

Geoffrey Bracken  
Treasurer, Citizens for Liberty and Labor  
citizensforlibertyandlabor@gmail.com

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Fox Blackhorn  
Compliance Coordinator 2  
Public Disclosure Commission  
P.O. Box 40908  
Olympia, WA 98504-0908

RE: Citizens for Liberty and Labor: Alleged violations of RCW 42.17A.320

Dear Mx. Blackhorn:

On behalf of Citizens for Liberty and Labor (“the Committee”), I am hereby responding to the allegations raised by Mr. Glen Morgan in the above-referenced matter.

Mr. Morgan’s allegation that the committee continues to violate the law and that our efforts to comply are “legally insufficient” are unfounded, as described herein. His supplemental response seems to be based on a fundamental misunderstanding of both campaign finance law and the basic facts regarding reporting requirements. Further, his continued accusation of malicious intent is based on unsubstantiated hearsay.

As discussed in more detail below, the PDC should work with the Committee to ensure that any errors are corrected in a way which satisfies the law. The violations alleged by Mr. Morgan are either unmeritorious or involve de minimis and technical violations that do not warrant judicial enforcement.

**1. “*Failure to properly identify top contributors in political television, IEs, etc (and Youtube) advertising (Violation of RCW 42.17A.320).*”**

As stated in the initial response, the Committee is working, where possible, to correct any errors in our initial disclosure for advertisements and independent expenditures which require disclosure. The updated disclosure, accounting for current contributions, is as follows (Top 3 donors in bold):

No candidate authorized this ad. It is paid for by Citizens for Liberty and Labor PAC, P.O. BOX 18845, Spokane, WA 99228. Top 5 Contributors: Spokane Firefighters Union PAC, SEIU Union WA State Council PAC, UFCW 21 PAC, Fuse Votes, Washington Conservation Voters Action Fund. **Top 3 Donors to PAC Contributors: SEIU, UFCW 21, Craig Mckibben**

Mr. Morgan’s allegation that our committee continues to be non-compliant appears to be based on a fundamental misunderstanding of the basic facts regarding reporting requirements. Per guidance found on the PDC website (<https://www.pdc.wa.gov/political-advertising-sponsored-one-or-more-pacs>), the Committee should create a list of the aggregate top three donors from each of the non-PAC donors in its top 5 until “...the list contains only individuals *or entities* other than political committees” (my emphasis). From here the Committee is instructed that “The Top 3 contributors from that list will be included in the Top 3 donors to PACs list, *even if all three gave*

to a single PAC” (my emphasis). The guidance clearly indicates that the Top 3 non-PAC donors are collectively selected from this aggregated list (see also guidance found in this link <https://www.pdc.wa.gov/sites/default/files/OTS-1462.3%20For%20Filing.pdf>. While this ruling is not yet in effect, it does further clarify the intent of the law). Contrary to Mr. Morgan’s assertion, the Committee is not required to “drill down” and disclose each of its PAC donors Top 3 contributors.

Furthermore, Mr. Morgan’s claim that our Top 3 still includes PACs seems to be based on a fundamental misunderstanding of the legal structure of entities and campaign finance law writ large. The Committee’s Top 3 includes the following:

**SEIU, UFCW 21, Craig Mckibben**

The first two entities, SEIU and UFCW 21, respectively, are the Union organizations which are the largest single donors to their respective federal and state PACs. Per PDC guidance already quoted above, the list must include “individuals *or entities*” (my emphasis).

***Conclusion***

The Committee has consistently made every effort to comply with Washington State campaign finance law, as evidenced by its timely and accurate filing of reports to the PDC. It has never been the intent of the Committee to withhold, obscure, or otherwise conceal the nature of its financing from the public. While Mr. Morgan’s initial allegation that we failed to properly identify top contributors is technically accurate, the Committee holds that it is insufficient to support the further claim that this error constitutes intent to deprive the public from meaningful information.

The Committee continues to work, where possible, to update its disclosure to be compliant with the relatively new updates to the disclosure requirements. If our top contributors change, as Mr. Morgan suggests they might, the Committee will adjust its reporting accordingly.

For the foregoing reasons, I believe that it would be appropriate for the PDC to work with the Committee to ensure that any errors are corrected in a way which satisfies the law. Further, I believe that the PDC should dismiss the allegation of malicious intent outright.

If you have any questions, or if there is anything else I can do to be of assistance to you, please do not hesitate to contact me.

Sincerely,  
Geoffrey Bracken  
*Treasurer, Citizens for Liberty and Labor*  
509-251-1816  
*Citizensforlibertyandlabor@gmail.com*

CC: Randy Marler (via email)