

**RECEIVED**

By CELA at 4:50 pm, Jan 06, 2025

**VENABLE** LLP600 MASSACHUSETTS AVE., NW WASHINGTON, DC 20001  
T 202.344.4000 F 202.344.8300 www.Venable.com

January 6, 2025

t 202.344.4093  
f 202.344.8300  
JMRyan@Venable.com**DELIVERED VIA ELECTRONIC MAIL**

Wanda D. Brown  
Assistant General Counsel  
Complaints Examination & Legal Administration  
Federal Election Commission  
1050 First Street, N.E.  
Washington, DC 20463

**Re: MUR 8332**

Dear Ms. Brown:

On behalf of our clients Angela Alsobrooks, Alsobrooks for Senate and Jay Petterson, in his official capacity as Treasurer (the "Federal Committee"), and Friends of Angela Alsobrooks and Kimberly Seymour, in her official capacity as Treasurer (the "State Committee"), this letter responds to a Complaint filed by Americans for Public Trust ("APT"), alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act") and Federal Election Commission (the "Commission") regulations.

The Complaint alleges the Federal Committee used State Committee funds in violation of 52 U.S.C. §30125(e)(1) and 11 C.F.R. §300.61, which prohibit the use of nonfederal funds in connection with a federal election. APT asks the Commission to engage in a through-the-looking-glass exercise to conclude that the Federal and State Committees' respective timely and properly reported payments to fundraising consultants must be evidence of the Federal Committee's improper reliance on soft money. They are not.

APT's allegations are based on nothing more than the unremarkable fact that while Ms. Alsobrooks undertook her first campaign for federal office, she continued to maintain her status as a state candidate, along with her long-standing state-level campaign committee. APT asks the Commission to infer a violation of the Act based upon mere speculation that the State Committee's routine expenses must have been for the benefit of the Federal Committee. APT's theory is unsupported by evidence, relies on a series of speculative leaps, and seeks to twist innocuous facts into a narrative of wrongdoing.

Mere speculation and unwarranted legal conclusions from asserted facts are insufficient for the Commission to find reason to believe a violation of the Act has occurred. For these and the following reasons, the Respondents respectfully request the Commission dismiss the Complaint.

## Discussion

Angela Alsobrooks is a current U.S. Senator for Maryland, having won election to federal office in November 2024. Ms. Alsobrooks announced her candidacy for U.S. Senate on May 9, 2023.<sup>1</sup> During the time Ms. Alsobrooks sought federal office, she was County Executive of Prince George’s County, Maryland, a position she had held since 2018.<sup>2</sup> Prior to that, from 2010 to 2017, Ms. Alsobrooks served as State’s Attorney for Prince George’s County.<sup>3</sup> The State Committee has been Ms. Alsobrooks’ campaign committee for all of her state-level candidacies and is currently registered with the Maryland State Board of Elections.<sup>4</sup> The Federal Committee was formed and registered with the Commission on May 9, 2023.<sup>5</sup>

APT asks the Commission to infer from the State Committee’s state campaign finance report for 2023 that payments to a State Committee consultant were for the benefit of the Federal Committee because the payments were made “on the same date” as a fundraising event hosted by the Federal Committee.<sup>6</sup> The timing of the State Committee’s payment had nothing to do with the Federal Committee’s events. The State Committee pays invoices issued by consultants according to typical and customary business practices. As the Commission will certainly acknowledge, it is common for campaign vendors to issue invoices to their clients after services are performed, with payment due within 30 or 60 days of receipt of the invoice. The cadence of the State Committee’s 2023 payments to Rice Consultants, the specific vendor referenced by APT in its complaint, are consistent with payments made for services performed for the benefit of the State Committee each year beginning in 2015.<sup>7</sup> The timing of the State Committee’s payment to a longstanding vendor and the timing of the Federal Committee’s fundraising event is pure happenstance. Concluding that State Committee funds were used for the benefit of the Federal Committee based on mere coincidence is unjustified.

APT implies these inferences are warranted because the State Committee had no legitimate reason to incur its own operating and fundraising expenses during Ms. Alsobrooks’ federal candidacy, apparently because her position as County Executive was term-limited and she had not yet declared candidacy for a different state office. This is incorrect. Had Maryland’s Senator Cardin not announced on May 1, 2023 that he would retire from the United States Senate at the end of his term in 2024,<sup>8</sup> Ms. Alsobrooks almost certainly would have sought another county or statewide

<sup>1</sup> Angela Alsobrooks, FEC Form 2 – Statement of Candidacy (May 9, 2023).

<sup>2</sup> *Maryland Manual On-Line*, MARYLAND STATE ARCHIVES, <https://msa.maryland.gov/msa/mdmanual/36loc/pg/former/html/msa15306.html>.

<sup>3</sup> *Id.*

<sup>4</sup> See *Candidate/Committee Disclosures Search*, MARYLAND CAMPAIGN REPORTING INFORMATION SYSTEM, <https://campaignfinance.maryland.gov/Public/ViewCommittees> (search by Candidate/Committee Name for “Friends of Angela Alsobrooks,” then navigate to Committee Information Established Date).

<sup>5</sup> Alsobrooks for Senate, FEC Form 1—Statement of Organization (May 9, 2023).

<sup>6</sup> Comp. at 3.

<sup>7</sup> See MARYLAND CAMPAIGN REPORTING INFORMATION SYSTEM, View Expenditures/Outstanding Obligations <https://campaignfinance.maryland.gov/Public/ViewCommittees> (search “Rice Consulting as “Payee” and “Payer” by “Friends of Angela Alsobrooks”).

<sup>8</sup> Press Release, *Cardin Announces Plans for 2024*, OFFICE OF SENATOR BEN CARDIN (May 1, 2023), <https://www.cardin.senate.gov/press-releases/cardin-announces-plans-for-2024/>.

office and the State Committee would have remained active for any future state campaign. Launching her federal candidacy on May 9, 2023 also did not foreclose these options—it would be another 18 months before voters would elect Ms. Alsobrooks to the United States Senate. In any event, Ms. Alsobrooks remained a state candidate under Maryland law throughout 2023 and the duration of her federal candidacy.<sup>9</sup> And in order for the State Committee to be of best use for potential future state elections, the State Committee in fact needed its own compliance, fundraising, and other vendors for the State Committee’s own purposes prior to and after Ms. Alsobrooks became a federal candidate.<sup>10</sup> Assuming such expenses were actually incurred for the benefit of the Federal Committee is inappropriate speculation, presumably motivated by APT’s desire to generate negative publicity about Ms. Alsobrooks during her federal candidacy.<sup>11</sup>

Lastly, APT asks the Commission to speculate that State Committee funds must have been used to benefit the Federal Committee because the Federal Committee reported making disbursements for “fundraising” only on June 30, 2023, which was the close of the Federal Committee’s first federal reporting period.<sup>12</sup> Again, the inference that APT seeks based on the timing of payments is entirely unwarranted. The Federal Committee’s July quarterly report reflects that the Federal

---

<sup>9</sup> Under Maryland law, Senator Alsobrooks remained a state candidate until her election to federal office. Maryland law defines the term “candidate” broadly to include “an individual who files a certificate of candidacy for a public or party office....or an individual, prior to that individual filing a certificate of candidacy, if a campaign finance entity has been established on behalf of that individual.” Md. Code, Elec. Law § 1-101(l).

<sup>10</sup> The State Committee has retained Rice Consulting since 2015 to perform a variety of consulting services, including but not limited to fundraising, database maintenance, management of finance trackers, preparing and sending weekly email and mailing thank you letters to supporters, planning and executing fundraising and non-fundraising campaign events, retrieving mail from the State Committee’s P.O. Box, and assisting with state campaign finance reporting compliance. However, the options available to describe vendor services on state campaign finance reports are limited. See MARYLAND CAMPAIGN FINANCE REPORTING SYSTEM, Report Details Expense Categories, <https://campaignfinance.maryland.gov/Public/ViewExpenses>. As a result, the State Committee disbursements to Rice Consulting have historically been disclosed on the Fundraising schedule of its campaign finance reports and described as “Consulting Fees- General” or “Fundraiser – General Expenses.” See *Supra* FN 7.

<sup>11</sup> APT issued a press release announcing its Complaint in June 2023. Press Release, *Americans for Public Trust Files FEC Complaint Against Maryland Senate Candidate Angela Alsobrooks*, Americans for Public Trust (June 12, 2023), <https://americansforpublictrust.org/news/americans-for-public-trust-files-fec-complaint-against-maryland-senate-candidate-angela-alsobrooks/>. Presumably the press release, which almost immediately generated negative press stories about Ms. Alsobrooks, was APT’s primary motivation, because the Complaint was not actually filed with the Commission until four months later. On October 16, 2024, the Baltimore Banner published an article about an FEC complaint filed against Hogan for Maryland and a Super PAC supporting Larry Hogan, Ms. Alsobrooks’ general election opponent. See Pamela Wood, Complaint alleges pro-Hogan super PAC broke campaign finance law, The Baltimore Banner, (Oct. 16, 2024), <https://www.thebaltimorebanner.com/politics-power/national-politics/fec-complaint-hogan-marylands-future-PBI4AR6IBZAE7CNTFBROWPYCJU/>. The Banner reported that a spokesperson for the Super PAC issued a statement “calling the complaint ‘frivolous’ and highlighted a complaint made against Democratic candidate Angela Alsobrooks earlier this year.” *Id.* The same day the Baltimore Banner article was published featuring the Hogan Super PAC spokesman’s statement, APT finally submitted its Complaint to the Commission.

<sup>12</sup> See Alsobrooks for Senate, 2023 July Quarterly Report, sched. B at 856, 859 (July 15, 2023) <https://docquery.fec.gov/pdf/960/202307159582978960/202307159582978960.pdf> (reflecting a June 30, 2023 disbursement for \$8,880.20 to Katz Watson Group Inc. for “Fundraising Consulting” and a June 30, 2023 disbursement for \$4,500 to Rice Consulting, LLC for “Fundraising Consulting”).

Committee directly engaged and paid Rice Consultants and Katz Watson Group to perform fundraising services for the Federal Committee.<sup>13</sup> Like the State Committee, the Federal Committee pays invoices issued by consultants according to typical and customary business practices, which as discussed above, involve campaign vendors issuing invoices to their clients after services are performed, with payment due within 30 or 60 days of receipt of the invoice. There is nothing unusual or improper about the payments reported by the Federal Committee. Far from indicating a violation of the Act, the report demonstrates compliance with the Act.

### Conclusion

The Complaint's allegations rely on conjecture and coincidence, not evidence. The Commission has made clear that the types of unsupported allegations made in the Complaint cannot provide the basis for a reason to believe finding.<sup>14</sup> Lacking any actual evidence, the Complainant instead asks the Commission to depart from its precedent and undertake an unwarranted fishing expedition to see if their speculation holds water. The Commission should decline that invitation, find no reason to believe a violation occurred, and dismiss the Complaint.

Respectfully submitted,



Janice M. Ryan  
 David E. Owens  
 Venable LLP  
 600 Massachusetts Avenue, NW Washington, DC 20001  
 (202) 344-4093  
 Attorneys for Angela Alsobrooks, Alsobrooks for Senate  
 and Jay Petterson, in his official capacity as Treasurer and  
 Friends of Angela Alsobrooks and Kimberly Seymour, in  
 her official capacity as Treasurer

---

<sup>13</sup> The Federal Committee also reported salaries for employees who engaged in fundraising activities on behalf of the Federal Committee. *Id.* at 841-844 (reflecting disbursements to Gusto for payroll and itemized salary payments to Federal Committee employees). There is no reasonable basis for APT's assumption that all fundraising activities for the Federal Committee were conducted by consultants, let alone by the State Committee.

<sup>14</sup> *See, e.g.* MUR 6747 (Santorum for President), Statement of Reasons of Vice Chairman Donald F. McGahn and Commissioner Caroline C. Hunter at 23 ("Instead of presenting facts, the complaint seems to rely on the 'when there's smoke, there's fire' speculation that the Commission has already determined is insufficient to justify an investigation."); *see also* MUR 6664 (Wall for Congress); *also see* MUR 7868 (Twitter), Supplemental Statement of Reasons, Vice Chair Dickerson & Comm'r Trainor at 4 (Sept. 13, 2021) ("At the reason-to-believe stage, we cannot proceed to authorize an investigation based upon '[u]nwarranted legal conclusions from asserted facts or mere speculation.'" (quoting MUR 4960 (Clinton), Statement of Reasons of Comm'rs Mason, Sandstrom, Smith, and Thomas at 2 (Dec. 21, 2000) (internal citations omitted))).