



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Li Juan “Cindy” Gong f/k/a Li Juan
“Cindy” Yang, *et al.*

MURs 7581 and 7614

STATEMENT OF REASONS OF COMMISSIONER ELLEN L. WEINTRAUB

If the facts alleged in the record were the plot of a movie, critics would pan it as too unbelievable. But sometimes truth is stranger than fiction. According to the Complaint and public reporting, Li Juan “Cindy” Gong, formerly known as Li Juan “Cindy” Yang (“Gong”), engaged in multiple schemes to funnel tens of thousands of dollars in excessive and prohibited contributions, which included her own funds and foreign national contributions, to several committees related to former President Trump in violation of Federal Election Campaign Act and Commission regulations. These schemes included using family members and employees of various family-owned businesses to make conduit contributions and providing access for foreign nationals to political leaders through Gong’s political-tourism company, which included charging to bring Chinese nationals to an event at Mar-a-Lago with Trump.¹ The alleged violations of our campaign finance laws are egregious.

The record before the Commission was extensive, based in large part on reporting of the *Miami Herald*,² and in an area of enforcement that the Commission has previously committed to prioritizing — foreign national matters.³ Our nonpartisan Office of General Counsel (“OGC”)

¹ See generally First Gen. Counsel’s Rep., MURs 7581 and 7614 (Cindy Gong f/k/a Cindy Yang, *et al.*) (June 28, 2022).

² See, e.g., Jay Weaver, *et al.*, *Feds Open Foreign-Money Investigation into Trump Donor Cindy Yang*, MIAMI HERALD (May 12, 2019), <https://www.miamiherald.com/news/politics-government/article230217729.html>; Aaron Albright, *et al.*, *Who Has Gained Access to President Trump and Mar-a-Lago Through Cindy Yang?*, MIAMI HERALD (Apr. 8, 2019), <https://www.miamiherald.com/news/nation-world/article228882284.html>; Sarah Blaskey, *et al.*, *Cindy Yang Helped Chinese Tech Stars Get \$50K Photos With Trump. Who Paid?*, MIAMI HERALD (Mar. 21, 2019) <https://www.miamiherald.com/latest-news/article227941749.html>; Nicholas Nehamas, *et al.*, *Massage Parlor Magnate Helped Steer Chinese to Trump NYC Fundraiser*, MIAMI HERALD (March 9, 2019); Caitlin Ostroff, *et al.*, *Spa Operator Brought Head of Chinese Communist Party’s Group to Mingle with Trump Aides*, MIAMI HERALD (Mar. 15, 2018).

³ At the Commission’s public meeting on September 15, 2016, the Commissioners unanimously directed the Office of General Counsel to prioritize cases involving allegations of foreign influence.

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recommended moving forward and making reason to believe findings against Gong.⁴ Yet again, the Commission could not garner four votes to move forward.⁵ As I’ve previously noted, our commitment to pursuing foreign national matters seems now to be an empty promise — or a commitment that varies based on who benefitted from the prohibited funds.⁶ The American people deserve better.

Gong was a businesswoman and an experienced political fundraiser. She, along with other members of her family, formed, owned, and operated several day spas in Florida.⁷ In 2015, Gong began fundraising on behalf of the Republican Party. In 2017, Gong created a corporation, GY US Investments LLC, which promoted tourism packages that provided Chinese businesspeople access to American politicians and political events.⁸

The record demonstrates that Gong “raised” sufficient funds to be invited to attend two Trump Victory⁹ fundraisers, one on December 2, 2017, in New York City, and another on March 3, 2018, at Mar-a-Lago. She brought Chinese national guests to both fundraisers. While United States citizens and permanent residents are permitted to acquire tickets for foreign national guests to attend campaign fundraisers, foreign nationals must not be the source of the contributions.¹⁰ Yet, that appears to be precisely what occurred.¹¹

For the Trump Victory fundraiser in New York City, on December 2, 2017, Gong made \$23,500 in contributions in the weeks directly preceding the fundraiser to Trump Victory and

⁴ OGC recommended finding reason to believe that Yang violated 52 U.S.C. § 30122 by making contributions in the name of another, violated 52 U.S.C. § 30116(a)(1) by making excessive contributions, and violated 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(h)(1) by providing substantial assistance in the making of foreign national contributions. *See* First Gen. Counsel’s Rep. at 30.

⁵ Certification, MURs 7581 and 7614 (Cindy Gong f/k/a Cindy Yang, *et al.*) ¶ 1.

⁶ Stmt. of Reasons of Chair Shana M. Broussard & Comm’r Ellen L. Weintraub at 4, MURs 7350, 7351, 7357, & 7382 (Cambridge Analytica LLC, *et al.*) (Nov. 4, 2021) (“Despite the Commission’s previous commitment to prioritizing foreign national matters, that commitment appears in retrospect to have been lip service as we continue to skirt our obligations to the American people.”) (citations omitted).

⁷ First Gen. Counsel’s Rep. at 5.

⁸ *Id.* at 5-7.

⁹ Trump Victory is a joint fundraising committee. *See* Trump Victory, Statement of Organization, FEC Form 1 (filed May 25, 2016), <https://docquery.fec.gov/pdf/928/201605259017295928/201605259017295928.pdf>.

¹⁰ *See, e.g.*, Advisory Opinion 2004-26 (Weller) (finding that a foreign national may “attend fundraising and campaign events . . . provided she does not make a contribution of her personal funds in order to attend.”).

¹¹ Several of the named contributors, who were allegedly used as conduits, responded with unsworn statements, but did not state whether those contributions were made using their own funds or whether they were later reimbursed for their contributions. First Gen. Counsel’s Rep. at 16. These omissions are relevant considerations at the reason to believe stage. *See* F&LA at 10, MURs 7005 and 7056 (Adam H. Victor, *et al.*) (finding relevant in finding reason to believe that Victor made contributions in the name of another that the “conduits did not swear that they made contributions with their own funds, nor did they expressly deny that Victor or one of his businesses made contributions in their names”).

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brought between 20 to 30 individuals to the event.¹² Following the event, Gong was dismissed from her position at the National Committee for Asian-American Republicans, and the executive director of the organization has been quoted saying that there may have been “intentional violations” of campaign finance laws, and that Gong was disinterested in stricter compliance policies.¹³ Following her dismissal from the fundraising organization, Gong set up her political-tourism company.¹⁴ She then attended the March 3, 2018, Trump Victory event at Mar-a-Lago, with Chinese national guests. This event required a \$50,000 contribution threshold for a picture with Trump, which Gong obtained. Gong reportedly achieved this threshold by bundling contributions from friends and family members.

Gong admits in her Response that at least nine people she knew made \$5,400 contributions, which helped her reach the \$50,000 fundraising threshold. The nine people included her mother, father, husband, and several employees of companies owned by Gong or family members. Notably, **none** of the identified contributors had prior history of making political contributions, some served in subordinate roles at businesses associated with Gong, and all made the maximum contributions despite some having jobs that did not appear to pay enough money to allow for such sizable donations.¹⁵ These are all classic signs of a conduit contribution scheme. In fact, one of those contributors, a massage parlor receptionist, stated to the press that Gong had come to the massage parlor where she worked for Gong’s husband and helped fill out the check for Trump’s campaign.¹⁶

Worse still, Gong’s business model for her political-tourism company was to charge foreign businesspersons for access to Trump events that required contributions to attend. Thus, Gong was compensated, directly and through her company, for the tickets she purchased for foreign nationals to attend these fundraising events. In so doing, she violated both the prohibition on contributions in the name of another¹⁷ and the ban on providing substantial assistance in the making of foreign national contributions.¹⁸

¹² First Gen. Counsel’s Rep. at 10, 26. The largest reported contribution Yang had ever made prior to December 2017 was for \$640. *Id.* at 26.

¹³ *Id.* at 10 (citing Dan Friedman, *Head of Asian GOP Group Says He “Wouldn’t Rule Out” Illegal Foreign Donations to Trump*, MOTHER JONES (Mar. 15, 2019), <https://www.motherjones.com/politics/2019/03/head-of-asian-gop-group-says-he-wouldnt-rule-out-illegal-foreign-donations-to-trump/>).

¹⁴ *Id.* (citing GY US Articles of Incorporation, DIVISION OF CORPORATIONS – FLORIDA DEPARTMENT OF STATE (Dec. 12, 2017), <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2017%5C1212%5C60620706.tif&documentNumber=L17000253608>).

¹⁵ First Gen. Counsel’s Rep. at 19.

¹⁶ *Id.* (citing Frances Robles, Michael Forsythe & Alexandra Stevenson, *She Extols Trump, Guns and the Chinese Communist Party Line*, N.Y. TIMES (Mar. 16, 2019), <https://www.nytimes.com/2019/03/16/us/cindy-yang-trump-donations.html>).

¹⁷ 52 U.S.C. 30122.

¹⁸ 52 U.S.C. 30121(a); 11 C.F.R 110.20(h)(1).

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Ultimately, the record before us provides ample reason to believe that Gong made excessive contributions, made contributions in the name of another, and provided substantial assistance in the making of foreign national contributions. An entrepreneur who figured out how to get photographed with the President of the United States and got her foreign clients into receptions at his home is no political naïf. OGC recommended moving forward, with a plan of action consistent with longstanding Commission practice and one that I supported.¹⁹ Once again, however, despite the seriousness of the alleged violations, the Commission has failed in its duty to enforce the law.

September 9, 2022

Date



Ellen L. Weintraub
Commissioner

¹⁹ Certification, MURs 7581 and 7614 (Cindy Gong f/k/a Cindy Yang, *et al.*) ¶ 1. The OGC also recommended dismissing the allegations that, Li Jing, Jon Deng, Hui Liu, and Unknown Respondents 11 violated 52 U.S.C. § 30122 by making contributions in the name of another; dismissing the allegations that Xinyue “Daniel” Lou, Sun Changchun, Jingzhu “Margaret” Yang, Jiusi Yao, Ma Jin, Li Jing, and Unknown Respondents violated 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(h)(1) by providing substantial assistance to foreign nationals making prohibited contributions; dismissing the allegations that Ryan Xu, and Li Xiaohua, and Unknown Respondents violated 52 U.S.C. § 30121 by making foreign national contributions; closing the file as to Xinyue “Daniel” Lou, Sun Changchun, Jingzhu “Margaret” Yang, Jiusi Yao, Ma Jin, Li Jing, Jon Deng, Hui Liu, Ryan Xu, Li Xiaohua and 23 Unknown Respondents; dismissing the allegation that Trump Victory and Bradley T. Crate in his official capacity as treasurer, the Republican National Committee and Ronald C. Kaufman in his official capacity as treasurer, Make America Great Again PAC f/k/a Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer, the Republican Party of Palm Beach County and Jane C. Pike in her official capacity as treasurer violated 52 U.S.C. § 30121 by accepting foreign national contributions and close the file as to these respondents; dismissing the allegation that the 45th Presidential Inaugural Committee violated 11 C.F.R. § 110.20(j) by accepting foreign national donations and close the file as to this respondent; and dismissing the allegations that Bingbing Peranio, Katrina Eggertsson, Gong Haizhen and Unknown Respondents violated 52 U.S.C. § 30122 by permitting their names to be used to effect contributions in the name of another and close the file as to these respondents. *Id.*; see also First Gen. Counsel’s Rep. at 30-31.