



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**MEMORANDUM**

**TO:** The Commission

**FROM:** Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Acting Associate General Counsel for Enforcement

**BY:** Lynn Y. Tran *LYT*  
Assistant General Counsel

Nicholas Bamman *NAB*  
Attorney

**SUBJECT:** MUR 7401 (Citizens for Trump)

**RE:** Circulation of Discovery Documents

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On July 11, 2019, the Commission voted to find reason to believe that Citizens for Trump violated 52 U.S.C. §§ 30102, 30103, and 30104 for failing to register and report as a political committee and authorized the use of compulsory process.<sup>1</sup> After attempts at seeking voluntary discovery from Citizens for Trump failed, on September 5, 2019, the Commission voted to approve a Subpoena to Produce Documents and Order to Submit Written Answers (“Citizens for Trump Subpoena”) to Citizens for Trump.<sup>2</sup> On October 1, 2019, the Office of General Counsel (“OGC”) served the Citizens for Trump Subpoena on counsel for Tim Selaty, Sr., the co-founder of Citizens for Trump. On November 19, 2019, counsel advised OGC that Selaty intended to invoke his Fifth Amendment right against self-incrimination without elaboration, and stated that Selaty would not respond to discovery requests absent a criminal immunity deal. After additional discussions with counsel, OGC advised Selaty that the Fifth Amendment did not apply to the information sought and requested that he reconsider his position. On February 5, 2020, counsel for Selaty informed us that Selaty would not change his position. Consistent with past practice, the Office of General Counsel requested that Selaty sign an affidavit invoking the Fifth Amendment with specificity as to each item requested in the Citizens for Trump Subpoena on

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<sup>1</sup> Commission Certification, MUR 7401 (July 11, 2019).

<sup>2</sup> Commission Certification, MUR 7401 (Sept. 5, 2019).

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February 18, 2020. We have not received a response from counsel despite multiple follow-up attempts both by email and phone.

Because it appears that Citizens for Trump will not comply with the Citizens for Trump Subpoena, we believe it is necessary at this time to seek discovery from third parties who may have information on the group's operations.<sup>3</sup> Accordingly, we are circulating the attached subpoenas to PayPal Holdings, Inc. and to Rally Piryx LLC, payment processors that Citizens for Trump used to solicit funds.<sup>4</sup> The subpoenas seek information concerning the finances of Citizens for Trump, including the bank account information that Citizens for Trump may have registered with the payment processors, in an effort to determine the major purpose of the organization.

Accordingly, we request that the Commission approve the attached Subpoenas to Produce Documents and Orders to Submit Written Answers to Rally Piryx LLC and PayPal Holdings, Inc. on a 48-hour no objection basis.

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<sup>3</sup> We have also exhausted voluntary discovery from several other third parties, including a volunteer, Jack Posobiec, and a potential vendor, Ground Floor LLC. They did not produce any information relevant to the investigation.

<sup>4</sup> *See* Compl. at Attach. 17 (screen shot of Piryx solicitation); PayPal Solicitation Screen Shot on file with OGC.