

to the super PACs that have responded to Murphy's requests.⁴ This type of behavior is contrary to federal law that prohibits candidates from coordinating with super PACs, and the fact that the coordination is done somewhat publicly does not excuse his violations of the law. There is no requirement that the commission of a crime be covered up. The Commission must immediately investigate and enforce the law.⁵

I. FACTS

At least five Senate candidates have used their campaign websites to post "thinly veiled notes . . . with hints, tips and flat-out instructions for" super PACs and other organizations.⁶ The websites use obscure pages to instruct outside groups on ads to run, including the specific message to convey in ads, and may also include whether the ad should be run state-wide or in a smaller media market or provide photographs and video of the candidate to be used in the ads.⁷ The pages generally use similar language, such as voters "need to know" or "should know" to convey the ad message and also indicates "which media markets in the states would make the best targets for those messages."⁸ Although the methods vary slightly, the purpose and effect is clear—to illegally coordinate with super PACs.

One egregious example of this behavior is Senate candidate Patrick Murphy. Earlier this year, Murphy posted "b-roll" video on his website, described as "a clear invite for ad makers."⁹ However, his website has gone beyond an invitation to a clear request. Murphy's web page contains an obscure link to a "media" page, on which there is a simple text box with detailed information Murphy wants conveyed in television ads and where to run those ads.¹⁰ Murphy uses the phrase "voters need to know" to identify the information

⁴ Brent Scher, *Super PAC Spent \$1 Million on Patrick Murphy Ads After Getting \$1 Million From His Dad*, Washington Free Beacon, Aug. 23, 2016 (Attached as Exhibit G).

⁵ See 52 U.S.C. § 30109(a)(2); 11 C.F.R. § 111.4(a).

⁶ Maggie Severns, *Democratic Candidates Writing Instructions to Super PACs on Their Websites*, Politico, July 15, 2016 (Attached as Exhibit A).

⁷ *Id.*

⁸ *Id.*

⁹ Alex Leary, *Patrick Murphy Leaving More Helpful Guides for Super PACs*, Tampa Bay Times, July 15, 2016 (Attached as Exhibit D).

¹⁰ Patrick Murphy for U.S. Senate, available at <http://murphyforflorida.com> (last visited August 17, 2016) (attached as Exhibits B and C).

he wants conveyed in the ads and specifically identifies the media markets for those ads.¹¹ Apparently as circumstances change or once an outside group runs the ad, the “voters need to know” information is updated.¹²

For instance, in July 2016, Murphy’s website stated, “Florida Democrats, especially those from Tampa to Orlando, deserve to know that President [Barack] Obama endorsed Patrick Murphy.”¹³ After posting, two super PACs, Senate Majority PAC and Floridians for a Strong Middle Class,¹⁴ responded to his request with identical ads.¹⁵ “The ad, called ‘Endorse,’ tout[ed] Murphy’s support from party leaders, including President Barack Obama and Vice President Joe Biden, who have both endorsed him.”¹⁶

Murphy then updated his media page, stating “voters from Tampa to Orlando need to know that Marco Rubio has the worst attendance record” and linked to a PDF with additional information to support an ad.¹⁷ Reportedly, Murphy’s campaign has prepared to spend over a million dollars on television ads before his primary election, but has not purchased, or has done so at a low level, early ad reservations in the media markets he identified.¹⁸

Also indicative of coordination are the close and financial ties between Murphy and the two super PACs responding to his requests. Murphy has described himself as a small

¹¹ *Id.*

¹² Maggie Severns, *Democratic Candidates Writing Instructions to Super PACs on Their Websites*, Politico, July 15, 2016 (Attached as Exhibit A).

¹³ Maggie Severns, *Democratic Candidates Writing Instructions to Super PACs on Their Websites*, Politico, July 15, 2016 (Attached as Exhibit A).

¹⁴ Floridians for a Strong Middle Class is a super PAC formed to support Murphy’s candidacy for U.S. Senate, which was funded by entities directly tied to Murphy. Kristen M. Clark, *Super PAC Shuffle: Murphy ‘Hates’ Them, But Family’s company Give \$300K to One That Backs Him*, Miami Herald, Apr. 19, 2016.

¹⁵ Kristen M. Clark, *Pro-Murphy Super PAC Duplicates Ad Touting Obama-Biden Endorsement*, Tampa Bay Times, Aug. 1, 2016 (Attached as Exhibit F); Michael Auslen, *Democratic PAC Launches Ad Backing Patrick Murphy*, Tampa Bay Times, July 19, 2016 (Attached as Exhibit E).

¹⁶ Michael Auslen, *Democratic PAC Launches Ad Backing Patrick Murphy*, Tampa Bay Times, July 19, 2016 (Attached as Exhibit E).

¹⁷ Patrick Murphy for U.S. Senate, available at <http://murphyforflorida.com> (last visited August 17, 2016) (attached as Exhibits B and C).

¹⁸ Maggie Severns, *Democratic Candidates Writing Instructions to Super PACs on Their Websites*, Politico, July 15, 2016 (Attached as Exhibit A).

business owner, apparently referencing his part ownership of Coastal Construction Group, and also described his relationship with his father as close, explaining that they speak at least daily.¹⁹ Both Murphy's own business and his father have made significant contributions to Floridians for a Strong Middle Class.²⁰ Additionally, Murphy's father contributed one million dollars to Senate Majority PAC, two days after which the super PAC announced it would spend one million dollars on ads for Patrick Murphy and ran ads based upon Murphy's request made through his website.²¹ Essentially, it appears that Murphy is using his own company to fund his super PAC, and his father, with whom he has a close relationship and regularly speaks, is funding both super PACs.

II. Law

Under the FECA, candidates for federal office are subject to regulations that limit or prohibit contributions from and interactions with individuals, groups, and organizations. Among these regulations, federal candidates are prohibited from accepting contributions from an individual or a non-multicandidate PAC in excess of \$2,700, from a multicandidate PAC in excess of \$5000, or from any corporation or labor organization in any amount.²² Federal candidates are also prohibited from accepting contributions or coordinating with independent expenditure only committees, *i.e.* super PACs.²³

Contributions are broadly defined to include cash donations, but also "anything of value . . . for the purpose of influencing any election for Federal office."²⁴ Federal law specifically provides that certain expenditures are contributions, including: (i) "expenditures made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his authorized political committees, or their agents."²⁵

In order to determine whether an expenditure was made in cooperation with a candidate under subsection (i), FEC regulations provide a three-part test: (1) the communication is paid for by a third-party; (2) the communication satisfied a "content"

¹⁹ Brent Scher, *Super PAC Spent \$1 Million on Patrick Murphy Ads After Getting \$1 Million From His Dad*, Washington Free Beacon, Aug. 23, 2016 (Attached as Exhibit G).

²⁰ *Id.*

²¹ *Id.*

²² 52 U.S.C. §§ 30116, 30118.

²³ 52 U.S.C. §§ 30101, 30118.

²⁴ 52 U.S.C. § 30101(8)(A).

²⁵ 52 U.S.C. § 30116(a)(7)(B)(i).

standard of 11 C.F.R. § 109.21(c); and (3) the communication satisfies one of the “conduct” standards of 11 C.F.R. § 109.21(d).²⁶

II. Analysis

Patrick Murphy’s actions are not only a clear attempt to violate the law, but a successful one. This is not a case where a super PAC has lifted information available to the general public from a candidate’s web page. Rather, this is a case where the candidate has made an obscure web page simply to communicate with a super PAC and request certain ads be run. There are numerous facts that evidence coordination: The “media” page is a simple text box with a link to a PDF, which has a different appearance than the site and indicates it was published for a different purpose than the general web site and not for the general public. The request uses the same language as other candidates—“voters need to know”—to indicate that it is the request. The campaign, which has knowledge from polling and its own media buys, is stating what ad content would be helpful to the campaign and where those ad should aired. The timeline of a website post, followed by the requested ad, and then a change of the website post after the ad airs shows that a request is being made and acted upon. Finally, these ads are funded by Murphy through his own company or his father, both of which would presumably have campaign information. These facts make it clear that Murphy is using the media page to communicate with super PACs and other groups about the types of ads that would be helpful to his campaign.

In addition to these facts clearly demonstrating coordination, they also meet the FEC’s three-prong test. First, the communications were paid for by other groups—Senate Majority PAC and Floridians for a Strong Middle Class.

Second, the ads meet several of the content prongs under 11. C.F.R. § 109.21(c). Under subsection (4), the super PACs’ ads clearly reference a Senate primary candidate (Murphy) and are publically distributed within the candidate’s jurisdiction (Florida) ninety days before the primary election (ads ran in July 2016 before the August 30, 2016 primary).²⁷ Additionally, the ads meet the content prong under subsection (5), as they are the functional equivalent of express advocacy as the ads are clearly “an appeal to vote for

²⁶ 11 C.F.R. § 109.21.

²⁷ 11 C.F.R. § 109.21(c)(4)(i).

or against a clearly identified Federal candidate.”²⁸ The ads are clearly intended to get votes for Murphy, evidenced by the fact he wanted that specific information to be publicized.²⁹

Finally, the ads meet the conduct prong under 11 C.F.R. § 109.21(d). Under subsection (1), the ads were clearly created and distributed at the request of the candidate and his committee. In addition to the numerous facts discussed above that demonstrate coordination, the super PACs response also demonstrates the candidate and campaign made a request. Although the request was made through a public web page, this does not excuse the fact that the request was made.³⁰ Unlike other conduct prongs, subsection (1) **does not state** that it does not apply if the “material was obtained from a publicly available source.” Rather, any interpretation of subsection (1) that would permit this would result in permissible coordination by request so long as the request was made publicly—this is unreasonable and contrary to the regulations and statute.³¹ Moreover, this is not a case where the communication resulted from generally publicly available information—a request was made based upon internal campaign information to a super PAC. Any interpretation of the Commission’s regulations that would permit illegal acts to be committed publically is plainly erroneous and inconsistent with the statute.

III. Conclusion

There should be no doubt Murphy is using an obscure page on his website to coordinate with super PACs, and that coordination has resulted in ads that are illegal in-

²⁸ 11 C.F.R. § 109.21(c)(5)

²⁹ Patrick Murphy for U.S. Senate, available at <http://murphyforflorida.com> (last visited August 17, 2016) (attached as Exhibit B).

³⁰ *Compare* 11 C.F.R. § 109.21(d)(1)(i) (“The communication is created, produced, or distributed at the request or suggestion of a candidate, authorized committee, or political party committee.”), *with* 11 C.F.R. § 109.21(d)(2) (“This paragraph . . . is not satisfied if the information material to the creation, or distribution of the communication was obtained from a publicly available source.”)

³¹ The commission has previously stated “that a communication resulting from a general request to the public or the use of publicly available information, including information contained on a candidate’s campaign website, does not satisfy the content standards.” FEC, Factual & Legal Analysis, Shaheen for Senate, MUR 6821 (Dec. 2, 2015). However, this analysis should only apply to the conduct alternatives that explicitly state this in its description. *See, e.g.*, 11 C.F.R. § 109.21(d)(2) and (3). Any other interpretation would be contrary to the plain language of the Commission’s regulations.



Federal law prohibits candidates from explicitly coordinating with outside groups, but public communications that outside groups pick up on are fair game, with few limitations, and campaigns' experiments with such missives are growing bolder over time. | AP Photo/J Pat Carter

Democratic candidates writing instructions to super PACs on their websites

By **MAGGIE SEVERNS** | 07/15/16 05:02 AM EDT

You don't have to look hard to find out how Democratic Senate candidates want their outside allies to spend money this year.

The party's candidates in Florida, Ohio, Pennsylvania and elsewhere are posting thinly veiled notes on their websites with hints, tips and flat-out instructions for supportive outside groups about how best they can help. The pages include not only messaging information but suggestions about which media markets in the states would make the best targets for those messages.

In a small, yellow box on her campaign site, Katie McGinty regularly publishes notes on what issues Pennsylvania voters, particularly women, should be hearing about. Ted Strickland has a public page, "Ohio Needs to Know," with issue briefs on GOP Sen. Rob Portman's vote record and b-roll of a smiling Strickland talking to voters. And Democratic outside groups have already lifted the messages on both pages for use in expensive TV ads that the Senate campaigns themselves may not have been able to afford at the time.

Federal law prohibits candidates from explicitly coordinating with outside groups, but there's a loophole as wide as the internet itself. Public communications that outside groups pick up on are fair game, with few limitations, and campaigns' experiments with such missives are growing bolder over time.

"It used to be you sent out smoke signals. But there's no need to be elliptical about the smoke signals anymore," said Kenneth Gross, a campaign finance expert and partner at Skadden, Arps, Slate, Meagher & Flom.

At least five Democratic Senate candidates have posted such messages recently, a review by POLITICO found, which experts said are notable for their level of specificity. Some verge on instructing super PACs on what to do, which is prohibited, but campaign finance experts said they would most likely clear the current bars enforced by the Federal Election Commission.

In Florida, Rep. Patrick Murphy's campaign has a clear message for supportive outside groups, potentially including the DSCC and a super PAC funded by his family. "Florida Democrats, especially those from Tampa to Orlando, deserve to know that President [Barack] Obama endorsed Patrick Murphy," Murphy's website reads.

Murphy's own campaign is preparing to spend over a million dollars on TV ads ahead of Florida's Aug. 30 primary, but Orlando is missing from the early ad reservations, according to a source tracking Murphy's media buys. And Murphy's buy in Tampa is far below saturation levels.

The McGinty, Murphy and Strickland campaigns declined to comment for this story, as did two outside groups: Senate Majority PAC and EMILY's List.

Strickland's campaign recently hinted that it would appreciate certain ads in certain media markets, according to transcripts provided to POLITICO of text that appeared on Strickland's website in May.

Two notices posted in early May said that "people in Columbus should know about the contrast between Portman and Strickland on retirement security," and that "people in Cleveland, Akron, Canton, Youngstown and Appalachia should see and hear about the contrast between Portman and Strickland on trade policy."

On May 24, labor groups went live with two ads in Ohio in just those media markets.

The American Federation of Teachers ran an ad only in Columbus that hit Portman on Social Security. Meanwhile, a second ad from AFSCME, which ran in Cleveland and Youngstown, criticized Portman on trade.

Strickland posted a June update about educating Ohio voters on Portman's Social Security positions that was followed by ads run by Senate Majority PAC on the issue. A new post, from July 12, notes that "Ohioans across the state will always need to know about the contrast between Ted Strickland and Senator Portman on trade."

These hints on geography "come close to being directions on how to help the campaigns," said Larry Noble, general counsel at the Campaign Legal Center, which is illegal. But currently, the FEC has interpreted law in a way that "if [campaigns] do it publicly, it's not coordination."

Other public hints to super PACs have focused just on messaging. In March, ahead of her tough primary against ex-Rep. Joe Sestak in Pennsylvania, one of McGinty's notes highlighted her biography: "As the ninth of ten children and the daughter of a police officer who walked the beat and restaurant hostess [sic], Katie McGinty is

fighting to help everyday families," the McGinty website read on March 7.

EMILY's List's super PAC began airing ads focused on just that on April 4.

"Her dad was a Philly cop, her mom worked in a restaurant. ... She'll always stand up for manufacturing, higher wages and equal pay for women so opportunity never gets out of reach," a narrator said in the first ad aired by EMILY's List.

By March 24, McGinty's site updated with negative information about her primary opponent. Voters "need to know" that Sestak supported a plan that "would have cut Social Security and Medicare benefits, raised the Social Security retirement age to 69, and forced higher out-of-pocket spending for Medicare recipients," McGinty's website read.

EMILY's List's second ad, released April 11, again reflected the text: "Joe Sestak supports a plan that the New York Times reported makes cuts to Social Security benefits, and the plan raises the retirement age. ... The plan Sestak supports means higher out-of-pocket costs for millions on Medicare."

The FEC recently ruled on a similar exchange of information in 2014, between Sen. Jeanne Shaheen and Senate Majority PAC during the 2014 election. The commission said that because the PAC didn't copy Shaheen's signals verbatim and Shaheen didn't explicitly instruct the PAC to make the ads, the public signaling was allowed.

That ruling, and others like it, have increasingly convinced campaigns and outside spenders that public messages between campaigns and super PACs are unlikely to draw punishment from the FEC — even if they appear to be against the spirit of campaign finance laws. And with Democratic campaigns like Strickland's, McGinty's and others making do with less money than their opponents, they clearly want to make sure supporters don't spend precious resources on anything but the optimal message.

McGinty's campaign has kept up its signaling into the general election. Majority Forward, a 501(c)(4) nonprofit affiliated with Senate Majority PAC, spent \$400,000 attacking Republican Sen. Pat Toomey with an ad that began airing at the end of June in Pennsylvania.

"Wall Street's given Toomey \$2.7 million in contributions, and Toomey supported privatizing Social Security in the stock market," a narrator says in the ad.

McGinty's campaign appeared thankful to see that ad on TV — but unsatisfied with the amount of money behind the message.

"Pennsylvania voters all across the state need to keep hearing a lot more about Pat Toomey and Wall Street," McGinty's website currently reads. "Wall Street's given Toomey \$2.7 million in contributions, and Toomey supported privatizing Social Security in the stock market."

Visit the [Campaign Pro Race Dashboard](#) to track the candidates and consulting firms engaged in the top House, Senate, and gubernatorial races of 2016.

RUBIO HAD THE WORST VOTING ATTENDANCE RECORD OF ANY FLORIDA SENATOR IN NEARLY 50 YEARS

MARCO RUBIO HAS MISSED 14.5 PERCENT OF HIS ROLL CALL VOTES...

1/2011-7/2016: Florida Senator Marco Rubio Missed 234 Of 1,616 Senate Roll Call Votes, Or 14.5 Percent. "From Jan 2011 to Jul 2016, Rubio missed 234 of 1,616 roll call votes, which is 14.5%. This is much worse than the median of 1.7% among the lifetime records of senators currently serving. The chart below reports missed votes over time." [GovTrack, accessed [7/30/16](#)]

...A WORSE CAREER PERCENTAGE THAN ANY FLORIDA SENATOR DATING BACK TO 1968

1/2001-7/2016: Florida Senator Bill Nelson Missed 107 Of 4,912 Roll Call Votes, Or 2.2 Percent. "From Jan 2001 to Jul 2016, Nelson missed 107 of 4,912 roll call votes, which is 2.2%. This is on par with the median of 1.7% among the lifetime records of senators currently serving. The chart below reports missed votes over time." [Govtrack, "Bill Nelson," accessed [6/19/16](#)]

9/2009-12/2010: Florida Senator George LeMieux Missed 8 Of 423 Roll Call Votes, Or 1.9 Percent. "From Sep 2009 to Dec 2010, LeMieux missed 8 of 423 roll call votes, which is 1.9%. This is on par with the median of 2.0% among the lifetime records of senators serving in Dec 2010. The chart below reports missed votes over time." [Govtrack, "George Le Mieux," accessed [6/19/16](#)].

1/2004-9/2009: Florida Senator Mel Martinez Missed 53 Of 1,574 Roll Call Votes, Or 3.4 Percent. "From Jan 2005 to Sep 2009, Martinez missed 53 of 1,574 roll call votes, which is 3.4%. This is worse than the median of 2.0% among the lifetime records of senators serving in Sep 2009. The chart below reports missed votes over time." [Govtrack, "Mel Martinez," accessed [6/19/16](#)]

1/1987-12/2004: Florida Senator Bob Graham Missed 201 Of 6,222 Roll Call Votes, Or 3.2 Percent. "From Jan 1987 to Dec 2004, Graham missed 201 of 6,222 roll call votes, which is 3.2%. This is worse than the median of 2.0% among the lifetime records of senators serving in Dec 2004. The chart below reports missed votes over time." [Govtrack, "Bob Graham," accessed [6/19/16](#)]

1/1989-12/2000: Florida Senator Connie Mack Missed 101 Of 4,115 Roll Call Votes, Or 2.5 Percent. "From Jan 1989 to Dec 2000, Mack missed 101 of 4,115 roll call votes, which is 2.5%. This is on par with the median of 1.9% among the lifetime records of senators serving in Dec 2000. The chart below reports missed votes over time." [Govtrack, "Connie Mack III," accessed [6/19/16](#)]

1/1981-10/1986: Florida Senator Paula Hawkins Missed 245 Of 2,368 Roll Call Votes, Or 10.3 Percent. "From Jan 1981 to Oct 1986, Hawkins missed 245 of 2,368 roll call votes, which is 10.3%. This is worse than the median of 6.0% among the lifetime records of senators serving in Oct 1986. The chart below reports missed votes over time." [Govtrack, "Paula Hawkins," accessed [6/19/16](#)]

2/1971-10/1988: Florida Senator Lawton Chiles Missed 769 Of 8,71 Roll Call Votes, Or 8.8 Percent. "From Feb 1971 to Oct 1988, Chiles missed 769 of 8,781 roll call votes, which is 8.8%. This is worse than the median of 5.9% among the lifetime records of senators serving in Oct 1988. The chart below reports missed votes over time." [Govtrack, "Lawton Chiles," accessed [6/19/16](#)]

1/1975-12/1980: Florida Senator Richard Stone Missed 209 Of 3,521 Roll Call Votes, Or 5.9 Percent. "From Jan 1975 to Dec 1980, Stone missed 209 of 3,521 roll call votes, which is 5.9%. This is better than the median of 9.2% among the lifetime records of senators serving in Dec 1980. The chart below reports missed votes over time." [Govtrack, "Dick Stone," accessed [6/19/16](#)]

1/1969-12/1974: Florida Senator Edward Gurney, In Office From January 1969 To December 1974, Missed 293 Of 2,759 Roll Call Votes, Or 10.6 Percent. "From Jan 1969 to Dec 1974, Gurney missed 293 of 2,759 roll call votes, which is 10.6%. This is better than the median of 13.4% among the lifetime records of senators serving in Dec 1974. The chart below reports missed votes over time." [Govtrack, "Edward Gurney," accessed [6/19/16](#)]

1/1947-12/1970: Florida Senator Spessard Holland Missed 243 Of 4,951 Roll Call Votes, Or 4.9 Percent. "From Jan 1947 to Dec 1970, Holland missed 243 of 4,951 roll call votes, which is 4.9%. This is better than the median of 14.5% among the lifetime records of senators serving in Dec 1970. The chart below reports missed votes over time." [Govtrack, "Spessard Holland," accessed [6/19/16](#)]

EXHIBIT

C

100-24100-101

later, except in cases where the life of the woman is in danger. It would provide exceptions to the ban in cases of pregnancy resulting from rape or incest against a minor, if it has been reported to law enforcement or a government agency authorized to act on reports of child abuse. It also would impose criminal penalties on physicians who violate the ban and subject violators to a maximum five-year jail sentence, fines or both." The resolution passed 228-196. [CQ, 6/18/13; H Res 1797, Vote 251, 6/18/13]

- **Murphy Said A Woman's Right To Choose Was "Non-Negotiable."** "Using a text as a guide, Murphy struck familiar themes: Washington is broken, the middle class is hurting, Gov. Scott suppresses the vote and a woman's right to choose is 'non-negotiable.'" [Tampa Bay Times, 8/17/15]

Murphy Cosponsored The Paycheck Fairness Act To Provide More Effective Remedies To Victims Of Discrimination In The Payment Of Wages On The Basis Of Sex, And For Other Purposes. On January 23, 2013, a bill sponsored by DeLauro. (D-CT) and cosponsored by Murphy, HR 377, was introduced: "A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes." [HR 377, Co-sponsored 2/25/13]

PRESIDENT OBAMA & VICE-PRESIDENT BIDEN ENDORSED MURPHY FOR U.S. SENATE

President Obama And Vice-President Biden Endorsed Patrick Murphy For Senate. "Adding to his lengthy -- and growing -- list of establishment endorsements, U.S. Rep. Patrick Murphy just landed the two biggest names possible for a Democrat: Barack Obama and Joe Biden. The president and vice president of the United States are backing Murphy in his bid for Marco Rubio's U.S. Senate seat, Murphy's campaign announced this morning." [Tampa Bay Times, 3/2/16]

- **President Obama: "In Congress, He's Fought To Strengthen Medicare And Social Security, Reform Our Criminal Justice System, And Protect A Woman's Right To Choose."** "Obama said in the statement. 'In Congress, he's fought to strengthen Medicare and Social Security, reform our criminal justice system, and protect a woman's right to choose. Floridians can count on Patrick Murphy to stand up for them every day as their next Senator.'" [Miami Herald, 3/2/16]



THE BUZZ

From the staff of the Tampa Bay Times

Pro-Murphy super PAC duplicates ad touting Obama-Biden endorsement



Kristen M. Clark, Times/Herald Tallahassee Bureau

Monday, August 1, 2016 9:57am

In case Floridians haven't heard yet that President **Barack Obama** and Vice President **Joe Biden** have endorsed Democrat **Patrick Murphy** for U.S. Senate, a pro-Murphy super PAC is airing an ad this week to drive that point home.

The 30-second spot from "Floridians for a Strong Middle Class" might seem familiar to some Floridians. It's exactly the same as one launched two weeks ago by the Democrats' Senate Majority PAC.

It's the third such ad run in as many weeks that has touted Obama's and Biden's endorsement of Murphy, a Jupiter congressman. In the Murphy campaign's first TV ad last month, Obama appeared in person to sing Murphy's praises.

Murphy is relying heavily on the Obama-Biden endorsement ahead of the Aug. 30 primary where he'll face fellow U.S. Rep. **Alan Grayson** of Orlando and former naval officer and labor attorney **Pam Keith** of Miami. Former assistant U.S. attorney **Reginald Luster** of Jacksonville and California real estate developer "**Rocky**" **Roque De La Fuente** of Orlando are also running.

"Floridians for a Strong Middle Class" is spending \$520,000 on the ad buy -- which is more than 60 percent of the group's most recently reported cash on hand. The super PAC reported having \$812,000 in the bank, as of June 30. Super PACs aren't subject to campaign contribution limits and cannot directly coordinate with a candidate's campaign.

"Republicans are scared of running against Patrick Murphy; they know he's the strongest candidate against (Republican incumbent) **Marco Rubio** so they're spending hundreds of thousands of dollars to distort his record before the Democratic primary," **Ashley Walker**, a representative for the super PAC, said in a statement.

0 Tweet 0

Commenting Guidelines Abuse Policy

PROMOTED STORIES

- Washington Free Beacon - <http://freebeacon.com> -

Super PAC Spent \$1 Million on Patrick Murphy Ads After Getting \$1 Million From His Dad

Posted By *Brent Scher* On August 23, 2016 @ 8:54 am In Politics | [No Comments](#)

Just two days before a liberal Super PAC announced that it would spend \$1 million on television ads supporting Patrick Murphy it received a \$1 million check from Murphy's father.

Thomas Murphy Jr., the owner of a 97-foot luxury yacht named Cocktails that is often used by the younger Murphy during holiday weekends, cut a million dollar check to Senate Majority PAC in the same week that it announced that it would spend that exact amount of money in support of his son, according to a weekend FEC filing.

Patrick Murphy has long been reliant on his father's financial success in both his political and business careers. Thomas Murphy was the single largest donor to his son's campaign when he was first elected to Congress in 2012 and then again in 2014. He is also the top contributor to the current Senate campaign.

Thomas Murphy has funded other Super PACs already this cycle. He contributed hundreds of thousands through his company Coastal Construction to a Super PAC called Floridians for a Strong Middle Class that is devoted to supporting Murphy's Senate campaign.

Murphy earned a hefty \$98,050 a year working at Coastal Construction, his father's company, in the years leading up to his 2012 run for Congress. He was hired during a downturn in the economy that forced Coastal Construction to lay off hundreds of workers as it went months without securing a contract.

Murphy would use his years at Coastal Construction to deem himself a "small business owner," a title that he used to launch his political career and also a title that he did not deserve, according to an in-depth investigation by CBS 4.

Murphy's few years of work at Coastal are not, however, the source of his wealth. Murphy received between \$1 million and \$5 million worth of stock in Coastal Construction as a gift from his father in 2012, which more than tripled the political hopeful's net worth.

Super PACs such as Senate Majority PAC are able to spend and receive unlimited amounts of money but are forbidden from communicating with campaigns.

The Foundation for Accountability and Civic Trust (FACT) made a formal complaint to the FEC regarding the hundreds of thousands that Coastal Construction contributed to Floridians for a Strong Middle Class. The group argued that since Murphy was gifted stock in the company, he was essentially "using his own company to enrich his Super PAC."

"It is simply unrealistic to believe that Murphy's business and his father are funding the Super PAC without coordinating in any way with Murphy or the campaign," wrote FACT in its complaint.

Patrick Murphy says he speaks with his father "at least once a day, maybe twice a day." He has also admitted that he "never would have run" for Congress if it wasn't for his father's business.

When the *Washington Free Beacon* reported that Murphy was spending time on a yacht in Nantucket during his campaign, it was contacted by a Coastal Construction executive who defended Murphy's vacation habits.

"What's so wrong about taking the Fourth of July weekend off?" wrote company vice chairman Daniel Whiteman from his Coastal Construction email address.

Article printed from Washington Free Beacon: <http://freebeacon.com>

URL to article: <http://freebeacon.com/politics/dem-super-pac-cashes-patrick-murphy-gets-1-mil-dad/>

Copyright © 2016 Washington Free Beacon. All rights reserved.

1004410000