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FEDERAL ELECTION COMMISSION
FIRST GENERAL COUNSEL'S REPORT

MUR: 7006

DATE COMPLAINT FILED: February 4, 2016

DATE OF NOTIFICATION: February 11, 2016

DATE OF LAST RESPONSE: May 6, 2016

DATE ACTIVATED: October 14, 2016

EXPIRATION OF SOL: June 17, 2020 (earliest)
to June 28, 2021 (latest)

ELECTION CYCLE: 2016

COMPLAINANT:

Campaign for Accountability and
Anne Weismann, Executive Director

RESPONDENTS:

Andrew Heaney
Heaney for Congress and Patrick Gosselin in his
official capacity as treasurer
Heaney Energy Corp.
Submarine Rock, LLC
Little Deep, LLC
Skaggs-Walsh, Inc.
Allison Heaney
New York Jobs Council and Sloane Skinner in
her official capacity as treasurer¹
Robert Cole
In the Field Consulting, LLC
Crimson Public Affairs, LLC
James "Jake" Menges

**RELEVANT STATUTES
AND REGULATIONS:**

52 U.S.C. § 30101(2)
52 U.S.C. § 30102(e)(1)
52 U.S.C. § 30103(a)
52 U.S.C. § 30104(a), (b)
52 U.S.C. § 30116(a), (f)
52 U.S.C. § 30118(a)
52 U.S.C. § 30125(e)
11 C.F.R. § 109.21

INTERNAL REPORTS CHECKED:

Disclosure Reports

¹ On September 22, 2017, NYJC filed an amended Statement of Organization naming Sloane Skinner as its treasurer. Elizabeth B. White was the treasurer when the activities described in this Report occurred.

FEDERAL AGENCIES CHECKED: None

I. INTRODUCTION

This matter involves Andrew Heaney, a congressional candidate in New York, and New York Jobs Council ("NYJC"), an independent-expenditure-only political committee ("IEOPC") that supported him. The Complaint alleges that before Heaney announced his candidacy, he financed NYJC through companies he and his family control, thus making Heaney a federal candidate earlier than reported and resulting in soft money violations under the Federal Election Campaign Act of 1971, as amended (the "Act"). The Complaint also alleges that NYJC and Heaney's campaign committee, Heaney for Congress ("Committee"), coordinated their communications through the use of common vendors.

The Committee, Heaney, and his companies argue that the Complaint is speculative, Heaney's companies made permissible contributions to NYJC, and Heaney was not a candidate when the contributions were made. The Committee and NYJC assert that common vendors did not coordinate communications, and NYJC denies it violated the Act's soft money prohibitions.

As discussed below, the available information indicates that Heaney became a federal candidate when at least three companies he owns or controls made the first four contributions received by NYJC, an IEOPC that spent money on only Heaney's election. Thus, Heaney filed an untimely Statement of Candidacy, and the Committee filed an untimely Statement of Organization. Further, because Heaney initially financed NYJC, it was an entity subject to the Act's prohibitions and limitations, and its acceptance of prohibited and excessive contributions and its expenditures from those funds violated the Act's soft money provisions. Similarly, the companies Heaney directed to make the contributions to NYJC violated those provisions as well. Finally, the available information indicates that there is reason to believe that the Committee and

1 NYJC coordinated communications through common vendors. Accordingly, we recommend that
2 the Commission find reason to believe that Andrew Heaney violated 52 U.S.C. §§ 30102(e)(1)
3 and 30125(e); Submarine Rock, LLC, Heaney Energy Corp., and Little Deep, LLC violated
4 52 U.S.C. § 30125(e)(1); Heaney for Congress violated 52 U.S.C. §§ 30103(a), 30104(b),
5 30116(f), and 30118(a); and NYJC violated 52 U.S.C. §§ 30104(b), 30116(a), 30118(a), and
6 30125(e)(1). Finally, we recommend that the Commission take no action at this time as to
7 Skaggs-Walsh, Inc., and Allison Heaney, and find that the remaining respondents did not violate
8 the Act and close the file as to them.

9 II. FACTS

10
11 NYJC filed its Statement of Organization with the Commission on June 8, 2015, stating
12 that it would only be making independent expenditures ("IEs"). On June 17 and 23, NYJC
13 received its first contributions from four companies, all of which were connected to Heaney:

- 14 • June 17 -- \$5,000 from Submarine Rock, LLC, owned by Heaney;²
- 15 • June 17 -- \$5,000 from Smith Island, LLC;³
- 16 • June 23 -- \$10,000 from Heaney Energy Corp., owned by Heaney, who is also its
17 CEO;⁴ and

² Compl., Ex. E (Commission disclosure report showing Heaney self-identifying as owner of Submarine Rock); Response of Heaney Energy Corp., Little Deep, LLC, and Submarine Rock, LLC ("Heaney Cos. Resp.") at 1 (Heaney serves in "CEO-like capacity" for Submarine Rock).

³ The Complaint does not include Smith Island in its allegations, and it is not a Respondent. Smith Island, however, was registered on the same day as Submarine Rock (*see* bullet point above) and Little Deep, LLC (mentioned two bullet points below) and has the same address as Heaney Energy Corp. (*see* one bullet point below). *See* New York State, Division of Corporations, Entity Information for Smith Island, LLC

⁴ Compl., Ex. A (New York State, Division of Corporations, Entity Information for Heaney Energy Corp.); Heaney Cos. Resp. at 1.

- June 23 -- \$5,000 from Little Deep, LLC, an "affiliate" of Heaney Energy Corp.; Heaney is Little Deep's president.⁵

The next contribution NYJC received was on June 25, 2015, in the amount of \$35,000 from Skaggs-Walsh, a corporation acquired by Heaney's grandfather in the 1950s⁶ and currently headed by Allison Heaney, the candidate's sister.⁷ NYJC's next contribution, its first from an entity unrelated to Heaney, was received on July 9, 2015. Meanwhile, NYJC disclosed \$35,500 in operating expenditures in June and early July 2015 for "general campaign consulting," "research consulting," and "communications consulting."⁸

On August 1, 2015, four days before Heaney filed his Statement of Candidacy, NYJC's treasurer sent a memorandum to its employees and consultants explaining its "firewall policy." In that memo, NYJC stated it would be supporting Heaney through an independent-expenditure

⁵ Compl., Ex. G (press release describing Little Deep as Heaney Energy affiliate); Heaney Cos. Resp. at 1 (Heaney serves in "CEO-like capacity" for Little Deep). *See also* Letter from Maryland Public Service Commission to Andrew Heaney, President, Little Deep, LLC (Jan. 23, 2013)

⁶ *See* <https://skaggsvalsh.com/about-us/>.

⁷ Heaney's 2015 and 2016 House of Representatives Financial Disclosure Reports show that Heaney received "Compensation in Excess of \$5,000 paid by One Source" for "business consulting" from Heat USA II, an entity that shares an address with Skaggs-Walsh. *See* http://clerk.house.gov/public_disc/financial-pdfs/2015/10008466.pdf, http://clerk.house.gov/public_disc/financial-pdfs/2016/10012135.pdf. According to documents filed with the Massachusetts Commonwealth's Secretary's office, Heat USA II is located at Skaggs-Walsh's corporate headquarters at 119-02 23rd Avenue, College Point, New York, and Allison Heaney is identified as an officer of Heat USA II. Heat USA II was created as a result of a merger with The Oil Buying Network, a Massachusetts company headed by Andrew Heaney and also located at the same College Point, New York, address. *See* Commonwealth of Massachusetts, Secretary of the Commonwealth, Articles of Merger, The Oil Buying Network, Inc., and Heat USA II (Oct. 31, 2014); Commonwealth of Massachusetts, Secretary of the Commonwealth, Annual Report, The Oil Buying Network, Inc. (Oct. 31, 2014)

⁸ *See* NYJC 2015 Mid-Year and Year-End Reports.

1 campaign.⁹ It also identified Heaney's campaign committee by its exact name, even though
2 Heaney had yet to file a Statement of Candidacy naming his principal campaign committee.¹⁰

3 Heaney filed that Statement of Candidacy on August 5, 2015, seeking New York's 19th
4 district congressional seat.¹¹ He designated Heaney for Congress as his authorized committee,
5 which filed its Statement of Organization the same day. The Committee's first disclosure report,
6 the 2015 October Quarterly, disclosed that it made its first expenditure on July 12, 2015, and
7 received its first contributions four days later.¹²

8 NYJC made its first independent expenditure disbursement on January 29, 2016.¹³ In
9 total, NYJC reported nine independent expenditures costing \$93,214, all opposing Heaney's
10 primary election opponent, John Faso.¹⁴

11 NYJC accepted contributions from sources and in amounts that could not be permissibly
12 accepted by a federal candidate or committees that are not IEOPCs.¹⁵ In fact, only one

⁹ See NYJC/Cole Resp., Ex. B (joint response of NYJC and Robert Cole, a vendor discussed in Part III of this Report regarding the coordination allegation).

¹⁰ *Id.* Granted, "Heaney for Congress" is a generic, intuitive committee name; still, NYJC knew to put the Committee's correct name in the firewall document before Heaney made that name public.

¹¹ Heaney lost the June 4, 2016, primary election.

¹² The Committee's earliest expenditures, on July 12 and 13, 2015, were made before it registered with the Commission as a political committee, and were noted as memo items for part of a September 17, 2015, reimbursement disbursement to Crimson Public Affairs ("CPA"). CPA is a vendor discussed in Part III of this Report regarding the coordination allegation.

¹³ See NYJC 24/48 Hour Report of Independent Expenditures (Feb. 4, 2016).

¹⁴ See NYJC Spending Summary, <https://www.fec.gov/data/committee/C00579045/?cycle=2016&tab=spending>.

¹⁵ In addition to the corporate or excessive contributions from the Heaney-related entities, NYJC accepted multiple \$10,000 contributions and a \$25,000 contribution from individuals and \$50,000 from a partnership. See, e.g., NYJC 2015 Year End Report, at 6-9. <http://docquery.fec.gov/pdf/702/201601299004899702/201601299004899702.pdf>

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1 contribution accepted by NYJC would be otherwise permissible under the Act's limitations and
2 prohibitions.¹⁶

3 **III. LEGAL ANALYSIS**

4 **A. Contributions by Heaney's Companies to NYJC, which Supported Only**
5 **Heaney's Candidacy, Made Heaney a Candidate Earlier than Declared**
6

7 The Complaint alleges that Heaney became a candidate in June 2015 when he directed
8 and consented to his companies' contributions to NYJC "that would assist his candidacy."¹⁷
9 Respondents deny that Heaney was a candidate at the time of the contributions.¹⁸

10 In relevant part, the Act provides that an individual becomes a candidate if such
11 individual gives his or her consent to another person to receive contributions on behalf of such
12 individual, and if such person has received such contributions in excess of \$5,000.¹⁹ Once an
13 individual passes the \$5,000 threshold, he or she has fifteen days to designate a principal
14 campaign committee by filing a Statement of Candidacy with the Commission.²⁰ The principal
15 campaign committee must file a Statement of Organization within ten days of its designation²¹
16 and must file disclosure reports with the Commission in accordance with 52 U.S.C. § 30104(a)
17 and (b).

¹⁶ See NYJC 2016 April Quarterly Report at 6 (\$1,000 individual contribution).

¹⁷ Compl. at 8-9.

¹⁸ Andrew Heaney and Heaney for Congress Response ("Committee Resp.") at 6; Heaney Cos. Resp. at 3; NYJC/Cole Resp. at 3.

¹⁹ 52 U.S.C. § 30101(2)(B); 11 C.F.R. § 100.3(a).

²⁰ 52 U.S.C. § 30102(e)(1); 11 C.F.R. § 101.1(a).

²¹ See 52 U.S.C. § 30103(a); 11 C.F.R. § 102.1(a).

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1 Heaney and the Committee acknowledge that companies "affiliated with" Heaney
2 contributed to NYJC,²² an IEOPC that only made IEs to attack Heaney's primary opponent.
3 Notably, Heaney, his Committee, and the Heaney Companies do not deny that Heaney made or
4 directed the contributions to NYJC.²³ Also, public records reveal that Heaney was not just
5 "affiliated" with the companies — Heaney owns Heaney Energy Corp. and Submarine Rock, and
6 he is the president of Little Deep.²⁴ Publicly available information also supports an inference
7 that he owns Smith Island.²⁵

8 Thus, the available information supports a reasonable inference that Heaney consented to
9 his companies' June 2015 contributions to NYJC for the purpose of supporting his candidacy. In
10 addition, NYJC's firewall memo stated it was going to support Heaney's as-yet-undeclared
11 candidacy and campaign committee, which bolsters the inference that Heaney had consented to
12 NYJC receiving contributions on his behalf.²⁶ Thus, Heaney appears to have become a

²² The Committee acknowledges that the Heaney companies contributed \$20,000 to NYJC. Committee Resp. at 3; *see also* NYJC/Cole Resp. at 3. The Committee, however, does not include the \$5,000 contribution from Smith Island, LLC. *See supra* n.3.

²³ *See generally* Committee Resp., Heaney Cos. Resp. *See also* Compl. Ex. L, available at <http://www.recordonline.com/article/20151017/NEWS/151019446> ("David Catalfamo, Heaney's spokesman, said his boss hasn't done anything wrong. 'Andrew has obviously contributed to the super PAC before he was a candidate.'"); <http://www.poughkeepsiejournal.com/story/news/2015/10/01/house-candidate-heaney-funds-pac-targeting-faso/73166590/> ("In a statement, Heaney campaign spokesman confirmed Heaney donated to the PAC. 'Andrew Heaney has devoted his life to creating jobs and opportunity,' Catalfamo said. 'That includes donating to a committee focused on the critical issue of bringing jobs to New York.'").

²⁴ *See supra* at 3-4; *see also* Heaney Cos. Resp. at 1.

²⁵ *See supra* at 3-4.

²⁶ *See* NYJC/Cole Resp., Ex. B (Aug. 1, 2015 firewall policy internal memo) ("NYJC firewall memo"). In fact, NYJC made its first expenditure (to In the Field Consulting) on the same date that two Heaney companies made the first contributions to NYJC.

1 candidate on June 17, 2015, the date NYJC received more than \$5,000 in contributions from
2 Heaney's companies.²⁷

3 Accordingly, it appears that Heaney should have filed a Statement of Candidacy by
4 July 2, 2015, and that the Committee should have filed its Statement of Organization within
5 ten days after that.²⁸ Thus, the statements Heaney and his Committee filed were 29 and 19 days
6 late, respectively. Therefore, we recommend that the Commission find reason to believe that
7 Heaney violated 52 U.S.C. § 30102(e)(1) and the Committee violated 52 U.S.C. § 30103.

8 **B. Because Heaney Financed NYJC, He and NYJC Were Subject to the**
9 **Act's Soft Money Prohibitions and Appear to Have Violated Them**

10
11 When Heaney became a candidate on June 17, 2015, he also became subject to the Act's
12 soft money prohibitions. Specifically, Heaney, as a federal candidate, and entities directly or
13 indirectly established, financed, maintained, or controlled ("EFMC'd") by or acting on behalf of
14 Heaney, were prohibited from "solicit[ing], receiv[ing], direct[ing], transfer[ing], or spend[ing]
15 funds in connection with an election for Federal office, . . . unless the funds [were] subject to the
16 limitations, prohibitions, and reporting requirements of [the] Act."²⁹

²⁷ See 52 U.S.C. § 30101(2)(B); *see also* First Gen. Counsel's Rpt. at 3, 9, MUR 1515 (Rattley) and Certification (Feb. 28, 1983) (Commission found no reason to believe that individual who did not participate in or support third-party write-in effort became a candidate where she did not consent, *inter alia*, to third party receiving contributions on her behalf). Moreover, Respondents do not argue, and there is no information suggesting, that NYJC's early activities were aimed at evaluating Heaney's candidacy such that they would be considered testing-the-waters activities and not contributions or expenditures under the Act.

²⁸ See 52 U.S.C. §§ 30102(e)(1), 30103(a); 11 C.F.R. §§ 101.1(a), 102.1(a). The late statements here did not result in the Committee's failure to timely file its first disclosure report. In such a situation, the Commission typically has dismissed the violation, absent other violations. *See, e.g.*, MUR 6815 (Scott Brown) (Commission dismissed where candidate filed statement of candidacy late, but Committee's first-filed report was still timely; no other violation) MUR 6776 (Niger Innis) (same). Here, Heaney's earlier candidacy date is related to more substantive violations as described below.

²⁹ 52 U.S.C. § 30125(e)(1)(A); *see also* 11 C.F.R. § 300.61.

1 Here, the "financing" part of EFMC is relevant. To determine whether a federal
2 candidate financed an entity such that it is subject to the prohibition on non-federal funds, the
3 Commission has set forth a non-exclusive list of factors to be considered, as well as any other
4 relevant factors, in the context of the overall relationship between the Federal candidate or
5 officeholder and the entity.³⁰ Among the enumerated factors is whether the federal candidate
6 provided or caused to be provided funds in a "significant amount."³¹ As discussed below, these
7 factors lead to a conclusion that Heaney financed NYJC.

8 In Advisory Opinion 2006-04 (Tancredo), the Commission determined that a donation by
9 a federal candidate's committee that would constitute 50% of a state ballot initiative committee's
10 total receipts at the time of the donation "must be considered 'a significant amount'" such that
11 the federal candidate "financed" the state committee.³² In considering whether a donation up to
12 25% of the organization's total receipts at the time of the donation would constitute "a
13 significant amount," the Commission said that the donation "must be examined in the context of
14 the overall relationship" between the committee and the entity.³³ In this analysis, the
15 Commission considered the impact of "seed money" to be important in the context of the overall

³⁰ See 11 C.F.R. § 300.2(c)(2)(i)-(x); Advisory Op. 2006-04 (Tancredo) ("AO 2006-04") at 3.

³¹ See 11 C.F.R. § 300.2(c)(2)(vii), (viii). NYJC asserts that applying this regulation "in a super PAC context, and to NYJC specifically, is constitutionally suspect ... because as a matter of law, independent expenditures are non-corrupting." NYJC/Cole Resp. at 2. NYJC further argues, in essence, that the soft money prohibitions should not apply to federal candidates making contributions to an IEOPC. *See id.* Although not specifically at issue here, the Commission has held that section 30125(e) does apply to federal candidates in the IEOPC context. *See* Advisory Op. 2011-12 (Majority PAC and House Majority PAC) (federal candidate may not permissibly solicit unlimited individual, corporate and labor organization contributions on behalf of an IEOPC); *see also* Advisory Op. 2011-21 (Constitutional Conservative Funds PAC) (federal candidate's EFMC'd leadership PAC must comply with the Act's contribution limits and source prohibitions).

³² AO 2006-04 at 4.

³³ *Id.*

1 relationship and the question of whether the entity was financed under the Act. A donation of up
2 to \$50,000 when the entity had just a little more than \$9,000 “would represent substantial ‘seed
3 money’ for [the entity] and would result in [the entity] depending in large part on [the candidate]
4 for its initial existence.”³⁴

5 Here, Heaney provided *all* of NYJC’s funding for the first fifteen days after it registered
6 with the Commission, beginning with a contribution only nine days after NYJC was formed, and
7 ultimately providing a total of \$25,000 within a six-day period.³⁵ As a result, Heaney’s
8 companies were the sole source of funding for expenditures NYJC made in its first month for a
9 variety of startup activities including research, communications, and campaign consulting.³⁶
10 Because Heaney provided the seed money for NYJC and exclusively funded NYJC’s startup
11 activities, NYJC “depend[ed] in large part on [Heaney] for its initial existence.”³⁷ Under these
12 circumstances, Heaney financed NYJC by providing it with substantial seed money to fund its
13 initial existence.³⁸

³⁴ *Id.*

³⁵ Further, the next \$35,000 NYJC received came from Skaggs-Walsh, Heaney’s family’s corporation.

³⁶ NYJC did not accept its first non-Heaney-connected contribution until July 9, 2015. NYJC 2015 Mid-Year Report at 8 (\$9,000 to In the Field on June 17 and 24, 2015, for “communications consulting services” and \$7,500 to Jackson-Alvarez Group on June 30 for “research consulting services”); NYJC 2015 Year-End Report at 11 (\$10,000 to In the Field on July 2 for “general campaign consulting”).

³⁷ AO 2006-04 at 4.

³⁸ The Heaney Companies assert that the Complaint improperly assumes that Heaney designated NYJC to receive the contributions on his behalf and that the Complaint provides no information that Heaney established or controlled NYJC. Heaney Cos. Resp. at 3-4. In support, the Heaney Companies cite to NYJC’s tweets that mentioned candidates besides Heaney and the lack of evidence indicating NYJC supported Heaney before he announced his candidacy. *See id.* at 3. These arguments do not diminish the fact that NYJC’s independent expenditures solely opposed Heaney’s opponent and the strong likelihood that all of NYJC’s early expenditures supported Heaney’s candidacy. Moreover, NYJC did state its support for Heaney before he announced his candidacy. *See* NYJC firewall memo.

1 The context of the overall relationship between Heaney and NYJC provides further
2 reason to believe that Heaney financed it. As mentioned above, *all* of NYJC's independent
3 expenditure spending opposed Faso, Heaney's primary election opponent, and as will be seen
4 below, the Committee and NYJC appear to have used the same vendors to create NYJC's anti-
5 Faso ads, further cementing the relationship between Heaney and the IEOPC he financed.

6 As the record suggests that Heaney EFMC'd NYJC by financing it, NYJC was subject to
7 the Act's limitations and source prohibitions.³⁹ NYJC could not, therefore, accept corporate
8 contributions or contributions from individuals in excess of the Act's limits.⁴⁰ As such,
9 beginning on June 17, 2015, NYJC appears to have been accepting and spending impermissible
10 funds in violation of the Act.⁴¹

³⁹ See 52 U.S.C. § 30125(e). NYJC broadly argues that it would be unconstitutional to prohibit a federal candidate from making unlimited contributions to an IEOPC because, "as a matter of law, independent expenditures do not corrupt or give the appearance of *quid pro quo* corruption." NYJC/Cole Resp. at 2 (citing *Citizens United v. FEC*, 558 U.S. 310, 357-61 (2010)). NYJC's reliance on *Citizens United* is misplaced. That case concerned whether corporations can permissibly make independent expenditures and electioneering communications. NYJC's argument leaves out the critical fact present here: its expenditures were solely targeted to supporting the candidacy of the contributing corporate officer. For the same reason, the Heaney Companies' argument ("[a]ny corporate officer who authorized a lawful corporate contribution to an IEOPC, or even an individual who authorized a significant contribution to an IEOPC, would be in violation of FECA if they chose to run for federal office in the future") fails. Heaney Cos. Resp. at 4.

⁴⁰ See 52 U.S.C. § 30116(a)(1)(A) (\$2,700 per election limit during the 2016 election cycle).

⁴¹ As a general matter, NYJC is unlike the independent expenditure-only political committee before the court in *SpeechNow.org v. FEC*, 599 F.3d 686 (D.C. Cir. 2010). In *SpeechNow*, the committee disclaimed the involvement of any federal candidates in its activities and did not form and operate to advance the election of solely one candidate. During the district court proceedings, SpeechNow.org founder David Keating submitted a sworn declaration that SpeechNow.org operated wholly independently of any candidate, committee, or political party and that SpeechNow.org's mission was to protect rights to free speech and association and not to allow individuals to gain access to or obtain gratitude of any candidates or officeholders. See Declaration of David Keating in Support of Plaintiffs' Proposed Findings of Fact ¶¶ 9, 10, *Speechnow.org v. FEC*, 08-cv-00248 (Oct. 28, 2008).

1 In addition, because we conclude above that Heaney was a federal candidate on June 17,
2 2015, he was also subject to the Act's soft money prohibitions at that time, and it appears that he
3 directed prohibited corporate and excessive contributions to NYJC through his companies
4 Heaney Energy Corp., Little Deep, LLC, and Submarine Rock, LLC.⁴² In addition, because he
5 owned or served as president of those companies, they were entities established, maintained, and
6 controlled by Heaney, and thus also subject to the prohibitions of section 30125(e).⁴³ Thus, we
7 recommend that the Commission find reason to believe that Andrew Heaney, NYJC, Heaney
8 Energy Corp., Little Deep, LLC, and Submarine Rock, LLC⁴⁴ violated 52 U.S.C. § 30125(e).⁴⁵

9 **C. NYJC and the Committee May Have Coordinated Through Common**
10 **Vendors**

11
12 The Complaint alleges that NYJC and the Committee shared vendors that provided
13 consulting services; thus, NYJC made excessive contributions to the Committee in the form of
14 coordinated communications, in violation of 52 U.S.C. § 30116(a), and the Committee accepted
15 the excessive contributions, in violation of 52 U.S.C. § 30116(f).⁴⁶

⁴² See 52 U.S.C. §§ 30116(a), 30118(a).

⁴³ Skaggs-Walsh, Inc. is led by Heaney's sister, Allison Heaney, and Andrew Heaney received compensation from an entity located at Skaggs-Walsh headquarters. See n.7. But without more information, we cannot determine at this time whether Skaggs-Walsh is an entity EPMC'd by Andrew Heaney. Thus, we recommend the Commission take no action at this time as to Skaggs-Walsh, Inc. and Allison Heaney.

⁴⁴ As LLCs, Little Deep and Submarine Rock are treated as corporations (subject to the Act's prohibitions on corporate contributions) or partnerships (subject to the Act's contribution limits) depending on how they elect to be treated by the Internal Revenue Service. See 11 C.F.R. §§ 110.1(g), 110.1(e). A contribution from an LLC that elects to be treated as a partnership shall be attributed to its members in direct proportion to their shares of the profits, or by agreement of the partners, subject to restrictions, or, in the case of a single-member LLC, to its sole member. See *id.*

⁴⁵ Cf. Factual & Legal Analysis, MUR 6753 (Pearce) at 5 (Commission dismissed matter where candidate's committee contributed majority of IEOPC's funds (\$10,000/\$15,000), but IEOPC refunded funds before complaint was filed and only spent funds on non-substantive administrative expenses).

⁴⁶ Compl. at 12-13.

1 The Complaint alleges that Crimson Public Affairs (“CPA”), which was paid by the
2 Committee, and In the Field Consulting (“IFC”), which was paid by NYJC, are both owned by
3 the same people — Robert Cole and James “Jake” Menges — and are thus common vendors.⁴⁷
4 The Complaint alleges that because Cole and Menges own IFC and CPA, which provided
5 consulting services to NYJC and the Committee, respectively, Cole and Menges likely conveyed
6 (or were about to convey) the Heaney Committee’s plans, projects, activities, needs, or
7 information to NYJC, which Cole ran.⁴⁸ The Committee denies any coordination, as do NYJC
8 and Cole, which support their argument with NYJC’s firewall memo.⁴⁹ CPA and Menges did
9 not file a response.

10 Exhibits attached to the Complaint indicate that Cole and Menges founded IFC in 2011,
11 although NYJC and Cole assert that Menges “does not have an ownership interest” in IFC, and
12 that he last worked for IFC as an “independent contractor” in June 2015.⁵⁰ CPA registered as an

⁴⁷ *Id.*

⁴⁸ *Id.* at 13.

⁴⁹ See Committee Resp. at 2-9; NYJC/Cole Resp. at 3-5 and Ex. B.

⁵⁰ Compl., Ex. J (Ben Smith, *A Merger in Giuliani, Pataki-land*, POLITICO (May 18, 2011)) (describing formation of IFC); NYJC/Cole Resp. at 3, n.6. But in May 2016, an unrelated IEOPC, Great America PAC, publicly announced the hiring of IFC partners Menges and Cole. See *infra* n.75.

1 LLC on August 24, 2015,⁵¹ with Cole and Menges identified as “authorized person[s].”⁵² NYJC
2 and Cole describe CPA as co-owned by Cole and Menges.⁵³

3 For purposes of the Act, “coordinated” means made in cooperation, consultation, or
4 concert with, or at the request or suggestion of, a candidate or a candidate’s authorized
5 committee.⁵⁴ The Commission’s regulations provide a three-part test for determining when a
6 communication is a coordinated expenditure, which is treated as an in-kind contribution.⁵⁵
7 The communication must: (1) be paid for by a third party; (2) satisfy one of five “content”
8 standards listed in 11 C.F.R. § 109.21(c); and (3) satisfy one of six “conduct” standards listed in
9 11 C.F.R. § 109.21(d).⁵⁶ All three prongs must be satisfied for a communication to be
10 considered coordinated.⁵⁷

11 Any person who is otherwise prohibited from making contributions or expenditures under
12 any part of the Act or Commission regulations is prohibited from paying for a coordinated

⁵¹ The Committee’s first disbursements in July 2015 reflect costs, apparently borne by either Cole or Menges before CPA was incorporated. *See* Heaney for Congress Amended 2015 October Quarterly Report at 222-23 (Sept. 17, 2015) (reimbursement to CPA for July and August payments for airfares and rental car).

⁵² Compl., Ex. K (CPA Corporate Registration (FL) showing Cole and Menges as sole “Authorized Person[s]” of CPA). The Florida document identifies Cole and Menges with the title “AMBR.” A Florida Department of State instruction sheet states, “Use ‘AMBR’ for members who are authorized to manage and control the company.” *See* Florida Department of State, Division of Corporations LLC Instructions, available at <http://form.sunbiz.org/pdf/cr2e047.pdf>.

⁵³ NYJC/Cole Resp. at 3.

⁵⁴ 11 C.F.R. § 109.20(a); *see also* 52 U.S.C. § 30116(a)(7)(B)(i).

⁵⁵ 11 C.F.R. § 109.21(a)-(b).

⁵⁶ *Id.*

⁵⁷ *Id.*; *see also* Explanation and Justification, *Coordinated and Independent Expenditures*, 68 Fed. Reg. 421, 453 (Jan. 3, 2003).

1 communication.⁵⁸ IEOPCs are prohibited from making contributions to candidates and their
2 authorized committees.⁵⁹

3 Both the payment and content prongs are satisfied because NYJC paid for public
4 communications opposing Heaney's opponent. Complainant filed the Complaint the same day
5 NYJC disclosed its first independent expenditure.⁶⁰ NYJC eventually disclosed to the
6 Commission nine independent expenditures totaling \$93,214 in 2016, all self-described as
7 opposing Faso.⁶¹ These independent expenditures include television ad buys, direct mail, and
8 phone banks opposing Faso; thus, they are public communications containing express
9 advocacy.⁶²

10 It also appears that the common vendor element of the conduct prong is satisfied with
11 regard to IFC, CPA, and their owners, Cole and Menges. Under the Commission's regulations,
12 the "common vendor" standard is satisfied if all of the following are true: (1) the person paying
13 for the communication employs a commercial vendor⁶³ to "create, produce, or distribute" the

⁵⁸ 11 C.F.R. § 109.22.

⁵⁹ See 52 U.S.C. §§ 30116(f), 30118(a); Advisory Op. at 2010-11 (Commonsense Ten) at 2-3.

⁶⁰ Compl. at 1; NYJC Report of Independent Expenditure (Feb. 4, 2016), <http://docquery.fec.gov/pdf/393/201602049008439393/201602049008439393.pdf>; see also Committee Resp. at 8. The Committee argues that the Complaint's coordination allegation is speculative, based on what may occur in the future and that it is not obligated to respond to allegations not made. *Id.* at 7-8. The Committee's Response was filed, however, on May 2, 2016, by which time NYJC had disseminated six independent expenditures totaling \$71,125.56.

⁶¹ See 11 C.F.R. § 109.21(a)(1); NYJC 2015-16 Summary Report of Independent Expenditures.

⁶² See 11 C.F.R. § 109.21(c)(3) (express advocacy content standard, incorporating the definition of "public communication" at 11 C.F.R. § 100.26); Factual & Legal Analysis at 13, MUR 6888 (Republican National Committee).

⁶³ "Commercial vendor" means any persons providing goods or services to a candidate or political committee whose usual and normal business involves the sale, rental, lease, or provision of those goods or services. 11 C.F.R. § 116.1(c).

1 communication; (2) that vendor, including any owner, officer, or employee, has provided certain
2 delineated services to the candidate referred to in the communication (or that candidate's
3 opponent) during the 120 days preceding the communication;⁶⁴ and (3) the vendor uses or
4 conveys to the payor non-public information about the campaign's "plans, projects, activities, or
5 needs," or uses or conveys to the payor non-public information previously used in providing
6 services to the candidate, and that information is material to the creation, production, or
7 distribution of the communication.⁶⁵ The common vendor conduct standard is not satisfied if a
8 commercial vendor has established and implemented a written firewall policy that meets certain
9 requirements, so long as material information is not shared.⁶⁶

10 The available information indicates that the first part of the common vendor standard is
11 satisfied. The Committee received media and strategy consulting services from CPA and
12 Menges, and NYJC employed IFC, a commercial vendor co-founded by Cole and Menges, to
13 disseminate NYJC's independent expenditures opposing Faso.⁶⁷ Specifically, NYJC paid IFC
14 for Cole's services as its "general consultant," and to create, produce, or distribute television

⁶⁴ The relevant services are: (A) development of media strategy, including the selection or purchasing of advertising slots; (B) selection of audiences; (C) polling; (D) fundraising; (E) developing the content of a public communication; (F) producing a public communication; (G) identifying voters or developing voter lists, mailing lists, or donor lists; (H) selecting personnel, contractors or subcontractors; or (I) consulting or otherwise providing political or media advice. *Id.* § 109.21(d)(4)(ii).

⁶⁵ *Id.* § 109.21(d)(4)(i)-(iii).

⁶⁶ *Id.* § 109.21(h). A firewall policy satisfies this "safe harbor" if it (1) is designed and implemented to prohibit the flow of information between employees or consultants providing services for the person paying for the communication and those employees or consultants currently or previously providing services to the candidate who is clearly identified in the communication, or that candidate's authorized committee, the candidate's opponent, the opponent's authorized committee or a political party committee; and (2) is described in a written policy distributed to all relevant employees, consultants and clients. *Id.* § 109.21(h)(1)-(2). This safe harbor does not apply if specific information indicates that, despite the firewall, material information about the candidate's campaign plans, projects, activities or needs was used or conveyed to the person paying for the communication. *Id.* § 109.21(h).

⁶⁷ See 11 C.F.R. § 109.21(d)(4)(i)-(ii).

1 commercials and direct mail opposing Faso. NYJC disclosed the purposes of these
2 disbursements as "communications consulting services," "general campaign consulting," "TV
3 Media buy and production" and "Direct Mail production."⁶⁸

4 The second part of the common vendor test is also satisfied. NYJC disseminated its first
5 independent expenditure on February 2, 2016, and its last on June 24, 2016. Thus, the 120-day
6 common vendor window ran from October 5, 2015, through February 25, 2016.⁶⁹ The
7 Committee's reports indicate that it made most of its payments to CPA, which is owned by Cole
8 and Menges, during this time period.⁷⁰ Specifically, the Committee paid CPA a total of \$21,700
9 for "strategy consulting" and "media consulting," services that are explicitly listed in the
10 common vendor regulation, during the common vendor window.⁷¹

11 Finally, the available information creates a strong inference that the third part of the
12 common vendor test is satisfied. IFC, which was running NYJC's IE campaign, and CPA, which
13 the Committee paid for strategy and media consulting, are closely related, commonly owned
14 vendors. IFC and CPA had the opportunity to share information regarding Heaney's plans,

⁶⁸ See NYJC 2015-2016 Summary of Independent Expenditures and Operating Expenditures. In total, NYJC paid IFC \$174,217.54 from June 17, 2015, through June 24, 2016, including \$89,945.54 for IEs solely opposing Faso.

⁶⁹ See 11 C.F.R. § 109.21(d)(4)(ii).

⁷⁰ See Heaney for Congress, 2015 Amended October Quarterly Report, 2015 Year-End Report, and 2016 April Quarterly Report.

⁷¹ See 11 C.F.R. § 109.21(d)(4)(ii). Other payments by the Committee to CPA during the common vendor 120-day window include a \$1,104 travel reimbursement and \$10,000 for "legal fees." Publicly available information indicates that Menges is employed by Greenberg Traurig, LLP, a law firm, in its Government Law & Policy practice, although he is not a lawyer. See <https://www.gtlaw.com/en/professionals/m/menges-james>. Payments that fell outside the window include \$5,000 to Menges individually on August 28, 2015, for "consulting services."

1 projects, and needs that could have been material to NYJC's IEs attacking Heaney's opponent.

2 The Commission has made a reason-to-believe finding under similar facts.⁷²

3 NYJC and Cole do not deny that Cole and IFC received material information from CPA

4 or Menges. Instead, NYJC and Cole assert that CPA used a firewall "to prevent the flow of

5 information between Menges and Cole about the 'projects, plans, activities, or needs' of the

6 Committee or NYJC."⁷³ NYJC attached to its response an undated copy of the CPA policy that

7 appears to be signed by Cole, but not Menges, nor is there any information demonstrating that

8 Menges received or abided by the CPA firewall policy.⁷⁴ Cole's response is unsworn and

9 narrowly phrased, the firewall document Cole provided is undated, and Menges, who did not

10 respond at all, appears to have continued as a partner in IFC while it provided services to

⁷² In MUR 5502 (Martinez), where the payment and conduct prongs of the common vendor standard were met, and two closely related vendors with overlapping personnel provided services to two political committees and were in a position to share information, and denials were general and unsworn, the Commission found reason to believe and an investigation followed. *See Factual & Legal Analysis*, MUR 5502 (Martinez) at 7-9. That investigation ultimately revealed that no material information passed between political committees via common vendor. *See* MUR 5502, Second General Counsel's Report.

⁷³ NYJC/Cole Resp. at 3 and Ex. A. The CPA firewall policy purports to limit information and contact between CPA "directors, employees, contractors and vendors" on one hand, and Cole, IFC employees, contractors, and vendors on the other. *See* CPA firewall policy, NYJC/Cole Resp., Ex. A at 5.

⁷⁴ *See* 11 C.F.R. § 109.21(h)(2) (firewall "safe harbor" requires that written policy is distributed to all relevant employees, consultants, and clients); *see also* Coordinated Communications, 71 Fed. Reg. 33,190, 33,206-07 (June 8, 2006) (explanation and justification) ("2006 E&J") ("A person paying for a communication seeking to use the firewall safe harbor should be prepared to provide reliable information (e.g. affidavits) about an organization's firewall, and how and when the firewall policy was distributed and implemented.").

NYJC states that it also implemented a firewall policy "to prevent the flow of information about the 'projects, plans, activities, or needs'" of the Committee "to consultants, employees, and vendors of NYJC." NYJC/Cole Resp. at 3, and Attach. B. The NYJC firewall memo prohibits all individuals involved in the planning, strategizing, production or creation of NYJC independent expenditures from having discussions or communications with Heaney campaign employees, agents, and consultants regarding NYJC's independent expenditure program, the campaign's private strategies, plans, projects, activities or needs, or the content, timing, method, or frequency of NYJC's independent expenditures. NYJC/Cole Resp., Attach. B at 1-2.

1 NYJC.⁷⁵ The incomplete evidentiary record here⁷⁶ raises reasonable questions whether material
2 information was conveyed to NYJC, an entity Heaney financed, through IFC and its partners,
3 Cole and Menges.⁷⁷

4 Therefore, we recommend that the Commission find reason to believe that NYJC violated
5 52 U.S.C. §§ 30104(b), 30116(a), and 30118(a)⁷⁸ by making and failing to report excessive and
6 prohibited in-kind contributions in the form of coordinated communications, and that Heaney for
7 Congress violated 52 U.S.C. §§ 30104(b), 30116(f), and 30118(a) by accepting and failing to
8 report the in-kind contributions.⁷⁹

9 It also seems unlikely that any role the alleged common vendors had in the making of
10 coordinated communications created liability for them under the Act, as there is no suggestion

⁷⁵ Publicly available information calls into question NYJC/Cole's statement that Menges "does not have an ownership interest" in IFC. *See* NYJC/Cole Resp. at 3. An unrelated IEOPC disclosed in a public document that Menges and Cole were partners in IFC in May 2016, which was during the period (February 2, 2016 – June 24, 2016) when NYJC was paying IFC to produce independent expenditures opposing Faso. *See* Attach 1 (Materials from Great America PAC stating that Cole and Menges founded IFC in 2011 and were still IFC partners on May 25, 2016) available at <http://www.p2016.org/trump/greatamerica.html>. *See also* http://www.nytimes.com/2016/05/25/us/politics/group-backing-donald-trump-hires-ex-aides-to-rudy-giuliani-and-george-pataki.html?ref=politics&_r=0 (Menges and Cole hired by Great America PAC).

⁷⁶ *Cf.* MUR 6668 (Jay Chen) (Commission found no reason to believe where specific denials and affidavits denied coordinated conduct through a common vendor); MUR 6059 (Sean Parnell) (Commission found no reason to believe where comprehensive response denied coordination);

⁷⁷ Cole's co-ownership of CPA with Menges also raises questions about what information Cole may have obtained while CPA provided services to the Heaney Committee and Cole was providing services to NYJC.

⁷⁸ We include section 30118(a) because NYJC accepted corporate contributions.

⁷⁹ In addition to the common vendor conduct standard, the record raises an inference that the "substantial discussion" conduct standard may be satisfied. That standard requires that a communication be created, produced, or distributed after one or more substantial discussions about the communication between the payor and the recipient candidate. "A discussion is substantial ... if information about the candidate's ... campaign plans, projects, activities, or needs is conveyed to a person paying for the communication, and that information is material to the creation, production or distribution of the communication." 11 C.F.R. § 109.21(d)(3). Here, where the ties between NYJC and the Committee are such that NYJC is an EFMC'd entity of the candidate and no Respondent has asserted that they did not communicate, there is a reasonable inference that one or more substantial discussions may have occurred during which material information was conveyed.

1 that they themselves made contributions to the Committee, as might be the case if they failed to
2 charge fair market value for services provided.⁸⁰ We therefore recommend that the Commission
3 find no reason to believe that Robert Cole, James "Jake" Menges, In the Field Consulting, or
4 Crimson Public Affairs violated the Act and close the file as to them.⁸¹

5 IV. PROPOSED INVESTIGATION

6 An investigation would seek information about the circumstances of the Heaney
7 Companies' and Skaggs-Walsh's contributions to NYJC. We also would seek communications
8 between IFC, CPA, Cole, Menges, and the Committee concerning the formation and operation of
9 NYJC and their communications with each other about the independent expenditures made by
10 NYJC. We intend to seek to obtain the information informally but request that the Commission
11 approve compulsory process, as needed.

12 V. RECOMMENDATIONS

- 13 1. Find reason to believe that Andrew Heaney violated 52 U.S.C. §§ 30102(e)(1)
14 and 30125(e);
- 15 2. Find reason to believe that Heaney for Congress and Patrick Gosselin in his
16 official capacity as treasurer violated 52 U.S.C. §§ 30103(a), 30104(b), 30116(f),
17 and 30118(a);
- 18 3. Find reason to believe that New York Jobs Council and Sloane Skinner in her
19 official capacity as treasurer violated 52 U.S.C. §§ 30104(b), 30116(a), 30118(a),
20 and 30125(e);
- 21
- 22
- 23

⁸⁰ See 11 C.F.R. § 100.52(d).

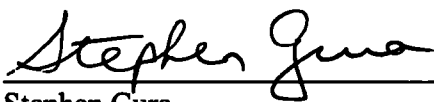
⁸¹ The Complaint alleges that the Jackson-Alvarez Group was another common vendor between the Committee and NYJC in connection with the Complaint's coordination allegations. Compl. at 12-13. The NYJC and Committee disclosure reports, however, indicate that Jackson-Alvarez performed work for NYJC before working for the Committee. Thus, its activity would not satisfy the common vendor conduct standard. See 11 C.F.R. § 109.21(d)(4). In addition, like the other common vendors, there is no information that Jackson-Alvarez Group made a contribution by failing to charge fair market value for its services. Thus, we make no recommendation as to it.


4. Find reason to believe that Heaney Energy Corp., Little Deep, LLC, and Submarine Rock, LLC, violated 52 U.S.C. § 30125(e);
5. Take no action at this time as to Skaggs-Walsh, Inc., and Allison Heaney;
6. Find no reason to believe that In the Field Consulting, LLC, Crimson Public Affairs, LLC, Robert Cole, or James "Jake" Menges violated the Act;
7. Approve the attached Factual and Legal Analyses;
8. Authorize the use of compulsory process, including the issuance of appropriate interrogatories, document subpoenas, and deposition subpoenas, as necessary; and
9. Approve the appropriate letters.


Lisa J. Stevenson
Acting General Counsel

Kathleen M. Guith
Associate General Counsel

7.10.18
Date


Stephen Gura
Deputy Associate General Counsel


Mark Allen
Assistant General Counsel


Elena Paoli
Attorney

Attachments:

Great America PAC information sheet (announcing May 2016 hiring of Cole and Menges as IFC)

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19444647

Pro-Trump Efforts

Great America PAC

Co-Founder Bill Doddridge

CEO of Jewelry Exchange.

Co-Founder and Co-Chair Eric Beach

(reported by Politico's Alex Isenstadt on March 1, 2016) A national finance chair on Rand Paul's campaign. 2012. A national finance chair of Tea Party Express. A California finance leader on Rudy Giuliani's preside the Bill Jones for U.S. Senate campaign in 2004, and on the gubernatorial election team of Arnold Schwarzenegger Solar, based in Costa Mesa. Founder of Frontline Strategies, a political and communications firm based in

Co-Chair Stanley Hubbard

(from May 2016) Chairman of Hubbard Broadcasting.

Lead Strategist Ed Rollins

(reported by Politico on May 3, 2016) Campaign manager (June-Sept. 2011) and senior advisor on Michele National campaign chairman on Mike Huckabee's 2008 presidential campaign, from Dec. 2007. Managed C against House Speaker Tom Foley in 1994. Managed Christine Todd Whitman's successful campaign for governor chairman and campaign manager on Ross Perot's 1992 presidential campaign. Chaired the NRCC in the 1988 presidential campaign. National campaign director on President Reagan's 1984 re-election campaign Deputy Chief of Staff for Political and Governmental Affairs to President Reagan. Served in the administration Reagan. Held several positions in the California legislature. B.A. in political science from California State University Knuckles and Back Rooms. (1996).

Political Jack Menges

(announced May 25, 2016) Partner with Cole at In the Field Consulting.

Political Rob Cole

(announced May 25, 2016) Joined with Jack Menges to form In the Field Consulting in 2011. Founder of F Pataki's political action committee, 21st Century Freedom PAC, from 2003. Political director for Gov. Pataki Special assistant to Gov. Pataki, then Pataki's director of regional and local government affairs. Graduate Parkside, 1993.

National Advisor Stuart Jolly

(announced May 31, 2016) Served as national field director on Donald J. Trump for President until resigning political director for the Southeast, promotion to national field director announced March 3, 2016; resignation 2016). Executive director of the Education Freedom Alliance, announced Jan. 2013. Helped launch America in 2006 and served as state director for six years. Retired lieutenant colonel in the U.S. Army. Masters degree business from East Carolina University in North Carolina; B.A. in political science from The Citadel in Charleston

Senior Advisor and Co-Chair for Coalitions Aaron T. Manaigo

(announced Aug. 15, 2016) Managing partner at Global Political Solutions. Senior advisor to the Friends of Director of Coalitions on John McCain's 2008 presidential campaign from July 2007, reduced role from Sep

Associates, LLC, a Washington, DC based government relations firm. President of Urban Communications communications and government affairs firm in Washington, DC. Chairman of the National Council of Black the congressional campaign of former New York State Assistant Attorney General Edward R. Adams in 199 in the 78th Assembly District, 1994-98. Graduate of Clark Atlanta University.

Deputy National Field Director John Fritz

(July 2016) Managing partner at Stone Search, a contingency recruiting firm, since Nov. 2014; director of Partners, LLC in Oklahoma City from 2014; and co-owner of Anytime Inflatables in Moore, OK from Jan. 20 Oklahoma GOP, May 2012-Dec. 2013. Studied business administration, management and operations at Ea

Communications Carl Higbie

Ran for Congress in Connecticut's 4th CD in 2014. Former Navy Seal. Author of *Battle on the Homefront, Domestic: A Seal's Story*. carlhigbie.com.

Communications Patrick Dorinson

Owner of PD Communications. Served on press staff for Arnold Schwarzenegger's campaign and transition Directed public and media relations for the Western United States for Atlanta-based energy company, Mirar ISO communications department. During the Clinton Administration served in the General Services Administration Energy. B.S. in history from University of Oregon. Folsom, CA resident. Author of *It's Not Cuttin' Time Am*

Treasurer Dan Backer

Founding attorney (2010) at DB Capitol Strategies PLLC, "has served as counsel to over 40 campaigns & organizations." J.D. from George Mason School of Law, 2009; Bachelor's in political science from University 1999.

IN THE STATES

NORTH CAROLINA

Office: 3540 Clemmons Road, Clemmons, NC ...actor Jon Voight opened on Sept. 12, 2016

Director Kimberly (Holshouser) Wheeler

Self employed management consultant in the Greensboro/Winston-Salem area, May 2010-April 2016. Marl Services, Dec. 2009-May 2010. Freelance at Zero Gravity Design Associates, June 2007-Jan. 2008. Acc Winston Salem, Oct. 2006-June 2007. Media director for the Reuben Rink Company in Winston Salem, Se bookkeeper for Horn & Stronach Marketing, Advertising & PR in Winston-Salem, NC, May 1998-Aug. 2000.

OHIO

State Leadership Team

(announced Aug. 16, 2016)

Ohio Leadership Team

Steven Herbig, Chair

Ralph King, Co-Chair

Brian Schoenstein, Co-Chair

Hiram DeJesus, Co-Chair

Richard Jones, Co-Chair

Tim Ali, Co-Chair

PENNSYLVANIA

State Leadership Team

(announced Aug. 16, 2016)

Pennsylvania Leadership Team

Camera Bartolota, Co-Chair

Wayne Buckwalter, Co-Chair

Curt Coccodrilli, Co-Chair

Tom Spankey, Co-Chair

Will Tallman, Co-Chair

James Shultz, Co-Chair

Ed. Notes:

This is a hybrid PAC founded in Feb. 2016, initially called TrumPAC. On March 18, *Politico's* Alex Isenstadt "launching a nearly \$1 million TV buy to "air nationally but be focused in New York, Pennsylvania, Rhode Isl; underwent a bit of tumult in early May when Ed Rollins joined as strategist, co-founder and spokeswoman A strategist Jesse Benton was found guilty of charges related to the 2012 Ron Paul campaign. Rollins has as the PAC has added staff, showing it could be a significant player.

Press releases:

Great America PAC Continues Multi-Pronged Final Election Blitz in Battleground States (Oct. 26, 2016)

Great America PAC Doubles Fundraising in June, Raising a Total of \$5 Million to Date (July 1, 2016)

See also:

Maggie Haberman. "A Donald Trump 'Super PAC' Is Hit With Leadership Woes." *New York Times*, May 6. 2

Former

Strategist Jesse Benton

(March 2016) General consultant to the pro-Rand Paul America's Liberty PAC, from April 2015. ...On May related to the 2012 Ron Paul campaign.

Co-Chair Doug Lebda

(listed on May 25, 2016 press release) Founder of LendingTree.

Co-Founder, Chair and Spokeswoman Amy Kremer

Former chair of the Tea Party Express. resigned as of May 4, 2016



The Media thinks you don't exist. Tell the World you support Donald Trump for President!

Donald Trump Will:

- Rebuild our military and make America respected in the world again
- Defeat ISIS and radical Islam
- Stop the seepage of illegal immigration by securing our borders and building a wall that Mexico will pay for
- Respect and replace Obamacare
- End the rule of lobbyists and special interests

THEREFORE:

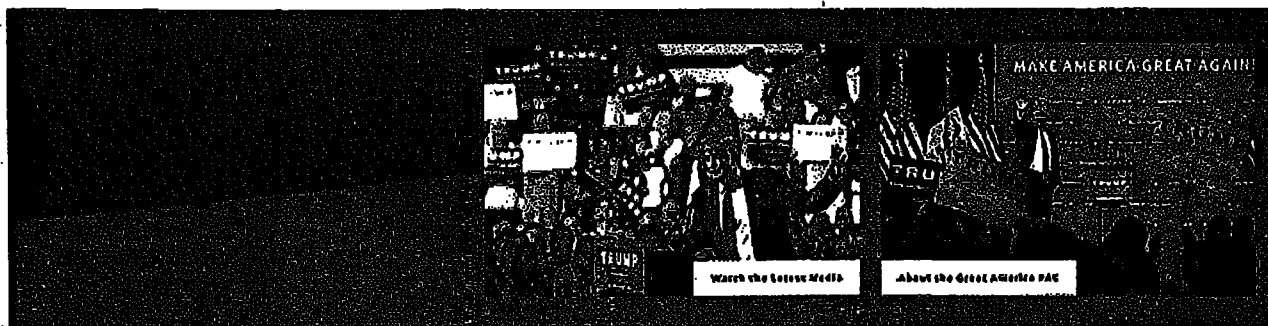
I Support Donald Trump for President of the United States

Sign the Petition

Signature field with a 'Submit' button at the bottom right.

Join Other Supporters

Brian in Bakersfield, CA
John in Hillsboro, OR
Dan in Rancho Santa Fe, CA
Linda in Carlsbad, CA
Julie in Apollo Beach, FL
Mike in Whitney, TX
Robert in Cheyenne, WY
Richard in Hayward, WI
Shirley in Tucson, AZ
Michael in Logan, OH



Latest News

May 3, 2016

Former Reagan campaign manager joins pro-Trump super PAC

Ed Rollins, one of the longest-serving Republican presidential campaign strategists, is joining a pro-Donald Trump super PAC.

In an interview, Rollins - who managed Ronald Reagan's 1984 campaign and played leading roles for Jack Kemp, Mike Huckabee and Michele Bachmann - said that he would serve as a top strategist for Great America PAC, an outside group that's supporting Trump.

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About

The Great America PAC is independent Political Action Committee formed by activist An businessman Bill Doddridge to help grow the burgeoning Movement behind Donald Trump grassroots with the business community.

Americans are frustrated with the direction of our country and will fight to make our coun

The Great America PAC is committed to bringing people together and uniting them behind the movement he represents.

The movement wants proven leadership who will restore respect in the world, fix our economy, our border and throw out the elites from BOTH parties who have caused the mess we are in.

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