



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
)  
Paul Manafort; ) MUR 7135  
Donald J. Trump for President, Inc. and )  
Timothy Jost in his official capacity as )  
treasurer; )  
Donald J. Trump )

**STATEMENT OF REASONS  
OF VICE CHAIR ELLEN L. WEINTRAUB**

The Federal Election Campaign Act of 1971, as amended (the “Act”) prohibits federal candidates and their agents from soliciting funds in connection with a federal election that fall outside “the limitations, prohibitions, and reporting requirements” of the Act.<sup>1</sup> Even if they are soliciting for Super PACs, which may *accept* unlimited and corporate contributions, federal candidates and their agents may *solicit* only from federal political committees and individuals who are not prohibited sources, and only in amounts up to \$5,000 per calendar year.<sup>2</sup> All other solicitations by campaigns and their agents are prohibited.

The complaint in this matter alleged that then-chair of Donald J. Trump for President, Inc. (“Trump Committee”) Paul Manafort, as an agent of both Donald J. Trump and the Trump Committee, illegally solicited contributions to the Super PAC Rebuilding America Now, which supported Trump in the 2016 election.<sup>3</sup> On July 20, 2016, Rebuilding America Now hosted a meeting attended by approximately 30 contributors. Manafort called into the meeting and, according to a representative of the Super PAC speaking to the press, “gave [Rebuilding America Now] contributors a briefing on the state of the campaign and let folks know that

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<sup>1</sup> 52 U.S.C. § 30125(e)(1)(A); 11 C.F.R. § 300.61. Among those limitations and prohibitions: candidates may not accept contributions over \$5,400, and may not accept corporate contributions. 52 U.S.C. §§ 30116(f), 30118(a).

<sup>2</sup> See Advisory Op. 2011-12 (Majority PAC *et al.*) at 3; 52 U.S.C. § 30116(a)(1)(C) (imposing a \$5,000 limit on contributions to non-authorized, non-party committees).

<sup>3</sup> See First Gen. Counsel’s Report in MUR 7135 (Donald J. Trump for President, Inc., *et al.*) at 1.

there's no better way to help elect Donald Trump than to support our PAC[.]”<sup>4</sup> According to a news report, at least one attendee pledged \$2 million to the Super PAC.<sup>5</sup>

Respondents claimed that Manafort did nothing wrong, but the alleged assertion that there is “no better way to help elect Donald Trump” than to support the PAC cannot be read as anything but an impermissible solicitation.<sup>6</sup> Despite first-hand accounts that Manafort illegally solicited contributions for a Super PAC, my Republican colleagues refused to support the Office of General Counsel’s recommendations that the Commission (1) find reason to believe that Manafort and the Trump Committee violated the law, and (2) authorize an investigation into the allegations.<sup>7</sup>

These allegations raise serious concerns about an agent of a presidential campaign using his position to solicit unlimited funds for a Super PAC that supported the campaign. Such solicitations are prohibited because of the immense potential for corruption they present. But, rather than investigate whether Manafort illegally solicited contributions to Rebuilding America Now — as the record strongly indicates — my Republican colleagues instead rejected counsel’s recommendations. And unless the full D.C. Circuit overturns the recent decision by Judges Randolph and Kavanaugh eviscerating complainants’ right to seek judicial recourse,<sup>8</sup> the Republican Commissioners will be able to render their obstruction unreviewable should they invoke the new magic words “prosecutorial discretion.”<sup>9</sup>

The very same day the Republican Commissioners blocked the Commission from investigating this matter, they also voted to dismiss allegations that the Trump Committee illegally solicited contributions from foreign nationals.<sup>10</sup> Earlier this summer, they refused to investigate whether President Trump converted campaign funds to personal use by using the campaign to promote his own financial interests.<sup>11</sup>

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<sup>4</sup> *Id.* at 3.

<sup>5</sup> *Id.*

<sup>6</sup> Though Respondents generally question the accuracy of Manafort’s quote, they do not offer an alternative. As the Office of General Counsel concluded, “all of the available information suggests that [the Super PAC official] —who heard Manafort’s statement approximately 24 hours before he recorded the July 21 interview— correctly recounted Manafort’s comments.” *Id.* at 8.

<sup>7</sup> See Certification in MUR 7135 (Donald J. Trump for President, Inc., *et al.*), dated July 31, 2018.

<sup>8</sup> *CREW v. FEC*, No. 17-5049, 2018 WL 2993249 (D.C. Cir. June 15, 2018).

<sup>9</sup> See [Statement of Vice Chair Ellen L. Weintraub on the D.C. Circuit’s Decision in \*CREW v. FEC\*](#), dated June 22, 2018.

<sup>10</sup> See Certification in MURs 7094, 7096, and 7098 (Donald J. Trump for President, Inc., *et al.*), dated July 31, 2018; Statement of Reasons of Vice Chair Ellen L. Weintraub in the Matters of MURs 7094, 7096, and 7098 (Donald J. Trump for President, Inc., *et al.*), dated September 6, 2018.

<sup>11</sup> See Certification in MUR 7100 (Donald J. Trump for President, Inc., *et al.*), dated May 10, 2018; [Statement of Reasons of Vice Chair Ellen L. Weintraub in the Matter of MUR 7100](#) (Donald J. Trump for President, Inc., *et al.*), dated June 15, 2018.

