



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Unknown Respondents, *et al.*) MUR 8082
)

**STATEMENT OF REASONS OF VICE CHAIR ELLEN L. WEINTRAUB AND
COMMISSIONER SHANA M. BROUSSARD**

This matter concerned allegations that three political consultants illegally funnelled at least \$1.27 million in potentially illegal corporate contributions to federal and state political committees through a series of conduit corporations. These serious allegations implicate 52 U.S.C. § 30122, one of the most critical anti-corruption aspects of the Federal Election Campaign Act of 1971, as amended (the “Act”). The complaint’s allegations are primarily based on in-depth investigative reporting by the *Orlando Sentinel* — a newspaper founded in 1876 and the recipient of multiple Pulitzer Prizes, including one for investigative reporting. The *Sentinel*’s reporting on this scheme was detailed and well-sourced, with the paper having internal emails and memoranda from the political consultants discussing the scheme in its possession. The *Sentinel*’s reporting provided a credible allegation of a significant violation that the conduit corporations made contributions in the name of another, warranting further investigation into the true source of the funds¹ Unfortunately, the Commission could not muster the requisite four votes to pursue that investigation.²

This Commission exists because of the intrepid investigative reporting that revealed the Watergate scandal. Watergate inspired a [raft of bipartisan legislation](#) aimed at restoring American’s faith in government, and one of those laws created this agency. For 50 years, this Commission has benefitted from the efforts of independent journalists in fulfilling its mission of providing transparency and accountability as mandated by law. Some of the most significant allegations that the Commission has considered were initially brought to light by investigative reporting.³

The Commission should consider all sources of credible information when making reason to

¹ Federal Election Commission, *Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process*, (Mar. 7, 2024) (“A ‘reason to believe’ finding followed by an investigation would be appropriate when a complaint credibly alleges that a significant violation may have occurred, but further investigation is required to determine whether a violation in fact occurred and, if so, its exact scope.”), <https://www.fec.gov/resources/cms-content/documents/mtgdoc-24-10-A.pdf>.

² Cert. ¶ 2 (Feb. 8, 2024).

³ See, e.g., MUR 7122 (American Pacific International Capital, Inc., *et al.*) (\$1.3 million foreign national contribution).

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Statement of Vice Chair Ellen L. Weintraub and Commissioner Shana M. Broussard

believe findings, including factual allegations uncovered by investigative journalism. A “reason to believe” finding is simply an indication that the Commission has found sufficient legal justification to open an investigation to determine *whether* there is probable cause to believe that a violation of the Act occurred.⁴ Each detail in this complex scheme does not need to be known at the “reason to believe” stage; determining the facts is the purpose of the Commission’s investigative authority.

As we have said before and we will say again, given the Commission’s history, it would be ironic, ahistorical, and a serious departure from precedent and practice to refuse to consider information derived from journalistic investigation and reporting.⁵

April 9, 2024

Date



Ellen L. Weintraub
Vice Chair

April 9, 2024

Date



Shana M. Broussard
Commissioner

⁴ See Stmt. of Reasons of Vice Chair Ellen L. Weintraub & Comm’rs Cynthia L. Bauerly and Steven T. Walther at 1 n.2, MUR 6441 (Unknown Respondents) (Aug. 15, 2012) (citing 12 F.R. 12545, Statement of Policy Regarding Commission Action in Matters at the Initial Stage in the Enforcement Process (March 16, 2007)).

⁵ See, e.g., Stmt. of Reasons of Stmt. of Reasons of Comm’rs Shana M. Broussard & Ellen L. Weintraub at 4-5, MUR 7784 (Make America Great Again PAC, et al.) (June 15, 2022).