

20 April 2023

To: The Federal Elections Commission

Office of Complaints Examination and Legal Administration

From: John D. Tullius, Ph.D.

Topic: Response to FEC Notice on Complaint Registered by Donald J. Trump (MUR 8123)

1. This memo responds to MUR 8123 regarding Donald J. Trump's complaint about potential violations of the 1971 Federal Campaign Elections Act. I will be representing myself in this matter, as I do not have a donor base, like the Plaintiff, to fund or defend myself against frivolous legal cases.
2. I am asking the FEC to summarily dismiss this meritless complaint; to publicize the complaint to highlight its inanity; and to formally censure Plaintiff's Counsel, Mr. Timothy C. Purlatore, for submitting this sloppy, poorly reasoned compilation of misstatements, inuendo, and slanderous lies. It should be noted that the Plaintiff has lost every election-related suit filed to date (about 60) and I am assuming they have all similarly suffered from baseless, poorly argued points.
3. The Plaintiff's core argument, that the **Secrecy Agreements** (not contracts) that we signed as a condition of our employment means that we are now, and will forever be, "federal contractors" is nonsensical. Plaintiff's definition of a federal contractor, conveniently provided in paragraph 44, undermines this ludicrous contention: **"a federal government contractor is a person who enters into a contract, or is bidding on such a contract, with any agency or department of the United States government and is paid, or is to be paid, for services, material, equipment, supplies (and) or buildings with funds appropriated by Congress."** Since my retirement from Federal service in October 2019, I have never worked as a federal government contractor; i.e., I have never signed a contract with a Federal entity to provide services for remuneration.
4. Since Twitter and Facebook are not Respondents, I am uncertain why this claim has at least 13 paragraphs discussing their alleged misdoings. Nevertheless, I can

certify that I do not use these platforms and that I have never spoken to any of their representatives about this issue, or anything else for that matter.

5. Paragraph 11 alleges that ***“throughout the 2020 Presidential campaign, Respondents engaged in a concerted effort to support and influence the election of Joe Biden as President,”*** while repeating the asinine assertion that we are federal contractors. Similarly, para 24 states: ***“The speed with which this letter was written and the number of Individual Respondents involved points directly to the surreptitious involvement of the Biden Campaign in soliciting or organizing the drafters of the letter...”***

6. Both of these assertions are patently false, as is the libelous allegation that I agreed to sign onto this letter to influence the election, which even if true, would be well within my rights as a private citizen to express my views. In fact, I never had any communications or involvement with Biden campaign officials, and I did not agree to sign onto this letter for political reasons. Rather, this was due to my longstanding concerns about Russian active measures to disrupt our electoral process and sow discord in our country, which remains a serious threat to our democracy.

7. Perhaps most egregiously, paragraphs 25, 26, and 36 make claims that we revealed classified information and violated our ***Secrecy Agreements*** that include lifetime obligations to submit drafts for CIA’s Publication Review Board to ensure we are not inadvertently disclosing classified information. Both of these claims are without merit, and surely the Plaintiff should understand that matters concerning the mishandling of classified information falls under the purview of the Department of Justice, not the FEC. If the Plaintiff is still not clear on this, I would refer him to the Special Counsel that is reviewing his Mar-A-Lago situation.

8. The Plaintiff also gripes about how other media reported on this story, as well as how the Biden Campaign used it. These are both spurious, irrelevant complaints. The Plaintiff apparently lacks awareness that a vibrant media is essential to our democratic process, as he has repeatedly, and continuously demonstrates in his social media posts.

9. Although moot points because I am not a federal contractor, the other key claims—that my signature exceeded the \$200 limit AND that my signature had a ***“momentous effect”*** on the election outcome have not been demonstrated, nor

are they quantifiable. The Plaintiff should explain how these assumptions were determined.

10. Finally, the Plaintiff's assertion that I knew that the emails "had to be real" is a falsehood.

11. Based on the foregoing, I am respectfully requesting that the FEC dismiss this claim. Allowing this complaint to move forward would have grievous implications for each and every person who has served as an intelligence professional, as it would forever impinge on our rights to free speech and to meaningfully participate in our electoral process. Surely, this is antithetical to the FEC's overarching goals and mandate.

12. As such, the Plaintiff's "**PRAYER FOR RELIEF**" should be summarily rejected; this specious complaint should be made public, and Counsel for Plaintiff should be censured.

13. Please advise if I can be of further assistance.

Best Regards,

John D. Tullius, Ph.D.