

September 15, 2020

Jason H. Haber
Director, Keep our Constitution Clean, Inc.
Chairperson, Keep our Constitution Clean, PAC
888 South Andrews Avenue, Suite 201
Fort Lauderdale, FL 33316

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Dear Mr. Haber:

I am writing to you in your role as senior officer of the two organizations sponsoring the Amendment euphemistically titled "Voter Approval of Constitutional Amendments" which will appear on the November ballot as Amendment Number 4. The purpose of this letter is demand on behalf of our organization, and indeed all Florida Voters, that you disclose the identities of all individuals, organizations and corporations who have provided the more than \$9 million in funding that your organizations have spent to date promoting this amendment.

As you well know, Florida law requires public disclosure of contributions and expenditures made to influence the outcome of an election. That law more specifically requires sponsors of a ballot initiative to file as a political committee for the purpose of financial transparency. Never in the history of ballot measures in Florida has an amendment sponsor so brazenly flaunted campaign finance law by attempting to hide the identities of all of its contributors. Voters have a right to know who is trying to amend our constitution, particularly when the purpose of that amendment is to permanently silence the voice of the people.

The fact that you are operating two entities with nearly identical names, controlled by the same officers and the same address and purport that they are somehow separate entities simply does not pass the sniff test. In reviewing your IRS Form 990 for the year 2018, it is clear that your 501c4 organization, Keep our Constitution Clean, Inc., had only \$990 at the end of that, its first year of operation. It raised \$255,000 that year and spent almost all of it. Yet that same 501c4 organization managed to raise and spend over \$9 million the following year that it donated in monetary and in-kind contributions to your PAC (Keep Our Constitution Clean PAC).

It is simply not plausible that your 501c4 organization's donations to your PAC of similar name were incidental to the operations of your 501c4. An entity with almost no money at the end of one year seldom has \$9 million in extra money sitting around to give to another group the following year.

No reasonable person could conclude anything other than this money had to be raised by the 501c4 for the purpose of giving to the amendment campaign. That would require your 501c4 to register as a PAC, and to disclose its contributions and expenditures pursuant to Chapter 106, Florida Statutes. While it is not unusual for a 501c organization to take a position for or against a proposed amendment, it is unprecedented for such a campaign to be completely bankrolled by one with anonymous funding sources. One can only conclude that the reason what you are doing has never been done in the past is that other amendment sponsors share our opinion that the approach you are taking falls outside of what Florida Statutes require.

How your clearly-related groups are deliberately hiding the ball gives the clear appearance that your 501c4 has been “giving in the name of another” to your PAC, a practice which, as you certainly are aware, is a violation of the letter and spirit of Florida’s campaign finance law.

If this perception is incorrect, you can prove it today by releasing Keep our Constitution Clean, Inc.’s form 990 for the year 2019. This tax return should be completed by now and given how much this organization has spent to influence a constitutional amendment, you owe it to the people of Florida to do so immediately, so that voters know who is behind Amendment Number 4. Additionally, we call on you to release the identities of all individual, organizational and corporate donors to Keep our Constitution Clean, Inc.

We ask that you publicly disclose these documents within 10 days.

It’s time to come “clean” with the people of Florida.

Sincerely,

A handwritten signature in black ink that reads "Patricia Brigham". The signature is written in a cursive, flowing style.

Patricia Brigham, President
League of Women Voters of Florida