

**C&A | CHALMERS & ADAMS LLC**  
*Litigation & Political Law*

Michael G. Adams • T: 202-695-8300 • F: 202-695-8320

January 21, 2021

Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
Attn: Hon. Christal Dennis  
1050 First Street NE  
Washington, DC 20463

*Re: MUR 7861 – Response of Kyle Sisk*

**SENT VIA EMAIL AND EXPRESS MAIL**

Dear Commissioners and Staff:

Although not named as a respondent, Mr. Kyle Sisk (hereinafter “Sisk”), at the direction of the Commission’s Office of Complaints Examination and Legal Administration, hereby responds to the complaint filed in the afore-referenced matter. For the reasons set forth herein, the Commission should find no reason to believe that Sisk violated the Federal Election Campaign Act, as amended (the “Act”), and accordingly the Commission should dismiss the complaint as against Sisk.

As a threshold matter, nothing on the face of the complaint merits Sisk being haled before the Commission. Not only is Sisk not a named respondent, neither is he an “Unknown Respondent” as contemplated in the complaint’s 13<sup>th</sup> paragraph. This paragraph does not allege that Sisk is one of the “individuals who are the true sources of funds Government Integrity Fund transferred to American Jobs and Growth PAC,” nor does it allege that he is a “conduit[] through which such funds passed before reaching Government Integrity Fund.” In fact, *the complaint makes no allegation that Sisk violated the Act in any way.* The complainant’s only apparent rationale for even naming Sisk is so it can drag his name through the mud on its website in service of its perpetual war against Republican political professionals.

The complaint’s failure to allege that Sisk violated the Act makes responding to any such allegation against Sisk necessarily impossible. Insofar as the complaint engages in innuendo against Sisk, this response instead will attempt to respond to that.

The complainant’s theory appears to be that Sisk may have solicited contributions to Government Integrity Fund that then were passed along to American Jobs and Growth PAC, in an effort by the two entities to shield the identity of the contributors. By affidavit, Sisk denies awareness of knowledge of, let alone participation in, any such scheme (see Affidavit of Kyle Sisk, Exhibit 1 hereto, at paragraphs 7-9); the complaint does not actually allege to the contrary, let alone offer evidence to the contrary.

Absent such allegation and evidence, even if Sisk *had* solicited earmarked contributions, this would not constitute a violation of the Act, for two reasons. First, such a contribution would not have been per se illegal, let alone illegal for Sisk to solicit. The Act provides a process for – and therefore acknowledges the permissibility of – conduit contributions. *Cf.* 52 U.S.C. §30116(a)(8). They are legal, *if* properly reported (that is particularly true here where the alleged ultimate recipient was an independent expenditure committee not subject to general contribution source and amount limits). Second, Sisk was not the treasurer of American Jobs and Growth PAC and had no obligation to determine or to accurately report the name and address of its contributors. Because he is neither an alleged straw contributor, an alleged conduit, nor an alleged recipient, Sisk *cannot* have violated the statutory prohibition on contributions in the name of another codified at 52 U.S.C. § 30122. To be sure, Sisk denies soliciting any contribution in the name of another, but at this stage it suffices to note that no reading of the complaint’s alleged facts presents a violation of this statute by Sisk.

The quality of the complaint’s reasoning goes downhill from here. In its 29<sup>th</sup> paragraph, the complaint tries to make hay out of Sisk having been compensated \$951 for travel expenses by the Scott Taylor for Congress campaign, the committee of a candidate whom American Jobs and Growth PAC made independent expenditures to support. The implied smear is that the Taylor campaign paid Sisk to send him to North Carolina to solicit a contribution to an outside spender on the Taylor campaign’s behalf. The complainant appears to have forgotten that five paragraphs earlier the complaint noted: “*Mr. Sisk worked for then-Rep. Taylor’s re-election campaign in 2018. Between April 26, 2017 and September 27, 2018, then-Rep. Taylor’s campaign paid Mr. Sisk a total of \$86,276 for fundraising, campaign consulting and travel expenses.*” (Emphasis supplied.)<sup>1</sup>

Sisk is not and should not be a respondent in this matter. The complaint does not allege he has violated the Act, or offer evidence of any such violation; and the violations it does allege are not and cannot be his. To the extent the Commission even can deem the complaint to have been asserted against Sisk, the Commission should dismiss the complaint as to, and take no action against, Sisk.

Respectfully submitted,



Michael G. Adams, Esq.  
Zachary M. Wallen, Esq.  
Chalmers & Adams LLC  
1300 Penn. Ave. NW, No. 190-612  
Washington, DC 20004  
*Counsel for Kyle Sisk*

Enclosure

---

<sup>1</sup> In fact, this \$951 expense reimbursement was for travel on behalf of the Taylor campaign in the first quarter of 2018 – and moreover, Sisk never traveled to North Carolina to solicit Mr. Greg Lindberg. (Exhibit 1 at paragraphs 10-12.)

**AFFIDAVIT OF KYLE SISK**

Comes the Affiant, Kyle Sisk, and after first being duly sworn, states, subscribes and acknowledges as follows:

1. I have read the allegations made in the complaint at issue in Federal Election Commission Matter Under Review No. 7861 (“Complaint”).
2. I am a professional fundraiser who does work periodically for campaign committees, leadership PACs, 527 organizations, 501(c)(4) social welfare organizations, etc., and I conduct fundraising operations through my business, Capital Cornered, LLC. References to “I” and “me” herein below refer collectively to me and my company.
3. American Jobs and Growth PAC, Government Integrity Fund, and Scott Taylor for Congress separately retained my professional fundraising services.
4. When remunerated for fundraising for any of these clients, I was remunerated by that particular client for services rendered to that particular client.
5. Specifically, for services rendered to Government Integrity Fund, I was remunerated directly by that entity.
6. At no point was I ever remunerated for services rendered to Government Integrity Fund by American Jobs and Growth PAC.
7. At no point did I ever raise contributions for Government Integrity Fund that to my knowledge were earmarked for American Jobs and Growth PAC.
8. In my professional career, I consistently have made it a practice to advise prospective donors to social welfare organizations on whose behalf I am soliciting contributions that any such contributions are not earmarked for the benefit of any other organization.
9. I am not aware of any intent by either my client Government Integrity Fund or my client American Jobs and Growth PAC to circumvent campaign-finance disclosure laws by receiving and passing through a contribution made in the name of another.
10. The \$951.18 expense reimbursement referenced in the 29<sup>th</sup> paragraph of the Complaint was for travel on behalf of the Taylor campaign in the first quarter of 2018.
11. I did not travel, to North Carolina or anywhere else, to solicit Mr. Greg Lindberg on behalf of any entity.
12. Scott Taylor for Congress never reimbursed me for any expenses incurred in service

of fundraising for Government Integrity Fund or American Jobs and Growth PAC.

FURTHER AFFIANT SAYETH NAUGHT.

*Kyle Sisk*  
Kyle Sisk

COMMONWEALTH OF MASSACHUSETTS )

COUNTY OF Middlesex )

Subscribed, sworn to and acknowledged before me on this 20<sup>th</sup> day of January, 2021,  
by Kyle Sisk.

My Commission Expires: 01/17/2025

*Kristopher L. Beck*  
NOTARY PUBLIC



KRISTOPHER L. BECK  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires  
January 17, 2025

