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). 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.

Together, AMMC and Parscale Strategy served as conduits that hid the ultimate recipients of nearly half of the campaign’s overall spending. 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.

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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

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\(^7\) *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. 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.

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. 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.

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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

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15 See Compl. ¶¶ 57-60.


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,

Campaign Legal Center, by

Brendan M. Fischer
1101 14th Street, NW, Suite 400
Washington, DC 20005
(202) 736-2200

Margaret Christ
1101 14th Street, NW, Suite 400
Washington, DC 20005
(202) 736-2200

18 See Compl. ¶¶ 75-79.
Brendan M. Fischer
Campaign Legal Center
1101 14th Street, NW, Suite 400
Washington, DC 20005
Counsel to the Campaign Legal Center,
Margaret Christ

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

Margaret Christ

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

For Complainant Campaign Legal Center

Brendan M. Fischer

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