

OFFICE OF
GENERAL COUNSEL

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

2018 OCT 22 PM 12:24

October 12, 2018

MUR # 7521

Dallas Woodhouse

Raleigh, NC 27615

To Whom It May Concern:

By their own admission, Swing Left, a federal PAC, and Kathy Manning for Congress, the principal campaign committee of Kathy Manning, candidate for United States House of Representative in North Carolina's 13th congressional district, are coordinating their door to door efforts in direct violation of 11 CFR § 109.20.

In an August 2, 2018 interview, Abby Karp, the leader of Swing Left's Guilford County contingent admitted that the PAC has been actively coordinating door-to-door voter advocacy efforts with Kathy Manning's congressional campaign in North Carolina's 13th district since before Manning won the May 8 democratic primary.

*"[B]ut as soon as Kathy Manning won, well even before that, we talked to each of the campaigns and said 'how do you want to work together?' Kathy's staff was super professional and super open and they said '**why don't you keep doing what you're doing but can you take some guidance from us as far as where to go and do more targeted work?' ...since the primary, we have targeted canvasses in coordination with the [campaign].** We're still Swing Left, we're not just volunteers jumping into Kathy Manning's Campaign because we like our identity, we've built a group."*

Shirna Honig, *The Voter Project Episode #20* (August 2, 2018),
<https://www.stitcher.com/podcast/the-voter-project> at 7:08.

Nor does this does appear to be an isolated incident. In a January 26, 2017 interview with *The New Yorker*, Swing Left founder Ethan Todras-Whitehill offered "**[W]e do want to support Democrats. We plan on being in touch with them, coordinating.**" Jia Tolenti, "*Swing Left and the Post-Election Surge of Progressive Activism*", *The New Yorker* (January 26, 2017).

Coordination is found where an outside group makes an expenditure *cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or her authorized committee for the purpose of influencing an election.* It is an established principal of campaign finance law that such coordinated expenditures are strictly prohibited. 11 CFR § 109.20.

Swing Left evidences an even closer relationship with the Manning campaign in its reports of earmarked, or conduit, contributions. Even if these contributions are, in fact, legally permissible, they would appear to preclude any unreported expenditures made in support of the campaign. Swing Left reports conduit contributions in small dollar amounts to the campaign while ignoring the larger unreported and apparently prohibited coordinated expenditures that are funding their door-to-door voter advocacy program. Ms. Karp explains that this canvassing program is sophisticated enough to target voters and thus, cannot possibly claim that there is no unreportable expenditure to the campaign.

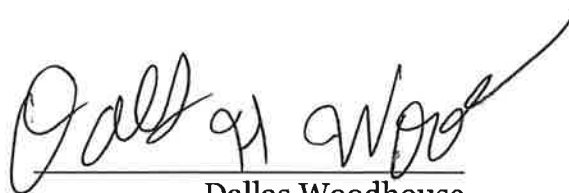
I trust you will look into the matter in NC-13 as well as every other congressional district in which Swing Left is engaging in illegal coordination with federal campaigns.

Sincerely,



The complainants listed below hereby verify that the statement made in the attached Complaint are, upon their information and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.



Dallas Woodhouse

Sworn to and subscribed before this 12th day of October 2018.

Gregory M. Fornshell
Notary Public

GREGORY M. FORNSHELL

