

FEDERAL ELECTION COMMISSION

In the matter of:

American Jobs and Growth PAC  
Thomas Norris, Treasurer, American Jobs and Growth PAC,  
in his official capacity as treasurer and in his personal capacity  
Government Integrity Fund  
Joel Riter, Chairman, Government Integrity Fund,  
in his official capacity as treasurer and in his personal capacity  
Unknown Respondents

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COMPLAINT

1. Citizens for Responsibility and Ethics in Washington (“CREW”) brings this complaint before the Federal Election Commission (“FEC” or “Commission”) seeking an immediate investigation and enforcement action against American Jobs and Growth PAC, Thomas Norris, Government Integrity Fund, Joel Riter, and Unknown Respondents for direct and serious violations of the Federal Election Campaign Act (“FECA”).

2. The FECA prohibits making and knowingly accepting a contribution in the name of another person, as well as knowingly permitting one’s name to be used to effect a contribution in the name of another person. This complaint concerns an apparent scheme to disguise the identity of super PAC donors backing then-Rep. Scott Taylor (R-VA) in his 2018 reelection effort by routing the contributions through a nonprofit organization that is not required to disclose its contributions.

3. American Jobs and Growth PAC, a super PAC, spent more than a \$100,000 on independent expenditures benefitting then-Rep. Taylor in the closing days of the 2018 election. The Government Integrity Fund, a nonprofit organization, provided American Jobs and Growth PAC with more than \$100,000 in close proximity to the super PAC’s pro-Taylor spending. As

detailed below, the Government Integrity Fund appears to have acted as a passthrough for contributions solicited by a professional fundraiser with past ties to the Government Integrity Fund who was compensated by both the Taylor campaign and American Jobs and Growth PAC in 2018.

4. As a result of this apparent scheme, an Unknown Respondent or Unknown Respondents made contributions to American Jobs and Growth PAC while keeping their identities secret by using the Government Integrity Fund as a conduit that contributed in its own name to the super PAC rather than in the name of the true donor or donors. These apparent violations of the law deprive the public of important information and demand investigation.

#### Complainants

5. Complainant CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the right of citizens to be informed about the activities of government officials and to ensuring the integrity of government officials. CREW is dedicated to empowering voters to have an influential voice in government decisions and in the governmental decision-making process. CREW uses a combination of research, litigation, and advocacy to advance its mission.

6. In furtherance of its mission, CREW seeks to expose unethical and illegal conduct of those involved in government. One way CREW does this is by educating citizens regarding the integrity of the electoral process and our system of government. Toward this end, CREW monitors the campaign finance activities of those who run for federal and state office and publicizes those who violate federal campaign finance laws through its website, press releases, and other methods of distribution. CREW also files complaints with the FEC when it discovers

violations of the FECA. Publicizing campaign finance violators and filing complaints with the FEC serve CREW's mission of keeping the public informed about individuals and entities that violate campaign finance laws and deterring future violations of campaign finance law.

7. In order to assess whether an individual, candidate, political committee, or other regulated entity is complying with federal campaign finance law, CREW needs the information contained in receipts and disbursements reports that political committees and others must file pursuant to the FECA, 52 U.S.C. § 30104 ; 11 C.F.R. §§ 104.1–22, 109.10. CREW is hindered in its programmatic activity when an individual, candidate, political committee, or other regulated entity fails to disclose or provides false campaign finance information in reports of receipts and disbursements required by the FECA.

8. CREW relies on the FEC's proper administration of the FECA's reporting requirements because the FECA-mandated disclosure reports are the only source of information CREW can use to determine if an individual, candidate, political committee, or other regulated entity is complying with the FECA. The proper administration of the FECA's reporting requirements includes mandating that all disclosure reports required by the FECA are properly and timely filed with the FEC. CREW is hindered in its programmatic activity when the FEC fails to properly administer the FECA's reporting requirements.

#### Respondents

9. American Jobs and Growth PAC is a federally registered independent-only committee ("super PAC") formed under the FECA in October 2017. American Jobs and Growth PAC, FEC Form 1, Statement of Organization, Oct. 26, 2017, <https://bit.ly/2BSy4Li>.

10. Thomas Norris is, and was at all relevant times, the treasurer of American Jobs

and Growth PAC. *Id.* Mr. Norris also is a government affairs professional and political consultant whose company, 406 Enterprises, served as a vendor for American Jobs and Growth PAC in 2018. *See* Jeremy Pelzer, Twitter, Oct. 25, 2018, <https://bit.ly/2Adx5Vk>; Ohio Concrete, Meet The Ohio Concrete Regulatory Consultants, <https://bit.ly/2YI891B>; Digital Politics with Karen Jagoda, Political Mobile Ad Strategies with Tom Norris 406 Enterprises, Feb. 23, 2016, <https://bit.ly/2Znrnsm>; American Jobs and Growth PAC, FEC Form 3X, Post-General 2018 Report, Dec. 6, 2018, <https://bit.ly/3ig4NKS>. Mr. Norris is named as a respondent in both his official and personal capacities.

11. The Government Integrity Fund is a tax-exempt organization established in 2011 in Ohio and granted tax-exempt status in 2012. Government Integrity Fund 2012 Form 990, <https://bit.ly/3eEH3y1>; Government Integrity Fund Form 1024, <https://bit.ly/2YJeo5f>; Government Integrity Fund, Articles of Incorporation, Ohio Secretary of State, May 18, 2011, <https://bit.ly/2NEuQgP>. Mr. Norris was listed as the president of the Government Integrity Fund in 2012 and as the organization's executive director in 2013. Government Integrity Fund 2012 Form 990; Government Integrity Fund 2013 Form 990, <https://bit.ly/3dMBQmq>.

12. Joel Riter is the chairman of the Government Integrity Fund. Government Integrity Fund 2018 Form 990, <https://bit.ly/2CSe3oy>; Government Integrity Fund 2018 Form 990 with Schedule B, <https://bit.ly/3jLlrR9>. Mr. Riter also has a position with American Jobs and Growth PAC. In paperwork the super PAC filed with the Georgia Government Transparency & Campaign Finance Commission, Mr. Riter is identified as the "person responsible for maintaining campaign records." American Jobs and Growth PAC, Campaign Contribution Disclosure Final Report and Termination Statement, Georgia Government Transparency &

Campaign Finance Commission, Jan. 8, 2019, <https://bit.ly/32KhrMr>. Mr. Riter further is a government affairs professional and political consultant. *See* Ohio Concrete, Meet The Ohio Concrete Regulatory Consultants; Louis Peck, Super PAC Spends \$200,000 to Boost Candidate in Crowded Dist. 6 Contest, *Bethesda Magazine*, Nov. 30, 2015, <https://bit.ly/3g6yqN5>. He is also the president of another politically active tax-exempt organization, Citizens for a Working America Inc., and is the treasurer of numerous super PACs registered with the FEC. Citizens for a Working America Inc. 2017 Form 990, <https://bit.ly/2YJGygy>; Most Recent Treasurer, “Riter, Joel,” Committees, Federal Election Commission, <https://bit.ly/3eQcMfW>.

13. Unknown Respondents are the individuals who are the true sources of funds Government Integrity Fund transferred to American Jobs and Growth PAC, as well as any individual(s), entity, or entities that served as conduits through which such funds passed before reaching Government Integrity Fund.

#### Factual Allegations

##### *Super PAC Funded by Nonprofits Spends in then-Rep. Scott Taylor’s Race*

14. According to the Center for Responsive Politics, then-Rep. Scott Taylor (R-VA) benefited from more than \$3.3 million in outside spending in his 2018 race against now-Rep. Elaine Luria (D-VA). Virginia District 02 Race, Outside Spending, 2018, OpenSecrets, <https://bit.ly/38eI2Cs>. Nearly all of that spending was by political action committees and super PACs. Less than \$7,000 that was spent directly on independent expenditures to benefit then-Rep. Taylor’s reelection was spent by groups organized under section 501(c)(4) of the tax code. *Id.*

15. Using 501(c)(4) organizations as intermediaries for super PAC contributions allows interested parties to evade the FECA’s reporting requirements. Under the law, Super

PACs must disclose their contributors. Further, as of the August 3, 2018, district court decision in *CREW v. FEC*, 243 F. Supp. 3d 91, 93–94 (D.D.C. 2018), anyone who makes an independent expenditure must disclose its contributors. Accordingly, using a 501(c)(4) organization to directly make independent expenditures would thus require the 501(c)(4) to disclose its own contributors. Using a 501(c)(4) to contribute to a super PAC, however, does not automatically impose any direct disclosure requirements as to the 501(c)(4)’s contributors, except insofar as it either causes the 501(c)(4) to itself qualify as a political committee or the 501(c)(4) is a straw donor.

16. One of the super PACs that supported then-Rep. Taylor received significant fundraising from section 501(c)(4) organizations.

17. Beginning on October 30, 2018, American Jobs and Growth PAC spent a total of \$107,500 on digital advertising independent expenditures either supporting then-Rep. Taylor or opposing now-Rep. Luria. American Jobs and Growth PAC, Independent Expenditures, 2017-2018, Virginia, Federal Election Commission, <https://bit.ly/3ll5pAo>. An ad posted on YouTube by the super PAC described now-Rep. Luria as “Pelosi’s candidate” and encouraged viewers to “vote no on Elaine Luria,” while an ad posted to Facebook called on viewers to “vote Scott Taylor” in order to “protect Virginia jobs.” American Jobs and Growth, “Elaine Luria – Pelosi’s Candidate,” YouTube, Oct. 29, 2018, <https://bit.ly/2BKREJb>; American Jobs and Growth PAC, “Scott Taylor,” Facebook, Nov. 2, 2018, <https://bit.ly/31s1bzJ>.

18. American Jobs and Growth PAC raised \$770,893 during the 2018 election cycle. American Jobs and Growth PAC, Receipts, 2017-2018, Federal Election Commission, <https://bit.ly/35dL3Dr>. Four nonprofit organizations—A Public Voice, Citizens for a Working

America, the Government Integrity Fund, and the Jobs and Progress Fund—accounted for 48 percent of the super PAC’s total revenue, giving \$370,000. *Id.* The nonprofits were responsible for all but \$40,000 of the \$410,000 the super PAC raised between August 13, 2018 and November 5, 2018. *Id.*

19. On October 30, 2018, American Jobs and Growth PAC made its first independent expenditure in the Taylor-Luria race, paying the media buying firm Majority Strategies \$72,500 for ads opposing now-Rep. Luria. American Jobs and Growth PAC, FEC Form 3X, 2018 Post-General Report, Dec. 6, 2018. That same day, the super PAC received a \$75,000 transfer from the Government Integrity Fund. *Id.*

20. The Government Integrity Fund made two more contributions to American Jobs and Growth PAC in the days that followed. As with the first contribution, the Government Integrity Fund’s subsequent cash transfers came in very close proximity to independent expenditures American Jobs and Growth PAC made to then-Rep. Taylor’s benefit. On November 1, 2018, the nonprofit gave the super PAC \$10,000, and that same day the super PAC spent \$7,500 on digital ads opposing now-Rep. Luria. *Id.* The next day, November 2, 2018, American Jobs and Growth PAC spent another \$27,500 in the race. *Id.* On November 5, 2018, the Government Integrity Fund transferred a final \$25,000. *Id.* In all, the Government Integrity Fund gave American Jobs and Growth PAC a total of \$110,000 between October 30 and November 5, 2018, which is just enough to cover the expenses for the super PAC’s \$107,500 pro-Taylor digital ad blitz during the same period. *Id.*

21. The super PAC’s November 2, 2018 outlay in the race left it more than \$18,000 in debt. The infusion of funds from the Government Integrity Fund three days later, which was the

final contribution the super PAC received in the 2018 election cycle, brought it back into solvency, allowing it to end the cycle with \$6,255 cash on hand. *Id.*; American Jobs and Growth PAC, 2017-2018, Federal Election Commission, <https://bit.ly/2NHQ0ut>.

*A Solicitation to Support then-Rep. Taylor's Re-election via a Nonprofit*

22. Less than two weeks before Government Integrity Fund's initial contribution to American Jobs and Growth PAC, on October 19, 2018, the super PAC paid a firm called Capital Cornered \$20,000 for a "fundraising commission." American Jobs and Growth PAC, FEC Form 3X, 2018 Post-General Report, Dec. 6, 2018.

23. Capital Cornered is the fundraising firm of a consultant named Kyle Sisk. Mr. Sisk describes himself in his LinkedIn profile as a "professional fundraiser" who has "been a part of raising over \$235 million over the last 25 years for candidates, ballot initiatives, statewide referendums, Super PAC/527s, 501(c)(4) and 501(c)(6) efforts on a local, state and federal level." Kyle Sisk, LinkedIn, <https://bit.ly/38dYJ1e>. In 2011, the *Columbus Dispatch* reported that Mr. Sisk owned the firm "with offices in Boston and Columbus." Joe Hallet, Cleared after probe, two GOP strategists rebuild careers, Columbus Dispatch, Nov. 1, 2011, <https://bit.ly/3dLdV6O>.

24. Mr. Sisk worked for then-Rep. Taylor's re-election campaign in 2018. Between April 26, 2017 and September 27, 2018, then-Rep. Taylor's campaign paid Mr. Sisk a total of \$86,276 for fundraising, campaign consulting, and travel expenses. Scott Taylor for Congress, Recipient Name, "sisk, kyle," Disbursements, 2017-2018, Federal Election Commission, <https://bit.ly/3pkJ08L>. In addition, the campaign made seven payments directly to vendors that it described as being related to Mr. Sisk. Scott Taylor for Congress, Description Details, "Kyle Sisk," Disbursements, 2017-2018, Federal Election Commission, <https://bit.ly/2Ucu79U>.



25. Evidence released as part of a federal public corruption trial revealed that Mr. Sisk also solicited contributions for a section 501(c)(4) tax-exempt organization to support then-Rep. Taylor's re-election effort.

26. On March 5, 2020, a federal jury in North Carolina convicted business executive Greg Lindberg and one of his company consultants on public corruption and bribery charges "for orchestrating a bribery scheme involving independent expenditure accounts and improper campaign contributions." Department of Justice, Office of Public Affairs, Federal Jury Convicts Founder and Chairman of a Multinational Investment Company and a Company Consultant of Public Corruption and Bribery Charges, Mar. 5, 2020, <https://bit.ly/2YGyE7J>.

27. In a June 29, 2018 email entered into evidence during Mr. Lindberg's trial, an employee of Mr. Lindberg's, Rod Perkins, shared information on "some current requests" for "political contributions" that they had received. Exhibits Log, *U.S. v. Lindberg, et al.*, No. 5:19-cr-22 (W.D.N.C. Feb. 18, 2020) , <https://bit.ly/3inNJD4>; Email from Rod Perkins to Greg E. Lindberg, June 29, 2018 ("Perkins Email") (available as Government Exhibit 72, *U.S. v. Lindberg, et al.*, No. 5:19-cr-22 (W.D.N.C.), <https://bit.ly/3dEdICw>).

28. One of the "requests" for "political contributions" that Mr. Perkins described in the email related to "Scott Taylor for Congress (VA)," referring to the re-election campaign of then-Rep. Taylor. *Id.*; Scott W. Taylor, FEC Form 2, Statement of Candidacy, Amended, Mar. 9, 2018, <https://bit.ly/2ZibDHe>. After noting that then-Rep. Taylor had previously "visited our office," Mr. Perkins wrote that "[a] professional fundraiser (Kyle Sisk) is leading his fundraising efforts via a 501c4." Perkins Email. Mr. Perkins added that they had "done research on Sisk and are being told to avoid him," so he recommended that Lindberg "do direct contributions within

limits” and suggested “we could use our own 501c4 to support him rather than going through Sisk if you agree.” *Id.*

29. The Taylor campaign reimbursed Mr. Sisk \$951 for travel expenses less than one month after Mr. Perkins sent his email describing Mr. Sisk’s solicitations in support of then-Rep. Taylor’s re-election. Scott Taylor for Congress, FEC Form 3, 2018 October Quarterly Report, Oct. 15, 2018, <https://bit.ly/2YIbrlo>.

30. As detailed above and below, Mr. Sisk has worked for or was paid by the Government Integrity Fund, American Jobs and Growth PAC, and then-Rep. Taylor’s campaign. There is no other 501(c)(4) organization connected to Mr. Sisk that made expenditures, including contributions to super PACs or then-Rep. Taylor’s campaign, to influence then-Rep. Taylor’s 2018 congressional election. Accordingly, on information and belief, Mr. Sisk used the 501(c)(4) organization, the Government Integrity Fund, as a pass through for funds to the super PAC, American Jobs and Growth PAC, to fund the super PAC’s independent expenditures backing then-Rep. Taylor.

*A History of Working with Nonprofits that Put Anonymous Money into Elections*

31. The Government Integrity Fund has a history with Mr. Sisk’s firm, particularly at times when the group was working to influence elections. In 2014, the Government Integrity Fund reported on its tax return that it paid Capital Cornered \$119,500 for “consulting.” Government Integrity Fund 2014 Form 990, Part VII, Section B, <https://bit.ly/31x3lhh>. That year, a majority of the Government Integrity Fund’s activities were designed to influence elections. Matt Corley, Dark Money Non-Profit Blatantly Lied to the IRS After Refusing to File Taxes for Months, Citizens for Responsibility and Ethics in Washington, Oct. 24, 2016,

<https://bit.ly/2VuZJbO>; Letter from Noah Bookbinder to the Honorable John A. Koskinen, Oct. 24, 2016, <https://bit.ly/2CVsKqW>.

32. Mr. Sisk's firm may have also been paid by the Government Integrity Fund in 2012 when Mr. Norris was the nonprofit's president. Government Integrity Fund 2012 Form 990, Schedule G, Part I, Line 2 (\$151,158 to "Capital Corner Fundraising"). That year, the Government Integrity Fund reported to the IRS that it spent \$2,007,250 on political activity in the form of contributions to super PACs. *Id.*, Schedule C. The nonprofit also spent more than \$1 million that year on ads in the Ohio Senate race that were not reported as political. Kim Barker and Theodoric Meyer, What Happens When a Dark Money Group Blows Off IRS Rules? Nothing, ProPublica, Apr. 25, 2014, <https://bit.ly/2BXzWIF>.

33. Mr. Norris also has direct experience with politically active nonprofits that contribute to super PACs. As noted above, Mr. Norris was listed as the president of the Government Integrity Fund in 2012 and as the organization's executive director in 2013. Government Integrity Fund 2012 Form 990; Government Integrity Fund 2013 Form 990. Mr. Norris was also listed on the Jobs and Progress Fund's tax returns as its Chairman in its 2012 fiscal year and as its President in its 2013 fiscal year, covering October 1, 2012 to September 30, 2014. Jobs and Progress Fund 2012 Form 990, <https://bit.ly/2QcEMiK>; Jobs and Progress Fund 2013 Form 990, <https://bit.ly/393buf4>. In its 2013 tax year, the Jobs and Progress Fund disclosed contributing more than \$1.8 million to two federal super PACs, which accounted for more than half of its overall spending. *Id.* It also contributed \$500,000 to the Government Integrity Fund. *Id.*, Schedule I. The Jobs and Progress Fund's current director, Vaughn Church, is also a current trustee of the Government Integrity Fund. Jobs and Progress Fund 2017 Form 990, Part VII,

Section A, <https://bit.ly/3eLp7Ru>; Government Integrity Fund 2018 Form 990, Part VII, Section A.

34. Mr. Norris has also been involved with at least one effort to help a political campaign steer potential donors “who either could not give, or elected not to give, directly” to the campaign itself to a nonprofit that subsequently funded a federal super PAC supporting the campaign. In February 2020, the Missouri Ethics Commission issued a settlement with the campaign of former Missouri Gov. Eric Greitens related to its failure to report in-kind contributions. Jack Suntrup, Report details mysterious political action committee’s ties to Greitens’ campaign in 2016, St. Louis Post-Dispatch, Feb. 14, 2020, <https://bit.ly/31x1xow>; Joint Stipulation of Facts, Waiver of Hearing Before The Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, *Missouri Ethics Commission v Greitens for Missouri*, Case No. 18-0066-I & 18-0065-I (Feb. 13, 2020) <https://bit.ly/3ePpY4t>. According to the settlement, a political consultant working with the Greitens campaign directed the campaign’s finance staff to refer the potential donors who were barred from or reluctant to give directly to the campaign to Mr. Norris, who was working for a nonprofit called Freedom Frontier. *Id.* An email obtained by the Missouri Ethics Commission revealed that the political consultant provided “a Freedom Frontier donor sheet” to campaign staff and planned to “prep” Mr. Norris for “follow up calls” with donors interested in an outside group that the campaign planned to call. *Id.* The consultant also suggested a phone call with Norris and a lawyer named David Langdon “to discuss what talking points they are comfortable with us using as we direct people their way.” *Id.* During the 2016 election, Freedom Frontier completely funded LG PAC, a federal super PAC that spent more than \$4 million on ads

supporting Mr. Greitens or attacking his opponents during the 2016 Missouri Republican gubernatorial primary. *Id.* LG PAC, Individual Contributions, 2015-2016, Federal Election Commission, <https://bit.ly/2VsGIqH>; LG PAC, Disbursements, 2015-2016, Federal Election Commission, <https://bit.ly/2YJN5YK>; *See also* Amended Complaint in MUR 7422 filed by CREW on November 20, 2018, *available at* <https://bit.ly/2OFXn66>.

*A Pattern of Nonprofit Contributions and Independent Expenditures*

35. The Virginia race between then-Rep. Taylor and now-Rep. Luria was not the only election that American Jobs and Growth PAC was involved in during the 2018 election. Overall, the super PAC spent \$285,646 on independent expenditures in three congressional districts and \$357,322 on direct mail and ads in non-federal races. American Jobs and Growth PAC, Independent Expenditures, 2017-2018, Federal Election Commission, <https://bit.ly/2BdVKd7>; American Jobs and Growth PAC, Disbursements, 2017-2018, Federal Election Commission, <https://bit.ly/38uQnnQ>; Jeremy Pelzer, Outside groups ramp up attack ads to sway Ohio House speaker's fight, *Cleveland.com*, Oct. 30, 2018, <https://bit.ly/31ps9rL>; American Jobs and Growth PAC, Contribution Disclosure Report, Georgia Government Transparency & Campaign Finance Commission, July 9, 2018, <https://bit.ly/3g8jLks>.

36. A pattern similar to the Government Integrity Fund's contributions coming in close proximity to American Jobs and Growth PAC's expenditures in then-Rep. Taylor's race is apparent with the contributions the super PAC received from the other nonprofits and expenditures it made in other elections in late 2018. This indicates that American Jobs and Growth PAC used money from each 501(c)(4) to fund activities in separate races.

37. For instance, on August 13, 2018, the Jobs and Progress Fund transferred \$75,000

to American Jobs and Growth PAC, which spent \$66,500 on the same day on independent expenditures supporting John Ward and opposing now-Rep. Michael Waltz and Fredrick William Costello in the Republican Primary in Florida's sixth congressional district. American Jobs and Growth PAC, FEC Form 3X, 2018 October Quarterly Report, Oct. 14, 2018, <https://bit.ly/31tXBF6>.

38. On October 15, 2018, A Public Voice transferred \$75,000 to American Jobs and Growth PAC, followed by another \$40,000 three days later. American Jobs and Growth PAC, FEC Form 3X, 2018 Post-General Report, Dec. 6, 2018. On the same day as the latter contribution, the super PAC spent \$121,322 on "direct mail for non-federal election." *Id.* A Public Voice gave another \$50,000 to American Jobs and Growth PAC on October 26, 2018, followed three days later by a \$53,860 expenditure for "Direct Mail for non-federal election." *Id.*

39. On October 29, 2018, Citizens for a Working America Inc transferred \$20,000 to American Jobs and Growth PAC. *Id.* A day later, the super PAC spent \$21,000 on radio advertising opposing now-Rep. Susan Wild in Pennsylvania's seventh congressional district. *Id.*

40. Both the similarity of this earmarking practice and the fact the nearly all of the other funds American Jobs and Growth PAC received in the time period were already devoted to other races indicates the \$110,000 the Government Integrity Fund gave to American Jobs and Growth PAC were earmarked to support then-Rep. Taylor.

#### Count I

41. The FECA and FEC regulations prohibit knowingly accepting a contribution made by one person in the name of another. 52 U.S.C. § 30122; 11 C.F.R. § 110.4(b). The FECA and FEC regulations further require political committees to report the identity of those who make

contributions, as well as anyone who acted as a conduit for a contribution. 52 U.S.C. § 30104(b)(2); 11 C.F.R. § 104.3(a), (j) (political committees must report “earmarked contributions”); *see also Instructions for FEC Form 3X and Related Schedules* at 11 (revised May 2016), <https://bit.ly/2F19VxP> (instructing any political committee receiving an earmarked contribution through conduit entities must “report each conduit through which the earmarked contribution passed, including the name and address of the conduit, and whether the contribution was passed on in cash, by the contributor’s check, or by the conduit’s check”); 52 U.S.C. § 30107(a)(8) (FEC forms have force of law).

42. American Jobs and Growth PAC, an independent expenditure-only political committee established under the FECA, violated the prohibition on knowingly accepting a contribution made by one person in the name of another and their obligations to report the identity of those who make contributions and anyone who acted as a conduit for a contribution.

43. The experience of the operatives involved and the fact that the fundraiser who solicited political contributions for a nonprofit to spend in support of a candidate’s election was paid by both the candidate’s campaign and the nonprofit-funded super PAC that spent to his benefit suggests that the violations were both knowing and willful.

44. Documentary evidence shows that Mr. Sisk, who worked for then-Rep. Taylor’s campaign, solicited potential contributors to support then-Rep. Taylor’s reelection campaign “via a 501c4,” which would effectively keep the names of contributors secret. As detailed above, the Government Integrity Fund, a nonprofit with a past relationship to Mr. Sisk’s firm, subsequently contributed \$110,000 to American Jobs and Growth PAC, a super PAC that also paid Mr. Sisk’s firm. Those transfers of money were made in close proximity to, and were just enough to cover

the expense of, the super PAC's independent expenditures benefiting then-Rep. Taylor's campaign. Taken together, these facts indicate that Mr. Sisk solicited funds for the Government Integrity Fund in order for the nonprofit to then contribute to American Jobs and Growth PAC for the purpose of spending on independent expenditures in then-Rep. Taylor's race.

45. Accordingly, American Jobs and Growth PAC, by and through its treasurer, Thomas Norris, knowingly accepted a contribution made by one person in the name of another in violation of 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b). If American Jobs and Growth PAC and Mr. Norris's violations were knowing and willful, they also are subject to criminal penalties and referral to the Department of Justice. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

46. American Jobs and Growth PAC, by and through its treasurer, Mr. Norris, also failed to report the identities of the true source of contributions and the identities of each conduit for the contributions falsely attributed to the Government Integrity Fund, violating 52 U.S.C. § 30104(b)(2) and 11 C.F.R. § 104.3(a) and (j). If American Jobs and Growth PAC and Mr. Norris's violations were knowing and willful, they also are subject to criminal penalties and referral to the Department of Justice. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

## Count II

47. At all relevant times, Thomas Norris served as treasurer to American Jobs and Growth PAC.

48. Under the FECA, treasurers of political committees like American Jobs and Growth PAC are responsible for filing accurate disclosure reports as required. 52 U.S.C. § 30104(a); FEC, Treasurer's liability, <https://www.fec.gov/updates/treasurers-liability/>.

49. A political committee treasurer is personally liable for a failure by the political



committee to file required reports. *Id.*; FEC, Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3, 5 (Jan. 3, 2005).

50. By permitting American Jobs and Growth PAC to accept contributions in the name of another and to file reports to the FEC falsely identifying the true source of a contribution, Mr. Norris personally violated 52 U.S.C. §30122 and 11 C.F.R. § 110.4(b).

51. Given Mr. Norris's extensive experience with political committees and on information and belief, Mr. Norris's violations of the FECA were knowing and willful, or he recklessly failed to fulfill duties specifically imposed on treasurers by the Act, or he has intentionally deprived himself of the operative facts giving rise to the violation.

### Count III

52. The FECA and FEC regulations also prohibit knowingly permitting one's name to be used to effect a contribution in the name of another person and knowingly helping or assisting any person in making a contribution in the name of another. 52 U.S.C. § 30122; 11 C.F.R. § 110.4(b).

53. The Government Integrity Fund, by and through its president, Joel Riter, appears to have violated this law by allowing its name to be used to effect one or more contributions to a super PAC by Unknown Respondents. The experience of the operatives involved and the fact that the fundraiser who solicited political contributions for a nonprofit to spend in support of a candidate's election was paid by both the candidate's campaign and the nonprofit-funded super PAC that spent to his benefit suggests that the violations were both knowing and willful.

54. As detailed above, the facts taken together indicate that Mr. Sisk solicited funds for the Government Integrity Fund in order for the nonprofit to then contribute to American Jobs

and Growth PAC for the purpose of spending on independent expenditures in then-Rep. Taylor's race.

55. Accordingly, the Government Integrity Fund, by and through Mr. Riter, knowingly permitted its name to be used to effect the contribution and knowingly helped the undisclosed donor (or donors) make the contribution, in violation of 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b). If these violations were knowing and willful, they also are subject to criminal penalties and referral to the Department of Justice. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

56. Certain Unknown Respondents may have served as conduits for the funds transferred to the Government Integrity Fund, further concealing the identities of other Unknown Respondents who were the true sources of the money. If any Unknown Respondents knowingly permitted their names to be used to effect the contributions or knowingly helped other Unknown Respondents make the contributions, they violated 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b). If these violations were knowing and willful, the Unknown Respondents also are subject to criminal penalties and referral to the Department of Justice. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

#### Count IV

57. The FECA and FEC regulations further prohibit making a contribution in the name of another person. 52 U.S.C. § 30122; 11 C.F.R. § 110.4(b).

58. Unknown Respondents are the true sources of funds provided to American Jobs and Growth PAC through conduits including but not limited to the Government Integrity Fund. By making one or more contributions to American Jobs and Growth PAC in the name of the Government Integrity Fund, Unknown Respondents violated 52 U.S.C. § 30122 and 11 C.F.R. § 110.4(b). If Unknown Respondents' violations were knowing and willful, they also are subject

to criminal penalties and referral to the Department of Justice. 52 U.S.C. §§ 30109(a)(5)(C), (d)(1).

Conclusion

WHEREFORE, Citizens for Responsibility and Ethics in Washington requests that the FEC conduct an investigation into these allegations; declare the respondents to have violated the FECA and applicable FEC regulations; and order respondents to correct these violations by providing to CREW and filing with the FEC reports identifying the true source of and any conduits for any transfers to American Jobs and Growth PAC improperly attributed to the Government Integrity Fund. In addition, the complainants request that the FEC impose sanctions appropriate to these violations, and take such further action as may be appropriate, including referring this matter to the Department of Justice for criminal prosecution.

*Noah Bookbinder*

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ON BEHALF OF COMPLAINANT

Noah Bookbinder

Executive Director

Citizens for Responsibility and Ethics  
in Washington

1101 K St. N.W., Suite 201

Washington, D.C. 20005

(202) 408-5565 (phone)

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Verification

Citizens for Responsibility and Ethics in Washington hereby verifies that the statements made in the attached Complaint are, upon information and belief, true. Sworn pursuant to 18 U.S.C. § 1001.

*Noah Bookbinder*

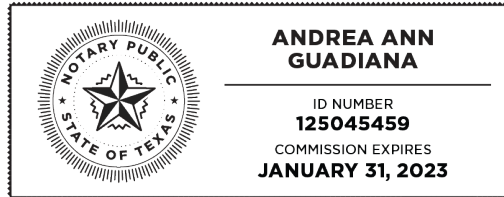
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Noah Bookbinder

State of Texas          County of Tarrant

Sworn to and subscribed before me this 13th day of November, 2020, by Noah Bookbinder

*Andrea Ann Guadiana*

\_\_\_\_\_  
Notary Public



Notarized online using audio-video communication