

From: [Evan Muhlstein](#)
To: [CELA](#)
Cc: [Evan Muhlstein](#)
Subject: Response To MUR 7643
Date: Wednesday, April 15, 2020 8:06:22 PM

April 15, 2020

TO:
Office of General Counsel
Federal Elections Commission

RE: MUR 7643

To Whom It May Concern:

It has come to my attention, by way of the Federal Election Commission's correspondence dated April 1, 2020, that a possible oversight due to inexperience to the political process has led to a potential error as it relates to the filing of certain reports with the commission.

Let me immediately state that I was unaware of the potential need to file any disclosures with the FEC and if an error has been made the commission has my sincerest apology. I will cooperatively work with staff at the commission to correct the error right away.

I have reviewed the complaint from Campaign Legal Center that was provided to me by the commission regarding the alleged violations of 1) failing to disclose expenditures, and 2) omitting a printed disclosure on social media graphics. I believe that it is important for the commission to understand that any potential failure on either of those items is based entirely on my inexperience to the process.

Regarding the alleged failure to disclose, I have never spent money in any election related matter previously and assumed that Facebook's "political disclaimer/disclosure" was all that was necessary. I was frankly surprised that Facebook even required a disclaimer given the very small amount of money I spent on advocating for candidates I wanted to show support for. I also assumed that I needed to establish an entity (nonprofit articles of incorporation in this case) in order to comply as best as possible with the social media platform's political advertising rules, which I did in Arizona and is why the promotions disclosed the America Progress Now name (matching the Facebook page I had setup). The total amount spent supporting this small handful of candidates was only \$2,467.54, and for all of the candidates the total 'per candidate' amount spent was only a few hundred dollars. I consistently hear in the media about the hundreds of millions that are spent on our elections, virtually all of which supports only the two major parties, I failed to realize that a spend as small as this would require any type of reporting. I have provided a list of the supported candidates and the amounts spent for each of them below.

Jo Crain, Missouri, Senate: \$610 total spend
Marcia Squier, Michigan, Senate: \$317.54 total spend
Joe Manchik, Ohio 12, House: \$920 total spend
Randy Auxier, Illinois 12, House: \$310 total spend

Paul Knupp, Iowa 3, House: \$310 total spend

Regarding the alleged omission of a disclaimer on the social media graphics supporting the above listed candidates, it would not have been possible to place a disclaimer on the graphics themselves due to their small size and the text limitations for promoted content on social media, specifically Facebook.

After receiving the complaint and correspondence from the commission, I did a lay review of the disclaimer notices for independent expenditures section on the commission website. Based on that review I believe this particular complaint is without merit, since the commission website says that; "a disclaimer is not required on small items where a disclaimer cannot be conveniently printed." I also did not find anywhere on the commission website relating to specific instructions for small digital content such as a social media graphic.

I again offer my sincerest apology for any potential errors in failing to disclose. Given the apparent obstacles and unknowns of participating in the election process in this manner (of which I am learning some of now), it is highly unlikely I will ever participate in it again. I feel terrible for having been so ignorant to the process.

My primary concern is correcting any potential failures to disclose to ensure proper compliance. Is there someone I can speak with at the commission to ensure this gets done correctly and quickly?

Sincerely,
Evan Muhlstein