

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

FINDINGS, CONCLUSIONS, AND ORDER

IN THE MATTER OF THE COMPLAINT OF LUKE MIELKE REGARDING ACTIFY

Background

On December 1, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Luke Mielke regarding Actify. The complaint quoted and included a link to an Actify webpage stating that there are 501(c)(3) and 501(c)(4) nonprofit organizations that operate under the name Actify.¹

The complaint quoted and included a link to an Actify webpage titled “2025 Priorities” stating that Actify “endorses the re-election of current Mayor Jacob Frey” for mayor of Minneapolis. The website states that “The goal is to re-elect Mayor Frey and to elect a more pragmatic City Council majority to move the city forward.”² The complaint included a copy of an email from Robin Sternberg and Lisa Myers sent on October 17, 2025, labeled as Exhibit 3. The email encouraged individuals to attend Actify-sponsored events on October 15, 2025, to write postcards supporting the reelection of Mayor Frey and the election of Minneapolis Ward 10 city council candidate Lydia Millard. The email stated “We have cards, names, a short message and stamps - all we need is YOU.” The email explained Actify’s intent to send postcards supporting Ms. Millard “to all apartment residents in Ward 10” and said “our goal is to send 10,000 total cards by the mailing date of October 25.” The email also encouraged individuals to attend door-knocking events on six dates leading up to the 2025 general election in support of Mayor Frey. The email stated “We’re joining the Frey team across the city to GOTV by November 4th.”

The complaint alleged that mailing 10,000 postcards would require an expenditure of at least \$6,100 in postage. The complaint asserted that “Actify has failed to properly register with the Minnesota Campaign Finance Board and failed to report this expenditure of mailed postcards and any other expenditures it made related to the 2025 Minneapolis elections.”

On December 11, 2025, the Board’s chair determined that the complaint stated prima facie violations of Minnesota Statutes sections 10A.14, subdivisions 1 or 1a, and 10A.20, subdivisions 1 and 2a. On January 19, 2026, counsel for Actify Company, Inc. (Actify), Jack Huerter, provided a written response. Mr. Huerter asserted that Actify is not a political committee or a political fund, and was not required to register or file a campaign finance report with the Board. Mr. Huerter explained that Actify operates in several states other than

¹ joinactify.org/about-us/

² joinactify.org/2025-priorities/

Minnesota, including in “California, Colorado, Illinois, North Carolina, and Ohio through its growing network of volunteers.”

Mr. Huerter provided a sworn declaration signed by Actify’s founder, president, and chief executive officer, Robin Sternberg. Ms. Sternberg stated that Actify is a Delaware nonprofit corporation operating as a 501(c)(4) social welfare organization. Ms. Sternberg said that “Actify is nonpartisan and has not raised money for or made financial contributions to political candidates or parties.” Ms. Sternberg explained that while Actify endorses candidates and organizes volunteers to support those candidates, those “efforts are ancillary to Actify’s primary goal of promoting civic engagement and democratic values. . . .” Ms. Sternberg provided a copy of Actify’s articles of incorporation.

Ms. Sternberg’s assertion that Actify’s efforts to support candidates are nonpartisan and ancillary to its primary purpose appears to be contradictory to Actify’s website. For example, its website states:

Actify was founded in the wake of the 2016 election by three concerned friends who set out to DO SOMETHING. Today, that network has grown to over 3,000 strong, playing a pivotal role in securing narrow victories and protecting democracy in the elections of 2020, 2022, and 2024. Driven by data they partnered with top national firms, to identify the most effective volunteer strategies and created targeted opportunities to maximize efforts. As we now confront the greatest challenge of our generation, we are building a stronger foundation for the 2026 and 2028 elections.³

Actify’s website identifies six partner organizations and five of those organizations appear to be explicitly partisan and focused directly on elections.⁴ With respect to its 2026 priorities, Actify’s website states that it seeks to “Stop Trump’s Authoritarianism and Restore Checks and Balances!” and describes the “Democrats Must-Win Strategy”.⁵ The website states:

The Democrats have been over performing in 2025 and Special Election races by an average of +13 D. If this Blue Wave continues, there is a good opportunity to win the House and other races in 2026. This voting trend would help restore checks and balances at the federal level and block efforts to dismantle democratic institutions and the rule of law.

Ms. Sternberg stated that Actify “did not purchase the post cards, postage stamps, or any other materials for the mailing that it facilitated through the volunteer coordination efforts cited in Exhibit 3 of the Complaint.” Ms. Sternberg said that “Actify did not incur any expenses whatsoever in connection with this volunteer coordination effort” and “did not design, create, pay for, or otherwise involve itself in the making of the postcards that were prepared for delivery through the volunteer coordination efforts described in Exhibit 3 of the Complaint.”

³ joinactify.org/about-us/

⁴ Ibid. These organizations include [Agenda 4 Democracy](#), [Progressive Turnout Project](#), [Field Team 6](#), [Forward Majority Action](#), and [Voter Protection Project](#).

⁵ joinactify.org/2026-priorities/

Ms. Sternberg explained that “volunteers attended the post card preparation and mailing drive that took place at” a building known as the Hamilton Studio⁶ and at a condominium complex known as The Carlyle⁷ “in Minneapolis. The locations were made available by supporters of the organization at no cost.” Ms. Sternberg stated that “Actify received the post cards and postage stamps for the mailing . . . directly from the Jacob Frey for Mayor campaign”, which “paid for these post cards and postage stamps.” Ms. Sternberg said “the event was coordinated with the Frey for Mayor campaign and even attended by Mayor Frey himself.” Ms. Sternberg provided photographs of two events where the postcards were prepared, with Mayor Frey present.

Mr. Huerter provided a sworn declaration signed by an Actify board member and volunteer, Lisa Myers, attesting to the fact that the Frey campaign paid for the postcards supporting Mayor Frey and the postage. Ms. Myers stated “In my capacity as a volunteer for Actify, I picked up the post cards and postage stamps used in the volunteer coordination effort from a local campaign office. I also received post cards and postage stamps that were delivered by a Frey campaign staffer to me at my home.”

Mr. Huerter provided photographs depicting the postcards supporting Mayor Frey prior to them being prepared by Actify volunteers. They included blank space beside the Frey committee’s mailing address and a disclaimer stating they were paid for by Jacob Frey for Our City on one side, and a photograph depicting Mayor Frey on the other side. The Frey committee reported making three disbursements to “USPS” of \$3,052.75 each on September 17 and 29 and October 3, 2025, for “Print Materials Mailings”, reported making a disbursement to “Postmaster” of \$2,135 on September 23, 2025, for “Postcard Stamps”, and reported making disbursements totaling over \$25,000 to “Seven Corners” for “Mailers and Sign Printing” during the second half of 2025.⁸

Ms. Sternberg referred to a “donation to Actify” made by the Frey campaign, and included with her declaration a copy of a 2025 pre-general campaign finance report filed by the Frey committee with the City of Minneapolis.⁹ The report includes a \$10,000 disbursement dated September 24, 2025, reportedly paid to “Actify Company” for “Data Management”. Mr. Huerter initially characterized the \$10,000 payment as a contribution from the Frey committee to Actify.

Mr. Huerter stated that Actify is not a political committee because it’s major purpose is not to influence elections as described in Minnesota Statutes section 10A.01, subdivision 27. Mr. Huerter asserted that Actify is not a political fund “because it does not accumulate dues or voluntary contributions” to influence elections as described in Minnesota Statutes section 10A.01, subdivision 28. Mr. Huerter said that “Actify did not expend more than \$200 to influence an election. At most, it expended a nominal amount of in-kind resources to coordinate a volunteer effort to prepare postcards that were shared with it by a political campaign.”

⁶ maps.app.goo.gl/6a8KSAhzg5nukiMm9

⁷ maps.app.goo.gl/sVRPYGbzUe2Ma1Bn9

⁸ minneapolis.maplight.com/public/candidate-details/68

⁹ minneapolis.maplight.com/public/campaign-finance-report/839

The Board considered this matter at its meeting on February 4, 2026. Mr. Huerter appeared before the Board on behalf of Actify. The Board determined that there was probable cause to believe that Actify failed to register and file reports with the Board in violation of Minnesota Statutes sections 10A.14, subdivision 1, and 10A.20, subdivisions 1 and 2a. The Board also noted the possibility that the \$10,000 payment was a violation of Minnesota Statutes section 211B.12. The Board ordered a formal investigation.

Formal Investigation

Letters seeking information relevant to this investigation were sent to counsel for Actify and to the Frey committee on February 13, 2026. The Frey committee voluntarily provided a copy of a \$10,000 invoice it received from Actify, dated September 2, 2025. The invoice describes the services provided by Actify as consisting of “Consulting, support, strategy and execution for postcarding, campus visibility, and doorknocking GOTV programs”. Mr. Huerter provided a response on behalf of Actify on February 27, 2026. Mr. Huerter clarified that his prior characterization of the \$10,000 payment was inaccurate. He stated that “The invoice accurately reflects that the purpose of the payment to Actify was for consulting services and execution of the postcarding campaign in an invoice submitted to the Frey campaign shortly after Actify incorporated in August of 2025.”

Both during the February 4, 2026, Board meeting, and in the written response provided on February 27, 2026, Mr. Huerter stated that the postcards prepared by Actify volunteers supporting Ms. Millard were paid for by All of Mpls, which is an independent expenditure political committee registered with the Board.¹⁰ Mr. Huerter confirmed that All of Mpls paid for the postage for those postcards. Within its 2025 pre-general report of receipts and expenditures, All of Mpls reported paying over \$20,000 to a vendor, Mission Control, for independent expenditure mailings supporting Ms. Millard, including postage. Mr. Huerter provided an example copy of the postcard supporting Ms. Millard, which includes a disclaimer stating “This is an independent expenditure prepared and paid for by All of Mpls, PO Box 580170, Minneapolis, MN 55458. It is not coordinated with or approved by any candidate nor is any candidate responsible for it.” Mr. Huerter said that the postcards supporting Ms. Millard were prepared at an event held on October 15, 2025, in a conference room at a building known as MoZaic East in Minneapolis.¹¹ Mr. Huerter stated that “No member of the Millard campaign was involved in the event.”

Mr. Huerter said that Stu Ackerberg provided the conference room at no charge and that Actify's understanding was that Mr. Ackerberg owned the building. Hennepin County property records indicate that the building is owned by Mozaic East LLC.¹² Business filings maintained by the Office of the Secretary of State indicate that Mozaic East LLC is a limited liability company (LLC) managed by the Ackerberg Group, which is a business corporation.¹³ Mr. Huerter

¹⁰ cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/41291/

¹¹ ackerberg.com/properties/details/mozaic-east/

¹² www16.co.hennepin.mn.us/pins/pidresult.jsp?pid=3302924430223

¹³ mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=1d342950-9107-e411-ac2f-001ec94ffe7f; mblsportal.sos.mn.gov/Business/SearchDetails?filingGuid=d125bf77-add4-e011-a886-001ec94ffe7f

subsequently stated that “When it is not offered for free, the MoZaic East conference room can be rented for \$100. Mr. Stu Ackerberg confirmed this information to Actify.”

Mr. Huerter said that a community room at The Carlyle was made available to Actify by two individual residents of that building “at no cost to Actify or to themselves.” Mr. Huerter stated that the Hamilton Studio was made available to Actify by two individuals who own the building. Mr. Huerter stated that “At each event, a few people brought potluck water and snacks from their pantries. Actify did not take records of the snacks that volunteers chose to bring and share at the event.” Mr. Huerter also said that “Actify did not purchase anything for the volunteer postcarding events.”

With respect to the Frey campaign door-knocking events referenced in the complaint, Mr. Huerter stated that an Actify volunteer sent an email promoting the events, but that “volunteers signed up themselves directly with links provided by the Frey campaign for doorknocking.” Mr. Huerter said that “Actify is unaware if or how many people signed up to attend the doorknockings organized by the Frey campaign. Actify did not coordinate volunteers or otherwise support the doorknocking events and did not incur any costs related to the six door-knocking events.” Mr. Huerter also noted that Actify promoted two other door-knocking events organized by the Frey campaign.

The Board considered this matter at its meeting on April 1, 2026.

Analysis

An association is “a group of two or more persons, who are not all members of an immediate family, acting in concert.” Minn. Stat. § 10A.01, subd. 6. A political committee is “an association whose major purpose is to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question, other than a principal campaign committee, local candidate, or a political party unit.” Minn. Stat. § 10A.01, subd. 28. Minnesota Statutes section 10A.01, subdivision 28, provides that:

“Political fund” means an accumulation of dues or voluntary contributions by an association other than a political committee, principal campaign committee, or party unit, if the accumulation is collected or expended to influence the nomination or election of one or more candidates or local candidates or to promote or defeat a ballot question. The term political fund as used in this chapter may also refer to the association acting through its political fund.

Minnesota Statutes section 10A.01, subdivision 11, defines the term “contribution” to include both money and donations in kind given to a political committee or fund, including an “allocation by an association of general treasury money to be used for activities that must be or are reported through the association's political fund”, and to exclude “services provided without compensation by an individual volunteering personal time . . . or an individual's unreimbursed personal use of an automobile owned by the individual while volunteering personal time.” A donation in kind is “anything of value that is given, other than money or negotiable instruments”,

including an approved expenditure. Minn. Stat. § 10A.01, subd. 13. A donation in kind is more commonly known as an in-kind contribution. A treasurer is not required to record or report an in-kind contribution valued at \$20 or less. Minn. Stat. § 10A.13, subd. 1.

With some exceptions, including “services provided without compensation by an individual volunteering personal time on behalf of . . . a local candidate” or political committee or fund, the term expenditure includes “a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of . . . a local candidate”. Minn. Stat. § 10A.01, subd. 9.

A general purpose political committee or fund must be registered with the Board after it has “received contributions, or made expenditures in excess of \$750”. Minn. Stat. § 10A.14, subd. 1. An independent expenditure political committee or fund must be registered with the Board after it has received contributions or made independent expenditures in excess of \$1,500. Minn. Stat. § 10A.14, subd. 1a. A political committee or fund must begin filing periodic campaign finance reports with the Board after being required to register. Minn. Stat. § 10A.20, subd. 1.

The fact that Actify operates in multiple states indicates that it is not a political committee as that term is defined by Minnesota Statutes section 10A.01, subdivision 27, because its major purpose does not appear to be influencing Minnesota elections in involving candidates, local candidates, or ballot questions, as those terms are defined in Chapter 10A.¹⁴ Actify consists of two or more persons acting in concert, has a professionally-designed website, and has communicated by email to support the election of Ms. Millard to the Minneapolis City Council without being paid to provide that service. While the costs incurred by Actify and its volunteers in support of the effort to elect Ms. Millard was minimal, it was not zero. The information in the record indicates that Actify is a political fund.

The information in the record also supports the conclusion that Actify was not required to register with the Board. Neither Actify nor its individual volunteers paid for the spaces where postcard events were held, the postcards produced, or the postage for the postcards. Rather, the postcards and the postage was paid for by the Frey campaign in one instance and by All of Mpls in another instance. The spaces used for the Frey postcard events were provided by individuals at no cost to themselves or to Actify. Those services were not contributions because the term contribution “does not include services provided without compensation by an individual volunteering personal time on behalf of a” political fund. Minn. Stat. § 10A.01, subd. 11 (c).

While Actify’s website supported Mayor Frey, neither a portion of the cost of that website, nor the portions of the emails sent by Actify that supported Mayor Frey, count toward the applicable registration threshold because the Frey committee paid Actify \$10,000 to provide those, and other, services as a vendor.

¹⁴ See Minn. Stat. § 10A.01, subsd. 7, 10, 10d.

Actify was not paid by All of Mpls to send an email recruiting volunteers to prepare the postcards supporting Ms. Millard, so to the extent the value of that portion of the October 17, 2025, email, labeled Exhibit 3, exceeded \$20, that counts toward the applicable registration threshold. The value of refreshments provided by volunteers to be consumed at the postcard events were in-kind contributions that count toward the applicable registration threshold to the extent their value exceeded \$20. Also, any payment made for the conference room used at MoZaic East, as discussed below, counts toward the applicable registration threshold. The evidence in the record does not support the conclusion that the value of those items, combined, exceeds the \$750 registration threshold for a general purpose political fund or the \$1,500 registration threshold for an independent expenditure political fund.

The Board has not previously considered whether Actify could accept the use of a conference room, free of charge, in a building owned by MoZaic East LLC. However, Actify has voluntarily agreed to pay \$100 to the business that owns or manages the conference room in question.

Based on the above and the record of this matter, the Board makes the following:

Findings of Fact

1. Actify Company, Inc. (Actify) is a Delaware nonprofit corporation operating as a 501(c)(4) social welfare organization.
2. In 2025 Actify received payment of \$10,000 for services it provided to the campaign committee of Minneapolis Mayor Jacob Frey.
3. In 2025 Actify promoted events benefiting the Frey campaign, including two events at which postcards were prepared by Actify volunteers and door-knocking events organized by the Frey campaign.
4. The postcards supporting Mayor Frey and postage for those postcards was paid for by the Frey campaign, and Mayor Frey attended the two events where the postcards were prepared.
5. The two spaces used by Actify for the postcard events supporting Mayor Frey were provided by individuals at no cost to Actify or themselves.
6. In 2025 Actify organized and promoted an event where postcards were prepared by Actify volunteers, supporting Lydia Millard, a candidate for Minneapolis City Council Ward 10. No member of the Millard campaign was involved in that event.
7. The postcards supporting Ms. Millard and postage for those postcards was paid for by All of Mpls, an independent expenditure political committee registered with the Board.

8. The space used by Actify for the postcard event supporting Ms. Millard was made available at no cost to Actify by an individual, but the space is owned by a limited liability company (LLC) and managed by a business corporation.
9. Aside from minimal costs involved with its email system and services paid for by the Frey campaign, Actify did not spend money to influence the election of any local candidate in Minnesota in 2025.
10. Actify volunteers brought a limited amount of refreshments to the postcard events to be consumed by the approximately 15-30 volunteers in attendance.
11. Actify has voluntarily agreed to pay \$100 to the business that owns or manages the MoZaic East conference room that it used for the October 15, 2025, postcard event supporting Ms. Millard.

Based on the above facts and the record of this matter, the Board makes the following:

Conclusions of Law

1. Actify Company, Inc. (Actify) is the supporting association of a political fund.
2. The \$10,000 that the campaign committee of Minneapolis Mayor Jacob Frey paid to Actify in 2025 was not a contribution.
3. Actify did not make any contributions to, or independent expenditures supporting, Minneapolis Mayor Jacob Frey in 2025, because the Frey campaign paid for the services Actify provided and paid for the postcards prepared by Actify volunteers supporting Mayor Frey.
4. Actify did not make any contributions to Lydia Millard, and to the extent it made expenditures supporting Ms. Millard in 2025, those expenditures were less than \$750.
5. Actify did not receive contributions or make expenditures in excess of \$750 in 2025, and thereby was not required to register or file campaign finance reports with the Board. Actify did not violate Minnesota Statutes sections 10A.14 or 10A.20.

Based on the above findings of fact, conclusions of law, and the record of this matter, the Board issues the following:

Order

1. The investigation of this matter is concluded and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.



David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: April 1, 2026