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By Office of General Counsel at 12:03 pm, Aug 16, 2021

July 30, 2021

RECEIVED

By Office of the Commission Secretary at 3:55 pm, Aug 16, 2021

Federal Election Commission
Office of General Counsel
1050 First Street, NE
Washington, DC 20463

Re: Advisory Opinion Request

Dear Ms. Stevenson,

On behalf of Certified Voter LLC, I write to you seeking an advisory opinion on whether a method of "sponsoring" political advertising that we intend to employ in the future complies with current federal election laws and regulations. Certified Voter would not be acting as a campaign or PAC in this process. Rather, we would be acting as a commercial vendor to PACs and campaigns by creating, storing, and serving out these sponsored ads for display on websites and social media and charging a commercially-reasonable fee for this service.

The advertising itself would consist of a video clip of a legally-compliant political ad with a brief message added to either the beginning or the end. The brief message would consist of a short video clip displaying a page of text consisting of the name of the "sponsor," the sponsor's home town and, possibly, other identifying information such as a social media address. The short clip would be accompanied with a voice-over indicating the ad has been sponsored. For example, the voice-over might be the words, "This message sponsored by." Please see the attached Exhibit A for an example of what the page of text in this short clip might look like.

The ad would not be created by the sponsor. Rather, the ad would have already been created by the campaign or PAC.

Any paid advertising using the ad that included the attached sponsorship message would be paid for by a campaign or PAC. The sponsor will have made a donation to the campaign or PAC and requested that an ad be produced indicating their personal sponsorship. The campaign or PAC will determine where to run the sponsored advertisement and how much, if any, money to spend running the sponsored advertisement. We anticipate that campaigns and PACs will make sponsored advertisements available to sponsors for display in their personal social media accounts should the sponsor so wish. Sponsorship information will be collected at the time the sponsor makes a donation and requests that a sponsored ad be created.

During this entire process, donors will be interacting with the campaign or PAC rather than

directly with Certified Voter. In other words, a campaign or PAC will obtain the information from the donor and then pass that information along to Certified Voter who will return the completed sponsored ad to the campaign or PAC. We anticipate that the entire sponsored ad process will, from the donor's point of view, take place entirely within the website of the campaign or PAC.

A hypothetical example might help illustrate this process. The Joe Grey for Congress campaign sends out a fundraising solicitation to the campaign's email list. The campaign encourages Mr. Grey's supporters to donate to the campaign and offers anyone who donates \$40 or more the opportunity to create a sponsored ad. Carol Smith of Anytown, Pennsylvania responds to the solicitation and donates \$40 to Mr. Grey's campaign. The campaign offers Donor Smith a choice of four different political ads and Smith chooses one that deals with environmental issues. Smith's information and the chosen ad are then passed to us and our system creates a sponsored ad as described above. The sponsored ad is then returned to the Joe Grey for Congress campaign. At that point, we would anticipate that the sponsored ad is then shared with the donor and that the donor would be encouraged to share the sponsored ad with friends and family via social media. The campaign may also choose to run the sponsored ad as paid advertising. All of this, however, is strictly within the control of the Grey for Congress campaign.

To be absolutely clear, sponsors will not be paying directly for advertising. Rather, they will make a monetary contribution to a campaign or PAC and the campaign or PAC will spend that money as it deems appropriate just as with any other contribution.

Our review suggests that this program is compliant with existing laws and regulations since the sponsorship information is purely supplemental and the ads themselves are fully compliant. In fact, we believe sponsored ads actually further the underlying goals of 52 U.S.C. § 30104 by providing an additional layer of transparency.

If I can provide any further information regarding this request, please do not hesitate to contact me. We look forward to the Commission's review of this matter. I can be reached by email at FECRequest@certifiedvoter.com.

Best Regards,



Chris Truax
CEO
Certified Voter, LLC

Exhibit A

