

# DOLLARVOTE.ORG™

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COMMISSION  
SECRETARIAT

2004 AUG -3 A 11: 17

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August 3, 2004

Secretary of the Commission  
cc: General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

*Supplement to  
AOR 2004-19*

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF THE  
GENERAL  
COUNSEL  
2004 AUG -3 A 9:31

RE: Responses to Questions re: Advisory Opinion Request

Dear Mr. Norton:

On behalf of DollarVote.org, Inc. ("DollarVote.org" or "DollarVote" or "the Corporation"), I am submitting these responses to questions posed in the Commission's letter of July 23 regarding DollarVote.org's service, the DollarVote, with respect to the Corporation's Advisory Opinion Request.

The questions in the Commission's July 23 letter are cited below in italics, followed by DollarVote.org's responses.

*1. Will the "substantial account fee" which candidates pay DollarVote once per election be a set fee that is the same for all candidates?*

Yes.

*Similarly, will all candidates who wish to participate in the DollarVote Plan be offered the same terms and conditions for participating?*

Yes.

*2. Please describe any additional terms, conditions, or restrictions beyond the list provided in your May 19, 2004 letter at pages 3-4 which would be included in DollarVote's contracts with candidates.*

There are no additional terms.

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*3. May DollarVote refuse to allow a candidate to participate in the Plan or to register a promise for a particular DollarBill? If so, under what conditions would such a refusal occur? Please explain any criteria used by DollarVote in such a refusal.*

No. DollarVote.org will not deny participation to any candidate who meets the basic eligibility requirements: winning his or her party's nomination through the state's primary election, representing his or her identity personally and accurately on the DollarVote.org website (and confirming by fax if deemed necessary), and paying both the one-time "substantial" fee and percentage-based fees on a timely basis.

DollarVote will not exclude a candidate based on any other criteria, such as a candidate's political party, state, current funding level, previously stated position on an issue or previous actions in office.

Note that "failure to meet a promise" would not constitute a violation of a candidate's contract with the Corporation.

*4. You state in your July 21 letter that DollarVote would discard the proposed limits on the number of candidates who may promise for a particular DollarBill and the limit on the total funds any one candidate may receive. Does DollarVote intend to retain the restriction that "[c]andidates may be disallowed from promising against certain combinations of DollarBills?" If so, please explain how DollarVote intends to make a determination that a candidate may not promise against a certain combination, include any criteria used by DollarVote in this decision.*

No. Just as the Corporation will discard the limits you have mentioned, it will discard the limit that candidates may be disallowed from promising against certain combinations of DollarBills. It has made this adjustment in an attempt to cooperate fully with the Commission.

*5. Will individuals who "vote" for a DollarBill and contribute money be allowed to select any other particular criteria for the candidate who will receive the contribution, such as state or party affiliation? If so, please explain where in the DollarVote process such choices may be made and submit a sample web page.*

Yes. At the time of "attestation," individuals who "vote" for a DollarBill and contribute money will be permitted to stipulate these additional criteria for the candidate who receive the contribution:

(1) The customer will have the option of excluding any particular candidate or candidates by name from receiving the contribution. If, for example, a candidate has defaulted on a previous promise in the eyes of the customer, that customer may exclude the candidate from receiving his future "votes."

(2) The customer will have the option of stipulating that the candidate receiving the contribution has not promised toward other DollarBills explicitly pertaining to the same issue. For example, a customer "voting" for the Abortion: Right to Life

DollarBill may stipulate that the candidate who will receive the contribution has not made any promise toward any other abortion DollarBill.

Finally, the Corporation would like to consider the merits to its citizen and candidate customers of implementing a feature, as described in your question, that allows customers to stipulate a the state or party affiliation of a candidate receiving funds. Since this feature is under consideration, the Corporation respectfully requests that the Commission provide judgments on the DollarVote Plan both with and without this feature if those judgments differ.

The screenshot below illustrates that any direction and control over the destination of a customer's contribution funds is left squarely in the hands of the customer and not DollarVote.org.

**My DollarVote for Abortion: Right to Choose with Special Protections (DollarBill #7)**

I submit this transaction as a campaign donation to the first congressional candidate who responds to this "DollarBill," or position statement, by registering an online "DollarPromise" to act, if elected or re-elected to office, in furtherance of the letter and the spirit of that position.

I recognize that this transaction constitutes a campaign donation from me as an individual and not from DollarVote.org, Inc. I recognize that DollarVote.org, Inc. will retain no portion whatsoever of my donation.

I recognize that a "DollarPromise" is not a legally binding agreement with any candidate, but rather, an unofficial public agreement designed to encourage candidates' public credibility and accountability.

I agree

I designate the following organization as alternate recipient. (Required)

Alternate Recipient:  [What's this?](#)

**Optional Criteria**

Exclude candidates who have promised for other DollarBills on this issue

Exclude the following candidates:

Include only candidates representing:

Include only candidates belonging to:

I appreciate the continued attention of the Commission. Please contact me by telephone, email, or fax if you have further questions. Otherwise, I will understand that the Commission has the information it needs to formulate its Advisory Opinion.

Respectfully,



Andrew W. Mitchell  
President  
DollarVote.org