

Tuesday, August 1, 2017

RECEIVED

By Office of General Counsel at 8:53 am, Aug 02, 2017

FEC

Office of General Council

999 East Street NW

Washington, DC 20463

Advisory Opinion Sought

To whom it may concern,

I own a super PAC, Citizens Against Plutocracy, C00581967. Our organization is developing an election strategy that involves asking candidates to sign a contract with voters. If they sign it, movement activists will support their candidacies from outside of their campaigns; and if they do not movement activists may choose to oppose their candidacies.

Movement activists will be recruited from our list of Bernie or Bust voters and social media, and they will self-organize within congressional districts or states (for Senate races). They may or may not form a PAC after they find candidates willing to sign the contract we have dubbed Contract For American Renewal (CFAR). They will be tutored from our website on how to ask candidates to sign the contract and to not coordinate or communicate in any way with CFAR candidates once a contract has been signed by a given candidate.

CAP plans to provide advice to movement activists who may wish to set up PACs to support CFAR candidates. CAP has a sign-up form on its website for individuals who wish to become movement (leverage) activists. CAP will provide online video tutorials on how to register with the Federal Election Commission as a political committee, but doing so is not a movement requirement. CAP does not intend to direct the activity of other PACs. CAP might make suggestions, but the idea is that the PACs and the movement overall will be decentralized. CAP will not require movement activists or other PACs to sign any agreement with CAP or agree to any terms. CAP will advise and tutor leverage activists but not direct any of them or their PACs (if formed) as to which candidates to approach or support. CAP will advise movement activists to build email lists of voters who will support only candidates that have signed the CFAR. Movement activists will be able to use the CAP website to host a location online where people in their district/state can pledge themselves as CFAR-only voters.

Our activists' website is located at <https://citizensagainstplutocracy.wordpress.com/>

Our candidates' website is located at <http://citizensagainstplutocracy.org/>

CAP has placed unsigned CFAR contracts on both websites, and we will encourage leverage activists to post signed contracts either on a website/blog of their creation or on a webpage of our candidates' website and encourage voters to vote for a given candidate because the candidate has signed the CFAR. If CAP finds a CFAR candidate to support, we intend to post the signed, negotiated contract on a page of our website and encourage district voters to pledge support to that candidate in email blasts, social media posts, etc. We will provide hosting services for leverage activists who need it (those with low computer skills) for free. That would include their CFAR candidates' signed contract, candidate information and their voter pledge form.

We may include the signed contract in emails to potential or current CFAR-pledged voters, but we're more likely to direct them to the relevant page on our website.

CAP is currently asking candidates in NY-23 to sign a CFAR contract. If the candidate says no, CAP will explain that it is building a movement of voters who will only vote for candidates who have signed a CFAR. CAP will not discuss with a candidate whether or how CAP or movement activists will spend money or set up PACs, and CAP will discourage movement activists from discussing spending money or setting up PACs with a candidate.

The CFAR contract is negotiable. Candidates can remove policy positions or add positions. CAP encourages candidates to add issues of particular relevance to a particular candidate and the voters of the district/state.

CAP is a super PAC and does not make contributions to candidates. CAP does plan to run advertisements in support of or in opposition to candidates if we can raise the required money, but will not communicate in any way with candidates about any advertisements or anything else once a contract is signed.

We are seeking an advisory opinion as to whether asking candidates to sign a contract with voters and then ceasing all communication with candidates, their campaigns and campaign volunteers regardless of their answers amounts to "coordination" by our PAC or not. We intend to undertake a legal, grassroots version of the successful Contract With America strategy from 1994.

In 2016, our committee's PAC funded the activities of the Bernie or Bust movement. In 2018, we'd like to fund activities in support of our local CFAR candidate and serve as role models for movement activists around the country. If this is deemed coordination on behalf of our CAP PAC committee, would non-CAP PAC movement activists be constrained so long as our PAC is not involved in their activities? For activists following in our footsteps around the country, can they find a CFAR candidate and then form a PAC to support him or her without the actions being considered "coordination" so long as they refrain from communication with the candidate and his/her campaign.

Thank you for consideration of this request. We have no desire or intention to step outside the parameters of the law. If any of the proposed activities are deemed unacceptable by the FEC review committee, we will convey that to all leverage activists who establish a PAC.

Victor Tiffany

Citizens Against Plutocracy, C00581967

1540 Danby Rd.

Ithaca, NY 14850

607-327-0029 (c), politicalwiz55@aol.com (email)

CONTRACT FOR AMERICAN RENEWAL

U.S. House of Representatives

___ District, State of _____

I, _____, if elected to a seat in the U.S. House of Representatives representing the ___ District of the State of _____, hereby commit to sponsor or co-sponsor and vote in favor of legislation for all of the following:

- Raising the minimum wage to \$15.00 per hour.
- Initiating government investment over five years towards rebuilding our crumbling roads, bridges, railways, airports, public transit systems, ports, dams, wastewater plants, and other infrastructure needs.
- Implementing bold measures to address climate change; cultivating through investment and tax incentives sustainable sources of energy, as alternatives to fossil fuels.
- Ending the war in Afghanistan; ending the unnecessary military exploits across the globe, except where absolutely required to protect the safety of American citizens; reducing the military budget by a minimum of 20%.
- Establishing a progressive estate tax on the top 0.3% of Americans who inherit more than \$3.5 million; increasing the income tax rates on the top 1% of earners to the levels they were at in January 1980; closing tax loopholes, especially targeting tax avoidance using offshore tax havens; introducing appropriate parallel increases to capital gains tax rates.
- Reforming tax regulations to discourage corporations from shifting their profits and jobs overseas to avoid paying U.S. income taxes; and enacting a universal transaction tax on Wall Street trading to discourage reckless speculation.
- Expanding social security by lifting the cap on taxable income above \$250,000; and increasing benefits by at least 10% for all eligible recipients.
- Making no reductions in the existing benefits of Medicare; expand Medicare as part of a single-payer initiative to establish fully universal high quality health care.
- Reversing trade policies like NAFTA, CAFTA, and PNTR, and permanently blocking the passage of TPP and TTIP, all of which drive down wages and cause the loss of millions of domestic jobs.
- Overturning Citizens United and related Court decisions and initiating comprehensive electoral reform to ban big and corporate money in politics.
- Making tuition free at public colleges and universities throughout America.

I will not resist, discourage, or in any manner put up an impediment to, and will in fact publicly and on the floor of the House of Representatives actively promote, any and all legislation which exclusively supports these measures. If no other legislator comes forth to propose such individual pieces of legislation, I will create and introduce by my own initiative, within 180 days of taking office, legislative acts for all of the foregoing, for consideration by Congress.

I further understand and fully agree to the following: If I violate the above-stated terms of this agreement, I will tender on the 181st day after taking the oath of office for my legislative seat, my unconditional resignation from this elected position. Moreover, within one year of my resignation, I will refund all contributions made by individual donors in support of my candidacy for this office.

This entire agreement constitutes a legally-binding contract between myself and that class of citizens who will be my constituents, should I win the upcoming election. In the event that I fail to perform the above-required actions, redress may be sought by those same citizens in the form of a class-action suit in a civil court of law, claiming damages for breach of contract. No portion of the awarded monies for resulting class action settlements may be paid from campaign donations, PACs or SuperPACs. To reinforce the fundamentally democratic boundaries of this contract, class action lawsuits as described can only be initiated by a majority vote in a referendum of constituent voters.

I sign this contract voluntarily and with full appreciation of my obligations and responsibilities under this agreement to the citizens of the ___ District of the State of _____, should they choose me as their elected representative. I accept the terms of this document as legally-binding, and with a thorough and lucid understanding of its requirements and consequences.

Signed: _____

Date: _____