

FACT

FOUNDATION FOR
ACCOUNTABILITY
AND CIVIC TRUST

June 1, 2015

Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, D.C. 20463

Re: MUR number 6932—Supplemental Complaint against Hillary Clinton

Dear Counsel,

In April 2015, the Foundation for Accountability and Civic Trust (FACT) filed a complaint with the Federal Election Commission to address violations of the Federal Election Campaign Act of 1971, as amended, and Commission Regulations by Hillary Clinton, which was assigned matter under review (MUR) number 6932. Since filing that complaint, additional information has come to light about interactions between Clinton's campaign and Ready for Hillary PAC. We write today to supplement the April 2015 complaint and request the Commission fully investigate this relationship between Clinton's campaign and a super PAC—a relationship that is exactly what federal law is designed to prevent.

As detailed in the April 2015 complaint, for nearly two years Clinton engaged in campaign related activities, yet denied she was a candidate in an apparent attempt to avoid complying with federal law. During this time, super PACs performed campaign-related tasks that benefited Clinton,

Ready for Hillary PAC identifying Clinton supporters and compiling crucial data. Thus, the April 2015 complaint requested the Commission investigate whether Clinton was a candidate, made all reports required by the Act and received any contributions not permitted under the Act, and engaged in any prohibited coordination with super PACs.

Since the April 2015 complaint was filed, Clinton's campaign has now "obtained access to the full Ready for Hillary email list, a data gold mine that will immediately bolster the Democratic front-runner's fundraising and organizing efforts." Annie Karni, *Hillary Clinton Campaign Scores Ready for Hillary Email List*, Politico, May 30, 2015 (Attached as Exhibit A). The list was reportedly obtained through a "swap," which provided the Clinton campaign with a highly valuable list of four million names that the campaign immediately began utilizing. *Id.*; Mike Allen, *Playbook*, Politico, June 1, 2015 (attached as Exhibit B). On May 31, 2015, Clinton's campaign manager emailed the Ready for Hillary email list, writing "You and I have something in common: We've both been ready for Hillary for a long time." Allen, *Playbook* (citing Miranda Neubauer, *Clinton Campaign Emails Ready for Hillary List*, Capital, May 31, 2015).

Not only does Clinton's acquisition of the super PAC list support the April 2015 complaint, demonstrating the coordination between Clinton and the super PACs formed for her benefit, but it also may indicate additional violations of federal law. Federal law explicitly prohibits a candidate from coordinating with and accepting donations, including an in-kind donation of a mailing list, from a super PAC. 52 U.S.C. §§ 30101, 30118. Based on the information reported, the Commission must further investigate whether both have occurred.

This type of behavior is directly contrary to the purpose of federal election law, which serves to provide disclosure and transparency and an equal playing field for all candidates. If this type of behavior is permitted to occur, a candidate could build an entire campaign operation using unlimited contributions, all while choosing when to be governed by federal election laws. Not only does this obscure information from the public, but it provides an unfair advantage over candidates who do comply with the law. **The potential impact of permitting this to occur cannot be overstated—allowing an un-declared candidate to build their campaign on unlimited contributions, while their competitors are forced to do the same in \$2,700 increments, creates a massive advantage that eviscerates the level playing field that election laws exist to create.**

We request the Commission consider this new information in its investigation. Additionally, given Clinton's apparent prior failure to comply with federal law, the Commission should further investigate whether Clinton accepted a prohibited donation from a super PAC. If it finds violations of federal law, the Commission must hold the Respondent accountable.

Respectfully submitted,



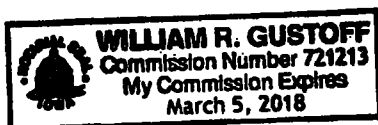
Matthew G. Whitaker, Executive Director
Foundation for Accountability & Civic Trust
1717 K Street NW, Suite 900
Washington, D.C. 20006

State of Iowa)

) ss.

County of Polk)

Subscribed and sworn to before me on June 1, 2015.



 Notary Public
My Commission Expires: 03/05/18



POLITICO



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Hillary Clinton campaign scores Ready for Hillary email list

By ANNIE KARNI | 5/30/15 12:46 PM EDT

Hillary Clinton's presidential campaign late last week obtained access to the full Ready for Hillary email list, a data gold mine that will immediately bolster the Democratic front-runner's fundraising and organizing efforts.

The campaign gained entry to the independent super PAC's list through a swap with another independent group, a Democrat with knowledge of the list told POLITICO, and is expected to begin emailing it immediately. The source declined to identify the other group.

Access to the list of close to 4 million names came after senior campaign officials admitted they were relying in part on an outdated supporter list from 2008. For two

years, Ready for Hillary's primary purpose was to create a plug-and-play list of supporter names, with contact information, that represented an energized base of people who could be tapped for money or volunteering.



ALSO ON POLITICO

Who are the 1 percent who've never heard of Hillary?

BEN SCHRECKINGER

But for the first six weeks of Clinton's 2016 presidential campaign, that data trove was unavailable and tied up with lawyers reviewing the options available to the campaign: they could trade an old list for the new list, or rent "a la carte" pieces of the list — like, for example, names of volunteers in Iowa they would need before a campaign stop there. Eventually, however, the campaign decided it was easier to have access to the entire list.

"I could offer about 4 million reasons why the Ready for Hillary list is an important resource," said Tracy Sefl, a Democratic strategist who served as a senior adviser to the independent super PAC before it shut down.

To understand why access to the list is so important, consider the recent experience of Lynette Hull, a 17-year-old high school student from Las Vegas who was one of the first interns to sign up with the campaign after Clinton announced she was running.

A national honors society student at Liberty High School, Hull was quickly put to work phone-banking — working through an old database of Clinton supporters to sign up new volunteers.



ALSO ON POLITICO

Bil Clinton to foundation donors: Ignore 'political' attacks

ANNIE KARRI and KENNETH P. VOGEL

The work proved time-consuming and unproductive. "It's a lot of no pickups," Hull said of her experience. "I recently did about 60 phone calls — about 20 picked up, and a lot of those said they were too old to get out and volunteer."

There is some overlap of the Ready for Hillary list and the campaign's own list of supporters. For starters, when Clinton officially announced her presidential bid six

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weeks ago, Ready For Hillary emailed its list six times, encouraging them to sign up with the official campaign. Clinton staffers have also been signing up new supporters in the early states on their own.

A Clinton campaign spokesman declined to comment for this report.



POLITICO

POLITICO Playbook

Mike Allen's must-read briefing on what's driving the day in Washington

RAND'S STAND: Patriot Act lapses, and fellow GOP senators snarl – BERNIE SANDERS is having a moment – IOWA POLL shows emailfoundationbenghazi not hurting Hillary – B'DAY: Dan Bartlett, Sam Smith

By MIKE ALLEN | 6/1/15 8:36 AM EDT

By Mike Allen (@mikeallen; mallen@politico.com) and Daniel Lippman (@dlippman; dlippman@politico.com)

Good Monday morning, and welcome to June.

BEHIND THE SCENES -- "GOP senators tear into Paul," by Manu Raju and Burgess Everett: "[I]n the Senate's Strom Thurmond Room, Republican senators lashed out at the junior Kentucky Republican's defiant stance to force the expiration of key sections of the PATRIOT Act, a law virtually all of them support. Indiana Sen. Dan Coats' criticism was perhaps the most biting: He accused the senator of 'lying' about the matter in order to raise money for his presidential campaign ...

"Paul ... skipped the hour-long meeting. That only infuriated his colleagues more. ... 'I know what this is about — I think it's very clear — this is, to some degree, a fundraising exercise,' McCain said... 'He obviously has a higher priority for his fundraising and political ambitions than for the security of the nation.'"

<http://politi.co/1QjA1e6>

--"Paul: Some in D.C. hoping for terror attack to blame him," by Alex Byers:

"In a speech on the Senate floor, Paul railed against those accusing him of jeopardizing national security ... 'People here in town think I'm making a huge mistake ... Some of them I think secretly want there to be an attack on the United States so they can blame it on me.'" <http://politi.co/1cs1o9W>

--"Paul campaign video appears to run afoul of Senate rules," by Burgess Everett: "In a campaign video released on Friday that includes ... links to a campaign donation page, Paul ... uses footage from his lengthy speech on the Senate floor on May 20 against bulk data collection and surveillance ... The Senate 'strictly' prohibits ... use of its proceedings for campaign activities." <http://politi.co/1JcVZAB>

--"Zombie Patriot Act Will Keep U.S. Spying—Even if the Original Dies," by The Daily Beast's Shane Harris: "Forget the White House's doomsday talk about American intelligence going blind. Thanks to backdoor provisions and alternate collection schemes, U.S. spies will keep on snooping." <http://thebea.st/1GQaU1O>

TWEET DU JOUR -- @mkraju: "In middle of serious McConnell speech, Pat Roberts' cell phone goes off with the ringer to the 'Frozen' song 'Let it go'"

WHAT N.H. IS READING - Union Leader front page, below fold (and top of homepage), "An Editorial -- Joseph W. McQuaid Publisher: Rand Paul is wrong on ISIS": "Paul's claim last week [on 'Morning Joe'] that [hawks among] his Republican Party colleagues are responsible for the existence and growth of ISIS is ... dangerous and, no doubt unwittingly, gives aid and comfort to an enemy that is a serious threat to America. We had thought that young Dr. Paul was attempting to put some daylight between himself and his father's looney isolationist notions. But his remarks last week reminded us of Ron Paul." <http://bit.ly/1KHiBKc>

WHAT IOWA IS READING - Des Moines Register banner, "Clinton maintains big Iowa lead: Controversies don't bother most Democrats, but some fear their impact in general election," by Tony Leys: "At least 70 percent of likely Democratic Iowa caucusgoers say they aren't bothered by any one of three issues that Clinton opponents have pushed as controversies [email, Benghazi, Foundation] ... But 66 percent ... say they think at least one of the three issues could hurt Clinton in the general election." <http://dmreg.co/1K45BNf>

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--**First choice among 437 likely Dem caucus-goers:** Clinton: 57% (was 56% in Jan.) ... Sanders 16% (up from 5% in Jan.) ... Biden 8% ... O'Malley, Webb 2% ...

--**Favorability:** Obama 89% (unfav 9%) ... Hillary 86% (unfav 12%) ... Biden 76% (unfav 20%) ... Warren 62% (unfav 9%) ... Sanders 47% ... Webb 22% ... O'Malley 20%

--**Bloomberg's Marget Talev:** "Clinton's favorability rating ... is actually two points higher now, at 86 percent, than in January. Her unfavorable rating is down three points, to 12 percent ... [M]argin of error ... 4.7." <http://bloom.bg/1Gg6l29>

REMEMBERING BEAU BIDEN - WashPost A1, at fold, "Biden spoke of loss, aware of more to come: At Yale, he reminded graduates that 'reality has a way of intruding,'" by Paul Kane: "Hiding behind a pair of aviator sunglasses that played along with the irreverent traditions of 'Yale Class Day,' Biden delivered the speech [May 17] knowing that his eldest son was dying of cancer — the same son whose injuries in the crash forced Biden in 1973 to take the Senate oath in a hospital room, beside his son's bed. Beau Biden had already been admitted to Walter Reed National Military Medical Center in Bethesda for ... 'aggressive treatment' of brain cancer. ...

"In the stoic tradition of Irish Catholicism, the vice president kept his son's deteriorating condition to a tightknit circle of family, his closest friends, top advisers and President Obama. The president, along with first lady Michelle Obama, visited the Biden home at the Naval Observatory on Sunday to pay their respects to the vice president and his wife, Jill. In a rare Sunday session, ... senators began with tributes to the Bidens. Joe Biden's adult life, spent almost entirely in the public eye, has now been bookended by tragedy." <http://wapo.st/1HGttBU>

--**From Biden's Yale Class Day speech:** "[T]ry to look beyond the caricature of the person with whom you have to work. Resist the temptation to ascribe motive, because you really don't know ... Resist the temptation of your generation to let 'network' become a verb that saps the personal away, that blinds you to the person right in front of you, blinds you to their hopes, their fears, and their burdens. Build real relationships — even with people with whom you vehemently disagree. ...

"I've worked with eight Presidents, hundreds of Senators. I've met every major

world leader literally in the last 40 years. And I've had scores of talented people work for me. ... Regardless of their academic or social backgrounds, those who had the most success and who were most respected -- and therefore able to get the most done -- were the ones who never confused academic credentials and societal sophistication with gravitas and judgment." <http://1.usa.gov/1BC4PQy>

--"Joe and Beau": "Photos from the life of Vice President Joe Biden's much-loved son" **13 pics** <http://politi.co/1SPwmZB>

****A message from JPMorgan Chase & Co.: JPMorgan Chase Releases 2014 Corporate Responsibility Report.** Cities are at the center of economic growth in the United States and around the world. By 2050, 2.5 billion more people will live in cities. Find out how JPMorgan Chase has focused its efforts on developing strategies to bolster the economic vitality of the world's cities. Learn more: <http://bit.ly/1PSztRw> **

DICK CHENEY PLANS A HOT AUTUMN -- WSJ A1, "Cheney Mounts Foreign-Policy Push," by Patrick O'Connor in Casper, Wyo.: "The former vice president is looking to make a splash on the national stage with a new book to be published in September and a group he and his daughter Liz launched to advance their views. ... Cheney ... characterized ... Rand Paul ... as an isolationist ... [and] thinks the U.S. should be prepared to strike Iran's nuclear facilities. ...

"[Cheney] ... has become something of a regular on the Wyoming high-school rodeo circuit, ferrying his 13-year-old granddaughter, Gracie Perry, to competitions ... Cheney drives his black Ford 350 Super Duty truck, with a horse trailer hitched to the back, often logging hundreds of miles between events. Because the events typically last all weekend, the pair often sleeps in the trailer—Mr. Cheney on a mattress over the cab, and Gracie on an adjoining couch. In Casper, Mr. Cheney wandered into the arena without security." <http://on.wsj.com/1FkCZji>

HAPPENING TONIGHT -- "VICE on HBO is hosting advanced screenings of this Friday's episode 'Campus Cover-up' at [GWU tonight] and at Columbia University on Wednesday ... The segment is about sexual assaults and cover-ups on American college campuses and features interviews with Senators McCaskill and Gillibrand."
RSVP <http://bit.ly/1Gfipkp> **Sneak peek** <http://bit.ly/1HFTxgh>

FIRST LOOK -- "Maverick PAC Announces Future 40 Award Recipients":

"The Future 40 Award recognizes professionals deemed by their peers ... as current and future leaders in business and politics. ... The 2015 award recipients will be recognized at this year's Annual Conference, being held at The Venetian Hotel in Las Vegas July 16-18 featuring Carly Fiorina, Sen. Ted Cruz, Sec. Don Rumsfeld, and Gen. Mike Hayden among others. Ali-Jae Asselstine ... Niki Christoff ... Jessica Ennis ... Jack Gerard ... Vincent Harris ... Josh Holmes ... Sarah Isgur Flores ... Alex Skatell ... [birthday girl] Samantha Smith ... Rep. Elise Stefanik." **Full list**

<http://bit.ly/1FWsoJc>

COVERING THE COVERAGE - WashPost, bottom of Style front, "Some reporters left high and dry with Clinton pool," by Paul Farhi: "With the Clinton campaign's ascent, some 14 news organizations — including the New York Times, Politico, BuzzFeed and The Washington Post — formed a press pool in May. Each member is expected to supply a reporter to cover Clinton on a rotating basis when an event — say, a diner stop in Iowa — can accommodate only a small group. The news organizations regularly travel to report on Clinton. (Clinton campaign officials have no control over the pool's members or what the pool reports.) ...

"Reporters ... that are not in the traveling pool can get access only on a delayed basis, usually at the end of the day. ... The architects of the new system ... said its rationale is simple: Pool members have agreed to bear heavy travel costs ... and thus should have first crack at information ... Others are welcome to join the pool, they say — 'the more the merrier,' as one put it — but only if they're willing to shoulder their share of campaign-coverage costs." Other pool members Farhi mentions: Guardian, Daily Mail, AFP, McClatchy, L.A. Times/Tribune. <http://wapo.st/1KHhLwN>

FIRST LOOK - "EMILY's List Announces First Round of 'On Notice'

Incumbents for 2016 ... top targets for congressional takeover seats in the upcoming elections. ... The 'On Notice' List: Rod Blum (IA-01), Mike Coffman (CO-06), Barbara Comstock (VA-10), Carlos Curbelo (FL-26), Rodney Davis (IL-13), Dan Donovan (NY-11), Crescent Hardy (NV-04), John Katko (NY-24), John Kline (MN-02), Steve Knight (CA-25), Martha McSally (AZ-02), Bruce Poliquin (ME-02), Tim Walberg (MI-07), David Young (IA-03), Lee Zeldin (NY-01)."

--STEPHANIE SCHRIOCK, president of EMILY's List, on Medium, "Republicans

shouldn't get away with their anti-women and anti-family records: So we're putting them On Notice" <http://bit.ly/1QjNqTz>

HOT IN HILLARYLAND -- "Newsflash: It's Going To Be Hillary vs. Jeb: Can we all stop pretending that there's any real suspense in this presidential race?" by Bill Scher, senior writer for the progressive Campaign for America's Future, on Politico: "You can turn off Fox, MSNBC, and CNN; you can close Twitter; you can sign off your crazy uncle's Facebook feed. ... The 2016 election is going to come down to Hillary vs. Jeb, of course. Dynasty against dynasty. The campaign that would horrify our Founding Fathers and will bore everyone to tears." <http://politi.co/1AHyCMD>

--"Clinton campaign emails Ready for Hillary list," by Capital New York's Miranda Neubauer: "In the email Sunday, with the subject line 'Ready for your free sticker?', Robby Mook, campaign manager for the Clinton campaign, writes that 'You and I have something in common: We've both been ready for Hillary for a long time.' The email urges recipients to provide a mailing address to receive a bumper sticker."

BERNIE'S BIG WEEK -- NYT A12, "Challenging Hillary Clinton, Bernie Sanders Gains Momentum in Iowa," by Trip Gabriel and Patrick Healy: "A mere 240 people live in the rural northeast Iowa town of Kensett, so when more than 300 crowded into the community center on Saturday night to hear Senator Bernie Sanders of Vermont, many driving 50 miles, the cellphones of Democratic leaders statewide began to buzz. ... He drew 700 people to an event on Thursday night in Davenport ... the largest rally in the state for any single candidate this campaign season." <http://nyti.ms/1RDT7OL>

--"How Bernie Sanders' 'radical' ideas entered the municipal mainstream," by Ben Schreckinger: "When Bernie Sanders won by 10 votes in a four-way mayoral race. ... 'You would've thought that Trotsky had come to Burlington,' said Sanders' confidant and one-time roommate, Richard Sugarman. But now, 34 years later, ... many of the radical solutions he imposed — free arts and culture for the masses, local-first economic development, wresting money from rich nonprofits, and ... communal land for affordable housing — have become mainstays." <http://politi.co/1FO6Pcp>

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--Chrissy Terrell, USA Today publicist and former Romney staffer, married Georgia's own Drew Murray, national sales director at The Meridien Companies, on Saturday night in New Orleans. The couple met at Bowl America in DC and live in

Woodley Park. A full intersection-controlled motorcade transported guests from ceremony to reception at the New Orleans Country Club, where Icebox Coffee shooters had everyone dancing past midnight. **Pic** <http://bit.ly/1BB9dzu>

--**Downey Palmer**, Sen. Roy Blunt's general counsel and **Nick Magallanes**, healthcare advisor to Rep. Cathy McMorris Rodgers were married at St. Mary's in Alexandria. Guests gathered to celebrate and dance the night away at Congressional Club in Potomac. **SPOTTED**: Sen. Blunt, Abby Blunt, former Sen. Kit Bond, Reps. Ann Wagner and McMorris Rodgers. **Pic** <http://bit.ly/1RCcPKO>

--**Political filmmaker Lucas Baiano** and **Katarina Alharmoosh** had a fairy-tale wedding yesterday with 160 attendees that included Congressman Tom. Rice and his wife (whose campaign and reelection campaign he produced for), Arlette Saenz, Zeke Miller, Andrew Rafferty, Alex Skatell and Phil Musser, Rob Lockwood. The ceremony was held outdoors at the beautiful Ronald Reagan Building with the reception inside as well. The couple is heading to the Mediterranean for their honeymoon. **Pics** <http://bit.ly/1FooDpn> ... <http://bit.ly/1QjAkFX>

--**Kelsey Harris** and **Jay Lucas** were married Saturday at St. John Vianney Catholic Church in Houston. Kelsey now runs her own graphic design business after starting her career at The Heritage Foundation. Jay is a senior legislative assistant for Rep. Marlin Stutzman, R-Ind., who attended the ceremony with his wife Christy. The reception was held at the Sam Houston Hotel, where guests were treated to a renditions of the national anthem and the couple departed amid American flag-waving guests. **Pic of the couple kissing at the altar** <http://bit.ly/1JhAv4i>

BIRTHDAYS: Alex Stoddard, who runs the MeadWestvaco office in D.C. (hat tips: Geoff Morrell, sister Jane) ... Alex Allbritton is 8 (h/ts Katie, Tory) ... Dan Bartlett (h/t Allyson) ... Christie PAC comms director Samantha Smith, a Google, McCain and Burr alum (h/t Rob) ... DNC's Irena Vidulovic ... The Guardian's Spencer Ackerman, a Wired alum ... Greg Nelson of the White House ... Sean Kennedy, SVP of global gov't affairs at Airlines for America ... Karen Tramontano ... Jenny Cizner (h/ts Jon Haber) ... Uber's Nairi Hourdajian, a GPG alum ... Erin Shields Britt, director of corporate comms. for CVS Health and an HHS and Senate Finance alum ... GOP ad man and Pittsburgh native Jim Innocenzi ... Cruz campaign senior strategist Jason Johnson ... former 2008 GOP convention comms director Matt Burns, now VP of comms. for

Medicare & Retirement at UnitedHealthcare and a Pataki, VA and Burson-Marsteller alum (h/ts Matt Mackowiak) ...

... **Mac O'Brien** of Hamilton Place Strategies (h/t Sabrina Siddiqui) ...

Washingtonian-turned Burgundy winemaker Alex Gambal ... Suzanne Merkelson, world traveler and public affairs manager at SolarCity ... Steve Duprey ... Diane Zeleny, director of PR and comms. at the U.S. Institute of Peace and a State alum ... Bill Shuler, Senior Pastor at Capital Life Church ... Addie Bryant, policy director for Engage Cuba, and Mark Warner alum (h/t Steven Law) ... Christopher Minakowski, director of strategic operations at Heritage ... Dominic Vilmain ... Heather Matson ... Abby Spring ... Tim Gannon ... Addisu Demissie (h/ts Teresa Vilmain) ... Steven Holmes ... Dee Sachetti ... Terrance Green ... Pat Boone is 81 ... Morgan Freeman is 78 ... Heidi Klum is 42 ... Alanis Morissette is 41 ... actress Willow Shields is 15 (h/ts AP)

DESSERT -- MOST-TWEETED-ABOUT TV SHOWS in U.S. this year- AP

Television Writer Frazier Moore: "‘Empire’ ... March 18 finale ... two-part conclusion ... most tweeted series episode since Nielsen Social began tracking TV-related Twitter activity nearly four years ago. ... ‘Saturday Night Live’ 40th anniversary special’ ... set the record among all series for the size of the Twitter TV audience -- 9.1 million people -- with 1.3 million tweets sent. ... [T]hat was dwarfed by ... Grammy Awards ... season's top entertainment special, with 13.4 million tweets sent. They were seen by an audience of 13.3 million people. A close second: ... Oscars ... with a Twitter TV audience of 13.0 million.

“Super Bowl ... was the biggest TV event of all on Twitter this season with 16.1 million people seeing tweets about the game, halftime show and ads. A total of 25.1 million tweets were sent.

“‘The Walking Dead’ (AMC) ... had the largest audience on Twitter throughout the season ... followed ... by ‘The Bachelor’ (ABC), ‘Game of Thrones’ (HBO), ‘American Horror Story: Freak Show’ (Fox), and ‘Empire.’ But the eighth-ranked series was a bit of a surprise: the NBC comedy ‘Parks and Recreation,’ which, concluding an acclaimed but none-too-splashy seven-season run, was never a hit among the broader viewing audience. Even so, its Twitter TV audience averaged 2.2 million socially engaged viewers.” <http://yhoo.it/1GQZUkZ>

****A message from JPMorgan Chase & Co.: Urban Institute President Sarah Rosen Wartell interviews Jamie Dimon in the JPMorgan Chase 2014 Corporate Responsibility report. Q: "What is the private sector's role in addressing big societal challenges like economic opportunity and inequality?" Read his answer and learn more about the firm's global initiatives to expand economic opportunity:
<http://bit.ly/1HS2SqU> ****