscal Year Ending December 31, 2005

Notes

The balance sheet gives a snapshot of the financial health of an organization at a particular point in time. An organization's total assets should generally exceed its total liabilities, or it cannot long survive, but the types of assets and liabilities also must be considered. For instance, an organization's current assets (cash, receivables, securities, etc.) should be sufficient to cover its current liabilities (payables, deferred revenue, current year loan and note payments). Otherwise, the organization may face solvency problems. On the other hand, an organization whose cash and equivalents greatly exceed its current liabilities might not be putting its money to best use.

Assets	Jan 1, 2005	Dec 31, 2005	Change
Cash & Equivalent	\$36,201	\$452,899	\$416,698
Accounts Receivable	\$14,500	\$131,072	\$116,572
Pledges & Grants Receivable	\$0	\$0	\$0
Receivables/Other	\$0	\$0	\$0
Inventories for Sale or Use	\$0	\$0	\$0
Investments/Securities	\$0	\$0	\$0
Investments/Other	\$0	\$0	\$0
Fixed Assets	\$0	\$0	\$0
Other	\$4,866	\$127	\$(4,866)
Total Assets	\$55,666	\$584,066	\$528,402
Liabilities	Jan 1, 2005	Dec 31, 2005	Change
Accounts Payable	\$6,131	\$24,786	\$18,655
Grants Payable	\$174	\$0	\$(174)
Deferred Revenue	\$0	\$0	\$0
Loans and Notes	\$0	\$0	\$0
Tax-Exempt Bond Liabilities	\$0	\$0	\$0
Other	\$2,462	\$17,226	\$14,774
Total Liabilities	\$8,757	\$42,012	\$33,255
FUND BALANCE	\$46,939	\$642,066	\$495,147

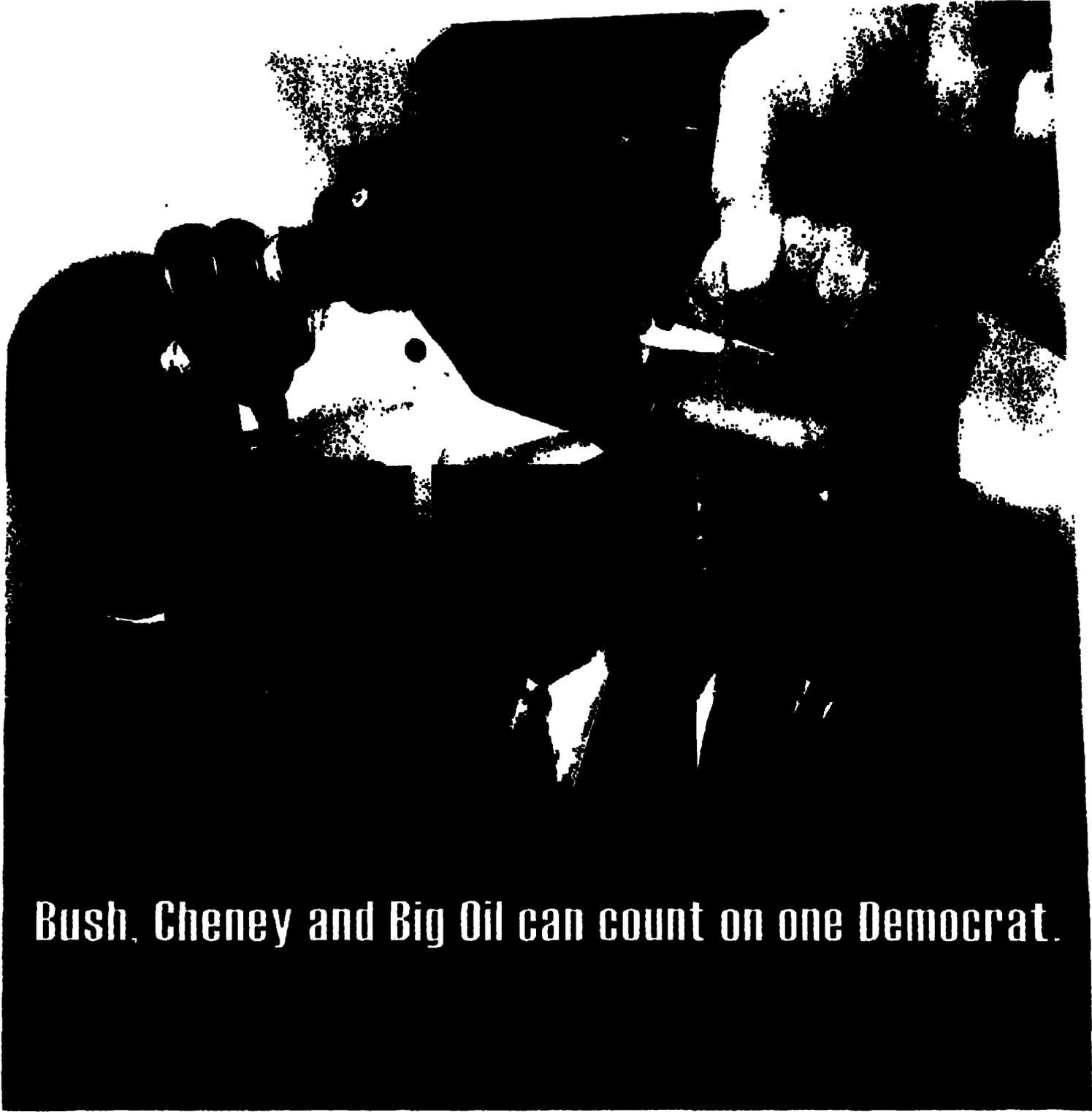
Nonprofits: Find out how to add to and update your information.

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2904422704

29044222705



Bush, Cheney and Big Oil can count on one Democrat.

**Communities Voting Together
1024 Elysian Fields Avenue
New Orleans, Louisiana 70117-8402**

Paid for by Communities Voting Together, 1024 Elysian Fields Avenue, New Orleans, Louisiana.

CVT06002



Louisiana Secretary of State
COMMERCIAL DIVISION
Corporations Database



*Louisiana Secretary of State
Detailed Record*

Charter/Organization ID: 35852080N

Name: CITIZENS SERVICES, INC.

Type Entity: Non-Profit Corporation

Status: Active

Annual Report Status: In Good Standing **Add Certificate of Good Standing to Shopping Cart**

Last Report Filed on 12/10/2007

Mailing Address: 1024 ELYSIAN FIELDS, NEW ORLEANS, LA 70117

Domicile Address: 1024 ELYSIAN FIELDS, NEW ORLEANS, LA 70117

File Date: 01/07/2005

Registered Agent (Appointed 1/07/2005): NATIONAL REGISTERED AGENTS, INC., 1280 CLAUSEL STREET,
MANDEVILLE, LA 70448

Director: SUNDAY ALIBI, 1201 22ND STREET EAST, ST. PAUL, MN 55404

Director: ROSALIE LEON, 3990 DELTA ST., SAN DIEGO, CA 92113

Director: TERESA DOMINGUEZ, 621 PROSPECT, EL PASO, TX 79902

Amendments on File
SUPPLEMENTAL INITIAL REPORT (04/22/2005)



29044222706

FOREIGN CORPORATION QUALIFICATION

The undersigned Corporation for the purpose of qualifying pursuant to the provisions of Title 7 of the Corporations and Associations Article of the Annotated Code of Maryland, to do interstate, intrastate and foreign business as a foreign Corporation in the State of Maryland, hereby certifies to the State Department of Assessments and Taxation:

(A) That the name of the Corporation is CLLUSUM SERVICES, INC.

(B) The corporation was formed in the State of Louisiana

(C) That the address of the Corporation is 1024 Nivada Fields Avenue, New Orleans, LA 70117

(D) That the name of the resident agent of the corporation in Maryland is National Registered Agents, Inc. of MD whose address is 11 E. Chase Street Baltimore, MD 21201

EVERY FOREIGN CORPORATION QUALIFIED IN MARYLAND IS REQUIRED TO NAME A MARYLAND AGENT

(E) (OPTIONAL) That the address of the principal office of the Corporation in Maryland is _____

(F) That the Corporation (check appropriate response):

(1) has (2) has not done interstate, intrastate or foreign business in this State before qualification or registration as a foreign Corporation or after the qualification or registration was cancelled.

NOTE: If the box in Part (F) is checked indicating that the Corporation has done interstate, intrastate or foreign business in Maryland before registering or qualifying or after the registration or qualification has been cancelled, a penalty of \$200 must accompany this form in addition to the filing fee.

BY: [Signature]
(Original Signature of President or Vice-President) SECRETARY/TREASURER

I hereby consent to my designation in this document as resident agent for this corporation.

SIGNED [Signature]
Resident Agent
Anthony D. Alton
AST. SECRETARY

QUEST ID: 0001018701
WORK ORDER: 0001000010
DATE: 00-00-0000 11:30 AM
AMT. PAID: 0000.00

29044222707

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 47/52

<input checked="" type="checkbox"/> 17	<input type="checkbox"/> 18	<input type="checkbox"/> 19a	<input type="checkbox"/> 19b
<input type="checkbox"/> 20a	<input type="checkbox"/> 20b	<input type="checkbox"/> 20c	<input type="checkbox"/> 21

Any information copied from such Reports and Statements may not be said or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
DONNA EDWARDS FOR CONGRESS

Full Name (Last, First, Middle Initial)

A. Citizens' Services, Inc.

Mailing Address c/o 18 West 25th Street

City Baltimore State MD Zip Code 21218

Purpose of Disbursement
Field Consulting Services

Candidate Name

Category/
Type

Office Sought: Home Senate President
Disbursement For: 2008
 Primary General
Other (specify)

State: District

Transaction ID: BB17.0181
Date of Disbursement

07 / 14 / 2008

Amount of Each Disbursement This Period

40000.00

Refund or Disposal of Excess
Contributions Required Under
11 C.F.R. 400.83

Full Name (Last, First, Middle Initial)

B. Citizens' Services, Inc.

Mailing Address c/o 18 West 25th Street

City Baltimore State MD Zip Code 21218

Purpose of Disbursement
Field Consulting Services

Candidate Name

Category/
Type

Office Sought: Home Senate President
Disbursement For: 2008
 Primary General
Other (specify)

State: District

Transaction ID: BB17.0178
Date of Disbursement

08 / 14 / 2008

Amount of Each Disbursement This Period

29408.61

Refund or Disposal of Excess
Contributions Required Under
11 C.F.R. 400.83

Full Name (Last, First, Middle Initial)

C. Crown Plaza

Mailing Address 5777 Georgia Avenue

City Silver Spring State MD Zip Code 20910

Purpose of Disbursement
Meeting Services

Candidate Name

Category/
Type

Office Sought: Home Senate President
Disbursement For: 2008
 Primary General
Other (specify)

State: District

Transaction ID: BB17.0185
Date of Disbursement

07 / 21 / 2008

Amount of Each Disbursement This Period

329.18

Refund or Disposal of Excess
Contributions Required Under
11 C.F.R. 400.83

SUBTOTAL of Disbursements This Page (optional) ----- ▶

69762.70

TOTAL This Period (last page this line number only) ----- ▶

FEC Schedule B (Form 3) Rev. 08/2005

29044222708

**SCHEDULE B (FEC Form 3)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 41/50

<input checked="" type="checkbox"/> 17	<input type="checkbox"/> 18	<input type="checkbox"/> 19a	<input type="checkbox"/> 19b
<input type="checkbox"/> 20a	<input type="checkbox"/> 20b	<input type="checkbox"/> 20c	<input type="checkbox"/> 21

Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
DONNA EDWARDS FOR CONGRESS

Full Name (Last, First, Middle Initial)

A. Cingular Wireless

Mailing Address 1700 Cantrell Road

City Little Rock State AR Zip Code 72223

Purpose of Disbursement
Wireless Phone & Data Services
Candidate Name

Category/
Type

Office Sought: Home Senate President
State: District
Disbursement For: 2008
 Primary General
Other (specify)

Transaction ID: 8517.7712
Date of Disbursement

08 / 24 / 2008

Amount of Each Disbursement This Period

187.75

Refund or Deposit of Excess
Contributions Required Under
11 C.F.R. 400.63

Full Name (Last, First, Middle Initial)

B. Cingular Wireless

Mailing Address 1700 Cantrell Road

City Little Rock State AR Zip Code 72223

Purpose of Disbursement
Wireless Phone & Data Services
Candidate Name

Category/
Type

Office Sought: Home Senate President
State: District
Disbursement For: 2008
 Primary General
Other (specify)

Transaction ID: 8517.7713
Date of Disbursement

09 / 12 / 2008

Amount of Each Disbursement This Period

285.68

Refund or Deposit of Excess
Contributions Required Under
11 C.F.R. 400.63

Full Name (Last, First, Middle Initial)

C. Citizens' Services, Inc.

Mailing Address c/o 16 West 28th Street

City Baltimore State MD Zip Code 21218

Purpose of Disbursement
Door-to-Door Get Out the Vote
Candidate Name

Category/
Type

Office Sought: Home Senate President
State: District
Disbursement For: 2008
 Primary General
Other (specify)

Transaction ID: 8517.7717
Date of Disbursement

09 / 16 / 2008

Amount of Each Disbursement This Period

10000.00

Refund or Deposit of Excess
Contributions Required Under
11 C.F.R. 400.63

SUBTOTAL of Disbursements This Page (optional) >

10463.29

TOTAL This Period (last page this line number only) >

29044222709



Association of Community Organizations for Reform Now

Home

Contact ACORN

Association of Community Organizations for Reform Now

Maryland



ACORN

18 W. 25th Street
Baltimore, MD 21218
410-735-3360
fax: 410-735-3375
email: mdacom@acom.org

ACORN

3404 Kenilworth Ave.
Hyattsville, MD 20781
301-899-8000
email: mdacomgro@acom.org

AHC

16 W. 25th Street
Baltimore, MD 21218
410-243-9700
fax: 410-243-9794
email: ahcmdcbs@acom.org
website: www.acornhousing.org

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2904422710

Re-
FOREIGN CORPORATION QUALIFICATION

The undersigned Corporation for the purpose of qualifying pursuant to the provisions of Title 7 of the Corporations and Associations Article of the Annotated Code of Maryland, to do intrastate, interstate and foreign business as a foreign Corporation in the State of Maryland, hereby certifies to the State Department of Assessments and Taxation:

(A) That the name of the Corporation is Association of Community Organizations for Reform Now
Inc.

(B) The corporation was formed in the State of Arkansas

(C) That the address of the Corporation is 1024 Elysian Fields Ave. N.O. La. 70117

(D) That the name of the resident agent of the corporation in Maryland is National Registered Agents
Inc. whose address is 11 East Chase St.
Baltimore, Md. 21202

(EVERY FOREIGN CORPORATION QUALIFIED IN MARYLAND IS REQUIRED TO NAME A MARYLAND AGENT)

(E) (OPTIONAL) That the address of the principal office of the Corporation in Maryland is _____

(F) That the Corporation (check appropriate response):

(1) has (2) has not done intrastate, interstate or foreign business in this State before qualification or registration as a foreign Corporation or after the qualification or registration was cancelled.

NOTE: If the box in Part (F) is checked indicating that the Corporation has done intrastate, interstate or foreign business in Maryland before registering or qualifying or after the registration or qualification has been cancelled, a penalty of \$200 must accompany this form in addition to the filing fee.

BY: *[Signature]*
(Original signature of President or Vice President)

I hereby consent to my designation in this document as resident agent for this corporation.

SIGNED *[Signature]*
Resident Agent
Anthony J. McArthur, Asst. Secretary

GUST ID: 0001724000
BOOK ORDER: 0001177000
DATE: 03-10-2000 04:27 PM
GRT. PRIC: 0000.00

29044222711



Maryland Department of Assessments and Taxation

Taxpayer Services Division

301 West Preston Street ■ Baltimore, MD 21201 (2007 w3.3)

[Main Menu](#) | [Security Interest Filings \(UCC\)](#) | [Business Entity Information \(Charter/Personal Property\)](#)
[New Search](#) | [Rate Stabilization Notices](#) | [Get Forms](#) | [Certificate of Status](#) | [EDAT Home](#)

Taxpayer Services Division

Entity Name: ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW, INC.
Dept ID #: F03839214

General Information **Amendments** **Personal Property** **Certificate of Status**

NOTICE ABOUT IMAGE AVAILABILITY AND ACCURACY

Page **1** of 2

29044222712

Description	Date Filed	Time	Film	Folio	Page	View Document	Order Copies
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<u>DEPT. ACTION - FORFEITURE</u>	11/16/2006	12:13-AM					
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THE ENTITY WAS FORFEITED FOR FAILURE TO FILE PROPERTY RETURN FOR 2006. DO NOT REQUALIFY WITHOUT CLEARANCE FROM DLLR; REVOCATION DATE 11/16/06.

<u>RESIDENT AGENT CHANGE OF ADDRESS</u>	09/07/2006	12:02-PM	B01004	0825	0073		
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<u>RE-QUALIFICATION</u>	02/06/2006	02:12-PM	B00929	1611	0002		
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<u>DEPT. ACTION - FORFEITURE</u>	11/15/2004	02:25-AM					
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THE ENTITY WAS FORFEITED FOR FAILURE TO FILE PROPERTY RETURN FOR 2004.

<u>RESOLUTION</u>	02/23/2004	11:45-AM	B00621	0550	0002		
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<u>RE-QUALIFICATION</u>	09/04/2001	10:10-AM	B00293	1129	0002		
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<u>DEPT. ACTION - FORFEITURE</u>	11/22/2000	11:10-PM	00000	0000	0000		
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THE ENTITY WAS FORFEITED FOR FAILURE TO FILE PROPERTY RETURN FOR 2000.

<u>REQUALIFICATION</u>	11/12/1998	10:00-AM	F4083	573	0002		
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REQUALIFICATION N. C. FROM ASSOCIATION OF COMMUNITY ORGANIZATIONS

Link Definition

General Information	General information about this entity
Amendments	Original and subsequent documents filed
Personal Property	Personal Property Return Filing Information and Property Assessments
Certificate of Status	Get a Certificate of Good Standing for this entity

29044222713



Maryland Department of Assessments and Taxation

Taxpayer Services Division

301 West Preston Street ■ Baltimore, MD 21201 (2007 w3.3)

[Main Menu](#) | [Security Interest Filings \(UCC\)](#) | [Business Entity Information \(Charter/Personal Property\)](#)
[New Search](#) | [Rate Stabilization Notices](#) | [Get Forms](#) | [Certificate of Status](#) | [SDAT Home](#)

Taxpayer Services Division

Entity Name: ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW, INC.
Dept ID #: F03839214

General Information Amendments Personal Property Certificate of Status

NOTICE ABOUT IMAGE AVAILABILITY AND ACCURACY

Page **2** of 2

Description	Date Filed	Time	Film	Folio	Pages	View Document	Order Copies
<u>AUTHORITY TO DO BUSINESS IN MARYLAND FORFEITED</u>	11/17/1995	08:30-AM	00000	0000	0000		
FAILURE TO FILE A PERSONAL PROPERTY RETURN (FORM # 1) DUE							
<u>QUALIFICATION</u>	03/08/1994	08:28-AM	F3593	778	0004		

Link Definition

General Information	General information about this entity
Amendments	Original and subsequent documents filed
Personal Property	Personal Property Return Filing Information and Property Assessments
Certificate of Status	Get a Certificate of Good Standing for this entity

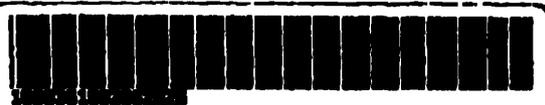
29044222714

CORPORATE CHARTER APPROVAL SHEET

**** KEEP WITH DOCUMENT ****

DOCUMENT CODE 37 BUSINESS CODE _____

F03839214



Class _____ Stock _____ Nonstock _____

P.A. _____ Religious _____

Merging (Transferor) _____

Surviving (Transferee) _____

ID # F03839214 DOC # 1002301002302000
LEADER: 000000 POLIO: 1011 FIRM: 0002
ASSOCIATION OF COMMUNITY ORGANIZATIONS
FOR IMPROVING NOLA, INC.

02/19/2008 AT 02:12 P M ID # 0001177000

New Name _____

FEES REQUESTED

Base Fee: 150
Org. & Cap. Fee: _____
Expedite Fee: _____
Penalty: 200
State Recordation Tax: _____
State Transfer Tax: _____
Certified Copies _____
Copies _____
Certificates _____
Certificate of Status Fee: _____
Personal Property Filings: _____
Mail Processing Fee: _____
Other: _____
TOTAL FEES: 300

Change of Name _____
Change of Principal Office _____
Change of Resident Agent _____
Change of Resident Agent Address _____
Resignation of Resident Agent _____
Designation of Resident Agent _____
Designation of Resident Agent and Resident Agent's Address _____
Change of Business Code _____
Adoption of Assumed Name _____
Other Change(s) _____

Credit Card _____ Check _____ Cash _____

Documents on _____ Checks

Approved By: [Signature]

Keyed By: [Signature]

COMMENT(S):

Code _____
Attention: _____

MR. HOLIS COMPANY
CITIZENS CONSULTING INC
1024 ELYSIAN FIELDS AVE
NEW ORLEANS LA 70117-0402

Stamp Work Order and Customer Number HERE

CUST ID: 0001734000
WORK ORDER: 000177000
DATE: 02-19-2008 04:17 PM
INT. PRID: 0200.00

29044222715

Arca

a r c a

American Research Center for the Arts

Current Grantees**2006 Grantees**

- ▶ **Civic Participation**
- ▶ **Domestic**
- ▶ **International**
- ▶ **Media**
- ▶ **Mangrove**
- ▶ **Philanthropy**

Civic Participation

Name	Location	Grant Amount
American Institute for Social Justice, Inc.	Brooklyn, NY	\$75,000
Center for Civic Participation	Minneapolis, MN	\$50,000
Center for Community Change	Washington, DC	\$50,000
Communications Consortium Media Center	Washington, DC	\$50,000
Electronic Privacy Information Center	Washington, DC	\$50,000
Lawyers' Committee for Civil Rights Under Law	Washington, DC	\$75,000
League of Conservation Voters Education Fund	Washington, DC	\$50,000
League of Young Voters Education Fund	Los Angeles, CA	\$50,000
Ms. Foundation for Women, Inc.	Washington, DC	\$50,000
People for the American Way Foundation	Washington, DC	\$50,000
Progressive America Fund	Brooklyn, NY	\$50,000
Progressive Populist Education Fund	Washington, DC	\$50,000
USAction Education Fund	Washington, DC	\$75,000
Working for Good Jobs in America Fund	Washington, DC	\$50,000

Domestic

Name	Location	Grant Amount
American Hunters and Shooters Association Foundation, Inc.	Frederick, MD	\$85,000
Arizona Institute for Public Life	Phoenix, AZ	\$80,000
Center for Economic and Policy Research	Washington, DC	\$80,000
Institute for America's Future, Inc.	Washington, DC	\$50,000
The Justice Project Education Fund, Inc.	Washington, DC	\$25,000
Public Campaign	Washington, DC	\$250,000
The Public Justice Foundation of Texas	Washington, DC	\$50,000
The Regents of the University of California	Berkeley, CA	\$50,000
William J. Brennan Jr. Center for Justice Inc.	New York, NY	\$50,000

International

Name	Location	Grant Amount
Fund for Constitutional Government-Freedom to Travel	Washington, DC	\$75,000

APX. 1Attachment 8
MUR 5970
Page 61 of 155

2904422716

Latin America Working Group Education Fund	Washington, DC	\$35,000
Leadington Institute	Arlington, VA	\$25,000
Medical Education Cooperation with Cuba	Decatur, GA	\$30,000

Media

Name	Location	Grant Amount
Center for Public Integrity	Washington, DC	\$50,000
Center for the Creative Community, Inc.	Washington, DC	\$30,000
Co-op America/Minuteman Media	Rowayton, CT	\$20,000
Friends of the Earth	Washington, DC	\$35,000
Future of Music Coalition	Washington, DC	\$25,000
Independent Media Institute	San Francisco, CA	\$50,000
Institute for Policy Studies	Washington, DC	\$80,000
Institute for Public Accuracy	San Francisco, CA	\$50,000
Media Access Project	Washington, DC	\$75,000
Media Matters for America	Washington, DC	\$50,000
The National Federation of Community Broadcasters	Flagstaff, AZ	\$50,000
Prometheus Radio Project	Philadelphia, PA	\$50,000
Public Interest Pictures, Inc.	Los Angeles, CA	\$50,000
Tides Center-CorpWatch	Oakland, CA	\$40,000

Musgrove

Name	Location	Grant Amount
Common Cause Education Fund	Washington, DC	\$25,000
Pax Christi USA/Catholic Alliance for the Common Good	Washington, DC	\$25,000

Philanthropy

Name	Location	Grant Amount
Council on Foundations	Washington, DC	\$8,880
Foundation Center	New York, NY	\$2,500
Funders' Committee on Civic Participation	Washington, DC	\$5,000
International Human Rights Funders Group	New York, NY	\$500
National Committee for Responsive Philanthropy	Washington, DC	\$2,500
Neighborhood Funders Group	Washington, DC	\$2000
Plowshares Fund	Charlottesville, VA	\$500

2904422717

Arca

a r c a

Empowering people to improve their lives.

Former Grantees**2005 Grantees**

- ▶ **Civic Participation**
- ▶ **Domestic**
- ▶ **International**
- ▶ **Media**
- ▶ **National Security**
- ▶ **Musgrove**
- ▶ **Philanthropy**

Civic Participation

Name	Location	Grant Amount
The Advancement Project	Washington, DC	\$50,000
The Foundation for Taxpayer and Consumer Rights	Santa Monica, CA	\$50,000
Interfaith Worker Justice	Chicago, IL	\$50,000
The Project on Government Oversight, Inc.	Washington, DC	\$25,000
Women's Voices Women Vote	McLean, VA	\$45,000

Domestic

Name	Location	Grant Amount
Alliance for Justice	Washington, DC	\$75,000
Ballot Initiative Strategy Foundation	Washington, DC	\$75,000
Center for Economic and Policy Research	Washington, DC	\$50,000
Citizens for Responsibility and Ethics in Washington, DC, Inc.	Washington, DC	\$75,000
Coalition for DC Representation Education Fund	Washington, DC	\$25,000
The Gamelle Foundation	Chicago, IL	\$50,000
Institute for America's Future, Inc.	Washington, DC	\$100,000
The Justice Project Education Fund	Washington, DC	\$50,000
The National Security Archive Fund, Inc.	Washington, DC	\$50,000
Pax Christi USA	Washington, DC	\$50,000
People for the American Way Foundation	Washington, DC	\$100,000
Public Justice Foundation of Texas	Austin, TX	\$25,000
William J. Brennan Jr. Center for Justice Inc.	New York, NY	\$50,000

International

Name	Location	Grant Amount
Alliance for Global Justice	Washington, DC	\$40,000
Center for International Policy Inc.	Washington, DC	\$75,000
Coalition for Women's Economic Development and Global Equality	Washington, DC	\$40,000
Human Rights First	New York, NY	\$50,000
International Association of Women Judges	Washington, DC	\$40,000

29044222718

International Relations Center	Silver City, NM	\$40,000
Latin America Working Group Education Fund	Washington, DC	\$35,000
Lexington Institute	Arlington, VA	\$25,000
Mercy Corps	Washington, DC	\$125,000
National Labor Committee in Support of Worker and Human Rights in Central America Inc.	New York, NY	\$40,000
Regas Institute	Culver City, CA	\$25,000
Vital Voices Global Partnership, Inc.	Washington, DC	\$25,000
Women's Leadership Fund	New York, NY	\$50,000
Worker Rights Consortium, Inc.	Washington, DC	\$40,000
World Federalists' Association	Washington, DC	\$40,000

Media

Name	Location	Grant Amount
The Arts of Peace, Inc.	Arcata, CA	\$35,000
Center for Digital Democracy	Washington, DC	\$50,000
Common Cause Education Fund	Washington, DC	\$400,000
Democracy Now Productions, Inc.	New York, NY	\$50,000
Dreamcatchers	Culver City, CA	\$40,000
The Foundation for National Progress	San Francisco, CA	\$25,000
Independent Media Institute	San Francisco, CA	\$50,000
Independent Press Association	San Francisco, CA	\$40,000
Institute for Public Accuracy	San Francisco, CA	\$25,000
International Center for Global Communications Foundation, Inc.	New York, NY	\$40,000
Leadership Conference on Civil Rights Education Fund, Inc.	Washington, DC	\$75,000
Proteus Fund Inc.	Amherst, MA	\$50,000
Public Interest Pictures Inc.	Santa Monica, CA	\$25,000

National Security

Name	Location	Grant Amount
Center for the Study of Public Policy	Washington, DC	\$25,000
The Foundation for National Progress	San Francisco, CA	\$50,000
Institute for Policy Studies	Washington, DC	\$75,000
National Security Archive Fund, Inc.	Washington, DC	\$73,750
Operation Truth Foundation	New York, NY	\$35,000
Women's Action for New Directions Education Fund	Arlington, MA	\$40,000

Musgrove

Name	Location	Grant Amount
Ballot Initiative Strategy Center Foundation	Washington, DC	\$25,000
Brown University	Providence, RI	\$22,500
Pax Christi USA	Washington, DC	\$25,000

Philanthropy

Name	Location	Grant Amount
Council on Foundations	Washington, DC	\$8,483
Foundation Center	New York, NY	\$2,500
Funders' Committee on Civic Participation	Washington, DC	\$2,500
International Human Rights Funders Group	New York, NY	\$500

29044222719

**National Committee for Responsive Philanthropy
Neighborhood Funders Group
Women & Philanthropy**

Washington, DC	\$2,600
Washington, DC	\$400
Washington, DC	\$500

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29044222720



Former Grantees

2004 Grantees

- > Civic Participation
- > Domestic
- > International
- > Media
- > Musgrove
- > Philanthropy

Civic Participation

Name	Location	Grant Amount
The Advancement Project	Washington, DC	\$75,000
Ballot Initiative Strategy Center Foundation	Washington, DC	\$72,270
Common Cause Education Fund	Washington, DC	\$75,000
Electronic Frontier Foundation	San Francisco, CA	\$85,000
The Every Child Matters Education Fund	Washington, DC	\$50,000
The Gamaliel Foundation	Chicago, IL	\$100,000
Immigrant Workers' Citizenship Project	Las Vegas, NV	\$75,000
In the Hopeful City, Inc.	Wheeling, WV	\$25,000
National Association for the Advancement of Colored People	Baltimore, MD	\$75,000
National Coalition on Black Civic Participation	Washington, DC	\$75,000
National Congress of American Indians	Washington, DC	\$100,000
National Labor Committee	New York, NY	\$84,100
National Network to End Domestic Violence Fund	Washington, DC	\$100,000
People for the American Way Foundation	Washington, DC	\$150,000
Planned Parenthood Federation of America, Inc.	New York, NY	\$50,000
Progressive Maryland Education Fund	Silver Spring, MD	\$40,000
Progressive Populist Education Fund	Washington, DC	\$55,000
Re-Visioning New Mexico, Inc.	Albuquerque, NM	\$50,000
USAction Education Fund	Washington, DC	\$75,000
Voting for America, Inc.	Columbus, OH	\$80,000
Willamette Valley Law Project	Woodburn, OR	\$30,000
Wisconsin Citizen Action Fund, Inc.	Milwaukee, WI	\$50,000

Domestic

Name	Location	Grant Amount
ACLU Foundation of Texas, Inc.	Austin, TX	\$50,000
Clean Elections Institute, Inc.	Phoenix, AZ	\$50,000
Clean Water Fund	Washington, DC	\$75,000
Columbia University in the City of New York	New York, NY	\$35,000
Economic Policy Institute	Washington, DC	\$50,000
Good Jobs First	Washington, DC	\$3,000

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Institute for America's Future, Inc.
Jehovah-Jireh Baptist Church of Christ
Jobs with Justice Education Fund
League of Conservation Voters Education Fund
The North Carolina Council of Churches
People for the American Way Foundation
Public Justice Foundation of Texas
The Ruckus Society
Tides Center
Veterans for Peace, Inc.

Washington, DC \$100,000
New York, NY \$7,500
Washington, DC \$50,000
Washington, DC \$50,000
Raleigh, NC \$25,000
Washington, DC \$50,000
Austin, TX \$50,000
Oakland, CA \$3,500
San Francisco, CA \$50,000
St. Louis, MO \$2,500

International

Name
The Advocacy Project
Center for International Policy, Inc.
The Culture Project, Inc.
Latin America Working Group Education Fund
Latin America Working Group Education Fund
Mercy Corps
National Labor Committee
New Ways to Work
Washington Office on Latin America

Location **Grant Amount**
Washington, DC \$30,000
Washington, DC \$65,000
New York, NY \$3,500
Washington, DC \$35,000
Washington, DC \$5,000
Portland, OR \$10,000
New York, NY \$5,000
Berkeley, CA \$1,500
Washington, DC \$35,000

Media

Name
Co-op America Foundation, Inc.
Democracy Now Productions, Inc.
Foundation for National Progress
Independent Media Institute
Media Matters for America
The Nation Institute
Social and Environmental Entrepreneurs, Inc.

Location **Grant Amount**
Washington, DC \$40,000
New York, NY \$40,000
San Francisco, CA \$50,000
San Francisco, CA \$50,000
Washington, DC \$100,000
New York, NY \$100,000
Los Angeles, CA \$50,000

Muegrove

Name
Center for International Policy, Inc.
Coalition for Women's Economic Development and Global Equality (Women's Edge)
Common Cause Education Fund
Mercy Corps

Location **Grant Amount**
Washington, DC \$25,000
Washington, DC \$25,000
Washington, DC \$25,000
Portland, OR \$25,000

Philanthropy

Name
Council on Foundations
Foundation Center
Funders' Committee for Civic Participation
National Committee for Responsive Philanthropy
National Network of Grantmakers
Women & Philanthropy

Location **Grant Amount**
Washington, DC \$5,147
New York, NY \$2,500
Chevy Chase, MD \$2,500
Washington, DC \$2,500
Minneapolis, MN \$2,500
Washington, DC \$2,500

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Arca

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Former Grantees**2003 Grantees**

- ▶ **Civic Participation**
- ▶ **Cuba**
- ▶ **Domestic**
- ▶ **International**
- ▶ **Musgrove**
- ▶ **Philanthropy**

Civic Participation**Name**

Alliance for Global Justice

American Institute for Social Justice

Arizona Institute for Public Life

Center for Community Change

Center for Public Interest Research

Earth Day Network

The Tides Center/Cast the Vote, Inc.

The Tides Center - A Better Way Project

The Tides Center - Creative Concepts

United States Student Association Foundation

Youth Vote Coalition

Location

Washington, DC

Little Rock, AR

Phoenix, AZ

Washington, DC

Los Angeles, CA

Washington, DC

San Francisco, CA

San Francisco, CA

San Francisco, CA

Washington, DC

Washington, DC

Grant Amount

\$60,000

\$75,000

\$60,000

\$100,000

\$100,000

\$75,000

\$50,000

\$50,000

\$50,000

\$50,000

\$25,000

Cuba**Name**

Center for International Policy

Center for International Policy

Cuban Committee for Democracy

Latin America Working Group Education Fund

Lexington Institute

Medical Education Cooperation with Cuba

New School University

Puentes Cubanos, Inc.

Washington Office on Latin America

Location

Washington, DC

Washington, DC

Miami, FL

Washington, DC

Arlington, VA

Atlanta, GA

New York, NY

Miami, FL

Washington, DC

Grant Amount

\$50,000

\$1,200

\$20,000

\$25,000

\$50,000

\$50,000

\$40,000

\$20,000

\$15,000

Domestic**Name**

Center for International Policy, Inc.

Center for Labor Research and Training

Center for the Study of Public Policy

Citizens for Responsibility and Ethics in Washington, Inc.

Location

Washington, DC

San Francisco, CA

Culver City, CA

Washington, DC

Grant Amount

\$50,000

\$20,000

\$40,000

\$50,000

29044222723

Columbia University in the City of New York	New York, NY	\$80,000
Environmental Media Services	Washington, DC	\$50,000
The Foundation on Economic Trends	Washington, DC	\$50,000
La Union del Pueblo Entero	Kaena, CA	\$35,000
The Project on Government Oversight, Inc.	Washington, DC	\$50,000
Ruckus Society, Inc.	Oakland, CA	\$25,000
Texas Defender Service	Austin, TX	\$50,000
International Council of Women World Leaders	Cambridge, MA	\$5,000
International Association of Women Judges	Washington, DC	\$5,000
Johns Hopkins University	Baltimore, MD	\$25,000
National Labor Committee Education Fund In Support of Worker and Human Rights in Central America, Inc.	New York, NY	\$35,000
Partners for Peace	Washington, DC	\$3,000
Peace Abbey/The Life Experience School	Sherbourn, MA	\$8,988
People of Faith Network	Washington, DC	\$75,000
Support Team International for Textileers	Washington, DC	\$10,000
United States Association for United Nations High Commissioner for Refugees	Washington, DC	\$37,500
Vital Voices Global Partnership	Washington, DC	\$20,000

International		
Name	Location	Grant Amount
Alliance for Global Justice	Washington, DC	\$80,000
Berkana Institute	Provo, UT	\$3,500
Center for International Policy	Washington, DC	\$2,500

Musgrove		
Name	Location	Grant Amount
Center for Digital Democracy	Washington, DC	\$25,000

Philanthropy		
Name	Location	Grant Amount
Council on Foundations	Washington, DC	\$7,580
Foundation Center	New York, NY	\$2,000
Funder's Committee on Civic Participation	Washington, DC	\$2,500
National Committee for Responsive Philanthropy	Washington, DC	\$3,000
National Network of Grantmakers	San Diego, CA	\$150
Neighborhood Funders Group	Washington, DC	\$500

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Former Grantees

2002 Grantees

- 50th Anniversary Awards
- Campaign Reform
- Cuba
- Domestic
- International
- Inuogrove
- Philanthropy

50th Anniversary Awards

Name	Location	Grant Amount
Center for Health, Environment and Justice	Falls Church, VA	\$20,000
Center for Public Integrity	Washington, DC	\$20,000
Clifford Beers Clinic	New Haven, CT	\$20,000
National Security Archive	Washington, DC	\$20,000
People for the American Way Foundation	Washington, DC	\$20,000
Planned Parenthood Federation of America	New York, NY	\$20,000
USAction Education Fund	Washington, DC	\$20,000
Washington Office on Latin America	Washington, DC	\$20,000

Campaign Reform

Name	Location	Grant Amount
Clean Elections Institute	Phoenix, AZ	\$50,000
National Voting Rights Institute	Boston, MA	\$50,000
Proteus Fund	Amherst, MA	\$75,000

Cuba

Name	Location	Grant Amount
Center for Defense Information	Washington, DC	\$25,000
Center for Defense Information	Washington, DC	\$5,000
Center for International Policy	Washington, DC	\$35,000
Center for International Policy	Washington, DC	\$50,000
Center for International Policy	Washington, DC	\$3,000
Fund for Peace	Washington, DC	\$2,500
Institute for Caribbean and International Studies	Washington, DC	\$1,665
Lexington Institute	Arlington, VA	\$60,000
Lexington Institute	Arlington, VA	\$60,000
Lexington Institute	Arlington, VA	\$20,000
Medical Education Cooperation with Cuba	Atlanta, GA	\$75,000
National Security Archive Fund	Washington, DC	\$75,000

New School University	New York, NY	\$80,000
Puentes Cubanos	Miami, FL	\$80,000
Puentes Cubanos	Miami, FL	\$1,300
US-Cuba Sister Cities Association	Pittsburgh, PA	\$3,345

Domestic		
Name	Location	Grant Amount
American Civil Liberties Union Foundation of Texas	Austin, TX	\$60,000
American Civil Liberties Union Foundation	Washington, DC	\$25,000
Bluewater Network	San Francisco, CA	\$40,000
Center for Digital Democracy	Washington, DC	\$50,000
Center for Labor Research and Training	San Francisco, CA	\$30,000
Center for Public Interest Research	Los Angeles, CA	\$75,000
Community Service Program	Houston, TX	\$5,000
Consumer Federation of America Foundation	Washington, DC	\$80,000
Delaware State University	Dover, DE	\$2,380
East Bay Alliance for a Sustainable Economy	Oakland, CA	\$30,000
Fair Trial Initiative	Durham, NC	\$25,000
Foundation for Taxpayer and Consumer Rights	Santa Monica, CA	\$50,000
Front Range Economic Strategy Center	Denver, CO	\$25,000
Georgetown University	Washington, DC	\$75,000
Illinois Death Penalty Project	Chicago, IL	\$50,000
Immigrant Workers Citizenship Project	Las Vegas, NV	\$50,000
Institute for America's Future	Washington, DC	\$75,000
Institute for Media Analysis	New York, NY	\$100,000
Institute on Taxation and Economic Policy	Washington, DC	\$50,000
Los Angeles Alliance for a New Economy	Los Angeles, CA	\$50,000
National Interfaith Committee for Worker Justice	Chicago, IL	\$50,000
New America Foundation	Washington, DC	\$50,000
Pension Rights Center	Washington, DC	\$20,000
Public Citizen Foundation	Washington, DC	\$50,000
Public Justice Foundation of Texas	Austin, TX	\$75,000
Qubote Center Incorporated	Hyalteville, MD	\$50,000
USAAction Education Fund	Washington, DC	\$75,000
Working Partnership USA	San Jose, NM	\$40,000

International		
Name	Location	Grant Amount
Alliance for Global Justice	Washington, DC	\$80,000
Berkana Institute	Provo, UT	\$3,500
Center for International Policy	Washington, DC	\$2,500
Delaware State University	Dover, DE	\$50,000
EcoLogic	Cambridge, MA	\$5,000
Guatemala Human Rights Commission	Washington, DC	\$1,990
Institute for Policy Studies	Washington, DC	\$3,500
Institute for Policy Studies	Washington, DC	\$50,000
International Forum on Globalization	San Francisco, CA	\$25,000
Mexico Solidarity Network	San Francisco, CA	\$2,500

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National Labor Committee	New York, NY	\$25,000
People of Faith Network	Brooklyn, NY	\$125,000
Search for Common Ground	Washington, DC	\$50,000
South Africa Development Fund	Boston, MA	\$40,000
Support Team International for Textiles	Washington, DC	\$20,000
Tides Center	Washington, DC	\$5,000
TransAfrica Forum	Washington, DC	\$25,000
Vital Voices Global Partnership	Washington, DC	\$40,000
United States Association for United Nations High Commissioner for Refugees	Washington, DC	\$37,500
Worker Rights Consortium	Washington, DC	\$50,000

Musgrove

Name	Location	Grant Amount
Center for Digital Democracy	Washington, DC	\$25,000

Philanthropy

Name	Location	Grant Amount
Council on Foundations	Washington, DC	\$7,590
Foundation Center	New York, NY	\$2,000
Funder's Committee on Civic Participation	Washington, DC	\$2,500
National Committee for Responsive Philanthropy	Washington, DC	\$3,000
National Network of Grantmakers	San Diego, CA	\$150
Neighborhood Funders Group	Washington, DC	\$500

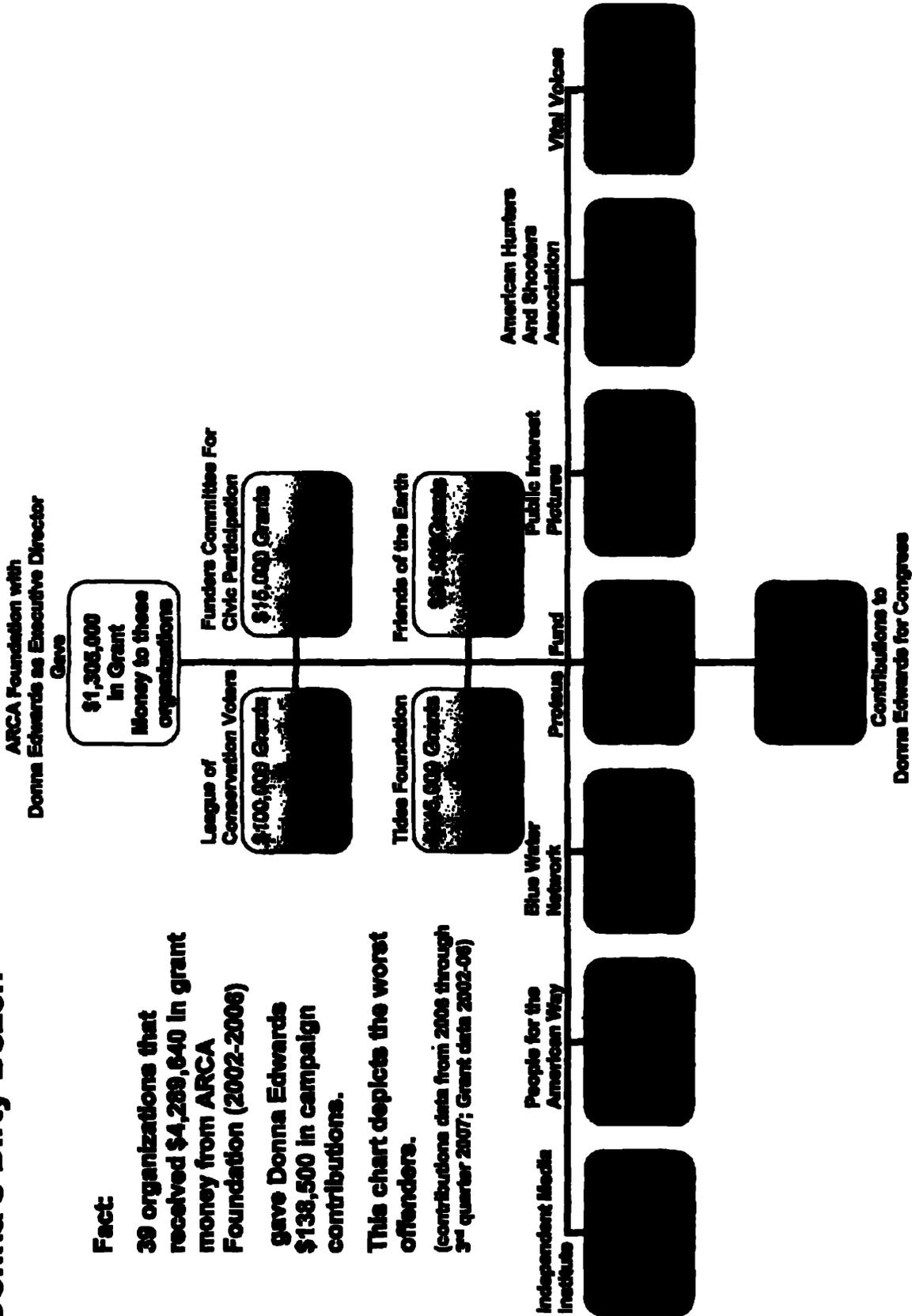
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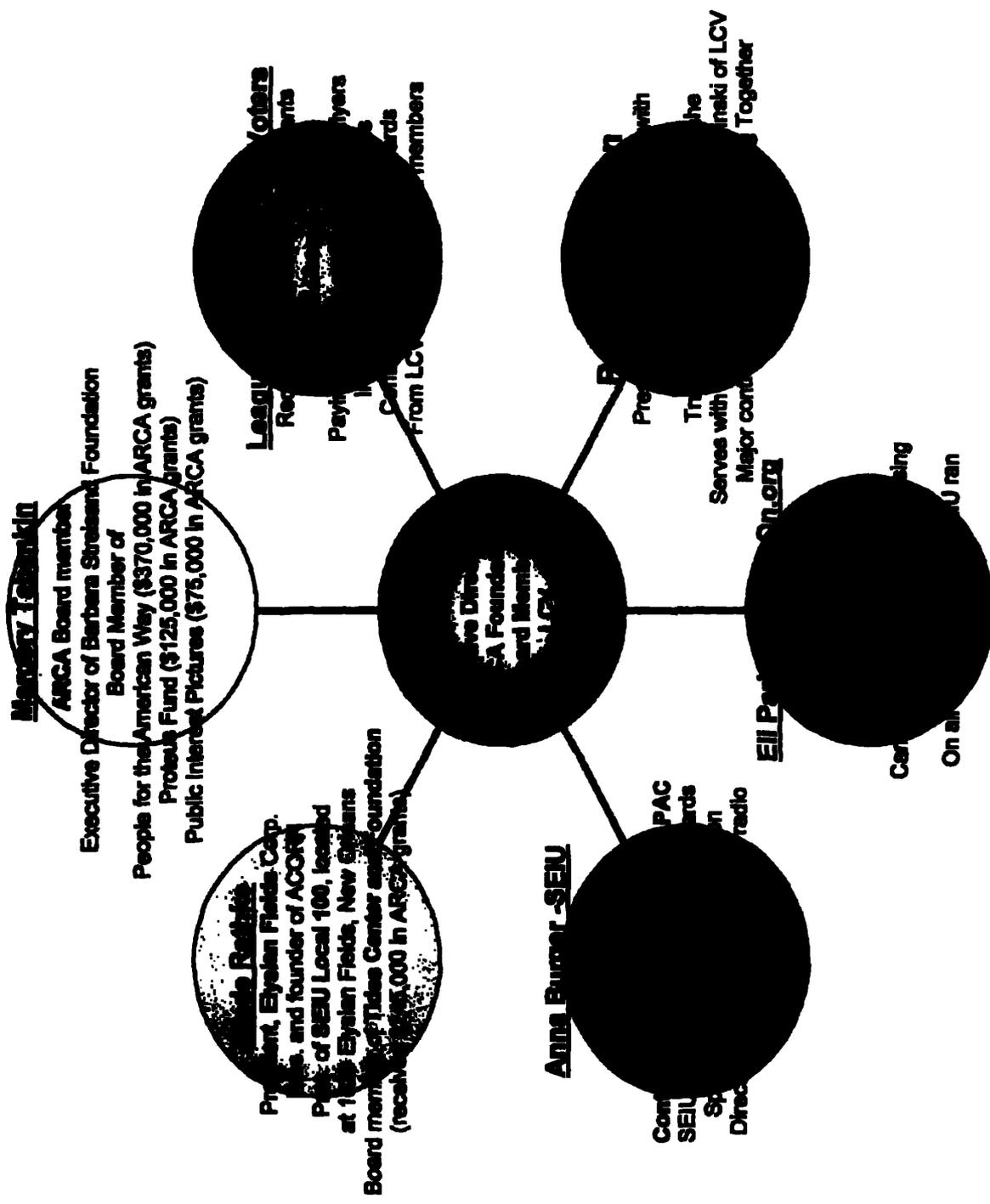
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Donna's Dirty Dozen

Fact:
 39 organizations that received \$4,289,640 in grant money from ARCA Foundation gave Donna Edwards \$138,500 in campaign contributions.

This chart depicts the worst offenders.
 (contributions data from 2008 through 3rd quarter 2007; Grant data 2002-06)





Donna Edwards Spheres of Influence

2904422730

Organization - Contributors	2006 Edwards Contribution	2007 Edwards Contribution	Arca Grant Received
League of Conservation Voters			100,000
William Meadows	1,000		
Gene Karpinski	600	500	
Rampa Hornel	1,000	1,500	
Bill Roberts	250	250	
John Hunting	1,000	1,000	
John Adams	300		
John Podesta	500		
Lynda Uihlein	500	1,000	
Deb Callahan	500	250	
Terri Shuck	350		
Brent Blackwelder	500	300	
League of Conservation Voters PAC	4,500		
Alliance For Justice			\$75,000
Anne Hess	500		
Nan Aron	250		
Clay Hiles	250		
Center for Community Change			\$150,000
Deepak Bhargava	550	500	
Majorie Fine		350	
Susan Chin	150		
Heather Booth	300	500	
Center for Digital Democracy			\$150,000
Jeffrey Chester	1,550		

2904422731

Council on Foundations			\$34,870
Char Mollison	250		
Friends of the Earth			\$35,000
Brent Blackwelder	500	300	
Friends of the Earth PAC	1,000	1,000	
Russell Long	1,000		
Harriett Crosby	2,000		
Georgetown University			\$75,000
Darryl Christmon	250		
Jeffrey Bauman	500		
John Podesta	500		
Independent Media Institute			\$150,000
Donald Hazen	1,100	400	
Robert Greenwald	1,000	500	
Institute for America's Future			\$75,000
Robert Borasage		250	
Heather Booth	300	500	
Tom Hayden	500		
Elen Miller	250		
Terris Schuck	350		
International Forum on Globalization			\$25,000
Lori Wallach	500		
Randall Hayes	500		
Loyola Committee for Civil Rights			\$75,000
Barbara Amwine	500		

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Leadership Conference on Civil Rights			\$75,000
Wade Henderson	500	1,000	
Nancy Zirkin	1,000		
	1,500		
Media Matters			\$150,000
David Brock	250		
Nation Institute			\$100,000
Hamilton Fish	500		
National Network to End Domestic Violence			\$100,000
Cheryl O'Donnell	250		
New America Foundation			\$50,000
Mark Scmitt	750		
People for the American Way			\$370,000
Ralph Neas	1,000		
Margery Tabenkin	2,100	2,300	
Proteus Fund			\$125,000
David Neal	1,000		
Ken Gossinger	250	250	
Margery Tabenkin	2,100	2,300	
Public Campaign			\$250,000
	500		
Susan Anderson			
Public Citizen			\$50,000
Lori Wallach	500		

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Joan Claybrook	75		
Tides			\$245,000
Catherine Lerza	250	\$500	
Drummond Pike	2,000		
Todd Hill	250		
Quinn Delaney	2,100	2,300	
USA ACTION FUND			\$245,000
Jeff Blum	150		
Heather Booth	300	500	
Vital Voices			\$85,000
Melanne S. Verveer	500		
Elizabeth Bagley	2,100		
Ballot Initiative Strategy Center (BISC)			\$172,270
Ralph Nease	1,000		
Mike Lux	250		
Gloria Totten	250		
Blue Water Network			\$40,000
Brent Blackwelder	500	300	
Friends of the Earth PAC	1,000	1,000	
Russell Long	1,000		
Harriett Crosby	2,000		
Center for Health, Environment and Justice			\$20,000
Ken Gossinger	250	250	

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Center for International Policy			\$379,200
William Goodfellow	250	250	
Coalition for DC Representation Education Fund (DC Vote)			\$25,000
Daniel Solomon	2,100		
Wade Henderson	500	1,000	
Communications Consortium Media Center			\$50,000
Kathy Bonk	250		
Dream Catchers			\$40,000
Robert Greenwald	1,000	500	
Earth Day Network			\$75,000
John Adams	300		
The Institute for Policy Studies			\$188,500
Robert Borasage	250		
Progressive Populist Education Fund			\$85,000
Kelly Young	250		
Mike Lux	250		
Public Interest Pictures			\$75,000
Earl Katz	250		
Marcos Barron	250		
Alicon Friedman	2,000		
Terri New	250		
Russell Gifford	250		
Women's Voices Women Vote			\$45,000
Mike Lux	250		

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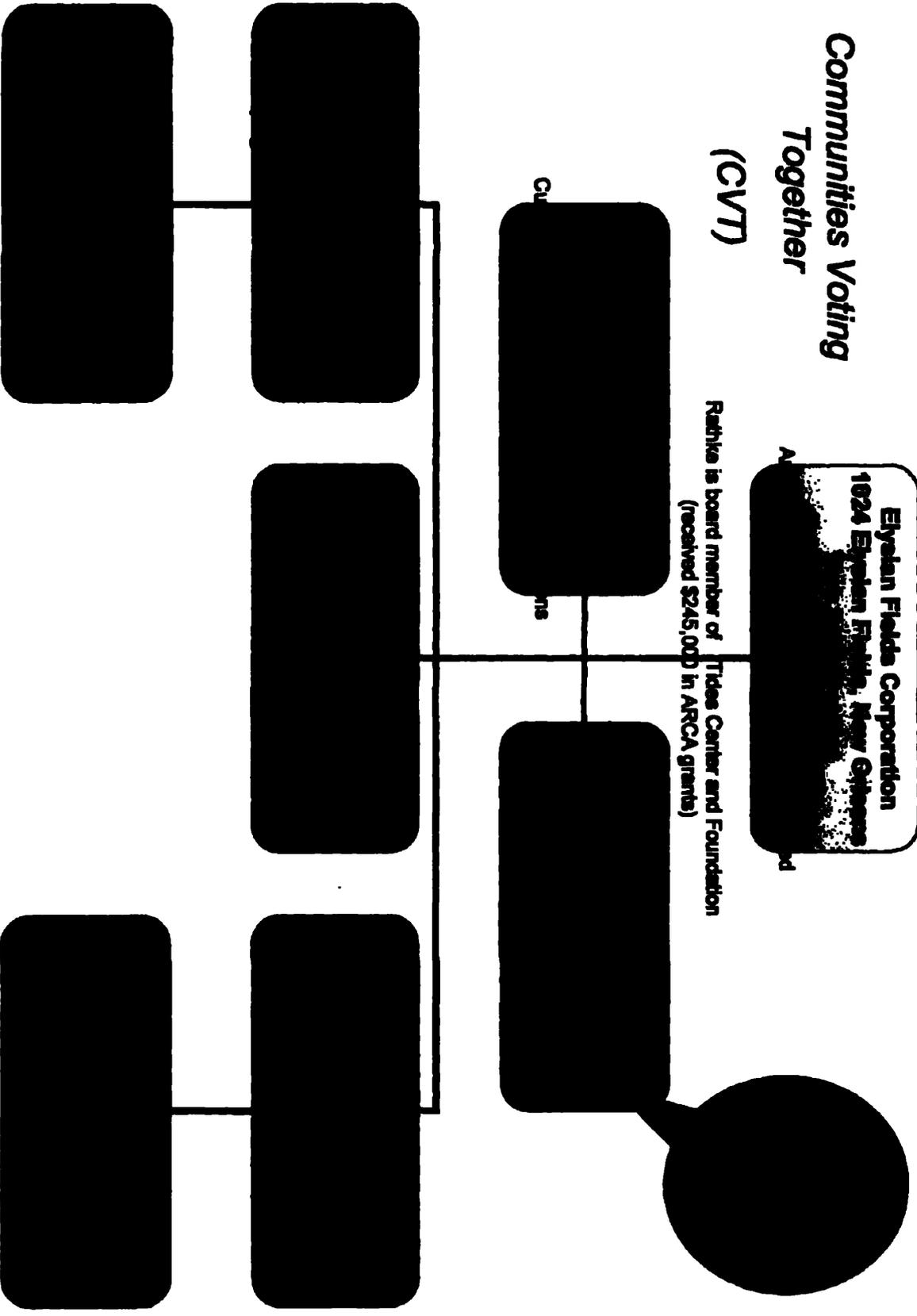
John Podesta	500		
Page Gardner	2,100	2,300	
Funders Committee for Civic Participation			\$15,000
Allison Barlow	250	250	
Patricia Bauman	2,100	2,300	
Todd Hill	250		
Thomaina Williams	1,000		
Geraldine Mannon	2,100	2,300	
Advancement Project			\$125,000
Penda Har	250	250	
American Hunters and Shooters Association			\$65,000
Ray Schoenke	\$2,000		
Worker Rights Consortium			\$90,000
Scott Nova	100		

Communities Voting Together

(CVT)

Eyalan Fields Corporation
1624 Eyalan Fields, New Orleans
A [REDACTED] and

Rathke is board member of Tides Center and Foundation (received \$245,000 in ARCA grants)



COMMUNITIES VOTING TOGETHER
FACT SHEET

This fact sheet shows that the Donna Edwards campaign is engaging in coordinated activity with an "independent" 527 organization that is launching negative attacks against Congressman Wynn. Donna Edwards is connected to the 527 through her relationships with key people involved as well as shared consultants and an organization called Citizens Services Inc. that is a subsidiary of ACORN.

Congressman Wynn was attacked in a series of mailings during the waning days of the 2006 campaign by a 527 called "Communities Voting Together" that is based out of 1024 Elysian Fields, New Orleans, Louisiana.

CVT is also active in the 2008 primary against Congressman Wynn handing out flyers and recruiting paid canvassers.

A closer examination of CVT reveals a close relationship with Donna Edwards' campaign and Arca Foundation.

ACORN

- **CVT shares office space in New Orleans with the Louisiana branch of ACORN, an organization which endorsed Donna Edwards' campaign in 2006.**
- **Arca Foundation gave a \$10,000 grant to the ACORN Institute in 2006**
- **Donna Pharr, who is listed as the official custodian of records for CVT, also works with ACORN in Louisiana as Assistant Treasurer and also happens to be the Deputy Treasurer for the Minnesota ACORN Political Action Committee.**
- **Donna Pharr additionally serves as the Deputy Treasurer for the American Institute for Social Justice and Voting for America, Inc. Both of these organizations received a combined total of \$230,000 in grants from Arca Foundation between 2003 and 2006.**

ELYSIAN FIELDS CORPORATION

- **1024 Elysian Fields Ave in New Orleans, where the Communities Voting Together and ACORN is located, is owned by the Elysian Fields Corporation.**
- **The President of Elysian Fields is Wade Rathke who is also the founder and chief organizer of ACORN, which owns the Elysian Fields Corporation.**
- **Wade Rathke is also a longtime member of the Tides Foundation Board of Directors, and Board Chair of the Tides Center. The Arca Foundation contributed \$245,000 to the Center from 2002-2006.**

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CITIZENS SERVICES INC.

Citizens Services Inc., is a nonprofit corporation permanently domiciled at 1024 Elysian Fields, New Orleans.

- Citizens Services, Inc. of 1024 Elysian Fields New Orleans filed to do business in the state of Maryland as a foreign corporation in May 2005. The only address listed is for the resident agent located on 11 East Chase Street, Baltimore, Md.
- Donna Edwards campaign paid Citizens Services Inc., over 76,000 for "Get out the Vote services". However, these checks were sent c/o 16 West 25th Street, Baltimore, Md.
- ACORN of 16 West 25th Street Baltimore, requalified as a foreign corporation to do business in MD on 3/10 2006. The address of the registered agent is 11 East Chase Street, same as CSI. The address of the corporation is given as 1024 Elysian Fields, New Orleans.
- 11/16/2006 ACORN based at 16 West 25th Street, Baltimore MD failed to file property returns with the State Department of Assessments and Taxation for 2006 and ACORN forfeited their right to do business in Maryland unless they requalify.
- 11/16/2006 CSI failed to file property returns with the State Department of Assessments and Taxation for 2006 and CSI forfeited their right to do business in Maryland.
- Communities Voting Together also gave Citizens Services, Inc., of 1024 Elysian Fields, New Orleans a \$60,000 contribution.
- Rosalie Leon, a member of the board of directors of CSI is the Executive Director of California ACORN.

SHARED CONTRIBUTORS BETWEEN CVT/EDWARDS

A review of the contributors to both Donna Edwards' campaign and the Communities Voting Together show 3 contributors to both. The contributors are listed below:

Donor	Edwards Campaign	527
Michael Kieschnick	\$2,500	\$80,000
John Hunting	\$2,000	\$100,000
Amalgamated Life/UNITE HERE	\$5,000	\$65,000

29044222738

John Hunting is a member of the Board of League of Conservation Voters who endorsed Edwards in 2006. Hunting is a Trustee for the Beldon Fund and was a major contributor to America Coming Together.

Unite Here Endorsed Edwards in 2006 and in 2008. Amalgamated Life donated directly to the Donna Edwards campaign.

This evidence strongly suggests that CVT, ACORN, CSI and the Donna Edwards Campaign engaged in coordinated activity in their effort to defeat Congressman Wynn in the 2006 and 2008 campaign.

29044222739

Form **8872**

Political Organization Report of Contributions and Expenditures

OMB No. 1545-1888

(November 2002)
Department of the Treasury
Internal Revenue Service

▶ See separate instructions.

A For the period beginning 07/01/2005 and ending 12/31/2005

B Check applicable box: Initial report Change of address Amended report Final report

1 Name of organization Communities Voting Together **Employer identification number** 20 - 1366613

2 Mailing address (P.O. box or number, street, and room or suite number)
1024 Elysian Fields Avenue

City or town, state, and ZIP code
New Orleans, LA 70117

3 E-mail address of organization: no@email **4** Date organization was formed: 09/01/2004

5a Name of custodian of records Barbara Farbery **5b** Custodian's address 1024 Elysian Fields Avenue
New Orleans, LA 70117

6a Name of contact person Barbara Farbery **6b** Contact person's address 1024 Elysian Fields Avenue
New Orleans, LA 70117

7 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number
1024 Elysian Fields Avenue

City or town, state, and ZIP code
New Orleans, LA 70117

8 Type of report (check only one box)

- First quarterly report (due by April 15)
- Second quarterly report (due by July 15)
- Third quarterly report (due by October 15)
- Year-end report (due by January 31)
- Mid-year report (Non-election year only-due by July 31)
- Monthly report for the month of: (due by the 20th day following the month shown above, except the December report, which is due by January 31)
 - Pre-election report (due by the 12th or 15th day before the election)
 - (1) Type of election:
 - (2) Date of election:
 - (3) For the state of:
 - Post-general election report (due by the 30th day after general election)
 - (1) Date of election:
 - (2) For the state of:

9 Total amount of reported contributions (total from all attached Schedules A).....9. 8 0

10 Total amount of reported expenditures (total from all attached Schedules B).....10. 8 60000

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Barbara Farbery

02/01/2006

Sign Here

▶ _____ ▶
Signature of authorized official

Date

29044222740

Itemized Expenditures		Schedule B
Recipient's name, mailing address and ZIP code Citizens Services Incorporated 1024 Elysian Fields Avenue New Orleans, LA 70117	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 60000 Date of expenditure 11/16/2005
Purpose of expenditure Contribution		

29044222741

Form **8872**
(November 2002)

Political Organization Report of Contributions and Expenditures

OMB No. 1545-1006

Department of the Treasury
Internal Revenue Service

▶ See separate instructions.

A For the period beginning 07/01/2006 and ending 12/31/2006

B Check applicable box: Initial report Change of address Amended report Final report

1 Name of organization **Employer identification number**
Committee Voting Together 20 - 1566613

2 Mailing address (P.O. box or number, street, and room or suite number)
1024 Elysian Fields Avenue

City or town, state, and ZIP code
New Orleans, LA 70117

3 E-mail address of organization: **4** Date organization was formed:
no@email 09/01/2004

5a Name of custodian of records **5b** Custodian's address
Donna Pharr 1024 Elysian Fields Avenue
New Orleans, LA 70117

6a Name of contact person **6b** Contact person's address
Donna Pharr 1024 Elysian Fields Avenue
New Orleans, LA 70117

7 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number
1024 Elysian Fields Avenue

City or town, state, and ZIP code
New Orleans, LA 70117

8 Type of report (check only one box)

- First quarterly report (due by April 15)
- Second quarterly report (due by July 15)
- Third quarterly report (due by October 15)
- Year-end report (due by January 31)
- Mid-year report (Non-election year only-due by July 31)
- Monthly report for the month of: (due by the 20th day following the month shown above, except the December report, which is due by January 31)
 - Pre-election report (due by the 12th or 15th day before the election)
 - (1) Type of election:
 - (2) Date of election:
 - (3) For the state of:
 - Post-general election report (due by the 30th day after general election)
 - (1) Date of election:
 - (2) For the state of:

9 Total amount of reported contributions (total from all attached Schedules A).....9. \$ 145000

10 Total amount of reported expenditures (total from all attached Schedules B).....10. \$ 297994

Under penalties of perjury, I declare that I have examined this report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete.

Donna Pharr

01/08/2007

Sign
Here

Signature of authorized official

Date

29044222742

Itemized Contributions

Contributor's name, mailing address and ZIP code Units Here Tip State and L.F. 275 7th Ave. 10th Floor New York, NY 10001	Name of contributor's employer N/A Contributor's occupation N/A Aggregate contributions year-to-date \$ 30000	Amount of contribution \$ 30000 Date of contribution 08/22/2006
Contributor's name, mailing address and ZIP code Units Here Tip State and L.F. 275 7th Ave. 10th Floor New York, NY 10001	Name of contributor's employer N/A Contributor's occupation N/A Aggregate contributions year-to-date \$ 44000	Amount of contribution \$ 14000 Date of contribution 08/22/2006
Contributor's name, mailing address and ZIP code Units Here Tip State and L.F. 275 7th Ave. 10th Floor New York, NY 10001	Name of contributor's employer N/A Contributor's occupation N/A Aggregate contributions year-to-date \$ 65000	Amount of contribution \$ 21000 Date of contribution 09/12/2006
Contributor's name, mailing address and ZIP code Klausnick Hill Michael 1467 Hamilton Ave. Palo Alto, CA 94301	Name of contributor's employer N/A Contributor's occupation N/A Aggregate contributions year-to-date \$ 80000	Amount of contribution \$ 80000 Date of contribution 09/06/2006

2904422743

Itemized Expenditures

Schedule B

Recipient's name, mailing address and ZIP code Gold Communications 1617 West 6th, Suite B Austin, TX 78703	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 40894 Date of expenditure 09/05/2006
Purpose of expenditure Printing Services		
Recipient's name, mailing address and ZIP code MHIC Partners, Inc. 1155 15th Street NW, Suite 300 Washington, DC 20005	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 6554 Date of expenditure 09/06/2006
Purpose of expenditure Printing Services		
Recipient's name, mailing address and ZIP code Arizona Communities Voting 355 West University, Suite 2 Mesa, AZ 85201	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 10000 Date of expenditure 10/19/2006
Purpose of expenditure Contribution		
Recipient's name, mailing address and ZIP code Stans' Phones 121 S. Palm Canyon Drive Suite 205 Palm Springs, CA 92262	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 21155 Date of expenditure 11/01/2006
Purpose of expenditure Campaign Services		
Recipient's name, mailing address and ZIP code Bynum Thomson Ryer 2120 L. St NW #305 Washington, DC 20037	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 117000 Date of expenditure 11/01/2006
Purpose of expenditure Contractual Services-Direct Mail Production and Services		
Recipient's name, mailing address and ZIP code Bynum Thomson Ryer 2120 L. St NW #305 Washington, DC 20037	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 59100 Date of expenditure 11/06/2006
Purpose of expenditure Contractual Services-Direct Mail Production and Services		
Recipient's name, mailing address and ZIP code Bynum Thomson Ryer 2120 L. St NW #305 Washington, DC 20037	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 42807 Date of expenditure 11/06/2006
Purpose of expenditure Contractual Services-Direct Mail Production and Services		
Recipient's name, mailing address and ZIP code Stans' Phones 121 S. Palm Canyon Drive Suite 205 Palm Springs, CA 92262	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 960 Date of expenditure 11/10/2006
Purpose of expenditure Campaign Services		
Recipient's name, mailing address and ZIP code Duplantier, Hirshman, Hoggan, Maher, LLP 1340 Poydras St. Suite 2000 New Orleans, LA 70112	Name of recipient's employer N/A Recipient's occupation N/A	Amount of Expenditure \$ 217 Date of expenditure 11/10/2006
Purpose of expenditure Bookkeeping Services		

Recipient's name, mailing address and ZIP code
FERC Express Reserve
1024 Elysian Fields
New Orleans, LA 70117

Name of recipient's employer
N/A
Recipient's occupation
N/A

Amount of Expenditure
\$ 13
Date of expenditure
11/13/2006

Purpose of expenditure
Express Mailing Services

Recipient's name, mailing address and ZIP code
FERC Express Reserve
1024 Elysian Fields Avenue
New Orleans, LA 70117

Name of recipient's employer
N/A
Recipient's occupation
N/A

Amount of Expenditure
\$ 63
Date of expenditure
12/01/2006

Purpose of expenditure
Express Mailing Services

Recipient's name, mailing address and ZIP code
Whitney National Bank
P.O. Box 61260
New Orleans , LA 70161

Name of recipient's employer
N/A
Recipient's occupation
N/A

Amount of Expenditure
\$ 31
Date of expenditure
10/31/2006

Purpose of expenditure
Check Order

2904422745

**DONNA EDWARDS AND THEY WORK FOR US
FACT SHEET**

The Donna Edwards Campaign and They Work For Us are engaged in coordinated campaign activity against Congressman Al Wynn.

* According to official public records, and several news articles, in January 2007, Donna Edwards, Steve Rosenthal, SEIU, MoveOn.org, and others formed an alleged 501 (c) (4) lobbying wing called They Work For Us and an associated PAC called Working for Us in order to target certain incumbent Democrats.

* Working for Us Pac immediately lists Al Wynn on its website as one of its top three offenders.

* SEIU COPE, MoveOn and Donna Edwards each gave contributions to the Working for Us PAC in 2007.

* The PAC paid They Work for Us money for rent and overhead in 2007 (\$3,981.56)

* Working for US PAC paid \$6284.55 to Lake Research for polling in 2007. Lake Research served as the pollsters for Donna Edwards in 2006 and possibly for 2008 but that data is not yet available.

*The attorney for Working for US PAC is Laurence Gold. He is the law partner to Michael Trister who is General Counsel to Arca Foundation. Holly Shadler another partner from Lichtman Trister and Ross is a trustee to the Beldon Fund and counsel to Sierra Club. Both organizations with strong ties to Donna Edwards campaign and Arca foundation.

* Gary Gruver, custodian of records for Working For Us PAC is the CFO of Catilist, Harold Ickes company. Ickes founded the 527 called America Coming Together.

* They Work For Us also shared office space at 888 16th Street, Suite 450 NW, Washington, D.C. with America Voting Together.

* Steve Rosenthal is the Treasurer of Working for Us PAC and also served as Treasurer of America Voting Together until it was fined \$750,000 by the FEC for violating campaign finance laws and disbanded in mid 2007.

* Ellen Malcolm of Emily's List, Carl Pope of Sierra Club and Steve Rosenthal served as members of the Board of Directors of America Voting Together. Emily's List and Sierra Club are organizations that endorsed Donna Edwards for Congress campaign.

* In January of 2008, They Work for US, started running radio attack ads against Al Wynn to the benefit of Donna Edwards. These ads were purchased in conjunction with

the SEIU media buy. The tag line on these ads is the They Work for Us, 501 (c) (4) organization that Donna Edwards serves as a principal board member "They Work for Us" rather than the Working For Us PAC.

This evidence strongly suggests that Donna Edwards campaign and They Work for US are engaged in coordinated campaign activity.

29044222747

THEY WORK FOR US

They Work For Us 501 (c) (4) "Lobbying arm"

Board Members
Demetrius - ARCA
Eli P.
C.
S.

Working For Us PAC
One... Street, Suite 450

Contributors to PAC



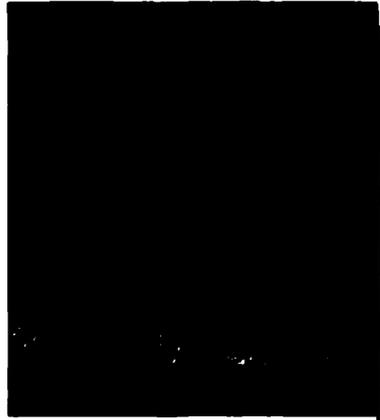
Paid money to... Vendor for...

... Together - 527



100 "Independent Media Expenditures"
In direct...

Media buy purchases
combined media buy
Ting lines of...



**FEC
FORM 3X**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If typing, type over the lines

WORKING FOR US POLITICAL ACTION COMMITTEE INC

ADDRESS (number and street)

658 18TH STREET NW SUITE 6332

Check if different from previously reported. (ACC)

WASHINGTON

DC

20000

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

C00430678

3. IS THIS REPORT

x

NEW (N)

OR

AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Report:

April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Quarterly Report (YE)

x July 31 Mid-Year Report (Non-election Year Only) (MY)

Termination Report (TER)

(b) Monthly Report Due On:

Feb 28 (M2)

May 28 (M3)

Aug 28 (M6)

Nov 28 (M11) (Non-Election Year Only)

Mar 28 (M3)

Jan 28 (M8)

Sep 28 (M9)

Dec 28 (M12) (Non-Election Year Only)

Apr 28 (M4)

Jul 28 (M7)

Oct 28 (M10)

Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

In the State of

(d) 30-Day Post-Election Report for the:

General (20G)

Runoff (20R)

Special (20S)

Election on

In the State of

5. Covering Period

01

01

2007

through

06

30

2007

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Steve Rosenthal

Signature of Treasurer

Electronically Filed by Steve Rosenthal

Date

07

31

2007

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 552a.

Office Use Only							
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FEC FORM 3X
(Rev. 09/2006)

29044222749

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2006)

Page 2

Write or Type Committee Name
WORKING FOR US POLITICAL ACTION COMMITTEE INC

Report Covering the Period: From: 01 01 2007 To: 06 30 2007

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1 2007		9940.00
(b) Cash on Hand at Beginning of Reporting Period	9940.00	
(c) Total Receipts (from Line 18)	11286.00	11286.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(b) and 6(c) for Column B)	21226.00	21226.00
7. Total Disbursements (from Line 31)	17575.13	17575.13
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	3650.87	3650.87
9. Debts and Obligations owed TO the committee (listize all on Schedule C under Schedule D)	0.00	
10. Debts and Obligations owed BY the committee (listize all on Schedule C under Schedule D)	0.00	

This Committee has qualified as a noncandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20543

Toll Free 800-424-9630
Local 202-694-1180

2904422750

**DETAILED SUMMARY PAGE
OF RECEIPTS**

FEC Form 3E (Rev. 02/2002)

Page 3

Name of Type Committee Name

WORKING FOR US POLITICAL ACTION COMMITTEE INC

Report Covering the Period: From: 01 01 2007 To: 06 30 2007

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees		
(i) Borrowed (see Schedule A)	250.00	250.00
(ii) Unburied	1036.00	1036.00
(iii) TOTAL (add Lines 11(i)(i) and (ii))	1286.00	1286.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	10000.00	10000.00
(d) Total Contributions (add Lines 11(a)(i)(i), (ii) and (c)) (Carry Totals to Line 23, page 3)	11286.00	11286.00
12. Transfers From Affiliated/Other Party Committees	0.00	0.00
13. All Loans Received	0.00	0.00
14. Loan Repayments Received	0.00	0.00
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.) (Carry Totals to Line 37, page 3)	0.00	0.00
16. Refunds of Contributions Made to Federal candidates and Other Political Committees	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.)	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H)	0.00	0.00
(b) Levin Funds (from Schedule HS)	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b))	0.00	0.00
19. Total Receipts (add Lines 11(d), 12, 13, 14, 15, 16, 17, and 18(c))	11286.00	11286.00
20. Total Federal Receipts (add Line 19(c) from Line 19)	11286.00	11286.00

2904422751

**DETAILED SUMMARY PAGE
of Disbursements**

FEC Form 3X (Rev. 02/2003)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Shared Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share.....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures.....	17575.13	17575.13
(c) Total Operating Expenditures (add 21(a)(i), (ii) and (b))..... ▶	17575.13	17575.13
22. Transfers to Affiliated/Other Party Committees.....	0.00	0.00
23. Contributions to Federal Candidate Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditure (see Schedule E).....	0.00	0.00
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (see Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))..... ▶	0.00	0.00
29. Other Disbursements.....	0.00	0.00
30. Federal Election Activity (2 U.S.C. 431(2))		
(a) Shared Federal Election Activity (from Schedule H4)		
(i) Federal Share.....	0.00	0.00
(ii) "Loose" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely with Federal Funds.....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))....	0.00	0.00
31. Total Disbursements (add Lines 21(a), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))..	17575.13	17575.13
32. Total Federal Disbursements (subtract Line 21(a)(i) from Line 30(c)) from Line 31).....	17575.13	17575.13

29044222752

DETAILED SUMMARY PAGE
of Disbursements

FEC Form 28 (Rev. 02/2008)

Page 9

II. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
32. Total Contributions (other than loans) from Line 11(a), page 3)	11288.00	11288.00
34. Total Contribution Refunds (from Line 28(c))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 32)	11288.00	11288.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(d))	17575.13	17575.13
37. Offsets to Operating Expenditures (from Line 16, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	17575.13	17575.13

29044222753

**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

Use separate schedule(s)
or each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 8/11
(check only one)

<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12	<input type="checkbox"/> 17
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16	<input type="checkbox"/> 18	<input type="checkbox"/> 19

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

Full Name (Last, First, Middle Initial) Dana Edwards		Date of Receipt 02 / 01 / 2007
Mailing Address 8804 Glen Lane		Transaction ID: 8A11A1.4110
City Ford Washington	State MD	Zip Code 20744
FEC ID number of contributing federal political committee. C		Amount of Each Receipt This Period 250.00
Name of Employer First Position Receipt For: Primary General Other (specify) <input type="checkbox"/>	Occupation Executive Director Aggregate Year-to-Date <input type="checkbox"/> 250.00	Contribution

SUBTOTAL of Receipts This Page (optional) ----- ▶	250.00
TOTAL This Period (and page line number only) ----- ▶	250.00

FEC Schedule A (Form 3X) Rev. 02/2005

2904422754

**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

Use separate schedule(s)
or each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 7/11

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 12	<input type="checkbox"/> 17
13	14	15	16	

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

A. INTERNATIONAL UNION OF MARITIME AND ALLIED TRADES POLITICAL ACTION TOGETHER POLITICAL

Full Name (Last, First, Middle Initial)
Mailing Address **1700 New York Avenue NW**

City **Washington** State **DC** Zip Code **20008**

FEC ID number of contributing federal political committee. **C C00000865**

Name of Employer _____ Occupation _____

Receipt For: Primary _____ General _____ Other (specify)

Aggregate Year-to-Date **5000.00**

Date of Receipt **03 22 2007**

Transaction ID: **SA11C.4175**

Amount of Each Receipt This Period **5000.00**

B. SERVICE EMPLOYEES INTERNATIONAL UNION COMMITTEE ON POLITICAL EDUCATION (SEIU CPE)

Full Name (Last, First, Middle Initial)
Mailing Address **1800 Massachusetts Ave NW**

City **Washington** State **DC** Zip Code **20008**

FEC ID number of contributing federal political committee. **C C00004088**

Name of Employer _____ Occupation _____

Receipt For: Primary _____ General _____ Other (specify)

Aggregate Year-to-Date **5000.00**

Date of Receipt **01 05 2007**

Transaction ID: **SA11C.4173**

Amount of Each Receipt This Period **5000.00**

SUBTOTAL of Receipts This Page (optional)	10000.00
TOTAL This Period (last page this line number only)	10000.00

FEC Schedule A (Form 3X) Rev. 02/2005

2904422755

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 8/11

<input checked="" type="checkbox"/> 21a	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 28	<input type="checkbox"/> 28b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of raising contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

Full Name (Last, First, Middle Initial) A. Bank of America Merchant Services Mailing Address PO Box 2485 City Spokane State WA Zip Code 99210 Purpose of Disbursement Credit Card Processing Fees Candidate Name Office Sought: House Senate President State: District Disbursement For: Primary General Other (specify) <input type="checkbox"/>		Transaction ID: 9921B.4186 Date of Disbursement 05 ' 01 ' 2007 Amount of Each Disbursement This Period 34.85
--	--	--

Full Name (Last, First, Middle Initial) B. Bank of America Merchant Services Mailing Address PO Box 2485 City Spokane State WA Zip Code 99210 Purpose of Disbursement Credit Card Processing Fees Candidate Name Office Sought: House Senate President State: District Disbursement For: Primary General Other (specify) <input type="checkbox"/>		Transaction ID: 9921B.4187 Date of Disbursement 08 ' 01 ' 2007 Amount of Each Disbursement This Period 35.85
--	--	--

Full Name (Last, First, Middle Initial) C. Blue Starz Digital Mailing Address 734 16th Street NW Suite 1000 City Washington State DC Zip Code 20005 Purpose of Disbursement Web Site Development / Hosting Candidate Name Office Sought: House Senate President State: District Disbursement For: Primary General Other (specify) <input type="checkbox"/>		Transaction ID: 9921B.4182 Date of Disbursement 01 ' 31 ' 2007 Amount of Each Disbursement This Period 6726.00
---	--	--

SUBTOTAL of Disbursements This Page (optional) ----- ▶ 5795.00

TOTAL This Period (last page this line number only) ----- ▶

FEC Schedule B (Form 3X) Rev. 9/2005

29044222756

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 8/11

<input checked="" type="checkbox"/> 21a	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 28	<input type="checkbox"/> 29

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

A. Full Name (Last, First, Middle Initial) Blue State Digital		Transaction ID: 8821E.4188 Date of Disbursement 08 ' ' 11 ' ' 2007 ' '	
Mailing Address 734 15th Street NW Suite 1000		Amount of Each Disbursement This Period 402.00	
City Washington	State DC	Zip Code 20005	Category/ Type 001
Purpose of Disbursement Web Site Development / Hosting			
Candidate Name		Office Sought: House Senate President	
Disbursement For: Primary General Other (specify) ▼		State: District	

B. Full Name (Last, First, Middle Initial) Laurence E. Gold		Transaction ID: 8821E.4188 Date of Disbursement 03 ' ' 27 ' ' 2007 ' '	
Mailing Address 1688 Connecticut Avenue NW Fifth Floor		Amount of Each Disbursement This Period 6629.00	
City Washington	State DC	Zip Code 20008	Category/ Type 001
Purpose of Disbursement Legal Services			
Candidate Name		Office Sought: House Senate President	
Disbursement For: Primary General Other (specify) ▼		State: District	

C. Full Name (Last, First, Middle Initial) Sudbay Shringles		Transaction ID: 8821E.4184 Date of Disbursement 08 ' ' 28 ' ' 2007 ' '	
Mailing Address 2012 Wyoming Avenue NW Suite 302		Amount of Each Disbursement This Period 1800.00	
City Washington	State DC	Zip Code 20009	Category/ Type 001
Purpose of Disbursement Consulting / Blog and Web Site Services			
Candidate Name		Office Sought: House Senate President	
Disbursement For: Primary General Other (specify) ▼		State: District	

SUBTOTAL of Disbursements This Page (optional) ----- ▶ 7031.00

TOTAL This Period (and page line number only) ----- ▶

29044222757

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 11/11

<input checked="" type="checkbox"/>	21b	<input type="checkbox"/>	22	<input type="checkbox"/>	23	<input type="checkbox"/>	24	<input type="checkbox"/>	25	<input type="checkbox"/>	26	<input type="checkbox"/>	27	<input type="checkbox"/>	28	<input type="checkbox"/>	29
	27		28a		28b		28c		28d		28e		28f		28g		28h

Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

A Full Name (Last, First, Middle Initial)
They Work For Us, Inc.

Mailing Address **888 15th Street NW
Suite 338**

City **Washington** State **DC** Zip Code **20006**

Purpose of Disbursement
Rent / Shared Overhead

Candidate Name _____

Office Sought: **House** Disbursement For: _____
Senate **Primary** **General**
President **Other (specify)**

State: **District**

Transaction ID: **982184188**
Date of Disbursement
06 / 01 / 2007

Amount of Each Disbursement this Period
616.67

SUBTOTAL of Disbursements This Page (optional) ----- > 616.67

TOTAL This Period (last page this line number only) ----- > 17358.79

FEC Schedule B (Form 3X) Rev. 08/2005

29044222759

**FEC
FORM 3X**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full)

USE FEC MAILING LABEL OR TYPE OR PRINT

Example: If being type over the lines

WORKING FOR US POLITICAL ACTION COMMITTEE INC

ADDRESS (number and street)

888 16TH STREET NW SUITE 3000

Check if address has previously reported. (ACC)

WASHINGTON

DC

2008

2. FEC IDENTIFICATION NUMBER

CITY A

STATE A

ZIP CODE A

C10430678

3. IS THIS REPORT

X

NEW

OR

AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X January 31 Quarterly Report (YE)

July 31 184-Year Report (Non-election Year Only) (NY)

Termination Report (TER)

(b) Monthly Report Due On:

Feb 28 (M2)

May 28 (M3)

Aug 28 (M8)

Nov 28 (M11) (Non-election Year Only)

Mar 28 (M3)

Jun 28 (M6)

Sep 28 (M9)

Dec 28 (M12) (Non-election Year Only)

Apr 28 (M4)

Jul 28 (M7)

Oct 28 (M10)

Jan 31 (YE)

(c) 12-Day PFB-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

In the State of

(d) 30-Day Post-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

In the State of

5. Covering Period

07

01

2007

through

12

31

2007

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Steve Rosenthal

Signature of Treasurer

Electronically Filed by Steve Rosenthal

Date

01

11

2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office Use Only

FEC FORM 3X
(Rev. 12/2004)

REMARKS

29044222760

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 278 (Rev. 02/2003)

Page 2

Name or Type of Committee
WORKING FOR US POLITICAL ACTION COMMITTEE INC

Report Covering the Period: From: 07 01 2007 To: 12 31 2007

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1 2007		9940.00
(b) Cash on Hand at Beginning of Reporting Period	3650.87	
(c) Total Receipts (from Line 18)	10100.00	21588.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and Lines 6(b) and 6(c) for Column B)	13750.87	31528.00
7. Total Disbursements (from Line 31)	10048.08	27624.21
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	3701.79	3701.79
9. Debt and Obligations owed TO the committee (transfer all on Schedule C and/or Schedule D)	0.00	
10. Debt and Obligations owed BY the committee (transfer all on Schedule C and/or Schedule D)	0.00	

The Committee has qualified as a multicandidate committee. (see FEC FORM 114)

For further information contact:

Federal Election Commission
800 E Street, NW
Washington, DC 20483

Tel Free 800-424-9630
Local 202-594-1100

FEB0609

29044222761

**DETAILED SUMMARY PAGE
OF RECEIPTS**

FEC Form 278 (Rev. 08/2004)

Page 3

Name of Type Committee Name

WORKING FOR US POLITICAL ACTION COMMITTEE INC

Report Covering the Period: From: 07th 01st 2007 To: 12th 31st 2007

I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other Than Political Committees	0.00	250.00
(i) Invited (see Schedule A)		
(ii) Uninvited	100.00	1138.00
(b) TOTAL (add Lines 11(i) and (ii)) ▶	100.00	1388.00
(c) Political Party Committees	0.00	0.00
(d) Other Political Committees (such as PACs)	10000.00	20000.00
(e) Total Contributions (add Lines 11(a)(i),(ii) and (c)) (Carry Total to Line 20, page 2) ▶	10100.00	21388.00
12. Transfer From Affiliated/Other Party Committees	0.00	0.00
13. All Loans Received	0.00	0.00
14. Loan Repayments Received	0.00	0.00
15. Offsets To Operating Expenditure (Refunds, Waivers, etc.) (Carry Total to Line 37, page 2)	0.00	0.00
16. Refunds of Contributions Made to Federal candidates and Other Political Committees	0.00	0.00
17. Other Federal Receipts (Dividends, Interest, etc.)	0.00	0.00
18. Transfers from Non-Federal and Levin Funds		
(a) Non-Federal Account (from Schedule H2)	0.00	0.00
(b) Levin Funds (from Schedule H3)	0.00	0.00
(c) Total Transfer (add 18(a) and 18(b))	0.00	0.00
19. Total Receipts (add Lines 11(a), 12, 13, 14, 15, 16, 17, and 18(c))	10100.00	21388.00
20. Total Federal Receipts (add Line 18(c) from Line 19)	10100.00	21388.00

FORM 278

2904422762

**DETAILED SUMMARY PAGE
of Disbursements**

FEC Form 28 (Rev. 02/2002)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Shared Federal/Non-Federal Activity (from Schedule HF)		
(i) Federal Share.....	0.00	0.00
(ii) Non-Federal Share.....	0.00	0.00
(b) Other Federal Operating Expenditures.....	10049.08	27624.21
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii) and (b))..... ▶	10049.08	27624.21
22. Transfers to Affiliated/Other Party		
Committees.....	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees.....	0.00	0.00
24. Independent Expenditure (see Schedule E).....	0.00	0.00
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(c) (see Schedule F).....	0.00	0.00
26. Loan Repayments Made.....	0.00	0.00
27. Loans Made.....	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))..... ▶	0.00	0.00
29. Other Disbursements.....	0.00	0.00
30. Federal Election Activity (2 U.S.C. 431(2))		
(a) Shared Federal Election Activity (from Schedule HF)		
(i) Federal Share.....	0.00	0.00
(ii) "Loan" Share.....	0.00	0.00
(b) Federal Election Activity Paid Entirely with Federal Funds.....	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b)).....	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)).....	10049.08	27624.21
32. Total Federal Disbursements (subtract Line 21(a)(i) and Line 30(a)(i) from Line 31).....	10049.08	27624.21

FBI/DOJ

2-904422-2763

**DETAILED SUMMARY PAGE
of Disclosures**

FEC Form 3K (Rev. 03/2008)

Page 3

II. Net Contributions/Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
33. Total Contributions (other than loans) from Line 11(a), page 3j	10100.00	21388.00
34. Total Contribution Refunds (from Line 28(a))	0.00	0.00
35. Net Contributions (other than loans) (subtract Line 34 from Line 33)	10100.00	21388.00
36. Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))	10048.08	27824.21
37. Offsets to Operating Expenditures (from Line 16, page 3)	0.00	0.00
38. Net Operating Expenditures (subtract Line 37 from Line 36)	10048.08	27824.21

FINANCER

29044222764

**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 1/10
(check only one)
 11a 11b 11c 12
 13 14 15 16 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

A.	Full Name (Last, First, Middle Initial) MOVEMENTS POLITICAL ACTION			Date of Receipt 11 / 18 / 2007	
	Mailing Address PD BOX 9218			Transaction ID: SA11C.4205	
	City BERKELEY	State CA	Zip Code 94708	Amount of Each Receipt This Period 5000.00	
	FEC ID number of contributing federal political committee. C C00841888				
Name of Employer		Occupation			
Receipt For: Primary General Other (specify) ▾		Aggregate Year-to-Date ▼ 5000.00			
B.	Full Name (Last, First, Middle Initial) SERVICE EMPLOYEES INTERNATIONAL UNION COMMITTEE ON POLITICAL EDUCATION (SEIU COPE)			Date of Receipt 11 / 01 / 2007	
	Mailing Address 1800 Massachusetts Ave NW			Transaction ID: SA11C.4204	
	City Washington	State DC	Zip Code 20008	Amount of Each Receipt This Period 5000.00	
	FEC ID number of contributing federal political committee. C C00064088				
Name of Employer		Occupation			
Receipt For: Primary General Other (specify) ▾		Aggregate Year-to-Date ▼ 10000.00			

SUBTOTAL of Receipts This Page (optional)	▶	10000.00
TOTAL This Period (last page this line number only)	▶	10000.00

FORM 3X

FEC Schedule A (Form 3X) (Revised 08/2006)

29044222765

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 7/18

<input checked="" type="checkbox"/> 21b 27	<input type="checkbox"/> 22 28a	<input type="checkbox"/> 23 28b	<input type="checkbox"/> 24 28c	<input type="checkbox"/> 25 28	<input type="checkbox"/> 26 28b
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Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions or for ceremonial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

<p>A.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input checked="" type="checkbox"/></p> <p>001 Category Type</p>	<p>Transaction ID: 8821B.4207 Date of Disbursement 07 ' 02 ' 2007</p> <p>Amount of Each Disbursement This Period 34.65</p>
<p>B.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input checked="" type="checkbox"/></p> <p>001 Category Type</p>	<p>Transaction ID: 8821B.4208 Date of Disbursement 08 ' 01 ' 2007</p> <p>Amount of Each Disbursement This Period 35.20</p>
<p>C.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input checked="" type="checkbox"/></p> <p>001 Category Type</p>	<p>Transaction ID: 8821B.4211 Date of Disbursement 09 ' 04 ' 2007</p> <p>Amount of Each Disbursement This Period 34.88</p>
<p>SUBTOTAL of Disbursements This Page (optional) ▶ 104.73</p>	
<p>TOTAL This Period (last page into line number only) ▶</p>	

FEC Schedule B (Form 3X) (Detailed Summary)

29044222766

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 8 / 18

<input checked="" type="checkbox"/> 21a	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

<p>A.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: House Disbursement For: Primary General Senate Other (specify) ▼ President</p> <p>State: District</p>	<p>Transaction ID: 99218.4218 Date of Disbursement 10 ' 01 ' 2007</p> <p>Amount of Each Disbursement This Period 34.85</p> <p>001 Category/ Type</p>
<p>B.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: House Disbursement For: Primary General Senate Other (specify) ▼ President</p> <p>State: District</p>	<p>Transaction ID: 99218.4218 Date of Disbursement 11 ' 01 ' 2007</p> <p>Amount of Each Disbursement This Period 34.85</p> <p>001 Category/ Type</p>
<p>C.</p> <p>Full Name (Last, First, Middle Initial) Bank of America Merchant Services</p> <p>Mailing Address PO Box 2485</p> <p>City Spokane State WA Zip Code 99210</p> <p>Purpose of Disbursement Credit Card Processing Fees</p> <p>Candidate Name</p> <p>Office Sought: House Disbursement For: Primary General Senate Other (specify) ▼ President</p> <p>State: District</p>	<p>Transaction ID: 99218.4218 Date of Disbursement 12 ' 03 ' 2007</p> <p>Amount of Each Disbursement This Period 34.85</p> <p>001 Category/ Type</p>

SUBTOTAL of Disbursements This Page (optional) ----- ▶ **104.55**

TOTAL This Period (last page this line number only) ----- ▶

FORM 3000

FEC Schedule B (Form 3X) (Revised 10/2007)

29044222767

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 6/10

<input checked="" type="checkbox"/> 21a	<input type="checkbox"/> 22	<input type="checkbox"/> 23	<input type="checkbox"/> 24	<input type="checkbox"/> 25	<input type="checkbox"/> 26
<input type="checkbox"/> 27	<input type="checkbox"/> 28a	<input type="checkbox"/> 28b	<input type="checkbox"/> 28c	<input type="checkbox"/> 29	<input type="checkbox"/> 30b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

<p>A. Full Name (Last, First, Middle Initial) Late Research Partners</p> <p>Mailing Address 1720 M Street NW Suite 800</p> <p>City Washington State DC Zip Code 20039</p> <p>Purpose of Disbursement Polling and Research</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input type="checkbox"/></p>	<p>Transaction ID: 8821B.4226 Date of Disbursement 12 / 26 / 2007</p> <p>Amount of Each Disbursement This Period 6284.55</p> <p>005 Category/ Type</p>
<p>B. Full Name (Last, First, Middle Initial) Laurence E. Gold</p> <p>Mailing Address 1699 Connecticut Avenue NW Fifth Floor</p> <p>City Washington State DC Zip Code 20039</p> <p>Purpose of Disbursement Legal Services</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input type="checkbox"/></p>	<p>Transaction ID: 8821B.4224 Date of Disbursement 12 / 26 / 2007</p> <p>Amount of Each Disbursement This Period 3113.75</p> <p>001 Category/ Type</p>
<p>C. Full Name (Last, First, Middle Initial) They Work For Us, Inc.</p> <p>Mailing Address 885 18th Street NW Suite 333</p> <p>City Washington State DC Zip Code 20038</p> <p>Purpose of Disbursement Rent</p> <p>Candidate Name</p> <p>Office Sought: Home Senate President State: District</p> <p>Disbursement For: Primary General Other (specify) <input type="checkbox"/></p>	<p>Transaction ID: 8821B.4222 Date of Disbursement 08 / 01 / 2007</p> <p>Amount of Each Disbursement This Period 100.00</p> <p>001 Category/ Type</p>
<p>SUBTOTAL of Disbursements This Page (optional) ----- ▶ 8498.30</p>	
<p>TOTAL This Period (last page this line number only) ----- ▶</p>	

2904422768

**SCHEDULE B (FEC Form 3X)
ITEMIZED DISBURSEMENTS**

Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER:
(check only one)

PAGE 10/10

<input checked="" type="checkbox"/>	21b	<input type="checkbox"/>	22	<input type="checkbox"/>	23	<input type="checkbox"/>	24	<input type="checkbox"/>	25	<input type="checkbox"/>	26	<input type="checkbox"/>	28
	27		28a		28b		28c		28		28		28b

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

NAME OF COMMITTEE (in Full)
WORKING FOR US POLITICAL ACTION COMMITTEE INC

A. Full Name (Last, First, Middle Initial) They Work For Us, Inc.		Transaction ID: SE21 E.4226 Date of Disbursement: 10 / 01 / 2007	
Mailing Address 888 16th Street NW Suite 335		Amount of Each Disbursement this Period 150.00	
City Washington	State DC	Zip Code 20008	001 Category/ Type
Purpose of Disbursement Rent			
Candidate Name			001 Category/ Type
Office Sought:	Home Senate President	Disbursement For: Primary General Other (specify)	
State:	District		

SUBTOTAL of Disbursements This Page (optional) **150.00**

TOTAL This Period (last page this line number only) **9658.16**

FORM 3320 FEC Schedule B (Form 2007) (required 03/2007)

29044222769

**ROBEIN, URANN,
SPENCER, PICARD & CANGEMI**

(A PROFESSIONAL LAW CORPORATION)

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P.O. BOX 6748, METairie, LA 70007-6748

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NANCY PICARD
MARIA C. CANGEMI
CHRISTINA L. CARROLL*
KEVIN R. MASON**

OF COUNSEL
MARY MODENBACH WHITE

March 20, 2008

* ALSO ADMITTED IN MISSISSIPPI
** ALSO ADMITTED IN OYSLAFA

Jeff S. Jordan
Federal Election Commission
Supervisory Attorney
Complaints Examination & Legal Administration
999 E Street, NW
Washington, DC 20463

RE: MUR #5970

Dear Mr. Jordan:

This letter is SEIU Local 100's response to MUR #5970 filed by Lori Sherwood against SEIU Local 100 and other entities. SEIU Local 100 is a labor union representing employees in Louisiana, Texas and Arkansas. In her complaint, Sherwood refers to SEIU Local 100 only in paragraphs 22 and 25.

In paragraph 22, she states:

1024 Elysian Fields is also the address for "SEIU Local 100", the Association of Community Organizations for Reform, Now ("ACORN") and The Elysian Fields Corporation. See Exhibit 9.

Wade Rathke, President of Elysian Fields Corporation is also the Chief Organizer for SEIU Local 100, founder of ACORN, and a member of the Board of Directors of Tides Center and Tides Foundation. See Exhibit 10. Tides received \$245,000 in grant money from Arca Foundation between 2002-2006. See Appendix I.

Paragraph 25 states:

In an attempt to gain an understanding about this group which uses a New Orleans address, I learned that in addition to "SEIU Local 100", "ACORN" and "Elysian Fields Corporation" (the latter 2 purport to be not for profit) that the Edwards campaign has links to another not for profit, Citizens Services, Inc. ("CSI"), a

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COMMISSION
OFFICE OF GENERAL
COUNSEL
2008 MAR 20 P 5:24

29044222846

Jeff S. Jordan
Federal Election Commission
March 20, 2008
Page 2

Louisiana corporation formed on January 7, 2005. Like the other entities, its address is reported to be at 1024 Elysian Fields, New Orleans, Louisiana. See Exhibit 12.

The above statements so far as they refer to SEIU Local 100 are accurate. SEIU Local 100 has shared an address with the other organizations mentioned (although its address has recently changed). SEIU is a labor organization representing employees in Louisiana, Texas and Arkansas. It has no operations in Maryland. See Declaration of Fitzsimmons attached. Also Wade Rathke has served as an organizer for SEIU Local 100, and he also serves and/or has served as an officer and/or served as a board member of other organizations. Sherwood's complaint does not actually allege any improper conduct on the part of SEIU Local 100. However, to the extent that Sherwood implies any improper conduct on the part of SEIU Local 100 in the Donna Edwards campaign, that is denied. SEIU Local 100 has not made contributions to the Donna Edwards for Congress campaign, nor has it cooperated in concert with the Donna Edwards Campaign for Congress. To the extent that paragraph 25 of Sherwood's affidavit implies that SEIU 100 is somehow linked to the Donna Edwards Campaign, that is denied.

If you have further questions about SEIU Local 100 or need additional information, please contact me.

Sincerely yours,


Nancy Picard

NP/ugd

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29044222847

FEDERAL ELECTION COMMISSION

MUR #5970

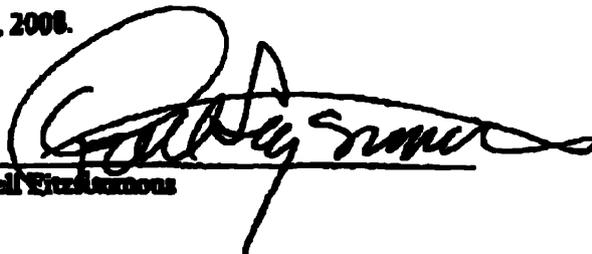
DECLARATION OF ORELL FITZSIMMONS

I am making the following statements based on personal knowledge.

1. I hold the position of Field Director with Service Employees International Union (SEIU) Local 100, and have held this position since 1991. As Field Director, I supervise SEIU Local 100 staff in Louisiana, Texas, and Arkansas and approve all expenditures. Wade Rathke holds the position of Chief Organizer for SEIU Local 100.
2. SEIU Local 100 has offices in all three states, and its main New Orleans office was formerly located at 1024 Elysian Fields Avenue. That main New Orleans office has now moved to 2609 Canal Street.
3. SEIU Local 100 represents employees in the states of Texas, Louisiana, and Arkansas. It does not represent any employees in Maryland, and has no operations in Maryland.
4. SEIU Local 100 was not involved in the Deanna Edwards Campaign. It did not make any contributions to the Campaign and did not coordinate with the Campaign.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed this 20 day of March, 2008.



Orell Fitzsimmons

P:\AFFIDAVIT\CLIENTS\SEIU Local 100\FEC_21134_00070-0000000000_Doc\Declarations.doc

2904422848

HARMON, CURRAN, SPIELBERG

1726 M Street, NW, Suite 600 Washington, DC 20036

EISENBERG, LLP

OFFICE OF GENERAL COUNSEL
(202) 528-2500 (202) 528-6918 fax

2008 JUN -2 P 2:01

May 27, 2008

Jeff S. Jordan
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Dear Mr. Jordan:

I am writing on behalf of Communities Voting Together ("CVT") in response to MUR 5970. Because this complaint does not allege facts that amount to a violation of the Federal Election Campaign Act, it does not provide a basis to find reason to believe a violation has occurred.

CVT is an unincorporated association. It has an office in Washington, DC, and administrative offices in New Orleans, Louisiana.¹ Its activities include public advocacy around various issues. In 2006, CVT mailed out issue advocacy leaflets referring to Congressman Albert Wynn. One of these was reproduced in part in the complaint. The complete document is attached to the declaration of Jeff Robinson, submitted with this response. In 2008, CVT also mailed out issue advocacy leaflets that referred to Congressman Wynn. In addition, CVT distributed those leaflets in a door-to-door canvass.

The complaint references these activities, but does not explain how CVT's actions are alleged to have violated the law. However, Ms. Sherwood also appears to be operating under several misapprehensions. As demonstrated by the declarations of Jeff Robinson and Johanna Sharrard,² CVT did not "attempt[] to hire canvassers to assist the Edwards Campaign," but rather hired canvassers to distribute its issue communications.

The complaint further attempts to establish by innuendo and irrelevant circumstances that there was some sort of improper nexus between CVT and other organizations that had direct relationship with Ms. Edwards or her campaign, apparently seeking to imply that this connection makes it impossible for CVT to have acted independently in making its public communications in Maryland. However, a finding of coordination in the relevant sense requires more than mere connections between people or organizations. The lines between circles on a chart created by Ms. Sherwood do not constitute evidence of anything.

¹ This administrative office is the address of the custodian of records mentioned in the complaint. Although Ms. Sherwood thinks it highly suspicious, it is hardly surprising that an organization would have its records kept in the office where administrative services are provided.

² Attached to this response is an unsigned declaration from Ms. Sharrard. Due to the short time allowed to respond in this matter, we have not been able to get a signed copy in hand by the deadline for this response. The signed version should be received within a few days and we will forward it at that time.

29044222927

HARMON, CURRAN, SPIELBERG EISENBERG, LLP

CVT
MUR 5970
Page 2

It is the case that, in 2006, CVT and the Edwards campaign hired the same vendor to provide services. This fact alone does not amount to coordination, as the Commission's regulations recognize. Use of a common vendor causes communications to be coordinated only when the vendor uses certain information. 11 C.F.R. § 1.109.21(d)(4)(iii). Mr. Robinson's declaration demonstrates that he was solely responsible for decision-making around the content, timing, audience, distribution, medium, and all other significant factors relating to CVT's public communications in both 2006 and 2008. Mr. Robinson did not have information regarding the campaign's plans, projects, activities, or needs, and therefore such information was not taken into account in the creation, production, or distribution of any of CVT's communications in Maryland. He received no request or suggestion from the campaign or anyone acting on its behalf, and he did not rely on any information (if it existed) previously used by CSI in providing services to the Edwards campaign.

The complaint also mischaracterizes the relationship between CVT and Citizens Services Inc., a company with which CVT had a contractual relationship to perform various services from time to time. The \$60,000 payment in November, 2005 was for services unrelated to any communications occurring in Maryland. (Robinson declaration paragraph ____.) It appears to have been incorrectly characterized on a tax filing as a contribution rather than a fee for services. This is an unfortunate oversight, but not a FECA violation. In any case, whatever the relationship between CSI and CVT, CVT's communications were created solely by Mr. Robinson, who did not have access to or rely on information about the Edwards campaign that would cause them to be treated as coordinated.

CVT did not, therefore, engage in any of the conduct described in 11 C.F.R. § 109.21(d). Its public communications were not "coordinated communications" treated by the regulations as an in-kind contribution and expenditure. Rather, CVT made independent issue advocacy communications. There is no reason that any contributions from CVT to the Edwards Campaign should have been reported, as implied by the complaint.

Nor did CVT make reportable independent expenditures. 11 C.F.R. § 100.16 defines an "independent expenditure" as "an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate that is not" coordinated with a campaign, a party, or their agents. CVT's communications do not meet this test because they did not contain express advocacy. Commission regulations provide two alternative definitions of "expressly advocating." 11 C.F.R. § 100.22(a) and (b). The first of these is clearly not applicable because CVT's communications do not include any language "which in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidate(s)." § 100.22(a). Indeed, there is no reference to voting or elections, and so cannot be any express advocacy under this "magic words" standard. Further, CVT's communications do not fall within the second definition, which requires that the communications

could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate(s) because--

HARMON, CURRAN, SPIELBERG EISENBERG, LLP

CVT
MUR 5970
Page 3

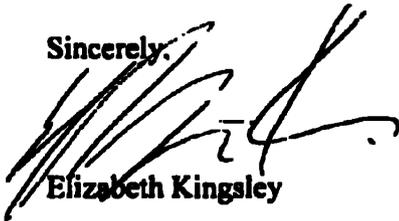
- (1) The electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and
- (2) Reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidate(s) or encourages some other kind of action. § 100.22(b)

CVT's leaflets have no electoral portion. There is no reference to voting, elections, or candidacy. Furthermore, there is an explicit encouragement for the reader to take a non-electoral action – calling her or his Congressional representative about the positions he has taken on public policy issues of concern to the constituent. Reasonable minds can only conclude that the communications do not encourage actions to elect or defeat Mr. Wynn.

In sum, in 2006 CVT acted entirely independently and on its own to distribute public communications that referred to Mr. Wynn but did not expressly advocate the election or defeat of any candidate. In 2008, CVT distributed similar communications and hired a vendor to assist in the door-to-door distribution of its materials. The vendor had worked for the Edwards campaign in 2006, but had no such relationship in 2008.

The actions described in this complaint do not describe a violation of the Act. Accordingly, we urge the Commission to dismiss this complaint with respect to CVT with a finding of no reason to believe a violation has occurred.

Sincerely,



Elizabeth Kingsley

29044222929

FEDERAL ELECTION COMMISSION

RE: MUR 5970

DECLARATION OF JOHANNA SHARRARD

1. My name is Johanna Sharrard. I am GOTV and Elections Coordinator for Citizens Services, Inc. ("CSI").
2. In early 2008, I served as the on-the-ground project manager for work CSI carried out on behalf of Communities Voting Together.
3. In that capacity, I oversaw the recruitment and training of door-to-door canvassers to deliver printed leaflets to residents in Maryland.
4. The flyer attached to this declaration was used to recruit those canvassers.
5. To the best of my knowledge, no one recruited to work as a canvasser was told they would be working "to assist the Edwards campaign."

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Johanna Sharrard

date

2904422930



DEMOCRACY IS NOT A SPECTATOR SPORT

**CSI is hiring Political Organizers to Take it to the Streets
and fight for Social Justice! Work for Affordable
Housing, Living Wages, School Reform, and more!**

FULL & PART TIME POSITIONS AVAILABLE!

Call TODAY! Ask for Johanna.

202-465-2598



DEMOCRACY IS NOT A SPECTATOR SPORT

**CVT is hiring Political Organizers to Take it to the
Streets and fight for Social Justice! Work for Affordable
Housing, Living Wages, School Reform, and more!**

FULL & PART TIME POSITIONS AVAILABLE!

Call TODAY! Ask for Johanna.

202-455-2598

29044222932

FEDERAL ELECTION COMMISSION

RE: MUR 5970

DECLARATION OF JEFF ROBINSON

1. My name is Jeff Robinson. I am the Executive Vice President of Citizen's Services, Inc. ("CSI"), a political consulting firm. I have held that position since January 1, 2006, and for approximately 3 months before then was a consultant to CSI.

2. In 2006, I was responsible for a project CVT carried out in Maryland. CVT mailed leaflets and sent automated phone calls to residents of the 4th Congressional District to inform Congressman Wynn's constituents of his record on various public policy issues and urging them to contact him with regard to those issues. Exhibits I attached to this Declaration reproduce one of those leaflets.

3. I personally prepared the content of the 2006 leaflets and phone scripts. I selected the list of constituents these communications went to. I did not discuss CVT's plans for this project with anyone else except as necessary to implement the project. In particular, I did not discuss my plans for these communications with any other CSI employee or consultant. I did not have any information regarding the plans, projects, activities, or needs of the Edwards campaign when I prepared and sent the mail pieces or phone scripts. I did not receive any request or suggestion from the campaign, a political party, or an agent of either, regarding any public communications by CVT. In deciding what means of communication to use, the content of those communications, the timing and audience for them, I relied on my own judgment and information from public sources. I did not have access to any information such as polling or research conducted by CSI other than my own work.

4. Other than the mailed leaflets and phone calls, CVT did not distribute any communications in any medium that referred to either Donna Edwards or Al Wynn during the period October 1, 2005 through the date of the Democratic primary election.

5. In late 2007 and early 2008, CVT again engaged in activities to draw Congressman Wynn's legislative record to the attention of his constituents and encourage them to contact him regarding it. This project consisted of mailing leaflets to residents of the fourth Congressional district, and a door-to-door canvass that distributed the same leaflets to residents' houses.

6. I personally prepared the content of these leaflets and determined who they would be delivered to. I did not have any communications with the Edwards campaign, any political party committee, or an agent of either, regarding any aspect of this project. I did not have any information regarding the plans, projects, activities, or needs of the Edwards campaign when I prepared and planned the distribution of the leaflets.

7. CVT hired Citizen's Services, Inc. ("CSI") to conduct these activities in both 2006 and 2008. CSI provided the materials for distribution and instructions regarding the houses to be

29044222933

visited. CSI was responsible for recruiting and supervising canvassers to distribute CVT's advocacy materials. CSI was not authorized to represent that canvassers would "assist the Edwards Campaign." nor to my knowledge did it do so.

8. On November 16, 2005 CVT made a payment of \$60,000 to CSI for services rendered under a different contract, for activities carried out in a state other than Maryland and unrelated to CVT's activities in Maryland during late 2005 and early 2006. I personally had knowledge of this transaction.

9. As Executive Vice President of CSI, I had conversations with CSI employees regarding the contract for services under which the November 16 payment was made, but in the course of those conversations I did not discuss any aspect of CVT's plans for mailing leaflets to Maryland residents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.


Jeff Robinson

May 27, 2008
date

2904422934

29044222935

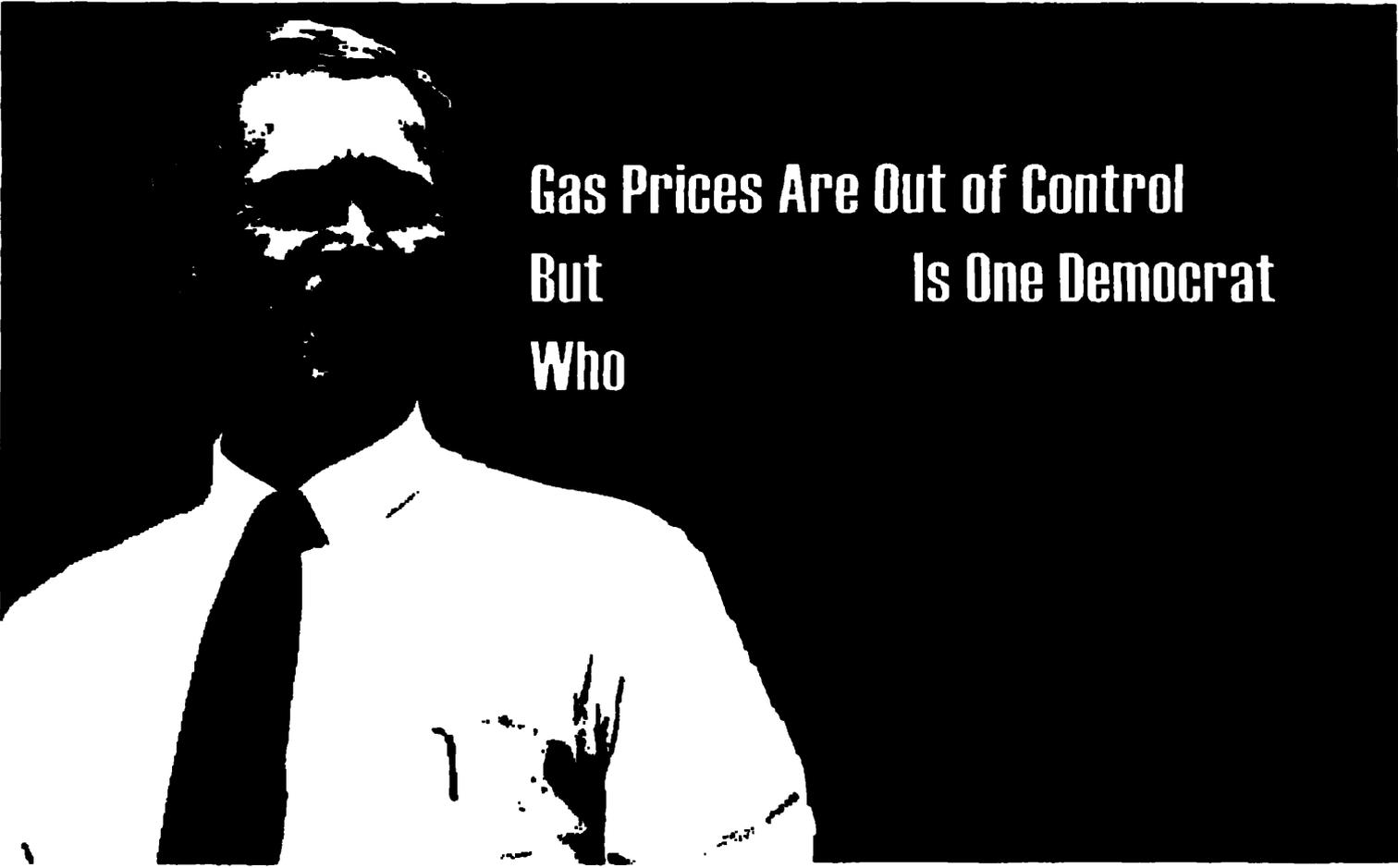


Bush, Cheney and Big Oil can count on one Democrat.

**Communities Voting Together
1024 Elysian Fields Avenue
New Orleans, Louisiana 70117-8402**

Paid for by Communities Voting Together, 1024 Elysian Fields Avenue, New Orleans, Louisiana.

CVT06002
Attachment 8
MUR 5970
Page 126 of 155



**Gas Prices Are Out of Control
But Who Is One Democrat**

Gas and oil companies are making record profits while Maryland families are paying the highest gas prices ever. When Congressman Albert Wynn should have been protecting us, he chose to support the Bush-Cheney energy bill – a bill written by the gas and oil industries.

Albert Wynn Owes Us An Explanation

- **Voted to Give Oil Companies Billions of Dollars in Tax Cuts.**
- **Supports Bush-Cheney Energy Bill That Was Written by the Oil and Gas Industry.**
- **Takes \$61,056 from Gas and Oil Companies While We Pay Record Prices at the Pump.**

When it comes to America's energy prices, Albert Wynn sides with Bush-Cheney. The least he can do is tell us why.

Call Congressman Wynn at (202) 225-8699.

STEVE BACHMANN
Attorney at Law
51420 Hunters Crossing Court
Granger, IN 46530-8856
(574) 674-0718 Fax (574) 674-0399
sbachmann@aol.com

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 JUN -2 P 2: 01

May 27, 2008

Jeff S. Jordan
Federal Election Commission
999 E Street, NW
Washington, DC 20463
FAX: 202 219 3923

PAGES IN THIS FAX INCLUDING THIS PAGE: 5

Dear Mr. Jordan:

This response is filed on behalf of Association of Community Organizations for Reform Now ("ACORN") with regard to MUR 5970. On its face, the complaint does not describe any specific act by ACORN that constitutes a violation of the Federal Election Campaign Act. Fundamentally, Ms. Sherwood's letter is an exercise in innuendo and vague, unsubstantiated allegations of misconduct. The Commission should, accordingly, find no reason to believe a violation has occurred and dismiss this matter with respect to ACORN.

The complaint is correct on a few points of fact. 1024 Elysian Fields Avenue, New Orleans was an address used by ACORN.¹ [Complaint paragraph 22] Wade Rathke was, indeed, ACORN's founder. [Id.] And Donna Pharr was Assistant Treasurer for ACORN until late 2007. [Complaint paragraph 23]

On the other hand, ACORN never purported to make "independent expenditures, in support of the Edwards Campaign." [Complain paragraph 27] The complaint itself, other than a wholly unsupported statement [Complaint paragraphs 27 and 30 ("all had roles which were allegedly independent of the Edwards Campaign")], provides absolutely no evidence of ACORN making any independent expenditures in this race. Indeed, it is not even clear which election the complainant is referring to. Overall she appears to be making claims about the 2008 Democratic primary, but the payments discussed in paragraphs 28 and 29 occurred in 2006.

¹ At the beginning of this year, the New Orleans offices were moved to a different address.

29044222938

In 2006, what ACORN did do was to provide field services to the Edwards campaign, as a subcontractor to Citizens Services Inc., a vendor hired by the Edwards campaign. ACORN was paid for these services. The attached declaration of Mitch Klein, who served as ACORN's Head Organizer in Maryland, explains ACORN's role as a contractor to CSI to carry out the contractual services for which the Edwards campaign hired it. [Klein declaration paragraphs 3-5] This declaration was previously submitted with CSI's response in this matter, but we attach it here for convenience.

In 2008, ACORN did not provide any such services. During the 90-day pre-election period relevant to the content test of the Commission regulations on coordinated and independent expenditures, 11 C.F.R. § 109.21(c)(4)(i), ACORN did not make any public communications that referred to either Edwards or her opponent, Al Wynn. [Katzenberg declaration paragraph 4] Further, ACORN did not make any other communications covered by those regulations. [Katzenberg declaration paragraphs 5 and 7] or re-distribute campaign materials [paragraph 6].

Because Ms. Sherwood does not state with any clarity how ACORN is alleged to have violated the law, it is difficult to respond to her legal claims. However, it appears that she may be suggesting one of two theories: either that ACORN engaged in independent expenditures in support of Donna Edwards, or that ACORN made in-kind contributions by making coordinated public communications that referred to either Ms. Edwards or her opponent. As demonstrated by the attached declarations, neither of these theories is viable, because, except for the services it provided under the CSI contract, ACORN did not make any public communications referring to either candidate during the relevant pre-election periods in the 2006 or 2008 primary campaigns. It therefore cannot have made express advocacy communications in 2006 as would be necessary for the first theory, as they would have to refer to a candidate. The second theory is not viable either. The Katzenberg declaration demonstrates that in 2008 ACORN did not make any communications that would be covered by the content standards of the coordinated communication regulations, 11 C.F.R. § 109.21(c). The Klein declaration proves the same conclusion for 2006, because each of the four covered types of content (electioneering communications, redistributed campaign materials, express advocacy, or public communications that refer to a candidate or party within a fixed pre-election time frame) require or inherently would include a reference to a candidate. Since ACORN did not make any public communications in either cycle that met the content standard of the regulations, it cannot have engaged in coordinated public communications that would be treated as a contribution under FECA and Commission regulations.

Ms. Sherwood spends a lot of ink detailing the fact that ACORN and some other groups share an address in New Orleans. In fact, this address is (or was) the address of Citizens Consulting Inc. ("CCI"), a firm that ACORN has hired to provide administrative, legal, and accounting services. The address is used by ACORN and presumably other CCI clients as an administrative address. Similarly, when ACORN registers for authority to do business in a state, it identifies a registered agent and office in that state. Often, this will be a commercial provider whose numerous other clients also share the same

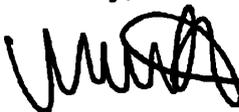
"official" address in the state. Using the same vendor for administrative or registered agent services is not evidence of any improper relationships, if the complaint had even bothered to articulate what those might be.

As part of its contractual relationship with CCI, ACORN agrees to appoint the CCI director as its Assistant Treasurer with authority to act solely on administrative matters in order to carry out the services for which CCI is hired. Because Donna Pharr was CCI Director until late 2007, she served in that capacity to facilitate the provision of administrative and accounting services to ACORN. She did not have any broader authority over organizational program or operations.

Finally, the complaint states that a check from the Edwards campaign for services was sent to the ACORN address. We have not investigated this point, as it does not seem to relate to any alleged misconduct on ACORN's part. However, since ACORN was hired by CSI to fulfill the contract with the Edwards campaign, it is imaginable that a check for CSI could have been inadvertently sent to the wrong address. If that did occur, ACORN staff would have forwarded the check to the correct recipient.

Because, as explained, ACORN's conduct with respect to the 2006 and 2008 Maryland Democratic primary races was entirely consistent with the requirements of FECA, this complaint should be dismissed with a finding of no reason to believe that a violation has occurred.

Sincerely,



**Steve Bachmann
General Counsel
Association of Community Organizations for Reform Now**

FEDERAL ELECTION COMMISSION

RE: MUR 5970

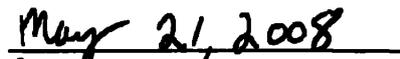
DECLARATION OF STUART KATZENBERG

1. My name is Stuart Katzenberg. I am the Head Organizer for ACORN in Maryland, and have held that position since December of 2006.
2. ACORN's governing documents provide for members who pay dues and elect local governing boards, who in turn appoint representatives to the national ACORN governing board.
3. As Head Organizer in Maryland, I would be aware of activities ACORN conducts in Maryland with regard to elections.
4. The Maryland primary election took place on February 12, 2008. At no time in the preceding 90 days did ACORN make any public communications that referred to either Donna Edwards or Al Wynn. In this context, I understand "public communications" to mean the following communications made to the general public (i.e., to people other than ACORN members): broadcast, cable, or satellite communication; newspaper, magazine, or outdoor advertising facility; mass mailing (more than 500 pieces of identical or substantially similar nature within a 30-day period); telephone bank (more than 500 telephone calls of an identical or substantially similar nature within 30-day period); or any other form of general public political advertising.
5. ACORN did not pay for any broadcast communications that referred to either Edwards or Wynn within the 30 days before the primary.
6. ACORN did not at any time make a communication to the public that disseminated or redistributed, in whole or in part, campaign materials prepared by the Edwards campaign.
7. ACORN members had a meeting with Donna Edwards in the ACORN offices. The press was invited to this members-only event, and at the meeting ACORN's endorsement of Edwards was announced. Other than this event, ACORN did not at any time make a communication to the public that expressly advocated the election or defeat of either Edwards or Wynn.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Stuart Katzenberg



date

29044222941

FEDERAL ELECTION COMMISSION

RE: MUR 5970

DECLARATION OF MITCH KLEIN

1. My name is Mitch Klein.
2. In 2006, I was the Head Organizer for ACORN in Maryland.
3. In my capacity as ACORN Head Organizer I was requested by national ACORN and CSI officials to serve in an advisory role to Citizens Services Inc. to assist their staff in helping to design and implement a field program for the Donna Edwards Campaign. I participated in discussions about strategy and costs for the campaign. These discussions included means by which ACORN would provide services for CSI for pieces of an outreach program particularly in the areas of field strategy and management and a phone program.
4. CSI paid ACORN an agreed-upon amount to pay for the services ACORN provided related to this program.
5. In my advisory role I reviewed invoices for work prepared by CSI staff for submission to the Edwards campaign and assisted CSI staff and the Edwards campaign in decisions to scale back the program when the Edwards campaign did not meet its fundraising targets.
6. As head organizer of ACORN, I had no knowledge of any public communications made by ACORN during the time of the 2006 primary campaign that referred to either Wynn or Edwards other than as part of the services provided under the CSI contract to the Edwards campaign. In this context, I understand "public communications" to mean the following communications made to the general public (i.e., to people other than ACORN members): broadcast, cable, or satellite communication; newspaper, magazine, or outdoor advertising facility; mass mailing (more than 500 pieces of identical or substantially similar nature within a 30-day period); telephone bank (more than 500 telephone calls of an identical or substantially similar nature within 30-day period); or any other form of general public political advertising.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Mitch Klein

3-21-08
date

29044222942



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 2008

Steve Bachman
Attorney at Law
51420 Hunters Crossing Court
Granger, Indiana 46530-8856

RE: MUR 5970
ACORN

Dear Mr. Bachman:

On April 25, 2008, the Federal Election Commission notified your client, Association of Community Organizations for Reform Now ("ACORN"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 22, 2008, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe ACORN violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter at (202) 694-1548.

Sincerely,

A handwritten signature in black ink that reads "Julie K. McConnell /ajs".

Julie K. McConnell
Assistant General Counsel

Enclosure
Factual and Legal Analysis

29044223007

1
2 **FEDERAL ELECTION COMMISSION**

3 **FACTUAL AND LEGAL ANALYSIS**

4
5 **RESPONDENT: ACORN**

MUR: 5970

6
7
8 **I. INTRODUCTION**

9
10 This matter was generated by a complaint filed with the Federal Election Commission by
11 Lori Sherwood. See 2 U.S.C. § 437g(a)(1).

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 The complaint states that the Association of Community Organizations for Reform Now
14 ("ACORN") has made independent expenditures on behalf of Donna Edwards for Congress
15 ("Committee"). The complaint appears to allege that a non-profit organization was "actively
16 involved" in making independent expenditures.

17 ACORN is a national grass-roots community organization with 1,200 local chapters.
18 ACORN states that it has not made independent expenditures on behalf of Edwards. In 2006,
19 ACORN's Maryland chapter provided field services to the Edwards campaign, as a
20 subcontractor. ACORN states that it did not make any public communications in 2006 or 2008
21 that referred to Edwards. ACORN acknowledges that Edwards attended a press conference
22 where ACORN announced its endorsement of her for the 2008 primary. Other than the
23 endorsement, ACORN never made a communication to the public that expressly advocated the
24 election of Edwards or defeat of Wynn.

25 The facts alleged do not state a FECA violation. ACORN appears to have been named as
26 a respondent due to the address its shares with certain other organizations in New Orleans.

29044223008

**ACORN Factual and Legal Analysis
MUR 5970**

- 1 ACORN appears to have operated as a sub-vendor to another organization. In addition, although**
- 2 not alleged in the complaint, the available information suggests that ACORN properly handled**
- 3 the announcement of its endorsement of Donna Edwards, pursuant to 11 C.F.R. § 114.4(e)(6).**
- 4 There is no reason to believe that ACORN violated the Act.**

29044223009



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 2008

Elizabeth Kingsley, Esquire
Harmon, Curran, Spielberg & Eisenberg
1726 M Street, N.W.
Suite 600
Washington, D.C. 20036

RE: MUR 5970
Citizens Services, Inc.

Dear Ms. Kingsley:

On February 7, 2008, the Federal Election Commission notified your client, Citizens Services, Inc. ("CSI"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 22, 2008, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe CSI violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See *Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files*, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The *Factual and Legal Analysis*, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter at (202) 694-1548.

Sincerely,

A handwritten signature in black ink that reads "Julie K. McConnell/ejp".

Julie K. McConnell
Assistant General Counsel

Enclosure
Factual and Legal Analysis

29044223017

1
2 **FEDERAL ELECTION COMMISSION**
3 **FACTUAL AND LEGAL ANALYSIS**
4

5 **RESPONDENT: Citizens Services, Inc.**

MUR: 5970

6
7
8 **I. INTRODUCTION**

9
10 **This matter was generated by a complaint filed with the Federal Election Commission by**
11 **Lori Sherwood. See 2 U.S.C. § 437g(a)(1).**

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 **The complaint states that Donna Edwards for Congress ("Committee") paid \$76,866 to**
14 **Citizens Services, Inc. ("CSI") for get-out-the-vote activities. The complaint alleges that CSI, a**
15 **nonprofit organization, received money in a coordinated effort with the Committee and engaged**
16 **in political activity.**

17 **CSI is a Louisiana nonprofit corporation that provides consulting and field services to a**
18 **number of different clients. CSI states that it is a vendor and had a contract with the Edwards**
19 **Committee to perform get-out-the-vote canvassing and phone bank operations, which the**
20 **Edwards Committee paid for and disclosed in its disclosure reports. CSI further states that its**
21 **contact with the Committee constituted a standard commercial transaction between a campaign**
22 **and a vendor. CSI also subcontracted some of the work to a third-party.**

23 **The Committee paid CSI for work, and CSI appears to have operated as a vendor. As a**
24 **result, the facts alleged do not state a violation of the Act, and there is no reason to believe that**
25 **CSI violated the Act.**



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 2008

Elizabeth Kingsley, Esquire
Harmon, Curran, Spielberg & Eisenberg
1726 M Street, N.W.
Suite 600
Washington, D.C. 20036

RE: MUR 5970
Communities Voting Together

Dear Ms. Kingsley:

On April 30, 2008, the Federal Election Commission notified your client, Communities Voting Together ("CVT"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 22, 2008, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe CVT violated 2 U.S.C. § 441a(a)(1). Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter at (202) 694-1548.

Sincerely,

A handwritten signature in cursive script that reads "Julie K. McConnell".

Julie K. McConnell
Assistant General Counsel

Enclosure
Factual and Legal Analysis

29044223020

1
2 **FEDERAL ELECTION COMMISSION**
3 **FACTUAL AND LEGAL ANALYSIS**
4

5 **RESPONDENTS: Communities Voting Together MUR: 5970**
6

7
8 **I. INTRODUCTION**
9

10 **This matter was generated by a complaint filed with the Federal Election Commission by**
11 **Lori Sherwood. See 2 U.S.C. § 437g(a)(1).**

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 **Communities Voting Together (“CVT”) is a public advocacy, unincorporated association.**
14 **The complaint alleges that CVT disseminated a mailer, which constitutes an excessive and**
15 **unreported contribution to Donna Edwards for Congress (“Committee”). The complaint further**
16 **alleges that CVT hired canvassers to assist the Edwards campaign.**

17 **CVT states that it disseminated issue advocacy leaflets in 2006 and 2008 that referred to**
18 **Edwards’ opponent in the 2006 and 2008 primaries, Albert Wynn. CVT did not discuss the**
19 **leaflets with the Edwards campaign. The Executive Vice President of CSI, who was responsible**
20 **for the 2006 and 2008 projects, attests that he did not discuss the projects with other CSI**
21 **employees except as necessary to implement them, and he had no information regarding needs,**
22 **plans, projects, or activities of the Edwards campaign. CVT further states that it hired CSI, a**
23 **common vendor with the Committee, to create and disseminate CVT issue advocacy leaflets, but**
24 **not to “assist the Edwards campaign.” The leaflets were mailed in 2006 and mailed and hand-**
25 **delivered in 2008.**

29044223021

1 The Act, as amended by BCRA, provides that no person shall make contributions to any
2 candidate and his or her authorized political committee with respect to any election for federal
3 office, which, in the aggregate, exceed \$2,300. 2 U.S.C. § 441a(a)(1)(A).

4 Under the Act and Commission regulations, the terms “contribution” and “expenditure”
5 include any gift of money or “anything of value” made by any person for the purpose of
6 influencing a Federal election. See 2 U.S.C. § 431(8)(A)(i) and (9)(A)(i); 11 C.F.R. §§
7 100.52(a) and 100.111(a). The phrase “anything of value” includes all in-kind contributions. See
8 11 C.F.R. §§ 100.52(d)(1) and 100.111(e)(1). In-kind contributions include expenditures made
9 by any person “in cooperation, consultation, or concert, with, or at the request or suggestion of” a
10 candidate, a candidate’s authorized committees, or their agents. 2 U.S.C. § 441a(a)(7)(B)(i).

11 Commission regulations specify a three-prong test to determine whether a payment for a
12 communication becomes an in-kind contribution as a result of coordination between the person
13 making the payment and a candidate. See 11 C.F.R. § 109.21(a)(1)–(3). Under the first prong of
14 the coordinated communication test, the communication must be paid for by a person other than
15 a candidate, a candidate’s authorized committee, a political party committee, or agents of any of
16 the foregoing. See 11 C.F.R. § 109.21(a)(1). Under the second prong, the communication must
17 satisfy one of the four content standards set forth in 11 C.F.R. § 109.21(c).¹ Under the third

¹ After the decision in *Shays v. FEC*, 414 F.3d 76 (D.C. Cir. 2005) (Court of Appeals affirmed the District Court’s invalidation of the fourth, or “public communication,” content standard of the coordinated communications regulation), the Commission made revisions to 11 C.F.R. § 109.21 that became effective July 10, 2006. In a subsequent challenge by Shays, the U.S. District Court for the District of Columbia held that the Commission’s content and conduct standards of the coordinated communications regulation at 11 C.F.R. § 109.21(c) and (d) violated the Administrative Procedure Act; however, the court did not vacate the regulations or enjoin the Commission from enforcing them. See *Shays v. FEC*, 508 F.Supp.2d 10, 70-71 (D.D.C. Sept. 12, 2007) (NO. CIV.A. 06-1247 (CKK)) (granting in part and denying part the respective parties’ motions for summary judgment). Recently, the D.C. Circuit affirmed the district court with respect to, *inter alia*, the content standard for public communications made before the time frames specified in the standard, and the rule for when former campaign employees and common vendors may share material information with other persons who finance public communications. See *Shays v. FEC*, ___ F.3d ___, (D.C. Cir. 2008).

29044223022

1 prong, the communication must satisfy one of the five conduct standards set forth in 11 C.F.R.

2 § 109.21(d).²

3 CVT's response, including affidavits, sufficiently rebuts the complaint's vague
4 allegations that CVT and the Committee coordinated the CVT leaflets. The response specifically
5 rebuts allegations that CVT and the Committee engaged in conduct that would meet the
6 requirements of 11 C.F.R. § 109.21(d). Furthermore, the 2006 leaflet, and purportedly similar
7 2008 leaflet, are issue focused and ask the reader to call Albert Wynn to explain his energy
8 policies. Therefore, there is no reason to believe that CVT violated 2 U.S.C. § 441a(a)(1) by
9 making an excessive in-kind contribution in the form of a coordinated communication.

² The conduct prong is satisfied where any of the following types of conduct occurs: (1) the communication was created, produced or distributed at the request or suggestion of a candidate or his campaign; (2) the candidate or his campaign was materially involved in decisions regarding the communication; (3) the communication was created, produced, or distributed after substantial discussions with the campaign or its agents; (4) the parties contracted with or employed a common vendor that used or conveyed material information about the campaign's plans, projects, activities or needs, or used material information gained from past work with the candidate to create, produce, or distribute the communication; (5) the payor employed a former employee or independent contractor of the candidate who used or conveyed material information about the campaign's plans, projects, activities or needs, or used material information gained from past work with the candidate to create, produce, or distribute the communication; or (6) the payor republished campaign material. See 11 C.F.R. § 109.21(d).

29044223023



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 10 2008

Hollis Shepherd, Esquire
Citizens Consulting, Inc.
2609 Canal Street
New Orleans, Louisiana 70117

RE: MUR 5970
Citizens Consulting, Inc.

Dear Mr. Shepherd:

On March 3, 2008, the Federal Election Commission notified your client, Citizens Consulting, Inc. ("CCI"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 22, 2008, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe CCI violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter at (202) 694-1548.

Sincerely,

A handwritten signature in black ink that reads "Julie K. McConnell /ajp".

Julie K. McConnell
Assistant General Counsel

Enclosure
Factual and Legal Analysis

29044223011

1
2 **FEDERAL ELECTION COMMISSION**
3 **FACTUAL AND LEGAL ANALYSIS**
4

5 **RESPONDENT:** Citizens Consulting, Inc.

MUR: 5970

6
7
8 **I. INTRODUCTION**

9
10 This matter was generated by a complaint filed with the Federal Election Commission by
11 Lori Sherwood. See 2 U.S.C. § 437g(a)(1).

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 The complaint does not allege that Citizens Consulting, Inc. ("CCI") violated the Act.
14 CCI provides consulting services, including administrative, financial, bookkeeping, and legal
15 support, primarily to nonprofit organizations. Some CCI clients use CCI's address as a point of
16 contact for administrative functions. The only reference to Citizens Consulting Inc. in the
17 complaint is that CCI has the same address as other respondents.

18 The facts alleged do not state a FECA violation. As it appears that CCI has no
19 connection to the Edwards Committee, there is no reason to believe that CCI violated the Act.

29044223012

HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

1726 M Street, NW, Suite 600 Washington, DC 20036

(202) 328-3500 (202) 328-6918 fax

March 24, 2008

Jeff S. Jordan
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2008 MAR 24 P 4:17

Dear Mr. Jordan:

This response is filed on behalf of Citizens Services, Inc. ("CSI") with regard to MUR 5970. The complaint filed by Ms. Sherwood does not contain evidence of any wrongdoing by CSI. In fact, all it does is to use public records and reports filed with the Commission to demonstrate that the Edwards campaign contracted with CSI to conduct a field program on the campaign's behalf. There is nothing unlawful about this, and as a consequence the Commission should find no reason to believe a violation has occurred.

Although this complaint does not clearly state what CSI has allegedly done that would violate the Federal Election Campaign Act, it seems to be implying that independent activities of outside groups were improperly coordinated with the Edwards campaign. In fact, CSI was hired by the Edwards campaign as a vendor to provide campaign services. CSI provided those services, and received payment as stipulated in a negotiated contract. This is not, as the complaint states in paragraph 27, "what purport to be independent expenditures." This is a standard commercial transaction between a campaign and a vendor. There was nothing independent about these services; they were paid for by and made on behalf of the campaign. None of CSI's behavior amounts to a violation of the Act.

CSI is a Louisiana nonprofit corporation that provides consulting and field services (such as door-to-door canvass and phone banks) to a number of different clients. In 2006, those clients included Donna Edwards for Congress (the "Edwards Campaign"). (See declaration of Mitch Klein (MK) paragraphs 3 and 5, declaration of Patrick Winogron (PW) paragraphs 6 and attached contract between CSI and the Edwards Campaign.) Pursuant to a contractual arrangement, CSI conducted a field program for the Edwards Campaign. CSI in turn subcontracted a portion of this work to ACORN. (MK paragraph 3 and 4)

The payments from the Edwards Campaign to CSI that were reported to the Commission and are discussed in the complaint were for these services, as indicated on the Campaign's reports.

The complaint makes much of the fact that a number of distinct organizations avail themselves of the same address in New Orleans. The reason for this is that at the relevant time period, 1024 Elysian Fields Avenue housed the offices of Citizens Consulting Inc. ("CCI"). CCI is another consulting firm that provides administrative, legal, and similar services to CSI and a variety of

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HARMON, CURRAN, SPIELBERG & EISENBERG, LLP

Citizens Services Inc.
MUR 5970
Page 2
March 24, 2008

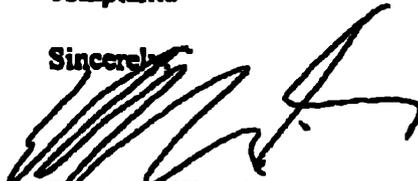
clients. CSI therefore reports this address as its main administrative location, as it is the offices to which most official correspondence should be directed. (PW paragraphs 3, 4, and 5) Similarly, when it registered to do business in Maryland, CSI was required to identify a registered address, and availed itself of the services of National Registered Agents, a firm that serves as registered agent for client corporations on a fee basis. This was the address registered with the state of Maryland, as the official designation of a location to send official correspondence.

Finally, although it is not entirely clear on the point, the complaint appears to suggest that CSI or other organizations sharing its address could have acted as a conduit for passing information between the Edwards Campaign and other organizations engaged in independent expenditures or other advocacy legally required to be independent of the campaign.

In fact, the administrative support personnel at the shared address in New Orleans would not ordinarily have had access to information about the content, timing, or audience for any communications carried out for the Edwards Campaign, or about the Campaign's plans, projects or activities. They would only have processed payments of invoices after the fact. (PW paragraphs 7-10) This shared administrative office does not create an avenue for coordination. The complaint's insinuations in this regard are utterly baseless.

For these reasons, we urge the Commission to find no reason to believe and dismiss this complaint.

Sincerely,



Elizabeth Kingsley

1. My name is Patrick Winogrand.
 2. I am an employee of Citizens Consulting Inc. ("CCI").
 3. CCI provides administrative, accounting, legal, and similar services for a number of different client organizations, including Citizens Services Inc. ("CSI").
 4. CCI's offices have been located at 1024 Elysian Fields Ave., New Orleans LA, until moving to a new office space in early 2008.
 5. CCI's clients typically use this address as their primary contact point in order to ensure that legal and financial documents come to the location of the staff providing associated services.
 6. CCI is also responsible for maintaining files on contracts entered into by its clients. The attached contract between CSI and Donna Edwards for Congress is from CCI's files.
 7. My job responsibilities include overseeing all of CCI's services provided for CSI and for ACORN's "political" operations. I held this position in 2006 and exercised those same responsibilities then.
 8. The information that I receive from CCI clients is limited to factual financial information required to carry out our administrative services. Typically this would take the form of requests to pay a given vendor a specific amount.
 9. As a general matter, there would never be any reason for CCI staff to receive specific campaign material or any strategic plans or information related to a client's operations.
 10. Specifically, in 2006, I did not receive or have access to information regarding plans, strategies, or needs of CSI or ACORN relating to their work for the Edwards campaign.
- I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.


Patrick Winogrand

date 3-21-08

29044251017

4-1

Consultant Agreement Between CSI and Donna Edwards for Congress

THIS AGREEMENT dated as of July 3, 2006 is entered into between Donna Edwards for Congress (the "Edwards Campaign") and Citizens' Services, Inc. (CSI) (the "Consultant").

Section 1. Services

CSI agrees to provide a Get Out the Vote persuasion program, starting July 6th 2006 and ending Sept. 12th, 2006.

During this period CSI will contact registered voters provided by the Edwards Campaign in the following district:

MD Congressional District 4

In this district CSI will deploy a 1/2 time overall campaign director, 2 political organizers, 25 part-time staff and 5 team leaders.

5-10 of these staff will be for the purposes of nightly phone banking, the remainder in the field.

CSI agrees to auto-dial base voters in the district twice.

Section 2. Term

The term of this agreement shall begin upon signing and shall end September 12, 2006.

Section 3. Termination

This Agreement may be terminated by mutual consent of the signed parties or with 5 days written notification by one party to the other. In the event of termination, all fees owed to CSI shall become immediately due and payable.

Section 4. Compensation and Fees

During the term of this Agreement, the Edwards Campaign agrees to compensate CSI for its services as following:

The costs for the program are the following: up to \$40,000 every two weeks with a \$40,000 up front payment. If the services for the two week period are less than \$40,000 (see below) CSI's invoice for that period will be for the lesser amount. Services will be determined by the following unit rate:

- \$ 2.75 per door contact
- \$ 1.50 per phone contact
- \$.03 per auto-dial plus long distance charges
- \$ 1500 bi-weekly for a political organizer
- \$.03 cents per photo copy, .04 cents if two-sided
- \$ 1250 bi-weekly for half-time CSI campaign director

Auto Dial	0.03 Per call	160000	Local Calls	4800
	0.07 Per call	68482	Long Distance Calls to Montgomery	4781.64
Auto-dialer again before election day				8681.64
Voter Persuasion Campaign				
Persuasion Canvass	2.75 Per voter contact	15000	Voters contacted (5,000 Yes)	41250
Persuasion Phonebank	1.5 Per voter contact	30000	Voters contacted (10,000 Yes)	45000
Phonebank for Volunteers	1 Per Vol. Contact	10000		10000
Supervisor Pay	8000 Per Month	2.5 Months		15000
Organizer Pay	10000 Per Month	2.5 Months		25000
Coordinated Lit Drops	0.35 Per Lit. Drop	100000	Households	35000
Other Part Time Staff				
QC and Database	5.00% Of Total Voter Persuasion Cost			4312.8
Election Day Push	10000			10000
			Total	204748.78

\$ 500 bi-weekly for rental of phones and space

29044251018

FEDERAL ELECTION COMMISSION

RE: MUR 5970

DECLARATION OF MITCHE KLEIN

1. My name is Mitch Klein.
2. In 2006, I was the Head Organizer for ACORN in Maryland.
3. In my capacity as ACORN Head Organizer I was requested by national ACORN and CSI officials to serve in an advisory role to Citizens Services Inc. to assist their staff in helping to design and implement a field program for the Donna Edwards Campaign. I participated in discussions about strategy and costs for the campaign. These discussions included means by which ACORN would provide services for CSI for pieces of an outreach program particularly in the areas of field strategy and management and a phone program.
4. CSI paid ACORN an agreed-upon amount to pay for the services ACORN provided related to this program.
5. In my advisory role I reviewed invoices for work prepared by CSI staff for submission to the Edwards campaign and assisted CSI staff and the Edwards campaign in decisions to scale back the program when the Edwards campaign did not meet its fundraising targets.
6. As head organizer of ACORN, I had no knowledge of any public communications made by ACORN during the time of the 2006 primary campaign that referred to either Wynn or Edwards other than as part of the services provided under the CSI contract to the Edwards campaign. In this context, I understand "public communications" to mean the following communications made to the general public (i.e., to people other than ACORN members): broadcast, cable, or satellite communication; newspaper, magazine, or outdoor advertising facility; mass mailing (more than 500 pieces of identical or substantially similar nature within a 30-day period); telephone bank (more than 500 telephone calls of an identical or substantially similar nature within 30-day period); or any other form of general public political advertising.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.



Mitch Klein

date 3-21-08

29044251020

CITIZENS CONSULTING, INC.
LEGAL DEPARTMENT
1024 Elysian Fields Avenue
New Orleans, Louisiana 70117

Hollis Shepherd

Telephone: 504-943-8934
Facsimile: 504-949-4713

April 11, 2008

Federal Election Commission
Enforcement Division
999 E. Street N.W.
Washington D.C. 20463

Re: MUR 5970

Dear Mr. Jeff Jordan:

In response to your February 5, 2008 notice concerning MUR 5970, we have reviewed the complaint filed by Lori Sherwood and have determined that: (1) although your February 5, 2008 notice says the Federal Election Commission received a complaint that *indicates* Citizens Consulting may have violated the Federal Election Campaign Act of 1971, MUR 5970 doesn't contain any statements or documentation indicative of a violation of the Federal Election Campaign Act of 1971; and (2) Sherwood's complaint does not even mention Citizens Consulting Incorporated (CCI). More importantly, the opening paragraphs of Ms. Sherwood's complaint are as follows:

"I, Lori Sherwood, of _____, Rockville, Maryland 20853, am an adult citizen of the state of Maryland. I am filing the within complaint with your office as it is my belief that violations of the Federal Election Campaign Laws and Commission Regulations have occurred.

Based on my examination of various records and documents I believe Donna Edwards for Congress Committee ("Edwards Campaign") has received substantial assistance by way of unreported, in-kind contributions from organizations who profess to have operated independently of the Edwards Campaign.

More specifically:"

In each of the thirty-four paragraphs in which Ms. Sherwood specifically outlines her complaint about various organizations and their suspected violations of the FECA and Commission Regulations, there is no allegation or documentation that CCI committed any of the acts specifically outlined by Ms. Sherwood. In fact, CCI isn't even mentioned. The solitary mention of CCI is in an attached printout from the Louisiana Secretary of State Corporations Database. This attachment indicates that CCI is a corporation in good standing in the state of Louisiana. It identifies its registered agent and address, and the mailing and domicile address of CCI. None of these facts could possibly amount to a violation of FECA.

Ms. Sherwood talks at great length about the different organization sharing an address of 1024 Elysian Fields Avenue in New Orleans. Ms. Sherwood seems to think this is somehow

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

suggestive of illegality. Although this idea is patently absurd, it may be helpful to the Commission to explain why these organizations share a common address.

1024 Elysian Fields is the principal place of business of CCI.¹ CCI provides consulting services to a large number of client organizations, most of them nonprofit corporations. These services include administrative, financial, bookkeeping, and legal support. Because it houses the administrative and accounting functions for these client organizations, they all report the CCI address as their contact address for administrative and similar functions. The common contract address merely indicates shared administrative functions.

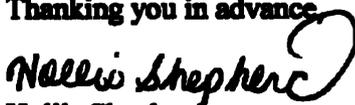
Given the above, CCI is puzzled by both this complaint and the letter it received from the Commission because, as mentioned above, the complaint does not make reference to CCI, except for the solitary attachment from the Louisiana Secretary of State Corporations Database.

We would also like to clarify the timing of our request for additional time to respond to this complaint. Although the date stamp from your office indicates it was sent out February 5, 2008, the documentation from CCI's registered agent (enclosed) indicates it was received March 3, 2008. Therefore the 15 day deadline would have required a response by March 18, the day we requested an extension of 30 days. While we are pleased to be able to submit this response by the new date of March 24, we wanted to clarify that our request was not, in fact, filed after the deadline had passed. We apologize for any confusion in this regard and appreciate your courtesy and understanding.

Because the complaint does not contain specific allegations, statements, or documentation that CCI violated the Federal Elections Campaign Act of 1971 or any of the Commission's regulations, the Commission should find no reason to believe that a violation has occurred and dismiss this complaint.

If you should have any questions, please do not hesitate to call or contact me.

Thanking you in advance


Hollis Shepherd

¹ In fact, this is no longer the case, as CCI recently moved its offices. However, at the time of the events in question and when this complaint was filed, the offices were still at the old address.

29044222915



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 1 0 2008

Nancy Picard, Esquire
Robein, Urann, Spencer, Picard & Cangemi
2540 Severn Avenue
Suite 400
Metairie, Louisiana 70002

RE: MUR 5970
SEIU Local 100

Dear Ms. Picard:

On February 5, 2008, the Federal Election Commission notified your client, Service Employees International Union Local 100 ("SEIU Local 100"), of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 22, 2008, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe SEIU Local 100 violated the Act. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter at (202) 694-1548.

Sincerely,

A handwritten signature in black ink that reads "Julie K. McConnell / apj".

Julie K. McConnell
Assistant General Counsel

Enclosure
Factual and Legal Analysis

29044223014

1
2 **FEDERAL ELECTION COMMISSION**
3 **FACTUAL AND LEGAL ANALYSIS**
4

5 **RESPONDENT: SEIU Local 100**

MUR: 5970

6
7
8 **I. INTRODUCTION**

9
10 **This matter was generated by a complaint filed with the Federal Election Commission by**
11 **Lori Sherwood. See 2 U.S.C. § 437g(a)(1).**

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 **The complaint states that SEIU Local 100 has the same address as some other**
14 **organizations and also states that the chief organizer of SEIU Local 100 is the founder of**
15 **ACORN, a nonprofit organization. The complaint implies that SEIU Local 100 must have**
16 **collaborated with other organizations at the same address to benefit Donna Edwards for Congress**
17 **("Committee").**

18 **SEIU Local 100 is a labor organization representing employees in Louisiana, Texas, and**
19 **Arkansas. It has no operations in Maryland. SEIU Local 100 states that to the extent the**
20 **complaint implies any improper conduct in the Edwards campaign, it is denied. SEIU Local 100**
21 **was not involved with the campaign. SEIU Local 100 did not contribute to or cooperate with the**
22 **Edwards Committee.**

23 **The facts alleged do not state a FECA violation. As it appears that SEIU Local 100 has**
24 **no connection to the Edwards Committee, there is no reason to believe that SEIU Local 100**
25 **violated the Act.**

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Donna Edwards for Congress and Janice) MUR 5970
 Edwards, in her official capacity as)
 Treasurer; Donna Edwards; ARCA)
 Foundation (creAting Real ChAnge);)
 League of Conservation Voters; Friends)
 of the Earth; EMILY's List and Ranny)
 Cooper, in his official capacity as)
 Treasurer; 1199 SEIU; 1199 SEIU)
 Federal Political Action Fund and Patrick)
 Gaspard, in his official capacity as)
 Treasurer; They Work For Us, Inc.; SEIU)
 Local 100; Citizens Consulting, Inc.;)
 Citizens Services, Inc.; ACORN;)
 Communities Voting Together)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on October 22, 2008, the Commission decided by a vote of 6-0 to take the following actions in MUR 5970:

1. Find no reason to believe that Donna Edwards violated 2 U.S.C. § 441a(f).
2. Find no reason to believe that Donna Edwards for Congress and Janice Edwards, in her official capacity as Treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).
3. Find no reason to believe that ARCA Foundation violated 2 U.S.C. § 441a(a)(1).
4. Find no reason to believe that League of Conservation Voters violated 2 U.S.C. § 441a(a)(1).

2904422944

Federal Election Commission
MUR 5870
October 22, 2008

5. Find no reason to believe that Friends of the Earth violated 2 U.S.C. § 441a(a)(1).
6. Find no reason to believe that EMILY's List and Ranny Cooper, in his official capacity as Treasurer, violated 2 U.S.C. § 441a(a)(1).
7. Find no reason to believe that 1199 SEIU and 1199 SEIU Federal Political Action Fund and Patrick Gaspard, in his official capacity as Treasurer, violated 2 U.S.C. § 441a(a)(1).
8. Find no reason to believe that They Work For Us violated 2 U.S.C. § 441a(a)(1).
9. Find no reason to believe that Communities Voting Together violated 2 U.S.C. § 441a(a)(1).
10. Find no reason to believe that SEIU Local 100 violated the Act.
11. Find no reason to believe that Citizens Consulting, Inc. violated the Act.
12. Find no reason to believe that Citizens Services, Inc. violated the Act.
13. Find no reason to believe that ACORN violated the Act.
14. Approve the Factual and Legal Analyses, as recommended in the General Counsel's Report dated July 15, 2008.
15. Approve the appropriate letters.
16. Close the file.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and

Weintraub voted affirmatively for the decision.

Attest:

October 23, 2008
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

29044222945

Attachment 9
***Amended* FEC Form 7**
**“Report of Communication Costs by
Corporations and Membership Organizations”**

Filed on July 1, 2009 by
Association of Community Organizations for Reform Now

**REPORT OF COMMUNICATION COSTS
BY CORPORATIONS AND MEMBERSHIP ORGANIZATIONS**

RECEIVED
FEC MAIL CENTER

<p>1. (a) NAME OF ORGANIZATION <u>Association for Community Organizations for Reform Now (ACORN)</u></p> <p>(b) ADDRESS (Number and Street) <u>2609 Canal St Floor 4</u></p> <p>(c) CITY, STATE AND ZIP CODE <u>New Orleans LA 70119</u></p>	<p>2. IDENTIFICATION NUMBER (Assigned by FEC) <u>C 70005053</u></p> <p>3. TYPE OF ORGANIZATION (Check Appropriate Box)</p> <p><input type="checkbox"/> Corporation <input type="checkbox"/> Trade Association</p> <p><input type="checkbox"/> Labor Organization <input type="checkbox"/> Cooperative</p> <p><input checked="" type="checkbox"/> Membership Organization <input type="checkbox"/> Corporation without capital stock</p>
<p>4. TYPE OF REPORT (Check One):</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report</p> <p><input checked="" type="checkbox"/> 12 Day Pre-General Election Report held on <u>11/04/08</u> in the State of <u>LA</u></p> <p><input type="checkbox"/> January 31 Year End Report</p> <p>(b) Is this Report an Amendment? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	
<p>5. THIS REPORT COVERS THE PERIOD <u>10/23/08</u> THROUGH <u>11/04/08</u></p>	

SUMMARY OF COMMUNICATION COSTS

Type of Communication	Class or Category Communicated With	Date(s) of Communication	Check One		Identify Candidate, Office Sought, District and State, and Whether for Primary or General Election	Cost of Communication (Per Candidate)
			Support	Oppose		
<input type="checkbox"/> Direct Mail	<input type="checkbox"/> Executive/Administrative Personnel	<u>10/18/08</u>	<input checked="" type="checkbox"/>		<u>BARACK Obama, President of United States General Election</u>	<u>\$1,000.00</u>
<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Stockholders	<u>10/12/08</u>	<input checked="" type="checkbox"/>			<u>\$1,000.00</u>
<input type="checkbox"/> Telegram	<input checked="" type="checkbox"/> Members	<u>10/13/08</u>	<input checked="" type="checkbox"/>			<u>\$1,000.00</u>
<input type="checkbox"/> Other: (Specify)						
<input type="checkbox"/> Direct Mail	<input type="checkbox"/> Executive/Administrative Personnel	<u>10/15/08</u>	<input checked="" type="checkbox"/>		<u>Barack Obama, President of the United States General Election</u>	<u>\$1,000.00</u>
<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Stockholders	<u>10/15/08</u>	<input checked="" type="checkbox"/>			<u>\$1,000.00</u>
<input type="checkbox"/> Telegram	<input checked="" type="checkbox"/> Members					
<input type="checkbox"/> Other: (Specify)						

(NOTE: For additional communications, attach separate sheets containing the same information as above.)

TOTAL COMMUNICATION COSTS FOR THIS PERIOD \$ 5,000.00

I certify that I have examined this report and, to the best of my knowledge and belief, it is true, correct and complete.

Elizabeth Wolff
Type or Print Name

Elizabeth Wolff
Signature and Title of Person Designated to Sign This Report

6/29/09
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to penalties of 2 U.S.C. §437g.

WHERE TO FILE:
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

FOR FURTHER INFORMATION CONTACT:
Federal Election Commission
Toll Free: 800-424-9530
Local: 202-694-1100

29030104790

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

Hand Delivered Date of Receipt

USPS First Class Mail Postmarked

USPS Registered/Certified Postmarked (R/C)

USPS Priority Mail Postmarked
 Delivery Confirmation™ or Signature Confirmation™ Label

USPS Express Mail Postmarked

Postmark Illegible

No Postmark

Overnight Delivery Service (Specify): UPS Shipping Date
6/29/09
 Next Business Day Delivery

Received from House Records & Registration Office Date of Receipt

Received from Senate Public Records Office Date of Receipt

Received from Electronic Filing Office Date of Receipt

Other (Specify): Date of Receipt or Postmarked

EW 7/1/09
PREPARER **DATE PREPARED**

29030104792