

## BEFORE THE FEDERAL ELECTION COMMISSION

CAMPAIGN LEGAL CENTER  
1101 14th Street NW, Suite 400  
Washington, DC 20005

v. MUR No. 8366

ERIC ADAMS and ERIC  
ADAMS 2025  
120 Broadway, 28 Fl.  
New York, NY 10271

ERIC ADAMS 2021  
120 Broadway, 28 Fl.  
New York, NY 10271

### SUPPLEMENTAL COMPLAINT

1. On February 18, 2025, Campaign Legal Center (“CLC”) filed a complaint with the Federal Election Commission (the “FEC” or “Commission”) alleging that New York City Mayor Eric Adams and his 2021 and 2025 mayoral campaign committees knowingly and willfully violated the Federal Election Campaign Act’s (“FECA” or the “Act”) prohibition on soliciting and accepting donations from foreign nationals in connection with an election, 52 U.S.C. § 30121.<sup>1</sup>
2. As referenced in the complaint, the Department of Justice (“Justice Department” or “DOJ”) secured a federal indictment against Adams for these foreign-national violations (among other alleged crimes) on September 25, 2024.<sup>2</sup> However, after President Donald Trump took office, DOJ moved to dismiss the indictment without prejudice on February 14, 2025.<sup>3</sup> DOJ’s motion remained pending at the time CLC filed its complaint.

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<sup>1</sup> See Compl., MUR 8366 (Adams) (Feb. 18, 2025).

<sup>2</sup> *Id.* ¶ 34.

<sup>3</sup> *Id.* ¶ 42.

3. In the intervening two months, the U.S. District Court for the Southern District of New York dismissed the indictment *with prejudice*.<sup>4</sup> CLC files this supplemental complaint to update the Commission on the court proceedings and related events, and to underscore that the Commission is now the *only* law enforcement body that can hold Adams accountable for his serious violations of the Act.
4. CLC files this supplement in reliance on Advisory Opinion 2025-06, which CLC obtained on April 17, 2025.<sup>5</sup>
5. CLC incorporates and realleges all of the facts and arguments in its original complaint and adds to them the below supplemental facts and argument.

#### **NEW FACTUAL DEVELOPMENTS AND LEGAL ARGUMENT**

6. As referenced above, the Justice Department sought to dismiss the indictment against Adams without prejudice in February 2025. In its motion, DOJ provided two grounds for dismissal: (1) that the timing of the prosecution raised “appearances of impropriety and risks of interference with the 2025 elections in New York City;” and (2) that the proceedings “would interfere with the defendant’s ability to govern in New York City, which poses unacceptable threats to public safety, national security, and related federal immigration initiatives and policies.”<sup>6</sup>
7. Notably, DOJ’s motion did not claim that the government was concerned that the evidence did not support the indictment or that it would not be able to succeed in making its case before a jury.

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<sup>4</sup> Op. & Order at 5, *United States v. Adams*, Case No. 1:24-cr-00556-DEH (Apr. 2, 2025).

<sup>5</sup> See Advisory Op. 2025-06 (CLC), <https://www.fec.gov/files/legal/aos/2025-06/2025-06.pdf> (assuring that CLC “may file a complaint with the Commission if it believes a violation of the Act has occurred”).

<sup>6</sup> Nolle Prosequi ¶¶ 5-6, *United States v. Adams*, Case No. 1:24-cr-00556-DEH (Feb. 14, 2025).

8. Initially, seven career prosecutors—including the Acting U.S. Attorney for the Southern District of New York and the lead prosecutor assigned to the case—resigned rather than file the motion, vehemently expressing their concerns that the dismissal motion was based on an improper *quid pro quo* whereby Adams agreed to advance Trump’s immigration agenda in exchange for the dismissal without prejudice, *i.e.*, a dismissal that DOJ could reverse if Adams strayed from the administration’s immigration policies.<sup>7</sup> Three attorneys from the U.S. Attorney’s Office for the Southern District of New York were also placed on administrative leave for refusing to sign the dismissal motion and resigned months later.<sup>8</sup> DOJ attorneys in Washington ultimately filed the motion, reportedly after DOJ leadership threatened to fire the entire Public Integrity Section if no one would step forward to do it.<sup>9</sup>
9. On April 2, 2025, the court issued an opinion on the government’s motion, dismissing the indictment with prejudice.<sup>10</sup> The court opined that, “In light of DOJ’s rationales, dismissing the case without prejudice would create the unavoidable perception that the Mayor’s freedom depends on his ability to carry out the immigration enforcement priorities of the administration, and that he might be more beholden to the demands of the federal government than to the wishes of his own constituents.”<sup>11</sup>

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<sup>7</sup> See Compl. ¶¶ 39-41.

<sup>8</sup> On April 22, 2025, the three prosecutors resigned because they had been asked to admit wrongdoing in refusing to drop the Adams case as a prerequisite to returning to their jobs. *Read Resignation Letter from SDNY Prosecutors Asked to Admit ‘Wrongdoing,’* Wash. Post (Apr. 23, 2025), <https://www.washingtonpost.com/national-security/2025/04/23/text-eric-adams-prosecutors-resignation-letter/>. In their resignation letter, they wrote, “We will not confess wrongdoing when there was none.” *Id.* They criticized DOJ, stating, “[T]he Department has decided that obedience supersedes all else, requiring us to abdicate our legal and ethical obligations in favor of directions from Washington. That is wrong.” *Id.*

<sup>9</sup> See Compl. ¶ 42.

<sup>10</sup> See Op. & Order, *United States v. Adams* (Apr. 2, 2025).

<sup>11</sup> *Id.* at 1-2.



10. In the opinion, the court rejected the Justice Department's cited reasons for moving to dismiss the indictment without prejudice as "pretextual."<sup>12</sup> The court found that the prosecutors who worked on the Adams case followed "all appropriate Justice Department guidelines," and that concerns about the timing of the case, *vis-à-vis* the election, "lack[ ] any support in Justice Department guidelines or past practice."<sup>13</sup> Likewise, the court found that there was no evidence Adams could not "assist with immigration enforcement" while his case was pending.<sup>14</sup> To the contrary, Adams had taken at least one immigration enforcement action consistent with the administration's wishes *after* DOJ sought the dismissal.<sup>15</sup> The court concluded that these facts "smack[ ] of a bargain: dismissal of the Indictment in exchange for immigration policy concessions."<sup>16</sup>
11. In light of these unique facts, the court stated that dismissal with prejudice was the best course because it would ensure that "the charges in the Indictment cannot be used as leverage over Mayor Adams or the City of New York."<sup>17</sup> It also admonished the Justice Department that "implying that public officials may receive special dispensation if they are compliant with the incumbent administration's policy priorities . . . is fundamentally incompatible with the basic promise of justice under law."<sup>18</sup>
12. Finally, the court stated that "it is important to clarify that the Court's decision today is not about whether Mayor Adams is innocent or guilty. . . . [T]he Government's Motion to

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<sup>12</sup> *Id.* at 3.

<sup>13</sup> *Id.* at 2-3.

<sup>14</sup> *Id.* at 3.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* at 4.

<sup>18</sup> *Id.* at 3.

Dismiss this case is expressly *not* based on the strength of the case against Mayor Adams.”<sup>19</sup>

13. As such, there are two key developments that bear on the FEC’s role in holding Adams accountable for knowingly and willfully violating FECA. First, as the court’s opinion confirms, neither the Justice Department nor the court system has questioned the validity of the facts underlying Adams’s indictment. The FBI’s investigation, which developed evidence that Adams solicited and accepted foreign national donations, provides a sound basis on which the Commission should make a reason-to-believe finding.
14. Second, now that the court has dismissed the criminal case against Adams with prejudice, the federal government cannot reindict Adams for his violations of FECA. That means that the FEC is the only body that can vindicate the important interests underlying the foreign-contribution ban and penalize Adams for his corrupt and damaging efforts to funnel foreign money into U.S. elections. Thus, we urge the Commission to promptly pursue this matter and hold Adams and his campaign committees accountable for their egregious misconduct.

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<sup>19</sup> *Id.* at 4.

**PRAYER FOR RELIEF**

15. Wherefore, the Commission should find reason to believe that Eric Adams, Eric Adams 2021, and Eric Adams 2025 have violated 52 U.S.C. § 30101 *et seq.*, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).
16. Further, the Commission should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with FECA.

Respectfully submitted,

/s/ Shanna Ports  
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April 28, 2025

# 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 Campaign Legal Center



Shanna Ports, Esq.

Sworn to and subscribed before me this 28<sup>th</sup> day of April 2025.



Notary Public

**Hayley R Simmons**  
Notary Public  
Washington County, MD  
My Commission Expires October 23, 2028

