



FEDERAL ELECTION COMMISSION

Washington, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Debbie Wasserman Schultz for Congress and)	
Lawrence Wasserman in his official capacity as)	MUR 7125
Treasurer)	
Debbie Wasserman Schultz)	
Democratic National Committee and Andrew)	
Tobias in his official capacity as treasurer, <i>et al.</i>)	

STATEMENT OF REASONS OF COMMISSIONER ELLEN L. WEINTRAUB

The allegations in this matter are based entirely on emails released by Wikileaks following the hacking of the DNC during the 2016 elections. The U.S. Intelligence Community and Department of Justice have deemed this foreign-state-sponsored hacking operation to be an attack on the American democratic process.¹

The basis of this Complaint, then, poses a concern far more grave than its allegations. The Commission should not consider enforcement actions against U.S. citizens based on information derived from illegal foreign interference in our elections. Full stop. This agency should not allow its enforcement docket to be dictated by whom the Russians choose to hack. To treat this like an ordinary complaint, airing and analyzing all the facts and legal issues raised, is to allow this agency to be used as a pawn in a nefarious game that I have no intention of playing.²

¹ Office of the Dir. of Nat'l Intelligence, *Intelligence Community Assessment: Assessing Russian Activities and Intentions in Recent US Elections*, at 1 (Jan. 6, 2017); Special Counsel Robert S. Mueller, III, U.S. Dep't of Justice, *Report on the Investigation into Russian Interference in the 2016 Presidential Election* at 3, 13 (Mar. 22, 2019) (vol. 1).

² A complaint fueled solely by the results of a foreign entity's attack on our elections, as seen here, is in a class by itself. It can be distinguished from complaints based on leaks or information from whistleblowers. One can debate the merits of such unauthorized information releases, but they do not represent the same sort of threat to our system as do foreign attacks on our democracy. And when a complaint is based only *partly* on information from a foreign hack, the complaint's legitimate wheat can – and should – be separated from the hacked chaff and only the former pursued. *See* Statement of Reasons of Chair Ellen L. Weintraub at 6, n.30, MUR 6940, *et al.* (Correct the Record, *et al.*)

MUR 7125 (Debbie Wasserman Schultz, *et al.*)

Statement of Reasons

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This was no ordinary complaint. I based my vote to dismiss it entirely on the illicit provenance of its information.

August 27, 2021



Ellen L. Weintraub
Commissioner