

FEDERAL ELECTION COMMISSION
FIRST GENERAL COUNSEL'S REPORT

MUR 7561

COMPLAINT FILED: Jan. 28, 2019

NOTIFICATION: Feb. 1, 2019

LAST RESPONSE RECEIVED: May 6, 2019

DATE ACTIVATED: May 15, 2019

ELECTION CYCLE: 2018

EXPIRATION OF SOL: Dec. 12, 2022

COMPLAINANT:

Joseph Weinzettle

RESPONDENTS:

Ron DeSantis for Governor

Parabellum Strategies

Bradley Herold

Friends of Ron DeSantis

BlueInsight

Susan Wiles

Rinat Akhmetshin

Venture Media Partners, Inc.

September Group, LLC

Republican Party of Florida and Mike Moberley in
his official capacity as treasurer

MUR 7563

COMPLAINT FILED: Feb. 5, 2019

NOTIFICATION: Feb. 7, 2019

LAST RESPONSE RECEIVED: Apr. 22, 2019

DATE ACTIVATED: May 15, 2019

ELECTION CYCLE: 2018

EXPIRATION OF SOL: Oct. 27, 2022

COMPLAINANT:

Joseph Weinzettle

RESPONDENTS:

Republican Party of Florida and Mike Moberley in
his official capacity as treasurer

Ron DeSantis for Governor

Bradley Herold

Blaise Ingoglia

BlueInsight

**RELEVANT STATUTES
AND REGULATIONS:**

52 U.S.C. § 30121

11 C.F.R. § 110.20

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. INTRODUCTION

The Complaints in these two related matters make numerous allegations that the authorized committee for Ron DeSantis for Governor (“DeSantis for Governor”) and the Republican Party of Florida (“RPOF”) accepted prohibited contributions or donations from foreign nationals in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”). The Complaints allege that these contributions or donations were generally in the form of voter suppression activity and artificial social media support.¹ Specifically, in MUR 7561, the Complaint alleges that DeSantis for Governor, through its campaign manager Bradley Herold, contracted with foreign nationals in Russia, Romania, and possibly other nations in Eastern and Central Europe to provide social media services, masking the payments to a purported Romanian firm through payments to domestic vendors.² In addition, the Second Amended Complaint in MUR 7561 claims that Susan Wiles, DeSantis for Governor’s campaign chair, obtained foreign donations from the Russian government through a foreign lobbyist, Rinat Akhmetshin.³ The MUR 7563 Complaint also claims that the RPOF made payments for social media services to foreign nationals through firms controlled by Herold⁴

¹ See Compl. at 1, MUR 7561 (Dec. 21, 2018); Am. Compl. at 2, MUR 7561 (Feb. 12, 2019); Second Am. Compl. at 3, MUR 7561 (Feb. 21, 2019); Compl. at 1, MUR 7563 (Feb. 5, 2019).

² See, e.g., Compl. at 2, MUR 7561.

³ Second Am. Compl. at 1, MUR 7561.

⁴ Compl. at 2, MUR 7563.

DeSantis for Governor, RPOF, Akhmetshin, Wiles, and the September Group, LLC (“September Group”) — one of the vendors alleged to have masked foreign payments — submitted responses denying the allegations. They contend that the Complaints rely entirely on speculation rather than any concrete evidence. Both DeSantis for Governor and RPOF deny soliciting, accepting, or receiving any contribution or donation from a foreign national or having paid foreign nationals for campaign messaging through an intermediary.⁵ Akhmetshin denies any involvement in the circumstances described in the Complaints,⁶ and Wiles submitted an affidavit denying ever soliciting or receiving a contribution, or ever interacting with a foreign agent for the purpose of obtaining campaign assistance.⁷ Two of the responses assert that the complainant has a history of sending unsubstantiated complaints to the Florida Elections Commission.⁸

As set forth below, there is not a sufficient factual basis to support these allegations. We therefore recommend that the Commission dismiss the allegations that: (1) DeSantis for Governor and RPOF violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by soliciting, accepting, or receiving a contribution or donation from a foreign national; (2) BlueInsight, a Romanian IT firm, violated 52 U.S.C. § 30121(a)(1) by making a prohibited contribution or donation to DeSantis for Governor or RPOF; and (3) Wiles, Herold, Akhmetshin, and September Group, as well as Parabellum Strategies and Venture Media Partners, Inc. — two other firms

⁵ See Resp. of DeSantis for Governor, RPOF, and Blaise Ingoglia at 3, MUR 7563 (Mar. 13, 2019) (“DeSantis/RPOF Resp., MUR 7563”).

⁶ Akhmetshin Resp., MUR 7561 (Mar. 7, 2019).

⁷ Wiles Resp., Attach ¶¶ 4-5, MUR 7561 (Mar. 27, 2019).

⁸ Wiles Resp., MUR 7561, at 2; Supp. Resp. of DeSantis for Governor, Friends of Ron DeSantis and Nancy Watkins, MUR 7561, at 1-2 (Apr. 22, 2019).

1 alleged to have masked foreign payments — violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R.
2 § 110.20(h) by substantially assisting in making or accepting a foreign contribution or donation

3 **II. FACTUAL BACKGROUND**

4 **A. Alleged Donations from Foreign Nationals to DeSantis for Governor and** 5 **Friends of Ron DeSantis**

6
7 Ron DeSantis was the Republican candidate for Governor of Florida in the 2018 general
8 election, during which DeSantis for Governor was his campaign organization. Friends of Ron
9 DeSantis was (and is) a state political committee supporting Governor DeSantis. The MUR
10 7561 Complaint alleges that Bradley Herold served as campaign manager for DeSantis for
11 Governor and held high-level positions in what appear to be media and consulting firms named
12 Parabellum Strategies and Something Else Strategies,⁹ both of which received disbursements
13 from Friends of Ron DeSantis.¹⁰

14 During the 2018 gubernatorial campaign, DeSantis for Governor maintained an official
15 Twitter account, @GovRonDeSantis. The Complaints allege that on December 12, 2017, a
16 Twitter user with the handle @MihaiBasarab made an offer of foreign assistance to DeSantis by
17 replying to @GovRonDeSantis and an account with the handle @repdesantis — which the
18 Complaints allege is a handle connected to Herold or the DeSantis campaign — “Rs need to play
19 the same game. We’re loaded with preeminent IT guys in Romania ready willing and able if

⁹ Neither Herold nor Parabellum Strategies submitted a response to any of the Complaints to confirm or deny this information.

¹⁰ Compl. at Attach 7, MUR 7561.

1 called upon.”¹¹ The MUR 7561 Complaint attaches screenshots of the @MihaiBasarab Twitter
2 profile identifying the accountholder as “Romania America.”¹²

3 The MUR 7561 Complaint also alleges that DeSantis accepted this offer of assistance
4 through his purported campaign manager Herold, who allegedly enlisted a Romanian IT firm
5 called BlueInsight. In support of this allegation, the Complaint observes that an account with the
6 handle @blueinsight33 followed @repdesantis on Twitter.¹³ The MUR 7561 Complaint does
7 not explain the basis for the assertion that the @blueinsight33 handle belongs to the Romanian
8 company Blue Insights; the screenshots of the Romanian company’s website attached to the
9 Complaint do not show a link to any Twitter account. Neither does the MUR 7561 Complaint
10 explain the basis for the conclusion that the @repdesantis handle, which a screenshot shows had
11 10 followers at the time it was taken,¹⁴ is Herold’s or otherwise tweeted or acted on behalf of the
12 DeSantis campaign.

13 The Complaint in MUR 7561 also alleges that DeSantis for Governor’s and Friends of
14 Ron DeSantis’s payments to vendors Parabellum Strategies and Something Else Strategies,
15 which the Complaint alleges are associated with Herold, masked payments to BlueInsight.¹⁵ The
16 MUR 7561 Complaint alleges that these payments “preceded increased messaging by foreign,

¹¹ *Id.* at 1, MUR 7561; Compl. at 2, MUR 7653. The @MihaiBasarab Twitter handle no longer appears to have an account on twitter.com.

¹² Compl. at Attach 1, MUR 7561.

¹³ *Id.* at Attach 2, 3.

¹⁴ *Id.* at Attach 2, MUR 7561.

¹⁵ Am. Compl., MUR 7561 at 2 (Feb. 7, 2019).

Romanian and other potential BLUEINSIGHT accounts”¹⁶ on Twitter, including from @MihaiBasarab, who authored a number of disparaging tweets about DeSantis’s opponent, Andrew Gillum, and Democratic donor George Soros.¹⁷ The Complaint does not provide enough information for this Office to assess whether there was in fact any increase in messaging — foreign or otherwise — following the payments to Parabellum Strategies and Something Else Strategies.

The MUR 7561 Complaint also draws a link between the DeSantis campaign and Romanian nationals by citing an article from the publication *Foreign Policy* reporting that certain internet content critical of Soros was created by “right-wing groups” in Eastern and Central Europe.¹⁸ The Complaint states that both the @MihaiBasarab handle and a number of other apparently foreign Twitter accounts authored negative tweets about Gillum and Soros,¹⁹ and that DeSantis for Governor used anti-Soros rhetoric in an email sent to supporters.²⁰ The MUR 7561 Complaint offers no other factual basis to indicate that these messages were connected.

Finally, the Complaint in MUR 7561 alleges that Susan Wiles, who became chair of DeSantis for Governor in September 2018,²¹ was in contact with the Russian Intelligence Service because she followed a Twitter account that tweeted about Washington D.C.-based Russian

¹⁶ Compl., MUR 7561, at 2.

¹⁷ *Id.*

¹⁸ *Id.* at 2 (*citing* Emily Tamkin, *Who’s Afraid of George Soros?*, FOREIGN POLICY (Oct. 10, 2017)).

¹⁹ *See id.* at 2; Am. Compl. at 2, MUR 7561.

²⁰ Am. Compl. at 2, Attach. 3, MUR 7561.

²¹ Wiles Resp., at Attach. ¶ 2, MUR 7561.

1 lobbyist Rinat Akhmetshin in 2017,²² and because Akhmetshin reportedly received payments
 2 from Wiles's husband, Lanny Wiles, in 2017.²³ The MUR 7561 Complaint also suggests that
 3 Russia aided the DeSantis campaign,²⁴ though it does not provide any details to support this
 4 allegation. In response to these allegations, Wiles submitted a sworn affidavit denying the
 5 allegations.²⁵ Akhmetshin also submitted a response denying the allegations, stating that the
 6 payments from Lanny Wiles were for "an entirely unrelated energy project in Central Asia," and,
 7 in any case, that Susan and Lanny Wiles divorced months before she began working for the
 8 DeSantis campaign.²⁶

9 **B. Alleged Donations from Foreign Nationals to Republican Party of Florida**

10 RPOF is a state political party that participates in state and federal elections and is
 11 registered with the Florida Division of Elections and the Commission.²⁷ During the 2018
 12 campaign, Blaise Ingoglia was the Chairman of RPOF. The Complaint in MUR 7563 alleges

²² Second Am. Comp. at Attach. 2, 4, MUR 7561.

²³ *Id.* at 5 (citing Emma Loop, Anthony Cornier, Jason Leopold, Tanya Kozyreva & John Templon, *A Lobbyist At The Trump Tower Meeting Received Half A Million Dollars In Suspicious Payments*, BUZZFEED NEWS (Feb. 4, 2019, updated Apr. 17, 2019), <https://www.buzzfeednews.com/article/emmaloop/trump-tower-meeting-russian-lobbyist-akhmetshin-suspicious-p> ("Akhmetshin continued receiving checks and wires from Wiles Consulting, a Florida-based company controlled by Lanny Wiles, a longtime Republican operator. Those payments, which began in January 2016, extended to April 2017, and totaled \$72,500. . . . Investigators, citing unspecified public information, said Wiles claimed he was paid by Akhmetshin to work on the Magnitsky lobbying issue, not the other way around.")).

²⁴ *Id.* The Complaint also appears to claim that September Group and Venture Media Partners, Inc., were conduits for payments to Russian operatives. *Id.* at 4. September Group denies this allegation. Resp. of September Group, MUR 7561.

²⁵ Wiles Resp., Attach., MUR 7561.

²⁶ Akhmetshin Resp. at 3, MUR 7561.

²⁷ Desantis/RPOF Resp. at 2, MUR 7563.

that Ingoglia “engaged” with a foreign national by retweeting a post from WikiLeaks.²⁸ Specifically, on October 28, 2017, the purported Ingoglia account tweeted, “[i]f anyone cares there’s a great Twitter exchange between @wikileaks and @CNN’s @jaketapper right now,” and retweeted a WikiLeaks post saying “Pompeo is not credible. Even so, parse it: ‘non state’=not a state. ‘abetted’=existing claim WL got some info from gov sources. Does CNN?”²⁹ The MUR 7563 Complaint also notes that Ingoglia and his wife, Julie Ingoglia, follow WikiLeaks on Twitter, and attaches screenshots from the Ingoglias’ purported Twitter accounts in support of this statement.³⁰

In addition, analogizing to other reporting regarding influence by foreign nationals, the Complaint in MUR 7563 alleges that RPOF accepted prohibited contributions and donations from @MihaiBasarah “and other foreign profiles” in the form of online support for 23 federal and state candidates,³¹ as well as incorporating anti-Soros content originating in Eastern and Central Europe into RPOF’s official messaging.³²

III. LEGAL ANALYSIS

A. Legal Standard

The Act and Commission regulations prohibit any “foreign national” from directly or indirectly making a contribution or donation of money or other thing of value, or an expenditure,

²⁸ Compl. at 1, MUR 7563.

²⁹ Compl. at Attach 1, MUR 7563.

³⁰ *Id.* at Attach. 1, 2.

³¹ Compl. at 2-3, MUR 7563.

³² Compl. at 2, Attach 4, MUR 7563.

independent expenditure, or disbursement, in connection with a federal, state, or local election.³³

The Act's definition of "foreign national" includes an individual who is not a citizen or national of the United States and who is not lawfully admitted for permanent residence, as well as a "foreign principal" as defined at 22 U.S.C. § 611(b), which, in turn, includes a "partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country."³⁴

The Act also prohibits persons from soliciting, accepting, or receiving a contribution or donation from a foreign national.³⁵ To solicit means "to ask, request, or recommend, explicitly or implicitly, that another person make a contribution, donation, transfer of funds, or otherwise provide anything of value."³⁶ The regulations also provide that no person shall "knowingly provide substantial assistance" in the solicitation, making, acceptance, or receipt of a prohibited foreign national contribution or donation, or the making of a prohibited foreign national expenditure, independent expenditure, or disbursement.³⁷ The Commission has recognized the "broad scope" of the foreign national prohibition and found that even where the value of a good

³³ 52 U.S.C. § 30121(a)(1); 11 C.F.R. § 110.20(b), (c), (e), (f). Courts have consistently upheld the provisions of the Act prohibiting foreign national contributions on the grounds that the government has a clear, compelling interest in limiting the influence of foreigners over the activities and processes that are integral to democratic self-government, which include making political contributions and express-advocacy expenditures. *See Bluman v. FEC*, 800 F. Supp. 2d 281, 288-89 (D.D.C. 2011), *aff'd* 565 U.S. 1104 (2012); *United States v. Singh*, 924 F.3d 1030, 1040-44 (9th Cir. 2019).

³⁴ 52 U.S.C. § 30121(b); 22 U.S.C. § 611(b)(3); *see also* 11 C.F.R. § 110.20(a)(3).

³⁵ 52 U.S.C. § 30121(a)(2).

³⁶ 11 C.F.R. § 110.20(a)(6) (citing 11 C.F.R. § 300.2(m)).

³⁷ *Id.* § 110.20(h). The Commission has explained that substantial assistance "means active involvement in the solicitation, making, receipt or acceptance of a foreign national contribution or donation with an intent to facilitate successful completion of the transaction." Assisting Foreign National Contributions or Donations, 67 Fed. Reg. 66928, 66945 (Nov. 19, 2002). Moreover, substantial assistance "covers, but is not limited to, those persons who act as conduits or intermediaries for foreign national contributions or donations." *Id.* at 66945.

1 or service “may be nominal or difficult to ascertain,” such contributions are nevertheless
 2 banned.³⁸

3 Commission regulations implementing the Act’s foreign national prohibition provide:

4 A foreign national shall not direct, dictate, control, or directly or
 5 indirectly participate in the decision-making process of any person,
 6 such as a . . . political committee, or political organization with
 7 regard to such person’s Federal or non-Federal election-related
 8 activities, such as decisions concerning the making of
 9 contributions, donations, expenditures, or disbursements . . . or
 10 decisions concerning the administration of a political committee.³⁹

11 The Commission has explained that this provision also bars foreign nationals from “involvement
 12 in the management of a political committee.”⁴⁰

13 In light of these provisions, Commission regulations permit any person or company —
 14 foreign or domestic — to provide goods or services to a political committee, without making a
 15 contribution, if that person or company does so as a “commercial vendor,” *i.e.*, in the ordinary
 16 course of business, and at the usual and normal charge, as long as foreign nationals do not
 17 directly or indirectly participate in any committee’s management or decision-making process in

³⁸ Advisory Op. 2007-22 (Hurysz) at 6 (“AO 2007-22”) (citing *Explanation and Justification for Regulations on Contribution Limitations and Prohibitions*, 67 Fed. Reg. 69928, 69940 (Nov. 19, 2002) (“As indicated by the title of section 303 of BCRA, ‘Strengthening Foreign Money Ban,’ Congress amended [52 U.S.C. § 30121] to further delineate and *expand* the ban on contributions, donations, and other things of value by foreign nationals.”) (emphasis added));

³⁹ 11 C.F.R. § 110.20(i).

⁴⁰ Contribution Limits and Prohibitions, 67 Fed. Reg. 69,928, 69,946 (Nov. 19, 2002); *see also* Advisory Op. 2004-26 at 2-3 (Weller) (noting that foreign national prohibition at section 110.20(i) is broad and concluding that, while a foreign national fiancé of the candidate could participate in committees’ activities as a volunteer without making a prohibited contribution, she “must not participate in [the candidate’s] decisions regarding his campaign activities” and “must refrain from managing or participating in the decisions of the Committees”);

1 connection with its election-related activities.⁴¹ For example, in MUR 5998, the Commission
 2 found that the foreign national owners of a venue did not make or facilitate a contribution to a
 3 political committee by allowing the committee to rent the venue for a fundraising event.⁴² The
 4 venue at issue was rented out for events in the ordinary course of business, and the owners
 5 charged the committee the usual and normal amount for the service.⁴³ The Commission noted
 6 that there was no available information to suggest — and the foreign nationals and political
 7 committee expressly denied — that any foreign nationals had any “decision-making role in the
 8 event.”⁴⁴

9 The Commission has found that not all participation by foreign nationals in the election-
 10 related activities of others will violate the Act. In MUR 6959, for example, the Commission
 11 found no reason to believe that a foreign national violated 52 U.S.C. § 30121 by performing
 12 clerical duties, online research, and translations during a one month-long internship with a party
 13 committee.⁴⁵ Similarly, in MURs 5987, 5995, and 6015, the Commission found no reason to

⁴¹ 11 C.F.R. § 114.2(f)(1); *see* 11 C.F.R. § 116.1(c) (defining “commercial vendor” as “any persons providing goods or services to a candidate or political committee whose usual and normal business involves the sale, rental, lease or provision of those goods or services). The Act defines a contribution to include “anything of value,” which in turn includes all “in-kind contributions,” such as “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.” 11 C.F.R. § 100.52(d)(1); *see* 52 U.S.C. § 30101(8). Goods or services provided at the usual and normal charge do not constitute a contribution under the Act. However, soliciting, accepting, or receiving information in connection with an election from a foreign national, as opposed to purchasing the information at the usual and normal charge or hiring a foreign national in a bona fide commercial transaction to perform services for a federal campaign, could potentially result in the receipt of a prohibited in-kind contribution.

⁴² Factual & Legal Analysis at 4-6, MUR 5998 (Lord Jacob Rothschild).

⁴³ *Id.*

⁴⁴ *Id.* at 5.

⁴⁵ Factual & Legal Analysis at 4-5, MUR 6959 (Cindy Nava) (noting that the available information, which was based on two press reports that did not detail the foreign national’s activities, did not indicate that the foreign national participated in any political committee’s decision-making process). The Commission also found that a

1 believe that a foreign national violated 52 U.S.C. § 30121 by volunteering his services to
 2 perform at a campaign fundraiser and agreeing to let the political committee use his name and
 3 likeness in its emails promoting the concert and soliciting support, where the record did not
 4 indicate that the foreign national had been involved in the committee's decision-making process
 5 in connection with the making of contributions, donations, expenditures, or disbursements.⁴⁶ By
 6 contrast, the Commission has consistently found a violation of the foreign national prohibition
 7 where foreign national officers or directors of a U.S. company participated in the company's
 8 decisions to make contributions or in the management of its separate segregated fund.⁴⁷

9 **B. The Commission Should Dismiss the Allegations That DeSantis for Governor**
 10 **or Friends of Ron DeSantis Solicited, Accepted, or Received Donations from**
 11 **Foreign Nationals**

12 The MUR 7561 Complaint appears to allege that DeSantis for Governor and Friends of
 13 Ron DeSantis solicited and accepted foreign nationals' social media services in exchange for

\$3,000 stipend that the foreign national received from third parties resulted in an in-kind contribution from the third parties to the committee, but the value of the foreign national volunteer's services to the committee was not a contribution. *Id.* at 4-5 (citing 52 U.S.C. § 30101(8)(A)(ii); 11 C.F.R. § 100.54; Advisory Op. 1982-04 (Apodaca)).

⁴⁶ Factual & Legal Analysis at 6-9, MUR 5987, 5995, and 6015 (Sir Elton John); *see also* Factual & Legal Analysis at 5, MUR 5998 (Lord Jacob Rothschild); Advisory Op. 2004-26 (Weller).

⁴⁷ *See, e.g.*, Conciliation Agreement, MUR 6093 (Transurban Group) (involving U.S. subsidiary that violated the Act by making contributions after its foreign parent company's board of directors directly participated in determining whether to continue political contributions policy of its U.S. subsidiaries); Conciliation Agreement, MUR 6184 (Skyway Concession Company, LLC) (regarding U.S. company that violated Act by making contributions after its foreign national CEO participated in company's election-related activities by vetting campaign solicitations or deciding which nonfederal committees would receive company contributions, authorizing release of company funds to make contributions, and signing contribution checks); Conciliation Agreement, MUR 7122 (American Pacific International Capital, Inc. ("APIC")) (involving U.S. corporation owned by a foreign company that violated the Act by making a contribution after its board of directors, which included foreign national approved a proposal by its U.S. citizen corporate officer to contribute);

1 payments that were masked as payments to domestic commercial vendors.⁴⁸ The MUR 7561
2 Complaint does not allege that BlueInsight or any other foreign national made donations to
3 DeSantis for Governor or Friends of Ron DeSantis by providing services outside their ordinary
4 course of business or “at a charge that is less than the usual and normal charge,”⁴⁹ and the
5 available information does not support such a finding. Moreover, the MUR 7561 Complaint
6 does not credibly allege that any foreign national directly or indirectly participated in DeSantis
7 for Governor or Friends of Ron DeSantis’s decision-making process in connection with its
8 election-related spending. Therefore, as further explained below, the available information is
9 insufficient to support a reasonable inference that DeSantis for Governor or Friends of Ron
10 DeSantis violated 52 U.S.C. § 30121.

11 First, the MUR 7561 Complaint’s allegation that DeSantis for Governor or Friends of
12 Ron DeSantis paid BlueInsight (or other foreign nationals) through Herold via Parabellum
13 Strategies and Something Else Strategies is not supported by the available information. The
14 allegation is premised on a series of assumptions: that Herold was the DeSantis campaign
15 manager; that the @repdesantis handle is Herold’s; that the @blueinsight33 handle is the
16 Romanian company BlueInsight’s; that Herold owned or controlled Parabellum Strategies and
17 Something Else Strategies; and, most importantly, that DeSantis for Governor and Friends of
18 Ron DeSantis’s payments to Parabellum Strategies and Something Else Strategies were not for
19 legitimate services. Though DeSantis for Governor and Friends of Ron DeSantis appear to have
20 made a number of large payments to these vendors, there is no credible information in the record

⁴⁸ Any alleged misreporting by the gubernatorial committee with Florida election authorities is outside the Commission’s jurisdiction and not addressed in this report.

⁴⁹ 11 C.F.R. § 100.52(d)(1).

1 that these payments were in fact diverted to other payees.⁵⁰ These alleged conduits appear to be
2 domestic entities, with no information that we have found linking them to foreign nationals.

3 To the extent that the MUR 7561 Complaint alleges that DeSantis for Governor or
4 Friends of Ron DeSantis solicited donations from BlueInsight or other foreign nationals via
5 tweeted “signals” to engage in paid or unpaid social media campaigns to benefit DeSantis, the
6 Complaint provides insufficient information to support that allegation, and we have not
7 otherwise uncovered such information. The allegation appears to rest on a handful of tweets
8 from alleged foreign nationals either tagging the purported and actual DeSantis campaign Twitter
9 accounts or discussing subjects relevant to the DeSantis campaign. But without more
10 information indicating that there was actually a connection between the DeSantis campaign and
11 foreign nationals, this allegation that DeSantis for Governor or Friends of Ron DeSantis used
12 social media to solicit foreign nationals to provide services at less than the usual or normal cost
13 or to participate directly or indirectly in the decision-making process in connection with election-
14 related spending is speculative.

15 Similarly, the information we have does not appear to support the allegations that Susan
16 Wiles or anyone else from DeSantis for Governor solicited donations from, or paid Akhmetshin
17 or other Russian nationals through, Wiles’s husband, September Group, LLC, or Venture Media
18 Partners, Inc. The only supporting information for these allegations are a news article reporting
19 that Lanny Wiles paid Akhmetshin on an apparently unrelated contract in 2017, and the fact that
20 disbursements were made to the September Group and Venture Media Partners, Inc., which the
21 MUR 7561 Complaint suggests are shell companies. The September Group filed a response

⁵⁰ See Am. Compl. at 2, MUR 7561.

MUR 7561, 7563 (Ron DeSantis for Governor, *et al.*)

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1 asserting that it is a “well-respected, reputable political consulting firm.”⁵¹ We have not found
2 any information that would contradict the September Group’s Response, and the allegation that
3 the September Group was used as a conduit for foreign payments is speculative and not credible.
4 There is also insufficient information to support the inference that anyone connected with
5 DeSantis for Governor or Friends of Ron DeSantis was funneling money to foreign nationals
6 based on the news report about Akhmetshin’s business dealings with Lanny Wiles. That work
7 appears to have been unconnected to the Florida gubernatorial race, and nothing we are aware of
8 suggests the relationship extended to that election.

9 Finally, the “anti-Soros” messaging used by the DeSantis campaign does not, by itself,
10 raise a reasonable inference that the campaign accepted a donation from a foreign national. The
11 text of the DeSantis campaign material included in the MUR 7561 Complaint reads: “[W]hile
12 my radical left-wing Democrats can count on limousine liberal billionaires like George Soros to
13 fill their campaign war chests”⁵² The MUR 7561 Complaint mentions that alleged foreign
14 nationals also made attacks on Soros, but there is no indication in the record that these facts are
15 connected. The allegedly foreign messages cited in the MUR 7561 Complaint bear no similarity
16 to the purported DeSantis statement beyond generally disparaging Soros, and most of the
17 examples are many months removed from the official DeSantis statement included in the
18 Complaint.⁵³ Considering the overall context, the existence of messaging on a similar theme is
19 insufficient in this case to raise a reasonable inference that a foreign national participated directly

⁵¹ Resp. of September Group, LLC at 2 (Apr. 22, 2019).

⁵² Am. Compl. at Attach 3., MUR 7561 (showing screenshot of tweet attaching purported image of DeSantis campaign email).

⁵³ Compare Am. Compl. at Attach 2, MUR 7561 to *id.* at Attach 3.

or indirectly in the decision-making process in connection with DeSantis for Governor's election-related spending or otherwise made a prohibited donation.

For these reasons, the available information is insufficient to indicate that DeSantis for Governor or Friends of Ron DeSantis violated 52 U.S.C. § 30121(a)(2) or 11 C.F.R. § 110.20(g) by accepting a donation from a foreign national, that BlueInsight violated 52 U.S.C. § 30121(a)(1) or 11 C.F.R. § 110.20(c) by making a prohibited donation, or that Wiles, Herold, September Group, Venture Media Partners, Inc., or Akhmetshin violated 52 U.S.C. § 30121(a) or 11 C.F.R. § 110.20(h) by substantially assisting in the making of a prohibited foreign donation. Accordingly, we recommend that the Commission dismiss these allegations.

C. The Commission Should Dismiss the Allegations That the RPOF Solicited, Accepted, or Received Contributions or Donations from Foreign Nationals

The available information also does not support the allegations that RPOF solicited, accepted, or received contributions or donations from foreign nationals. The Complaint in MUR 7563 makes very similar allegations with regard to payments RPOF made to the same general entities (BlueInsight and other unknown other eastern and central European nationals) in the same manner (secret payments through firms owned by Herold) and for the same purpose (social media support).

None of the activity that the MUR 7563 Complaint details is sufficient to support a reasonable inference that RPOF violated the ban on foreign contributions and donations. For example, with respect to RPOF Chairman Ingoglia's retweet of an exchange between WikiLeaks and Jake Tapper of CNN concerning Secretary of State Pompeo,⁵⁴ there does not appear to be anything election-related about either the WikiLeaks tweet cited in the Complaint or Ingoglia's

⁵⁴ See *supra* nn.28-30 and accompanying text.

1 retweet about it. The MUR 7563 Complaint notes that RPOF used anti-Soros rhetoric — for
2 example, “Billionaire Democrat extremist, George Soros, paid \$500K to the group that harassed
3 Florida Attorney General Pam Bondi at a movie theater.”⁵⁵ But, like that of the DeSantis
4 campaign, this messaging strategy does not by itself raise a reasonable inference that a foreign
5 national participated directly or indirectly in the decision-making process in connection with
6 RPOF’s election-related spending or otherwise made a prohibited contribution or donation.

7 Moreover, for the same reasons detailed above with regard to DeSantis for Governor and
8 Friends of Ron DeSantis, there is insufficient information to indicate that any of RPOF’s
9 payments to Herold’s firms were diverted to other payees or that these firms are linked to foreign
10 nationals, let alone foreign nationals providing services outside their ordinary course of business
11 or at less than the usual and normal charge, or who directly or indirectly participated in RPOF’s
12 decision-making process in connection with its election-related spending.

13 For these reasons, the information is insufficient to indicate that RPOF or Ingoglia
14 violated 52 U.S.C. § 30121(a)(2) or 11 C.F.R. § 110.20(g) by soliciting or accepting prohibited
15 contributions or donations from a foreign national, that BlueInsight violated 52 U.S.C.
16 § 30121(a)(1) or 11 C.F.R. § 110.20(c) by making a prohibited contribution or donation, or that
17 Herold violated 52 U.S.C. § 30121(a) or 11 C.F.R. § 110.20(h) by substantially assisting in the
18 making of a prohibited foreign contribution or donation. Accordingly, we recommend that the
19 Commission dismiss these allegations.

⁵⁵ Compl. at Attach 4, MUR 7563 (showing screenshot of tweet from verified RPOF account).

IV. RECOMMENDATIONS

1. Dismiss the allegations that Ron DeSantis for Governor and Friends of Ron DeSantis violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by accepting or receiving a foreign national contribution or donation;
2. Dismiss the allegations that Republican Party of Florida and Mike Moberley in his official capacity as treasurer, and Blaise Ingoglia, violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by accepting or receiving a foreign national contribution or donation;
3. Dismiss the allegation that BlueInsight violated 52 U.S.C. § 30121(a)(1) and 11 C.F.R. § 110.20(c) by making a foreign national contribution or donation;
4. Dismiss the allegations that Parabellum Strategies, Bradley Herold, Susan Wiles, Rinat Akhmetshin, Venture Media Partners, Inc., and September Group, LLC, violated 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(h) by providing substantial assistance to the making or acceptance of foreign national contributions or donations;
5. Approve the attached Factual and Legal Analysis;
6. Send the appropriate letters; and
7. Close the file.

Lisa J. Stevenson
 Acting General Counsel

October 14, 2020
 Date

BY: Charles Kitcher
 Charles Kitcher
 Acting Associate General Counsel
 For Enforcement

Jin Lee
 Jin Lee
 Acting Assistant General Counsel

Amanda Andrade
 Amanda Andrade
 Attorney

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