

BEFORE THE FEDERAL ELECTION COMMISSION

COMMITTEE TO DEFEAT
THE PRESIDENT
FEC ID: C00544767
441 North Lee Street, Suite 205
Alexandria, VA 22314,
Complainant,

v.

ELISSA SLOTKIN FOR CONGRESS
FEC ID: C00650150
P.O. Box 4145
East Lansing, MI 48826

ELISSA SLOTKIN
P.O. Box 4145
East Lansing, MI 48826

JANICA KYRIACOPOULOS
Elissa Slotkin for Congress, Treasurer
In her official capacity only
P.O. Box 4145
East Lansing, MI 48826
janica@pcmsllc.com

JERRY HOLLISTER, Individual
East Lansing, MI 48823

Respondents.

MUR # 8113

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OFFICE OF
GENERAL COUNSEL

VERIFIED COMPLAINT

INTRODUCTION

1. Committee to Defeat the President hereby files this Complaint against Elissa Slotkin for Congress and Elissa Slotkin regarding the conversion of campaign contributions to personal use in violation of 52 U.S.C. 30114(b)(1) and 11 CFR § 113.2(e), and other violations of applicable laws.

2. Committee to Defeat the President further files this Complaint against Elissa Slotkin for Congress, Elissa Slotkin, Janica Kyriacopoulos (solely in her official capacity as Treasurer of Elissa Slotkin for Congress), and Jerry Hollister for excessive campaign contributions in violation of 52 U.S.C. § 30116 and 11 CFR § 110.1(b)(1), and other violations of applicable laws.

3. Committee to Defeat the President further files this Complaint against Elissa Slotkin for Congress, Elissa Slotkin, and Janica Kyriacopoulos (solely in her official capacity as Treasurer of Elissa Slotkin for Congress) for failure to report in-kind contributions in violation of 52 U.S.C. § 30104, 11 CFR § 104.3, and 11 CFR § 104.13(a), and other violations of applicable laws.

4. This Commission should take action to protect the general public from the willful campaign finance violations and fraudulent actions of Respondents.

PARTIES

5. In accordance with *Carey v. FEC*, 791 F. Supp. 2d 121 (D.D.C. 2011), Complainant COMMITTEE TO DEFEAT THE PRESIDENT is a non-connected hybrid political action committee registered with the Federal Election Commission (“FEC”).

6. Respondent ELISSA SLOTKIN FOR CONGRESS (“Campaign”) was the principal campaign committee for Elissa Slotkin during the 2021-2022 election cycle and is currently designated as Slotkin’s principal campaign committee for the 2024 election cycle.

7. Respondent ELISSA SLOTKIN (“Slotkin”) was elected to represent Michigan’s 7th Congressional District during the 2021-2022 election cycle and has since been sworn into office to serve in the 118th Congress.

8. Respondent JANICA KYRIACOPOULOS (“Treasurer”) serves as Treasurer of Elissa Slotkin for Congress, and is named solely in her official capacity.

9. Respondent JERRY HOLLISTER (“Hollister”) is a contributor to Campaign and, upon information and belief, co-owned the residence at issue in this Complaint.

RELEVANT CAMPAIGN FINANCE LAWS

10. Personal Use – 52 U.S.C. § 30114(b)(1) provides, “In general – A contribution or donation described in subsection (a) shall not be converted by any person to personal use.” 52 U.S.C. § 30114(b)(2)(A) further provides, “For the purposes of paragraph (1), a contribution or donation shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate’s election campaign or individual’s duties as a holder of Federal office, including – (A) a home mortgage, rent, or utility payment”. 11 CFR § 113.2 further provides, “In addition to defraying expenses in connection with a campaign for federal office, funds in a campaign account described in 11 CFR § 113.3 . . . (e) May be used for any other lawful purpose, unless such use is personal use under 11 CFR § 113.1(g).” As defined in 11 CFR § 113.1(g), “Personal use means any use of funds in a campaign account of a present or former candidate to fulfill a commitment, obligation or expense of any person that would exist irrespective of the candidate’s campaign or duties as a Federal officeholder.” 11 CFR § 113.1(g)(1)(i) specifies, “Personal use includes but is not limited to the use of funds in a campaign account for any item listed in paragraphs (g)(1)(i)(A) through (J) of this section: . . . (E) Mortgage, rent or utility payments – (1) For any part of the candidate or a member of the candidate’s family”.

11. Personal Funds – 11 CFR § 100.33 provides, “Personal funds of a candidate means the sum of all of the following: (b) Income received during the current election cycle, of the

candidate, including: . . . (6) Gifts of a personal nature that had been customarily received by the candidate prior to the beginning of the election cycle”.

12. Contributions – 52 U.S.C. § 30101(8)(A)(i) provides “The term ‘contribution’ includes – (i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person of the purpose of influencing any election for Federal office”. *See* 11 CFR § 100.52(a). 11 CFR § 100.52(d)(1) further provides, “For purposes of this section, the term anything of value includes all in-kind contributions. Unless specifically exempted under 11 CFR part 100, subpart C, the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services is a contribution . . . If goods or services are provided at less than the usual and normal charge, the amount of the in-kind contribution is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the political committee.” Finally, “For purposes of paragraph (d)(1) of this section, usual and normal charge for goods means the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution; and usual and normal charge for any services, other than those provided by an unpaid volunteer, means the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered.” 11 CFR § 100.52(d)(2).

13. Contribution Limits – 52 U.S.C. § 30116(a)(1)(A) provides, “Except as provided in subsection (i) and section 30117 of this title, no person shall make contributions – (A) to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$2,000”. *See* 11 CFR § 110.1(b)(1). 52 U.S.C. § 30116(c) and 11 CFR § 110.1(b)(1)(i-iii) provide that contribution limits shall be based upon percentage differences in the price index and such increases shall remain in effect for a two-year period. The campaign

committee contribution limit in effect for 2021-2022 was \$2,900 per election. 86 Fed. Reg. 7867, published February 2, 2021.

14. Violation of Limitations – 52 U.S.C. § 30116(f) provides, “No candidate or political committee shall knowingly accept any contribution or make any expenditure in violation of the provisions of this section. No officer or employee of a political committee shall knowingly accept a contribution made for the benefit or use of a candidate, or make any expenditure on behalf of a candidate, in violation of any limitation imposed on contributions and expenditures under this section.” *See* 11 CFR § 110.9.

15. Reporting Requirements – 52 U.S.C. § 30104(a)(1) provides, “Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report.” 11 CFR § 104.13(a) further provides in subsection (1), “The amount of an in-kind contribution shall be equal to the usual and normal value on the date received. Each in-kind contribution shall be reported as a contribution in accordance with 11 CFR 104.3(a).” Additionally, subsection (2) indicates, “Except for items noted in 11 CFR 104.13(b), each in-kind contribution shall also be reported as an expenditure at the same usual and normal value and reported on the appropriate expenditure schedule, in accordance with 11 CFR 104.3(b).”

FACTUAL BASIS

16. Slotkin, who was first elected in 2018 to represent Michigan’s 8th Congressional District, amended her 2022 Form 2 Statement of Candidacy on March 8, 2022 to indicate she was seeking election in Michigan’s newly created 7th Congressional District¹.

¹ Federal Election Commission, Amended Form 2 Statement of Candidacy (Elissa Slotkin), filed March 8, 2022, <https://docquery.fec.gov/pdf/645/202203089493743645/202203089493743645.pdf> (last visited Feb. 7, 2023).

17. News reports published beginning in September 2022 revealed Slotkin was renting a personal residence in East Lansing, Michigan from a campaign donor².
18. As publicly reported, the residence was located in the new 7th Congressional District where Slotkin sought election during the 2022 election cycle³.
19. The rented residence was reported to be owned by Jerry and Kathy Hollister^{4, 5}.
20. As publicly reported, the lease executed between Slotkin and Hollister was for a term of 7 months, beginning on April 15th and ending on November 15th, and the monthly rental rate was \$2,000⁶.
21. Additionally, news reports also indicate the lease was for a fully furnished residence and included utilities⁷.
22. A review of publicly available information returns two addresses within the 7th Congressional District with which Hollister is associated⁸.

² Brandon Gillespie, *Democrat Elissa Slotkin moved into home of lobbyist, campaign donor to run in new district*, FOX NEWS DIGITAL (Sept. 9, 2022, 2:59 PM EDT), <https://www.foxnews.com/politics/democrat-elissa-slotkin-moves-home-lobbyist-campaign-donor-new-district>; Jordyn Hermani, *Slotkin renting Lansing condo from campaign donor, business executive*, MLIVE (Sept. 23, 2022, 2:32 PM), <https://www.mlive.com/public-interest/2022/09/slotkin-renting-lansing-condo-from-campaign-donor-business-executive.html>; Ryan King, *Elissa Slotkin leasing home from campaign donor to run in Michigan's 7th District: Report*, WASHINGTON EXAMINER (Sept. 23, 2022, 1:38 PM), <https://www.washingtonexaminer.com/news/campaigns/elissa-slotkin-leasing-home-donor>; Melissa Nann Burke, *Slotkin leasing Lansing home from business executive, campaign donor*, THE DETROIT NEWS (Sept. 23, 2022, 10:49 AM ET), <https://www.detroitnews.com/story/news/politics/michigan/2022/09/23/elissa-slotkin-leasing-lansing-home-from-business-executive-campaign-donor-niowave/69511924007/>.

³ Gillespie, *supra* note 2; Burke, *supra* note 2.

⁴ For purposes of this Complaint, Complainant is only alleging campaign finance violations against Jerry Hollister as publicly available information only names Jerry Hollister in direct connection with the lease, there are no indications Kathy Hollister was in any way involved with the lease apart from a believed ownership interest in the property, and she was not a contributor to Campaign during the 2021-2022 election cycle. In accordance with 11 CFR § 100.51(b), "For purposes of this subpart, a contribution or payment made by an individual shall not be attributed to any other individual, unless otherwise specified by that other individual in accordance with 11 CFR 110.1(k)."

⁵ Hermani, *supra* note 2; King, *supra* note 2; Burke, *supra* note 2.

⁶ Hermani, *supra* note 2; Burke, *supra* note 2.

⁷ Burke, *supra* note 2.

⁸ ClustrMaps, Public Records Encyclopedia,

visited Feb. 7, 2023). VoterRecords.com, <https://voterrecords.com/>, [hollister](https://voterrecords.com/voter/21474943/jerry-hollister) (last visited Feb. 7, 2023).

East Lansing, <https://clustrmaps.com/a/1mh0qk/> (last visited Feb. 7, 2023). VoterRecords.com, <https://voterrecords.com/voter/21474943/jerry-hollister>

23. Upon information and belief, the first residence is an approximately 2,630 square feet single-family home and features 4 bedrooms and 2.5 bathrooms (“Residence 1”)⁹.

24. Upon information and belief, the second residence appears to be an approximately 1,840 square feet townhouse and features 2 bedrooms and 2 bathrooms (“Residence 2”)¹⁰.

25. Complainant has not reviewed the lease between Slotkin and Hollister and is thus unable to confirm which of the two residences were leased by Slotkin.

26. A review of Zillow’s Rent Zestimate tool returns a fair market value for Residence 1 of \$2,530¹¹ and Residence 2 of \$1,875¹², sums which are arguably significantly lower than the true market value for since the property at issue was allegedly leased fully furnished and included utilities.

27. Prior to the 2022 Primary Election, Slotkin stated she sought election in the newly created 7th Congressional District because, “This new district contains nearly two-thirds of the population that I currently represent, my current congressional headquarters, and my campaign offices from 2018 and 2020.”¹³

⁹ Zillow, East Lansing, Michigan 48823, https://www.zillow.com/homes/4-East-Lansing-MI-48823_rb/74037407_zpid/ (last visited Feb. 7, 2023).

¹⁰ Zillow, Lansing, Michigan 48906, https://www.zillow.com/homedetails/Lansing-MI-48906/110924968_zpid/ (last visited Feb. 7, 2023).

¹¹ Zillow, Rent Zestimate, East Lansing, Michigan 48823, <https://www.zillow.com/rental-manager/price-my-rental/results/east-lansing-mi-48823/> (last visited Feb. 7, 2023).

¹² Zillow, Rent Zestimate, Lansing, Michigan 48906, <https://www.zillow.com/rental-manager/price-my-rental/results/lansing-mi-48906/> (last visited Feb. 7, 2023).

¹³ Ryan Jeltema, *Slotkin announces re-election bid for congressional district in part of Mid-Michigan*, ABC12 News (Dec. 29, 2021), https://www.abc12.com/news/politics/slotkin-announces-re-election-bid-for-congressional-district-in-part-of-mid-michigan/article_d4bcf200-68ac-11ec-81e1-17bb757a31d8.html.

28. Jerry Hollister is a known contributor to Campaign. Campaign finance records show Hollister contributed a total of \$1,325 to Campaign¹⁴; \$1,225¹⁵ towards the Primary and \$100¹⁶ towards the General Election.

29. Hollister's address as provided on Campaign's federal campaign finance reports is East Lansing, Michigan, 48823, which corresponds to public information online related to Residence 1¹⁷.

CAUSES OF ACTION

COUNT I AGAINST RESPONDENTS SLOTKIN AND CAMPAIGN **Personal Use of Campaign Funds in Violation of 52 U.S.C. § 30114(b)(1) and 11 CFR § 113.2(e).**

30. Complainant hereby re-alleges and incorporates by reference the preceding paragraphs as if fully set forth herein.

31. Following the 2020 census and the resulting redistricting process, Slotkin decided to seek election in Michigan's 7th Congressional District¹⁸.

32. Per news reports, "From my perspective, if the district moves and is a Lansing-based district, and that is the district that's most natural for me to run in, then I will move and live in the Lansing area and run in the Lansing district," Slotkin told Ingham County Democrats in their party organization's monthly meeting in September 2021."¹⁹

¹⁴ Federal Election Commission, 2021-2022 Election Cycle Elissa Slotkin for Congress Contributor Data for Jerry Hollister, https://www.fec.gov/data/individual-contributions/?committee_id=C00650150&contributor_name=hollister%2C+jerry&two_year_transaction_period=2022 (last visited Feb. 7, 2022).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*, e.g. Jerry Hollister contribution reported on Campaign's 2021 July Quarterly Report, page 443B, also available at: <https://docquery.fec.gov/cgi-bin/fecimg/?202107159451511255> (last visited Feb. 9, 2023).

¹⁸ Jeltema, *supra* note 13.

¹⁹ Gillespie, *supra* note 2.

33. Public reporting further indicated, “Slotkin, a Democrat from northern Oakland County, is running to represent the new Seventh Congressional District . . . Her home is part of the new Ninth Congressional District”²⁰.

34. Slotkin amended her Form 2 Statement of Candidacy on March 8, 2022 to indicate she was seeking election in the 7th Congressional District²¹.

35. As discussed above, the lease allegedly entered into by Slotkin with Hollister was for a fully furnished property, included utilities, and began on April 15, 2022, just over one month after Slotkin amended her Statement of Candidacy²².

36. If Slotkin accepted a rental rate for a personal, fully furnished, utility-included residence below fair market value in order to seek federal office, Slotkin accepted an in-kind campaign contribution from Hollister as described in 11 CFR § 100.52(d)(1) and, further, because the property at issue was a personal residence, converted this contribution and benefit to personal use in violation of 52 U.S.C. § 30114(b)(2)(A) and 11 CFR § 113.2(e).

37. As discussed in § 113.1(g), “Personal use means any use of funds in a campaign account of a present or former candidate to fulfill a commitment, obligation or expense of any person that would exist irrespective of the candidate's campaign or duties as a Federal officeholder.”

38. There are particular expenses that are automatically considered personal use, including “home mortgage, rent, or utility payments” as described in 52 U.S.C. § 30114(b)(2)(A) and § 113.1(g)(1)(i), including subsection (E), which provides “Mortgage, rent or utility payments

²⁰ Jeltema, *supra* note 13.

²¹ Amended Form 2 Statement of Candidacy, *supra* note 1.

²² Burke, *supra* note 2; Amended Form 2 Statement of Candidacy, *supra* note 1.

– (1) For any part of any personal residence of the candidate or a member of the candidate’s family”.

39. As specified in § 113.1(g)(6), “Notwithstanding that the use of funds for a particular expense would be a personal use under this section, payment of that expense by any person other than the candidate or campaign committee shall be a contribution under subpart B of part 100 to the candidate unless the payment would have been made irrespective of the candidacy.”

40. Notwithstanding the fact campaign funds are not believed to have been withdrawn from the Campaign’s bank account to pay for Slotkin’s rental personal residence, Slotkin has nevertheless engaged in personal use of campaign contributions by accepting a monthly in-kind contribution in the form of a reduced monthly rental rate for her personal residence, furnishings, and utility payments in violation of § 113.2(e) in order to seek federal office.

41. This is particularly the case because this discounted rate was not received by Slotkin prior to, and separate and apart from, her 2022 candidacy such that it could have been classified as a gift “customarily received by the candidate prior to the beginning of the election cycle” and thereby potentially covered as personal income of the candidate. § 100.33(b)(6).

42. In fact, the terms of the lease as publicly reported and Slotkin’s own statements provided above overwhelmingly support the conclusion that the lease at issue was desired and executed for the specific and express purpose of running in Michigan’s newly created 7th Congressional District, despite the fact such a move is not required by law²³.

²³ § 168.131 of Michigan’s Election Code provides, “A person shall not be a Representative in Congress unless the person has attained the age of 25 years and been a citizen of the United States for 7 years, and is, when elected, an inhabitant of that state in which he or she shall be chosen, as provided in Section 2 of Article 1 of the United States Constitution.” Mich. Comp. Laws Serv. § 168.131 (LexisNexis, Lexis Advance through Act 278 of the 2022 Regular Legislative Session and E.R.O. 2022-1).

43. Where such a move was not legally required in order to run for election in the District, this was a self-serving move that enabled Slotkin to state she resided in the 7th Congressional District she sought to represent, thereby demonstrating this expense was not incurred “irrespective of the candidacy” as described in § 113.1(g).

44. As a result, Slotkin violated the personal use prohibition by accepting an in-kind campaign contribution through a reduced rental rate on her personal residence for the specific purpose of seeking election to Michigan’s 7th Congressional District.

WHEREFORE, Respondents violated 52 U.S.C. § 30114(b)(1) and 11 CFR § 113.2(e).

COUNT II
AGAINST CAMPAIGN, SLOTKIN,
KYRIACOPOULOS, AND HOLLISER
Excessive Campaign Contributions
in Violation of 52 U.S.C. § 30116 and 11 CFR § 110.1(b)(1).

45. Complainant hereby re-alleges and incorporates by reference the preceding paragraphs as if fully set forth herein.

46. Upon review of publicly available federal campaign finance reports, Campaign received contributions from Hollister during the 2021-2022 cycle totaling \$1,325²⁴. Of this total, \$1,225 was designated to the Primary Election and \$100 was designated to the General Election²⁵.

47. If Hollister rented a personal residence to Slotkin and did so at a rental rate below fair market value, Hollister made additional in-kind monthly contributions to the Campaign subject to the applicable contribution limits.

48. 52 U.S.C. § 30101(8)(A)(i) defines contribution as follows: “(A) The term ‘contribution’ includes – (i) any gift, subscription, loan, advance, or deposit of money or anything

²⁴ Federal Election Commission, 2021-2022 Election Cycle Elissa Slotkin for Congress Contributor Data for Jerry Hollister, *supra* note 14.

²⁵ *Id.*

of value made by any person of the purpose of influencing any election for Federal office”. *See* 11 CFR § 100.52(a).

49. 11 CFR § 100.52(d)(1) further provides, “For purposes of this section, the term anything of value includes all in-kind contributions. Unless specifically exempted under 11 CFR part 100, subpart C, the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services is a contribution . . . If goods or services are provided at less than the usual and normal charge, the amount of the in-kind contribution is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the political committee.”

50. Additionally, “For purposes of paragraph (d)(1) of this section, usual and normal charge for goods means the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution; and usual and normal charge for any services, other than those provided by an unpaid volunteer, means the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered.” 11 CFR § 100.52(d)(2).

51. For the 2021-2022 election cycle, the per election contribution limit for individuals was \$2,900. 86 Fed. Reg. 7867, Published February 2, 2021.

52. Renting a residence fully furnished “can [result in a property renting] for 15-20% more than unfurnished properties. It is not uncommon to charge even 30% extra per apartment for longer-term stays and up to 400% more for short-term stays. Short-term rentals offer [] more income to help [] offset any costs of increased vacancies created by shorter lease lengths.”²⁶

²⁶ Chris Lee, *Best Ways to Increase Rent: Furnished Rental Apartments*, LANDLORD GURU (Sept. 23, 2022), <https://landlordgurus.com/best-ways-to-increase-rent-furnished-rental-apartments/>.

53. Using a reasonable and moderate rent increase of 30%²⁷, the monthly fair market rental rate for Residence 1²⁸ was \$3,289²⁹, a difference of \$1,289 per month for each of April, May, June, July, August, September, October, and November.

54. Using the same rent increase analysis as applied to Residence 2³⁰, the true monthly fair market value was \$2,600, a monthly difference of \$600.

55. As applied to the Primary Election held on August 2, 2022 and related to Residence 1, Hollister made Primary cash and in-kind contributions totaling \$6,381, an amount which exceeds the applicable contribution limit by \$3,481³¹.

56. As applied to the General Election and concerning Residence 1, Hollister made contributions totaling \$3,967, an amount which exceeds the applicable contribution limit by \$1,067.

57. If the residence at issue is Residence 2, Hollister made Primary contributions totaling \$3,625, an amount which exceeds the applicable contribution limit by \$725³².

²⁷ This percentage value was selected over the more drastic figure attributable to short term leases to keep the calculation reasonable. The 30% increase is warranted given the property was rented fully furnished, included utilities, and the lease was short-term in duration (less than one year).

²⁸ For purposes of this calculation as it relates to Residence 1, Complainant is using the median value of \$2,530 as provided by Zillow's Rent Zestimate Calculator. Given the aesthetic features of the home, square footage (2,630 square feet), and features (4 bedrooms, 2.5 bathrooms), this sum is a more reasonable rental value than the significantly less \$2,000 per month paid by Slotkin under the lease.

²⁹ It is worth noting that the true fair market value of the lease potentially varied month to month due to fluctuations in the cost of monthly utilities. For simplicity, Complainant is not factoring that variable amount into the above-described calculation.

³⁰ Complainant recognizes the determination of rental value is subject to some discretion between the contracting parties. If the residence at issue in the lease is Residence 2, Slotkin and Hollister determined the value of the property for the duration of the lease was \$2,000, which is above Zillow Rent Zestimate's median estimate of \$1,875, but below the highest rental rate per the Zillow rental market valuation. As a result, Complainant has elected to use the lease value of \$2,000 for the calculation of the fair market value since this was the rate selected by Slotkin and Hollister and exceeds the median value.

³¹ For purposes of this Complaint and in accordance with standard, typical leasing processes, Complainant posits that rental sums are due on the first of the month. Even if rent is due under the lease on a differing payment schedule and payments were only made in advance of the Primary for 3 instead of 4 months, the total contributions attributable to the Primary would still be excessive by \$2,192.

³² Based on Hollister's total contributions attributable to the General Election and an analysis focused on Residence 2, it does not appear that Hollister exceeded applicable contribution limits under the current 30% analysis.

58. Slotkin's acceptance of in-kind monthly contributions from Hollister for her personal residence, regardless of whether such property was Residence 1 or Residence 2, resulted in Hollister exceeding applicable contribution limits for the 2021-2022 election cycle.

WHEREFORE, Respondents violated 52 U.S.C. § 30116 and 11 CFR § 110.1(b)(1).

COUNT III
AGAINST SLOTKIN AND CAMPAIGN
Failure to Report In-Kind Contributions in Violation of
52 U.S.C. § 30104, 11 CFR § 104.3, and 11 CFR § 104.13(a).

59. Complainant hereby re-alleges and incorporates by reference the preceding paragraphs as if fully set forth herein.

60. Campaign did not report any in-kind contributions from Hollister during the 2021-2022 election cycle³³.

61. 52 U.S.C. § 30104(a)(1) requires, "Each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of this subsection. The treasurer shall sign each such report." *See* 11 CFR § 104.3(a).

62. 11 CFR § 104.13(a) further provides in subsection (1), "The amount of an in-kind contribution shall be equal to the usual and normal value on the date received. Each in-kind contribution shall be reported as a contribution in accordance with 11 CFR § 104.3(a)."

63. Subsection (2) indicates, "Except for items noted in 11 CFR § 104.13(b), each in-kind contribution shall also be reported as an expenditure at the same usual and normal value and reported on the appropriate expenditure schedule, in accordance with 11 CFR § 104.3(b)."

Notwithstanding the foregoing, it is still possible Hollister exceeded applicable limits if the valuation process utilized by Complainant is found to have been too low.

³³ Federal Election Commission, 2021-2022 Election Cycle Elissa Slotkin for Congress Contributor Data for Jerry Hollister, *supra* note 14.

64. As Campaign was legally required to include such in-kind contributions on Campaign's regular campaign finance reports and failed to do so, Campaign has violated applicable campaign finance law.

WHEREFORE, Respondents violated 52 U.S.C. § 30104, 11 CFR § 104.3, and 11 CFR § 104.13(a).

CONCLUSION

For these reasons, Complainant Committee to Defeat the President respectfully requests the Federal Election Commission commence enforcement proceedings against Respondents.

Respectfully submitted,



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Defeat the President*

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge.

Dated February 20, 2023


Ted Harvey, Chairman
Committee to Defeat the President

COMPLETED BEFORE A NOTARY PUBLIC

State of Colorado

City of Highlands Ranch

County of Douglas

Subscribed and sworn to before me on this 21st day of February, 2023.

My Commission expires on 01/13/2026.



**MICHAEL STRECKER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224001847
MY COMMISSION EXPIRES 01/13/2026**