



January 28, 2021

Federal Election Commission
Lisa J. Stevenson, Acting General Counsel
Office of the General Counsel
1050 First Street, NE
Washington, D.C. 20463

RE: Additional Facts Relevant to MUR #7784

Dear Ms. Stevenson:

The Campaign Legal Center (“CLC”) writes to supplement our July 28, 2020 complaint (assigned MUR #7784) against Donald J. Trump’s authorized campaign committee, Donald J. Trump for President, Inc. (I.D.: C00580100), and one of his authorized joint fundraising committees, Trump Make America Great Again Committee (I.D.: C00618371).

CLC’s original complaint alleged that the Trump campaign and Trump Make America Great Again Committee violated 52 U.S.C. § 30104(b)(5) by laundering hundreds of millions of dollars of campaign spending through firms created and/or managed by senior Trump campaign officials—namely, American Made Media Consultants (“AMMC”) and Parscale Strategy.

This activity continued after CLC’s original complaint. Over the course of the four-year presidential cycle, Trump’s committees routed \$769 million through AMMC, based on reports filed to date.¹ The Trump campaign and Trump Make America

¹ Donald J. Trump for President, Inc. and Trump Make America Great Again Committee, Disbursements to American Made Media Consultants, 2017-20, FEC.gov, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00580100&committee_id=C00618371&recipient_name=parscale+strategy&two_year_transaction_period=2018&two_year_transaction_period=2020&min_date=01%2F01%2F2017&max_date=12%2F31%2F2020 (last visited Jan. 27, 2021). As of the date of this filing, these committees have not yet filed their 2020 year-end reports.

Great Again Committee remain the only committees that have ever reported paying AMMC (save for one “list acquisition” payment from the Republican National Committee in September 2019).² Trump’s committees also continued paying Parscale Strategy after CLC’s original complaint, and have reported routing a total of \$9.1 million through Parscale Strategy since 2017.³

Together, AMMC and Parscale Strategy served as conduits that hid the ultimate recipients of nearly half of the campaign’s overall spending.⁴ Rather than Trump’s committees disclosing itemized payments to each of its vendors, Trump’s committees reported millions of dollars in payments to AMMC or Parscale Strategy, which then paid the firms or individuals actually working for the committees. These schemes disguised which firms or individuals were working for Trump’s committees, how much and when they were being paid, and the purposes of those payments.

New reporting provides evidence that AMMC’s formation was approved by one of the Trump campaign’s most senior officials, and that its board initially included members of the president’s and vice president’s families who also held senior roles with the Trump campaign.

Specifically, on December 18, 2020, *Business Insider* reported:

President Donald Trump's most powerful advisor, Jared Kushner, approved the creation of a campaign shell company that secretly paid the president's family members and spent almost half of the campaign's \$1.26 billion war chest, a person familiar with the operation told *Insider*.

...

² See Disbursements to American Made Media Consultants, All Cycles, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&recipient_name=american+made+media+consultants&max_date=12%2F31%2F2020 (last visited Jan. 27, 2021).

³ Donald J. Trump for President, Inc. and Trump Make America Great Again Committee, Disbursements to Parscale Strategy, 2017-20, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00580100&committee_id=C00618371&recipient_name=parscale+strategy&two_year_transaction_period=2018&two_year_transaction_period=2020&min_date=01%2F01%2F2017&max_date=12%2F31%2F2020 (last visited Jan. 27, 2021).

⁴ Trump’s campaign spent \$773 million in the four-year election cycle, see Donald J. Trump for President Inc., Financial Summary, 2019-20, FEC.GOV, <https://www.fec.gov/data/committee/C00580100/?cycle=2020> (last visited Jan. 27, 2021); Donald J. Trump for President Inc., Financial Summary, 2017-18, FEC.GOV, <https://www.fec.gov/data/committee/C00580100/?cycle=2018> (last visited Jan. 27, 2021), \$528 million of which was paid to AMMC and Parscale Strategy, Donald J. Trump for President, Inc., Disbursements to American Made Media Consultants and Parscale Strategy, 2017-20, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00580100&recipient_name=american+made+media+consultants&two_year_transaction_period=2018&two_year_transaction_period=2020&min_date=01%2F01%2F2017&max_date=12%2F31%2F2020 (last visited Jan. 27, 2021).

When Kushner and others created [AMMC] in April 2018, they picked Trump's daughter-in-law Lara Trump to become its president, Vice President Mike Pence's nephew John Pence as its vice president, and Trump campaign CFO Sean Dollman as its treasurer and secretary, the person who spoke on the condition of anonymity said.

Insider independently verified details of this person's account with other sources close to the Trump campaign.⁵

Also on December 18, 2020, the *New York Times* reported:

Lara Trump, President Trump's daughter-in-law and a senior campaign adviser, served on the board of a limited liability company through which the Trump political operation has spent more than \$700 million since 2019, according to documents reviewed by The New York Times. She was also named on drafts of the company's incorporation papers.

The arrangement has never been disclosed. One of the other board members and signatories in the draft papers of the L.L.C., American Made Media Consultants, was John Pence, the nephew of Vice President Mike Pence and a senior Trump adviser. The L.L.C. has been criticized for purposefully obscuring the ultimate destination of hundreds of millions of dollars of spending. Ms. Trump is married to Eric Trump, one of the president's sons.

Ms. Trump was initially intended to be the president of the entity, and Mr. Pence the vice president of it, the documents show.⁶

The *New York Times* also reported that “[t]he documents show that Sean Dollman, the campaign's chief financial officer, was also the treasurer of A.M.M.C.”⁷

This new evidence further demonstrates that Trump's committees violated 52 U.S.C. § 30104(b)(5) by reporting hundreds of millions of dollars in payments to AMMC rather than itemizing disbursements to the committees' ultimate vendors. The involvement of Kushner and other senior campaign officials in AMMC's formation is additional evidence that the Trump campaign did not have an “arm's-length” relationship with the firm; instead, AMMC was merely an extension of the

⁵ Tom LoBianco and Dave Levinthal, *Jared Kushner Helped Create a Trump Campaign Shell Company That Secretly Paid the President's Family Members and Spent \$617 Million in Reelection Cash, a Source Tells Insider*, BUSINESS INSIDER (Dec. 18, 2020), <https://www.businessinsider.com/jared-kushner-trump-campaign-shell-company-family-ammc-lara-2020-12>.

⁶ Shane Goldmacher & Maggie Haberman, *Lara Trump served on the board of a company through which the Trump political operation spent more than \$700 million*, N.Y. TIMES (Dec. 18, 2020), <https://www.nytimes.com/2020/12/18/us/politics/lara-trump-served-on-the-board-of-a-company-through-which-the-trump-political-operation-spent-more-than-700-million.html>.

⁷ *Id.*

campaign, and the campaign used it to keep voters in the dark about how the campaign was spending its money.

As laid out in more detail in CLC’s original complaint, a campaign committee must itemize disbursements to a vendor’s ultimate payees if the vendor receiving the itemized disbursement does not have an “arm’s-length” relationship with the committee, and/or if the vendor is merely acting as a “conduit,” with the ultimate recipients of the campaign spending selected by or effectively working under the direction and control of the committee. *See, e.g.*, MUR 3847 (Stockman); MUR 4872 (Jenkins); MUR 6724 (Bachmann for President). A committee that fails to itemize disbursements to its ultimate payees under these circumstances violates 52 U.S.C. § 30104(b)(5).

The Commission has found probable cause to believe or reason to believe that a campaign committee violated 52 U.S.C. § 30104(b)(5) based on the absence of an “arm’s-length” relationship between the campaign and an itemized vendor such as AMMC; key factors in the “arm’s-length” analysis include whether the vendor’s principals held positions with the campaign; whether those principals held themselves out to the public as campaign officials; whether the vendor operated out of campaign headquarters; and whether the vendor was devoted largely to the campaign. First General Counsel’s Report at 4-5, MUR 3847 (Stockman); First General Counsel’s Report at 14-16, MUR 6724 (Bachmann for President); *cf.* Advisory Opinion 1983-25 (Mondale) at 2.

CLC’s original complaint documented how “American Made Media Holding Corporation” formed as a corporation in Delaware on April 18, 2018 and disclosed two officers on its annual reports: Trump campaign director of operations/assistant treasurer Sean Dollman, and Trump campaign legal counsel Alex Cannon.⁸ The address for American Made Media Holding Corporation was the same as the Beverly, Massachusetts address of the Trump campaign’s compliance firm Red Curve Solutions.⁹

AMMC formed in Delaware as a Limited Liability Company the next day, April 19, 2018, but publicly available Delaware records do not identify officers for AMMC.¹⁰ As described above, newly reported evidence indicates that one of the Trump campaign’s most senior officials, Jared Kushner, approved AMMC’s creation, that he and other Trump officials selected two senior campaign advisors, Lara Trump and John Pence, to serve on its board, and that they selected the campaign’s director of operations and assistant treasurer, Dollman, as AMMC’s treasurer.¹¹

⁸ Compl. ¶13.

⁹ *Id.*

¹⁰ *Id.*

¹¹ LoBianco & Levinthal, *supra* note 5; Goldmacher & Haberman, *supra* note 6.

Jared Kushner, Lara Trump, John Pence, and Sean Dollman all held senior positions with the Trump campaign in the 2020 election cycle. The *Associated Press* described Kushner as the “driving force” behind the Trump campaign, and “the person who is truly in charge of day-to-day operations.”¹² Lara Trump, President Trump’s daughter-in-law, was a senior advisor to the 2020 Trump campaign,¹³ and a campaign surrogate who regularly spoke publicly on behalf of the campaign.¹⁴ Lara Trump was reportedly paid \$15,000 per month by the campaign, with the payments routed through Parscale Strategy.¹⁵ John Pence, Vice President Pence’s nephew, was also a senior advisor to the 2020 Trump campaign who similarly acted as a campaign surrogate.¹⁶ Sean Dollman holds himself out publicly as the Trump campaign’s director of operations and assistant treasurer.¹⁷

In sum, the evidence shows AMMC did not have an “arm’s-length” relationship with the Trump campaign or its authorized committees during the 2020 cycle: AMMC’s only known principals are senior Trump campaign officials, it was controlled by senior Trump campaign officials, the firm’s address is associated with the campaign, and the firm effectively has no clients other than Trump’s committees—facts analogous to those in MUR 3847 (Stockman) and MUR 6724 (Bachmann for

¹² *After Trump Campaign Swap, Questions—and Kushner—Remain*, ASSOCIATED PRESS (Jul. 17, 2020), <https://www.voanews.com/2020-usa-votes/after-trump-campaign-swap-questions-and-kushner-remain>.

¹³ *See, e.g.*, Quint Forgey, ‘He Was Having Fun’: Lara Trump Defends President’s Attack on Whitmer, POLITICO (Oct. 18, 2020), <https://www.politico.com/news/2020/10/18/lara-trump-attack-whitmer-430060> (describing Lara Trump as a “senior advisor to President Donald Trump’s reelection campaign”).

¹⁴ *See, e.g.*, Katie Glueck, *The Face of Donald Trump’s 2020 Campaign*, RALEIGH NEWS & OBSERVER (June 7, 2017), <https://www.newsobserver.com/news/politics-government/article154701989.html>; *see also, e.g.*, Steve Litz, *Lara Trump Stumps for Father-in-Law in Final Campaign Push*, NBC 6 SOUTH FLORIDA (Nov. 2, 2020), <https://www.nbcmiami.com/news/politics/decision-2020/lara-trump-stumps-for-father-in-law-in-final-campaign-push/2315426/> (describing Lara Trump as “[o]ne of President Trump’s top surrogates”).

¹⁵ *See* Compl. ¶¶ 57-60.

¹⁶ *See, e.g.*, Allison Brophy Champion, *John Pence Stumps for Trump Ticket in Culpepper*, CULPEPPER STAR-EXPONENT (Oct. 12, 2020), https://starexponent.com/news/john-pence-stumps-for-trump-ticket-in-culpepper/article_e0325ce6-90bd-52eb-9042-8a7c4adf8481.html (describing Pence as a “senior advisor” who headlined a Virginia campaign rally); Victor Calderon, *Pence Nephew in Yuma: Trump Is the Right Choice for Latinos*, KAWC NEWS (Sep. 29, 2020), <https://www.kawc.org/post/pence-nephew-yuma-trump-right-choice-latinos> (describing Pence as a “senior advisor” who addressed an Arizona campaign rally); Monroe Trombley, *Vice President’s Nephew Stumps for Trump in Ohio*, USA TODAY NETWORK-OHIO (Sep. 2, 2020), <https://www.the-review.com/story/news/2020/09/02/john-pence-stumps-trump-ohio/5692809002/> (describing Pence as a “senior advisor” who addressed an Ohio campaign rally).


¹⁷ *See, e.g.*, Compl. ¶ 7; Dave Levinthal, *Why hasn’t the Trump campaign paid all its police security bills?*, CNBC (June 13, 2019), <https://www.cnbc.com/2019/06/13/why-hasnt-the-trump-campaign-paid-all-its-police-security-bills.html> (describing Dollman as “Trump campaign Director of Operations”); Donald J. Trump for President, Inc., Statement of Organization, FEC Form 1 at 1, 4 (amended Mar. 4, 2020), <https://docquery.fec.gov/pdf/510/202003049203747510/202003049203747510.pdf> (disclosing Dollman as campaign assistant treasurer).

President). The lack of an arm's length relationship between the Trump campaign and AMMC is further evidenced by the Trump campaign's top official having signed off on AMMC's creation.

Moreover, as described in CLC's original complaint, not only is there a lack of an arm's-length relationship, but available information indicates that the ultimate vendors paid via AMMC were effectively working under the direction and control of the campaign, and were providing services to the campaign rather than to AMMC.¹⁸ The Commission has found reason to believe that a campaign committee violated 52 U.S.C. § 30104(b)(5) by failing to itemize ultimate payees when evidence indicated "that [the ultimate payee] reported to and took direction from the [campaign] Committee," rather than the itemized vendor, Factual & Legal Analysis at 10, MUR 6724 (Bachmann for President), and where the vendor "did not "exercise[] any independent control over the funds it received," First General Counsel's Report at 14, MUR 6724 (Bachmann for President).

Therefore, there is reason to believe that Donald J. Trump for President and the Trump Make America Great Again Committee filed false reports by inaccurately reporting payments to American Made Media Consultants, and failing to itemize payments to ultimate payees, in violation of FECA's reporting requirements at 52 U.S.C. § 30104(b)(5), (b)(6)(B)(v).

Respectfully submitted,



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¹⁸ See Compl. ¶¶ 75-79.

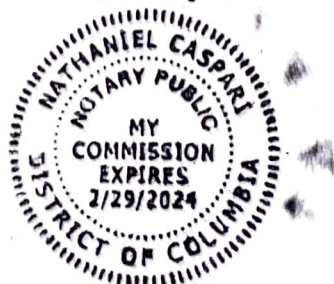
Brendan M. Fischer
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January 28, 2021

VERIFICATION

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

Sworn pursuant to 18 U.S.C. § 1001.



For Complainant Margaret Christ

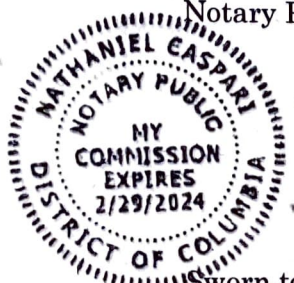
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Margaret Christ

Sworn to and subscribed before me this 27 day of January 2021.

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Notary Public



For Complainant Campaign Legal Center

A handwritten signature in black ink, appearing to read "B. Fischer", written over a horizontal line.

Brendan M. Fischer

Sworn to and subscribed before me this 27 day of January 2021.

A handwritten signature in black ink, written over a horizontal line.

Notary Public