

BEFORE THE UNITED STATES
FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION
JULY 17, 2020 10:44 AM
OFFICE OF GENERAL COUNSEL

Senator Martha McSally
P.O. Box 19128
Tuscon, AZ 85731

MUR 7665
Supplement

McSally for Senate, Inc.
P.O. Box 19128
Tuscon, AZ 85731

Paul Kilgore
Treasurer
McSally for Senate Inc.
P.O. Box 19128
Tuscon, AZ 85731

Respondents.

SUPPLEMENTAL COMPLAINT

This Supplemental Complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) against Martha McSally, McSally for Senate, Inc. (the “Committee”), and Paul Kilgore, in his official capacity as the Treasurer of the Committee (collectively the “Respondents”). Last year, in MUR 7665, Complainant filed a complaint alleging that Respondents have violated the Act’s reporting requirements by failing to disclose employer and occupation information for the Committee’s donors. Since the filing of the original Complaint, this problem has only gotten worse.

I. FACTUAL BACKGROUND

As stated previously, Martha McSally is a United States Senator from Arizona. McSally for Senate Inc. is McSally’s principal campaign committee.

The Committee has a long history of violating the Act’s reporting requirement by failing to report the employer and occupation information for its contributors, and this problem has only gotten worse over time. To wit:

- The Committee’s 2019 April quarterly report failed to disclose employer and occupation information for 101 contributions from 83 donors, totaling \$64,240.
- The Committee’s 2019 July quarterly report failed to disclose employer and occupation information for 586 contributions from 357 donors, totaling \$183,603.75.

- The Committee's 2019 September quarterly report failed to disclose employer and occupation information for 1,103 contributions from 629 donors, totaling \$290,487.60.
- The Committee's 2019 Year End report failed to disclose employer and occupation information for 1,486 contributions from 877 donors, totaling \$286,837.33.
- The Committee's 2020 April quarterly report failed to disclose employer and occupation information for 2,637 contributions from 1,612 donors, totaling \$457,188.04.
- The Committee's 2020 July quarterly report failed to disclose employer and occupation information for 4,628 contributions from 2,572 donors, totaling \$822,437.15.

All told, between January 1, 2019 to June 31, 2020, the Committee McSally has failed to disclose employer and occupation information for 10,541 contributions totaling \$2,104,793.87.

The Federal Election Campaign Act of 1971 (the "Act"), as amended, requires candidates, treasurers, and their committees to publicly report the identity, including "employer" and "occupation," of each contributor who contributes more than \$200¹ in the aggregate per election cycle.² A committee's treasurer is required to use "best efforts" to ensure that the required information is collected in reported.³

Since the original complaint, Respondents' record of disclosure has only gotten worse. In the third quarter of 2019, the noncompliance rate was 9.53 percent; with this report, the noncompliance rate has spiked to 17 percent. Meanwhile, according to a recent study by the Center for Responsive Politics, the average rate of missing employer/occupation information in 2016 was a mere .83 percent.⁴

Respondents have repeatedly and consistency failed to disclose required information about its donors and this problem has only gotten worse over time, suggesting that the violation is knowing and willful. It is all the more urgent that the Commission continue to investigate this matter.

¹ All of the aforementioned 627 individuals contributed over \$200 in aggregate during the course of this election cycle.

² 52 U.S.C. § 30104(b)(3)(A); 11 C.F.R. § 104.3(a)(4).

³ 52 U.S.C. § 30102(i); 11 C.F.R. § 104.7(a).

⁴ See Center for Responsive Politics, "HHS pick has one of worst campaign disclosure records in Congress" (Jan. 7, 2017), available at <https://www.opensecrets.org/news/2017/01/hhs-pick-has-worst-campaign-disclosure/>.

Respectfully Submitted,



Tiffany Muller
President and Executive Director
End Citizens United

Sworn to and subscribed before me this __ day of July, 2020

SUBSCRIBED AND SWORN to before me this 17th day of July 2020.



Notary Public

MARK ANDREWS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2024

My Commission Expires: _____

