

**RECEIVED**

FEDERAL ELECTION COMMISSION

JUNE 12, 2020 12:48 PM

OFFICE OF GENERAL COUNSEL

**BEFORE THE  
FEDERAL ELECTION COMMISSION****MUR 7746**

June 11, 2019

**Office of General Counsel**  
Federal Election Commission  
1050 First Street, N.E.  
Washington, DC 20463**COMPLAINT**

The undersigned complainant files this complaint against Mrs. Maureen B. McArdle Schulman, a federal House candidate for New York - 17 and Maureen For Congress, her campaign committee for repeatedly violating the Federal Election Campaign Act (the “FECA”) by failing to properly provide clear and conspicuous disclaimers on public communications for both fundraising and electioneering purposes, as required by law.

**FACTS**

1. The FECA includes, in part, legal requirements that mandate that any public communication<sup>1</sup> made by a political committee<sup>2</sup> must display a disclaimer. Such disclaimers must also appear on political committees internet websites that are available to the general public, and in certain email communications. Furthermore, such disclaimers must be “clear and conspicuous” regardless of the medium in which the communication is transmitted.<sup>3</sup> Additionally, the FECA includes, in part, that if a candidate or candidate’s campaign authorizes and finances a communication (including any solicitation) requiring a disclaimer, the notice must state that the communication was paid for by the authorized committee.<sup>4</sup>

---

<sup>1</sup> For purposes hereof, a public communication is defined as communication by means of any broadcast, cable or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing or telephone bank to the general public, or any other form of general public political advertising. The term general public political advertising does not include communications made over the internet, except for communications placed for a fee on another person’s website. 11 CFR 100.26, 100.27 (definition of mass mailing) and 100.28 (definition of telephone bank). However, websites of political committees that are available to the general public are not considered to be public communications, but still require a disclaimer.

<sup>2</sup> For purposes hereof, a political committee is defined as any entity that that meets one of the following conditions: (i) An authorized committee of a candidate (see definition of candidate); (ii) Any club, association or other group of persons that receives contributions or makes expenditures, either of which aggregate over \$1,000 during a calendar year; (iii) A local unit of a political party (except a state party committee) that: (1) receives contributions aggregating over \$5,000 during a calendar year; (2) makes contributions or expenditures either of which aggregate over \$1,000 during a calendar year or (3) makes payments aggregating over \$5,000 during a calendar year for certain activities that are exempt from the definitions of contribution and expenditure (11 CFR 100.80, 100.87 and 100.89; 11 CFR 100.140, 100.149). (iv) Any separate segregated fund upon its establishment. 11 CFR 100.5.

<sup>3</sup> See 52 U.S.C. § 30120(a) et. seq. which states, in relevant part, that “Whenever a political committee makes a disbursement for the purpose of financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising, or whenever any person makes a disbursement for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising or makes a disbursement for an electioneering communication..., such communication— (1) if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication has been paid for by such authorized political committee, (2) if paid for by other persons but authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication is paid for by such other persons and authorized by such authorized political committee...”

2. Mrs. Maureen B. McArdle Schulman (the “**Candidate**”) is a federal House candidate for New York’s 17<sup>th</sup> Congressional District.<sup>5</sup>
3. On or about February 3, 2020, the Candidate submitted a statement of organization forming Maureen For Congress as the Candidate’s principal campaign committee (the “**Committee**” and together with the Candidate, “**Maureen For Congress**”).<sup>6</sup>
4. Maureen For Congress is required to comply with the FECA.
5. In clear violation of law, Maureen For Congress has repeatedly engaged in public communications that clearly identify the Candidate<sup>7</sup> without also providing the required disclosure clearly and conspicuously identifying which committee paid for such public communication and whether the communication was authorized by the Candidate or the Committee.<sup>8</sup> See, for example, Exhibit A, a Maureen For Congress public communication intended for the purpose of electioneering posted on a public Facebook page on May 9, 2020,<sup>9</sup> which does not contain the required disclaimer and Exhibit B, a Maureen For Congress public communication intended for the purpose of soliciting contributions posted on a public Facebook page on May 13, 2020, which does not contain the required disclaimer.<sup>10</sup>
6. Additionally, Maureen For Congress’s campaign website (<https://www.maureen4congress.com>) does not include the required identifying disclaimer,<sup>11</sup> nor does the Maureen For Congress website’s donation page, which solicits donations, include the required disclaimer. The donation page of the Maureen For Congress website, in addition to lacking the required identifying disclaimers, also lacks any disclosure with respect to contributions limits, authorized contributors or publicly disclosable information available (see Exhibit C). Separately from the donation page, Maureen For Congress’s website actively solicits donations, holding a virtual “no-show” fundraiser. Again, this solicitation lacks the required disclaimer and fails to include any legal disclosure with respect to contribution limited, authorized contributors or publicly disclosable information available (see Exhibit D).

---

<sup>4</sup> For purposes hereof, a political committee is a committee that has been authorized by a candidate to accept contributions or make expenditures on his or her behalf, or one that accepts contributions or makes expenditures on behalf of a candidate and has not been disavowed by the candidate.

<sup>5</sup> For purposes hereof, a candidate is an individual seeking nomination for election, or reelection, to a federal office becomes a candidate when he or she (or persons working on his or her behalf) receives contributions or makes expenditures that exceed \$5,000. As of March 31, 2020, the Candidate was a candidate as defined herein and has received contributions in excess of \$5,000 (specifically, \$6,784.73) (See <https://www.fec.gov/data/committee/C00737254/?tab=about-committee> and <https://www.fec.gov/data/committee/C00737254/?tab=raising>).

<sup>6</sup> Maureen For Congress is the Candidate’s principal campaign committee. (See FEC-1380119 (<https://docquery.fec.gov/pdf/362/202002039186346362/202002039186346362.pdf>)).

<sup>7</sup> A candidate is clearly identified when his or her name, nickname, photograph or drawing appears, or when his or her identity is otherwise apparent through an unambiguous reference such as “the President,” “your Congressman,” or “the incumbent,” or through an unambiguous reference to his or her status as a candidate such as “the Democratic presidential nominee” or “the Republican candidate for Senate in the State of Georgia.” 11 CFR 100.17.

<sup>8</sup> See 52 U.S.C. § 30120(a) et. seq.

<sup>9</sup> See <https://www.facebook.com/voteformaureen/photos/a.136193504595710/160944588787268/?type=3&theater>.

<sup>10</sup> See <https://www.facebook.com/voteformaureen/photos/a.136193504595710/162261308655596/?type=3&theater>.

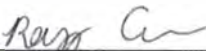
<sup>11</sup> See <https://www.maureen4congress.com>.

- 7. This failure to include the required disclaimer, as set forth herein, is likely intentional and not a good faith mistake. Maureen For Congress distributed literature in February 2020, three months earlier (See Exhibit E and Exhibit F), which **included** the required disclaimer, evincing knowledge of both the requirement to include such disclaimer and the content of such disclaimer. The fact that such disclaimer initially appeared and then was no longer used suggests an intention not to comply with the FECA.
- 8. In addition to Maureen For Congress's failure to include legally required disclaimers, the fact of Maureen For Congress's failure to include information with respect to contributions limits, authorized contributions and publicly disclosable information with respect to solicitations for donations for Maureen For Congress, suggests that there is a strong likelihood that such contributions to Maureen For Congress may be legally tainted and in violation of the FECA.

**REQUESTED ACTION**

Based on the substantial evidence set forth herein that Maureen For Congress has repeatedly violated the FECA, I respectfully request that the Federal Election Commission investigate these violations and take immediate action if Maureen For Congress's actions are determined to have violated law or policy.

Respectfully Submitted:

  
 \_\_\_\_\_  
 Complainant: Raizel Cohn,

Monsey, NY 10952

*for*  
 Signed and sworn to before me on the 11 day of June, 2020.  
*Signed Affirmed*

  
 Notary:  
 JONATHAN M. WEISER  
 Notary Public, State of New York  
 Qualified in Rockland County  
 No. 02WE6232767  
 My Commission Expires: Dec 13, 2022

**EXHIBIT A:**



**EXHIBIT B:**



### EXHIBIT C:

6/5/2020 Donate

---

Donate to  
**Maureen For Congress**

**\$0.00**  
USD

Make this a monthly donation?

[Donate with PayPal](#)

or

[Donate with a Debit or Credit Card](#)

[Cancel and return to Maureen For Congress](#)

---

Help & Contact Security English ^

©1999-2020 PayPal, Inc. All rights reserved. | [Privacy](#) [Legal](#) [Policy updates](#)

### EXHIBIT D:

← → ↻ maureen4congress.com ☆

# MAUREEN

## McARDLE-SCHULMAN

[Home](#) [About](#) [Plans](#) [Events](#) [Volunteer](#) [Contact](#)

[DONATE](#)

---

## The No-Show FUNDRAISER!



### PLEASE DON'T SHOW UP:)

I WOULD LOVE TO HAVE YOU JOIN ME, BUT ALAS, WE CANNOT GATHER:(

So I am scheduling a no-show event. You may donate in the following way....

- \$50 to \$75 donation to stay home and snuggle with family members at the proper social distance.
- \$100 to \$125 donation to avoid cold dried-up chicken and green beans.
- \$150 to \$175 donation to miss my speech. After all, you have heard it before.
- \$200 to \$250 donation so you can avoid listening to boring speeches.
- \$500 donation so that you don't have to say anything nice about me.

[DONATE](#)

**EXHIBIT E:**



***Bringing Americans Together!***

Every American is special and each of us plays a key roll in the survival and prosperity of the United States of America. We will always have differences in our beliefs and ideologies, but we are still Americans and are part of the solution. The country we carry in our hearts is waiting, let's put aside our political differences and work together for good of our country. We need to be united and strong for our children and grandchildren and the future of America.

*Paid for by Maureen for Congress*

**EXHIBIT F:**



***Bringing Americans Together!***

Every American is special and each of us plays a key roll in the survival and prosperity of the United States of America. We will always have differences in our beliefs and ideologies, but we are still Americans and are part of the solution. The country we carry in our hearts is waiting, let's put aside our political differences and work together for the good of our country. We need to be united and strong for our children, grandchildren and the future of The United States America.

***Please Donate Now!***



*Paid for by Maureen for Congress*