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One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
(202) 225-8281 | CHA.HOUSE.GOV

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October 31, 2023

Ms. Regina Wallace-Jones
Chief Executive Officer
ActBlue
P.O. Box 441146
Somerville, MA 02144

Dear Ms. Wallace-Jones:

As Chairman of the U.S. House of Representatives Committee on House Administration, which has broad jurisdiction over federal campaign finance law,¹ I write today to request information on ActBlue's donor verification policies and procedures. At our recent full committee hearing concerning the oversight of the Federal Election Commission,² committee members and some commissioners expressed concern over lenient donor verification standards.

Further, the Committee is aware of allegations from across the country that malicious actors have used ActBlue's systems to funnel unlawful funds to political committees on your platform in federal elections,³ as well as in state elections, such as the recent judicial election for Wisconsin Supreme Court.⁴ In some cases, reports allege that such persons are using untraceable, prepaid cards to "wash" otherwise impermissible funds into apparently clean contributions, possibly including money from foreign sources.⁵ Federal law prohibits contributions from foreign nationals to federal, state, or local campaigns.⁶ Allegations also suggest that malicious actors employ standard identity theft practices to send unlawful funds through ActBlue platform users, with the names of actual persons used to make contributions without their knowledge or consent.⁷

¹ Rules of the United States House of Representatives, Rule X, Clause 1(k)(12), <https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf>.

² Oversight of the Federal Election Commission: Hearing Before the Committee on House Administration, 118th Cong. (2023). <https://cha.house.gov/hearings?ID=9D14F14A-16A3-4055-8CC9-6D40F1791038>.

³ See, e.g., Hollie McKay, *Exclusive: Data shows that half of 2019 donations to ActBlue came from untraceable 'unemployed' donors*, Fox News (Sept. 12, 2020), <https://www.foxnews.com/politics/exclusive-data-shows-that-half-of-2019-donations-to-actblue-came-from-untraceable-unemployed-donors>.

⁴ See, e.g., Steven Kovac, *The Most Expensive Judicial Race in US History Is Raising Questions*, The Epoch Times (Oct. 21, 2023, updated Oct. 25, 2023), <https://www.theepochtimes.com/article/the-most-expensive-judicial-race-in-us-history-is-raising-questions-5499794>.

⁵ See, e.g., Phill Kline, *Commentary: ActBlue Raises Millions in Suspicious Gift Card Donations* (Sept. 16, 2020), https://www.realclearpolitics.com/articles/2020/09/16/actblue_raises_millions_in_suspicious_gift_card_donations_144208.html#. See also Kovac, *supra* note 4.

⁶ 52 U.S.C. § 30121;

⁷ See Kovac, *supra* note 4.

In response to this letter, please provide answers to the following:

- 1) Federal law imposes many restrictions on political committees, including those that ultimately receive contributions through conduit platforms like ActBlue. Those committees are responsible for ensuring any contributions they accept comply with law. Even though these responsibilities are not imposed on ActBlue, does ActBlue nevertheless take any voluntary steps to ensure that only real persons are able to make contributions to political committees that use ActBlue's platform?
- 2) Specifically, has ActBlue chosen to require the provision of a credit card security code or other identifying information as a condition of using its platform to make a contribution to a political committee?
 - i) If not, why not?
- 3) If federal law were amended to require additional verification to confirm the identity of potential contributors, such as the provision of a credit card security code for relevant transactions,⁸ what would the resulting effect be on ActBlue?
- 4) Should the committee explore other areas as it examines the issue of preventing foreign money from being used in American elections?
- 5) Could many of these alleged schemes have been prevented had ActBlue employed standard online financial security practices?

Please send your response and any questions you may have by November 14, 2023, to Caleb Hays, General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

BGS/ad

⁸ See, e.g., CVV Act, S. 491, 118th Cong. § 1 (2023).