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February 28, 2022

VIA EMAIL ONLY: cela@fec.gov

Roy Q. Lockett
Acting Assistant General Counsel
Federal Election Commission
Office of Complaints Examination
& Legal Administration
1050 First Street, NE
Washington, DC 20463

Re: MUR 7959

Dear Mr. Lockett,

On behalf of ActBlue and its treasurer, Erin Hill, I am writing in response to the complaint filed by George Yourke designated Matter Under Review 7959. The Commission should take no further action with regard to this complaint as it fails to state any violation of the Act.

As best we can discern, Mr. Yourke complains that contributions were made through the ActBlue website which were not authorized. The evidence he offers to support this claim is that a number of contributions appear on his credit card statement with the descriptor – the short string of characters on a statement that describes the recipient of a transaction – “DONATETODEMS.”

As the Commission is likely aware, ActBlue operates software that accepts and processes contributions earmarked for federal committees, which are then forwarded by ActBlue to the designated recipient. Contributions are only ever processed by ActBlue after being authorized by the contributor. For the convenience of contributors, we permit committees to choose a descriptor to be used on contributions designated for them through ActBlue. This allows a contributor to easily identify the ultimate recipient of their contribution when reviewing their banking records. By default, contributions earmarked for a recipient that has not selected a unique descriptor are given the generic descriptor “DONATETODEMS.” All of the contributions that appear on Mr. Yourke’s statement with this generic descriptor were designated by Mr. Yourke for committees without a personalized descriptor and were forwarded to them. We make a confidential list of past contributions available to every contributor on our website. By logging in, Mr. Yourke can review all of his past contributions at any time to see which committees received these contributions.

Mr. Yourke has made many contributions through the ActBlue website over a number of years. There is no indication that these contributions were made without his authorization. The only evidence presented in the complaint that these were unauthorized contributions actually bears no relation to whether the contribution was authorized or not. Even if the Commission were to assume that Mr. Yourke's claim is true, it is not clear that any provision of the Act would have been violated. ActBlue is always willing to review disputed contributions and offer refunds for unintended contributions when possible, and we are willing to work with Mr. Yourke to resolve his concerns. However, the Commission should take no further action with regard to this complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Gold", written in a cursive style.

Steven Gold
General Counsel

