

**FREE SPEECH  
FOR PEOPLE**  
ORG

C A M P A I G N F O R  
**ACCOUNTABILITY**

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June 2, 2017

Office of General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

OFFICE OF GENERAL  
COUNSEL

Re: Amendment to complaint MUR #7207

Enclosed for immediate filing are an original and three copies of a second amendment to the complaint, originally filed on December 16, 2016 and designated MUR #7207, on behalf of Free Speech For People and Campaign for Accountability, against the Government of the Russian Federation and Donald J. Trump for President, Inc., for violations of the Federal Election Campaign Act.

This amendment to the complaint provides additional factual support which has come to public light since the most recent filing.

Respectfully submitted,

  
\_\_\_\_\_  
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BEFORE THE  
FEDERAL ELECTION COMMISSION

Free Speech For People  
Campaign for Accountability

v.

MUR No. 7207

Government of the Russian Federation  
Donald J. Trump for President, Inc.

**SECOND AMENDMENT TO THE COMPLAINT**

1. On December 16, 2016, Complainants filed a complaint pursuant to 52 U.S.C. § 30109(a)(1) and 11 C.F.R. § 111.4, seeking an investigation of potential violations of the Federal Election Campaign Act (FECA), 52 U.S.C. §§ 30101 *et seq.*, stemming from Russian government interference in the 2016 presidential election and possible Trump campaign coordination, and docketed as Matter Under Review (MUR) 7207. On May 3, 2017, Complainants filed an amendment to the complaint in MUR 7207. This second amendment to the complaint provides new information which has come to public light in reporting since the May 3 filing.

2. For brevity, this Second Amendment to the Complaint does not repeat the allegations recited in the December 16, 2016 and May 3, 2017 filings in MUR 7207, but incorporates them by reference as if repeated herein.

**NEWLY ALLEGED FACTS**

3. According to a May 18, 2017 TIME article, in 2012 the Russian government began planning an influence operation aimed at the 2016 U.S.

presidential election.<sup>1</sup> Russian President Vladimir Putin “dispatched his newly installed head of military intelligence, Igor Sergun, to begin repurposing cyberweapons previously used for psychological operations in war zones for use in electioneering”; this influence operation used sophisticated algorithms to “target particular influencers,” including reporters, to help spread disinformation.<sup>2</sup>

4. Specifically, according to the TIME report, agents of the Russian government bought targeted advertisements on Facebook:

Russia plays in every social media space. The intelligence officials have found that Moscow’s agents bought ads on Facebook to target specific populations with propaganda. “They buy the ads, where it says sponsored by—they do that just as much as anybody else does,” says the senior intelligence official.<sup>3</sup>

### **ADDITIONAL VIOLATIONS**

#### **Count V – Unlawful Expenditures by Foreign National**

5. As previously alleged, the Russian Government is a “person” under 52 U.S.C. § 30101(11) and a “foreign national” under 52 U.S.C. § 30121(b)(1).

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<sup>1</sup> Massimo Calabresi, *Inside Russia’s Social Media War on America*, TIME, May 18, 2017, <http://ti.me/2smoLcr>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* The article also notes that “[a] Facebook official says the company has no evidence of that occurring.” However, that may be of limited significance. In an earlier report on “malicious actors . . . using inauthentic accounts” to conduct “information operations” on Facebook, Facebook’s own researchers admitted that “Facebook is not in a position to make definitive attribution to the actors sponsoring this activity” but that Facebook’s data “does not contradict the attribution provided by the U.S. Director of National Intelligence in the report dated January 6, 2017.” Jen Weedon *et al.*, Facebook, *Information Operations and Facebook* 11, <http://bit.ly/2smtr1Q> (Apr. 27, 2017). In this case, the accounts buying election-related advertisements on Facebook presumably did not explicitly identify themselves as acting on behalf of Russian military intelligence.

6. During the 2016 U.S. presidential election, the Russian Government reportedly paid money to buy advertisements on Facebook with the purpose of influencing the election.

7. These payments were made “for the purpose of influencing an[] election for Federal office” and therefore constitute “expenditure[s]” under 52 U.S.C. § 30101(9)(A)(i) and 11 C.F.R. § 100.111(a).

8. Accordingly, respondent Russian Government has violated 52 U.S.C. § 30121(a)(1)(C) and 11 C.F.R. § 110.20(f) by making “expenditure[s]” in the 2016 presidential election.

**Count VI – Failure to Disclose Independent Expenditures**

9. As detailed above, the Russian Government reportedly made “expenditures” by buying political advertisements on Facebook to influence the 2016 presidential election.

10. On information and belief, such expenditures cost the Russian Government more than \$250 during 2016. On information and belief, there is sufficient basis for the FEC to investigate whether the Russian Government spent more than \$10,000 on these independent expenditures during 2016, up to and including 20 days before the election.

11. Respondent Russian Government has failed to file any FEC disclosure reports regarding the above-cited expenditures.

12. The information provided in the TIME report is not sufficient for complainants to ascertain whether the Facebook advertisements were “expressly advocating” for the election of Mr. Trump and/or against the election of Secretary

Clinton, within the meaning of 11 C.F.R. § 100.22. Any such expenditures that were “expressly advocating” would constitute “independent expenditures” under 52 U.S.C. § 30101(17) and 11 C.F.R. § 100.16.

13. Based on the information noted above, there is a sufficient basis for the FEC to investigate whether Russian Government-purchased Facebook advertisements were “expressly advocating” within the meaning of 11 C.F.R. § 100.22 and thereby making “independent expenditures,” and if so, whether Respondent Russian Government has violated 11 C.F.R. §§ 109.10(b) and (c) by failing to report independent expenditures.

Respectfully submitted,



Ronald A. Fein  
*Counsel of record*

John C. Bonifaz  
Free Speech For People



Daniel Stevens  
Campaign for Accountability

## CONTACT LIST

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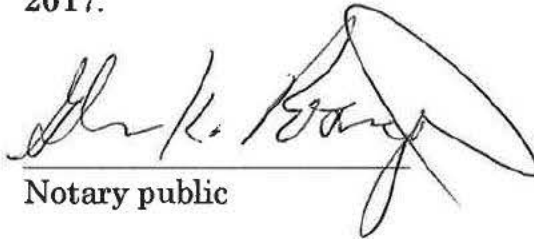
**Verification by Ronald A. Fein**

Ronald A. Fein hereby verifies that the statements made in the foregoing second amendment to the complaint originally submitted on December 16, 2016 and designated as MUR #7207 are, upon information and belief, true. Sworn pursuant to 18 U.S.C. 1001.



Ronald A. Fein, individually and for Free Speech For People

Signed and sworn to before me under penalty of perjury this 1<sup>st</sup> day of June, 2017.

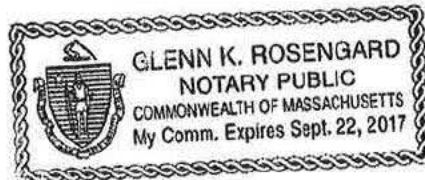


Notary public

Glenn K. Rosengard

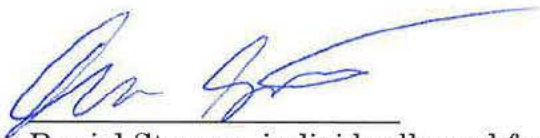
COMMONWEALTH OF MASSACHUSETTS  
 Middlesex County, S.S. June 1, 2017  
 On this 1<sup>st</sup> day of June, 2017  
 before me, the undersigned notary public, personally appeared  
Ronald A. Fein, proved to me through satisfactory  
 evidence of identification, which were MA Registry 113351  
 (I.D.) to be the person(s) whose name(s) is/are signed on the preceding  
 or attached document, and acknowledged to me that he/she/they signed  
 it voluntarily for its stated purpose, and who swore or affirmed to me that  
 the contents of the document are truthful and accurate to the best of  
 his/her/their knowledge and belief in my presence.  
Glenn K. Rosengard  
 Expiration Date: 9/22/17

MUR 7207



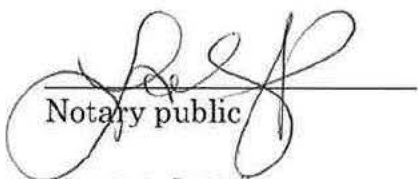
**Verification by Daniel Stevens**

Daniel Stevens hereby verifies that the statements made in the foregoing second amendment to the complaint originally submitted on December 16, 2016 and designated as MUR #7207 are, upon information and belief, true. Sworn pursuant to 18 U.S.C. 1001.



Daniel Stevens, individually and for Campaign for Accountability

Signed and sworn to before me under penalty of perjury this 2nd day of June, 2017.

  
Notary public

Latoria Pannell  
District of Columbia, Notary Public  
My Commission Expires  
September 14, 2021



MUR 7207