

BEFORE THE FEDERAL ELECTION COMMISSION

COMMON CAUSE

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Washington, DC 20005
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PAUL S. RYAN

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v.

MUR No. _____

DONALD J. TRUMP FOR PRESIDENT, INC.

725 Fifth Avenue
New York, NY 10022

DONALD TRUMP JR.

c/o The Trump Organization
725 Fifth Avenue
New York, NY 10022

COMPLAINT

1. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that Donald Trump's 2016 presidential campaign committee, Donald J. Trump for President, Inc. (I.D. C00580100), and Donald Trump Jr. solicited a contribution from a foreign national in violation of the Federal Election Campaign Act ("FECA"), 52 U.S.C. § 30101, *et seq.*
2. Specifically, based on published reports, complainants have reason to believe that Donald J. Trump for President, Inc. and Donald Trump Jr. violated FECA's ban on soliciting a contribution from a foreign national in connection with a Federal election, 52 U.S.C.

§ 30121(a)(2), by meeting with a “Kremlin-connected Russian lawyer during the 2016 campaign” in an effort to obtain “damaging information about Hillary Clinton.”¹

3. “If the Commission, upon receiving a complaint ... has reason to believe that a person has committed, or is about to commit, a violation of [the FECA] ... [t]he Commission shall make an investigation of such alleged violation” 52 U.S.C. § 30109(a)(2) (emphasis added); *see also* 11 C.F.R. § 111.4(a).

FACTS

4. During the 2016 presidential campaign, Donald Trump Jr. played a leadership role in Donald J. Trump for President, Inc., headlining campaign fundraising events² and participating in high-level decision-making such as helping to select Mike Pence as Donald J. Trump’s running mate.³
5. On July 9, 2017, the *New York Times* reported that at Trump Tower on June 9, 2016, two weeks after Donald J. Trump had clinched the Republican Party’s presidential nomination, his son Donald Trump Jr., his then-campaign chairman Paul J. Manafort, and

¹ Jo Becker, Matt Apuzzo and Adam Goldman, “Trump’s Son Met With Russian Lawyer After Being Promised Damaging Information on Clinton,” *NEW YORK TIMES*, July 9, 2017, available at https://www.nytimes.com/2017/07/09/us/politics/trump-russia-kushner-manafort.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=span-ab-top-region®ion=top-news&WT.nav=top-news&_r=0.

² *See, e.g.*, Bryan Schott, “Donald Trump, Jr. to Hold High-Dollar Fundraiser in Utah Next Week,” *UTAH POLICY*, September 14, 2016, available at <http://utahpolicy.com/index.php/features/today-at-utah-policy/10805-donald-trump-jr-to-hold-high-dollar-fundraiser-in-utah-next-week>; Joey Garrison, “Donald Trump Jr. visits Franklin for private fundraiser,” *THE TENNESSEAN*, September 2, 2016, available at <http://www.tennessean.com/story/news/politics/2016/09/02/donald-trump-jr-visits-franklin-private-fundraiser/89770806/>; Kelsey Bradshaw, “Donald Trump Jr. in San Antonio for fundraiser Tuesday,” *MY SAN ANTONIO*, September 13, 2016, available at <http://www.mysanantonio.com/news/local/article/Donald-Trump-Jr-to-visit-San-Antonio-for-9219635.php>.

³ “Trump Jr. on family’s role in campaign, decision to tap Pence,” *CBS NEWS*, July 20, 2017, available at <http://www.cbsnews.com/news/donald-trump-jr-on-father-running-mate-mike-pence-paul-manafort-melania-speech-plagiarism/>.

his son-in-law, Jared Kushner, met with Natalia Veselnitskaya, a Kremlin-connected Russian lawyer who had promised Donald Trump Jr. “damaging information about Hillary Clinton.”⁴

6. Trump Tower (725 Fifth Avenue, New York, NY 10022) was and continues to be the headquarters for Donald J. Trump for President, Inc.⁵
7. The *New York Times* reported: “It is unclear whether the Russian lawyer, Natalia Veselnitskaya, actually produced the promised compromising information about Mrs. Clinton. But the people interviewed by The Times about the meeting said the expectation was that she would do so.”⁶
8. Donald Trump Jr. reportedly told the *New York Times* that at the outset of his meeting with Ms. Veselnitskaya, “pleasantries were exchanged” and she then:

[S]tated that she had information that individuals connected to Russia were funding the Democratic National Committee and supporting Mrs. Clinton. Her statements were vague, ambiguous and made no sense. No details or supporting information was provided or even offered. It quickly became clear that she had no meaningful information.⁷

⁴ Jo Becker, Matt Apuzzo and Adam Goldman, “Trump’s Son Met With Russian Lawyer After Being Promised Damaging Information on Clinton,” *NEW YORK TIMES*, July 9, 2017, available at <https://www.nytimes.com/2017/07/09/us/politics/trump-russia-kushner-manafort.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=span-ab-top-region®ion=top-news&WT.nav=top-news&r=0>.

⁵ See Donald J. Trump for President, Inc., FEC Form 1—Statement of Organization (Amendment), June 3, 2016, available at <http://docquery.fec.gov/pdf/469/201606039017468469/201606039017468469.pdf>; see also Donald J. Trump for President, Inc., FEC Form 1—Statement of Organization (Amendment), January 20, 2017, available at <http://docquery.fec.gov/pdf/839/201701209041435839/201701209041435839.pdf>.

⁶ Jo Becker, Matt Apuzzo and Adam Goldman, “Trump’s Son Met With Russian Lawyer After Being Promised Damaging Information on Clinton,” *NEW YORK TIMES*, July 9, 2017, available at <https://www.nytimes.com/2017/07/09/us/politics/trump-russia-kushner-manafort.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=span-ab-top-region®ion=top-news&WT.nav=top-news&r=0>.

⁷ *Id.*

9. Donald Trump Jr. “said she then turned the conversation to adoption of Russian children and the Magnitsky Act,” a 2012 American law that blacklists suspected Russian human rights abusers and that reportedly enraged Russia’s President Vladimir V. Putin.⁸
10. Donald Trump Jr. stated: “It became clear to me that this was the true agenda all along and that the claims of potentially helpful information were a pretext for the meeting,”⁹— admitting that obtaining “potentially helpful information” about his father’s likely general election opponent, Hillary Clinton, from a person known to be a foreign national, was the reason he attended the meeting.
11. Donald Trump Jr. said he had “asked Mr. Manafort and Mr. Kushner to attend, but did not tell them what the meeting was about.”¹⁰

SUMMARY OF THE LAW

12. Federal law prohibits a foreign national from directly or indirectly making a “contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election[.]” 52 U.S.C. § 30121(a)(1)(A), and prohibits a person from soliciting, accepting or receiving such a contribution or donation from a foreign national, *id.* a § 30121(a)(2).
13. FECA defines “foreign national” as a “foreign principal” or “an individual who is not a citizen of the United States or a national of the United States.” 52 U.S.C. § 30121(b).
14. FECA defines “contribution” to include “any gift ... of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A)(i).

⁸ *Id.*

⁹ *Id.* (emphasis added).

¹⁰ *Id.*

15. FECA defines “person” to include an “individual, partnership, committee, association, corporation, labor organization, or any other organization or group of persons[.]” 52 U.S.C. § 30101(11).
16. The Commission has defined “to solicit” by regulation to mean “to ask, request, or recommend, explicitly or implicitly, that another person make a contribution, donation, transfer of funds, or otherwise provide anything of value.” 11 C.F.R. § 300.2(m); *see also* 11 C.F.R. § 110.20(a)(6) (for the purposes of the prohibition of solicitation of foreign national contributions, solicit has the same meaning as in 11 C.F.R. § 300.2(m)). The regulation elaborates:

A solicitation is an oral or written communication that, construed as reasonably understood in the context in which it is made, contains a clear message asking, requesting, or recommending that another person make a contribution, donation, transfer of funds, or otherwise provide anything of value. A solicitation may be made directly or indirectly. The context includes the conduct of persons involved in the communication.
- Id.*
17. The Commission by regulation has defined “agent,” in the case of agents of a candidate, to include “any person who has actual authority, either express or implied, to ... solicit, receive, direct, transfer, or spend funds in connection with any election.” 11 C.F.R. § 300.2(b)(3).
18. The Commission regulation implementing the statutory foreign national solicitation ban provides that “[n]o person shall knowingly solicit, accept, or receive from a foreign national any contribution or donation” in connection with any Federal, State, or local election. 11 C.F.R. § 110.20(g). The regulation further provides that “[n]o person shall knowingly provide substantial assistance in the solicitation, making, acceptance, or

receipt of a contribution or donation” by a foreign national in connection with any Federal, State, or local election. 11 C.F.R. § 110.20(h).

CAUSE OF ACTION

DONALD J. TRUMP FOR PRESIDENT, INC. AND DONALD TRUMP JR. KNOWINGLY SOLICITED A CONTRIBUTION FROM A FOREIGN NATIONAL IN VIOLATION OF THE FEDERAL ELECTION CAMPAIGN ACT

19. Federal law prohibits any person from soliciting a contribution from a foreign national. 52 U.S.C. § 30121(a)(2), 11 C.F.R. § 110.20(g).
20. Donald Trump Jr. knowingly met with a foreign national, Natalia Veselnitskaya, for the purpose of soliciting a “contribution” as defined at 52 U.S.C. § 30101(8)(A)(i) (“anything of value ... for the purpose of influencing any election for Federal office”) to his father’s presidential campaign committee, Donald J. Trump for President, Inc.—namely damaging information about Hillary Clinton.
21. Donald Trump Jr. was an agent of Donald J. Trump for President, Inc. with authority to solicit contributions on behalf of Donald J. Trump for President, Inc. and was doing so in his meeting with Ms. Veselnitskaya, as evidenced by the fact that he brought then-campaign chairman Paul J. Manafort to the meeting, which took place in the same building where Donald J. Trump for President, Inc. headquarters was and is located.
22. Therefore, based on published reports, there is reason to believe that Donald J. Trump for President, Inc. and Donald Trump Jr. knowingly solicited a contribution from a foreign national in violation of 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g).

PRAYER FOR RELIEF

23. Wherefore, the Commission should find reason to believe that Donald J. Trump for President, Inc. and Donald Trump Jr. violated 52 U.S.C. § 30101, *et seq.*, including 52 U.S.C. § 30121, and conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).

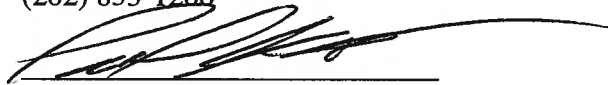
Further, the Commission should determine and impose appropriate sanctions for any and all violations, should enjoin respondent from any and all violations in the future, and should impose such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

July 10, 2017

Respectfully submitted,



Common Cause, by
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VERIFICATION

The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true. Sworn pursuant to 18 U.S.C. § 1001.

For Complainants Common Cause and Paul S. Ryan



Paul S. Ryan

Sworn to and subscribed before me this 10th day of July 2017.

Karen B. Watson

Notary Public

