

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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July 18, 2019

Susan Davidoff, President  
Progressive Massachusetts  
15 Court Square, Suite 650  
Boston, MA 02108

Re: CPF-18-110

Dear Ms. Davidoff:

This office has completed its review of a complaint we received regarding the political activity of Progressive Massachusetts ("Progressive Mass"). The complaint alleged that Progressive Mass was supporting candidates without first organizing as a political committee.

The campaign finance law defines a political action committee (a "PAC") as a political committee that receives contributions, makes expenditures or incurs liabilities for the purpose of influencing the nomination or election of candidates. See M.G.L. c. 55, § 1. Sections 5 and 19 of the campaign finance law require a PAC to file a statement of organization and to appoint a depository bank. See M.G.L. c. 55, § 5, 19. All of the PAC's campaign finance activity must be conducted through the PAC's depository bank account, and reflected accurately and timely in regular campaign finance reports. See M.G.L. c. 55, § 18, 19.

Progressive Mass was initially incorporated as a 501(c)(4) non-profit group in 2013. Its mission, as identified on Progressive Mass' website and in emails it distributed, is to "...organize around progressive issues... [and] help elect and support progressive candidates..." Progressive Mass' primary methods of communication are via email, its website, and its Facebook page.

Progressive Mass sent out emails addressed to its members and others to increase participation in and donations to the organization. Certain emails that solicited donations also referenced Progressive Mass' intention to support progressive candidates. On its website and in some emails, Progressive Mass endorsed candidates and notified its members of canvasses and phone banks for those candidates.

Based on our review of Progressive Mass' activity, we have concluded that Progressive Mass was acting as a PAC within the meaning of the campaign finance law when it solicited and received funds for the purpose of supporting progressive candidates. Accordingly, Progressive Mass' failure to organize as a PAC and open a depository account violated the campaign finance law, M.G.L. c. 55.




Once notified of OCPF's conclusion, Progressive Mass subsequently filed the necessary forms to organize a related political action committee, Progressive Mobilization PAC of Massachusetts.

Based upon our conversations with you and other Progressive Mass staff and volunteers, we believe that Progressive Mass' lack of compliance was the result of a misunderstanding of the campaign finance law. Therefore, because Progressive Mass has now taken the appropriate action, and because we believe that the guidance provided as a result of this review will ensure future compliance with the campaign finance law, no further action is required and this matter may be closed at this time.

Progressive Mass should be certain in the future that any fundraising related to the support of or opposition to candidates is undertaken and accurately disclosed by Progressive Mobilization PAC of Massachusetts. Progressive Mass, the non-profit, should not solicit or receive funds for the purpose of influencing elections. In addition, we strongly recommend that Progressive Mass and Progressive Mobilization PAC of Massachusetts attend an OCPF educational seminar, and contact us to review future Progressive Mass communications to ensure they do not present issues under the Massachusetts campaign finance law.

In accordance with the opinion of the Supervisor of Public Records, this letter is a matter of public record. A copy is being provided to the person(s) who brought this matter to our attention.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Sullivan". The signature is written in a cursive style with a large initial "M".

Michael J. Sullivan  
Director

MJS/sh