

1 **FEDERAL ELECTION COMMISSION**

2 **FIRST GENERAL COUNSEL'S REPORT**

3 **MUR 7964**

4 DATE COMPLAINT FILED: Feb. 24, 2022

5 DATE OF NOTIFICATIONS: Mar. 02, 2022

6 LAST RESPONSE RECEIVED: Apr. 15, 2022

7 DATE ACTIVATED: Aug. 09, 2022

8 EPS:

9 EXPIRATION OF SOL: Feb. 10, 2022-ongoing

10 ELECTION CYCLES: 2018, 2020, 2022

11 **COMPLAINANTS:**

Michelle Koppersmith

Campaign for Accountability

14 **RESPONDENTS:**

14 White Coat Waste PAC and Janna Rutland in her
15 official capacity as treasurer

16 White Coat Waste Project, Inc.

17 Anthony Bellotti

18 Justin Goodman

19 **RELEVANT STATUTES
20 AND REGULATIONS:**

21 52 U.S.C. § 30101(7)

22 52 U.S.C. § 30102(e)(5)

23 52 U.S.C. § 30103(b)

24 52 U.S.C. § 30118(b)

25 11 C.F.R. § 100.6

26 11 C.F.R. § 100.52(d)

27 11 C.F.R. § 102.14(c)

28 11 C.F.R. § 114.1(b)

29 11 C.F.R. § 114.5(g)

11 C.F.R. § 116.3(b)

30 **INTERNAL REPORTS CHECKED:** Disclosure Reports

31 **FEDERAL AGENCIES CHECKED:** None

32 **I. INTRODUCTION**

33 The Complaint alleges that White Coat Waste PAC and Janna Rutland in her official
34 capacity as treasurer ("WCW PAC"), which registered with the Commission as a non-connected
35 multi-candidate committee in 2017, is financially supported and controlled by White Coat Waste
36 Project, Inc. ("WCW Project"), a section 501(c)(3) corporation, and that WCW PAC is therefore

1 a separate segregated fund under the Federal Election Campaign Act of 1971, as amended (the
2 “Act”), and Commission regulations.¹ WCW PAC, its co-founders, Anthony Bellotti and Justin
3 Goodman, and WCW Project (collectively, the “Respondents”) filed a joint Response denying
4 that WCW PAC is a separate segregated fund of WCW Project. The Response acknowledges
5 that WCW PAC and WCW Project share identical slogans and similar logos,² that WCW Project
6 board members also serve as board members of WCW PAC,³ and that WCW Project has
7 advanced limited funds for and has administrative control over WCW PAC’s website.⁴
8 However, Respondents maintain that WCW PAC was intended to be and operates as an
9 independent non-connected multi-candidate committee that is not financially supported by WCW
10 Project.⁵

11 The available information indicates, however, that WCW PAC is not financially
12 independent of WCW Project, as WCW Project paid for WCW PAC’s website fees, permits
13 WCW PAC to use its slogan, logo, and name free of charge, and appears to pay rent and other
14 utilities on behalf of WCW PAC. WCW PAC is also not organizationally independent of WCW
15 Project, as a majority of WCW PAC’s board members are board members or officers of WCW
16 Project. Thus, we recommend that the Commission find reason to believe that WCW PAC is
17 WCW Project’s separate segregated fund pursuant to 52 U.S.C. § 30118(b), and subsequently:
18 (1) reason to believe that WCW PAC violated 52 U.S.C. § 30103(b) by failing to identify WCW
19 Project as its connected organization; (2) reason to believe that WCW PAC violated 52 U.S.C.

¹ *See generally* Compl. (Feb. 24, 2022).

² Resp. at 5 & n. 29 (Apr. 15, 2022).

³ *Id.* at 8.

⁴ *Id.* at 7.

⁵ *Id.* at 2, 8-9.

1 § 30102(e)(5) and 11 C.F.R. § 102.14(c) as its name does not contain the full legal name of
 2 WCW Project; and (3) reason to believe that WCW PAC violated 52 U.S.C. § 30118(b)(4)(a)
 3 and 11 C.F.R. § 114.5(g)(1) by soliciting contributions from persons outside of its connected
 4 organization's restricted class. In addition, we recommend the Commission authorize pre-
 5 probable cause conciliation with WCW PAC. Finally, we recommend that the Commission take
 6 no action at this time as to WCW Project, Bellotti, and Goodman.

7 II. FACTUAL BACKGROUND

8 WCW Project is a section 501(c)(3) corporation established in 2013 that describes its
 9 mission as helping taxpayers avoid being “forced to pay over \$20 billion every year for wasteful
 10 and cruel experiments on dogs, cats, monkeys and other animals.”⁶ Anthony Bellotti is its
 11 founder, president, and a board member, and Justin Goodman is its senior vice president.⁷
 12 WCW Project's other board members appear to be Julie Germany, Alyssa Hackbarth, and
 13 Rebekah DeHaven.⁸

14 WCW PAC, which was co-founded by Bellotti and Goodman,⁹ has represented itself as a

⁶ WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/> (last visited May 1, 2023); Resp. at 2; *but see Entity Information*, VA STATE CORP. COMM'N CLERK'S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=335445&businessType=Nonstock%20Corporation&Source=fromFormatio&isSeries=False> (last visited May 1, 2023) (reflecting that WCW Project was formed on Oct. 3, 2011).

⁷ Resp. at 2, Ex. A ¶¶ 1, 4 [hereinafter Bellotti Aff.]; *see also Anthony Bellotti, President & Founder*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/anthony-bellotti-president-founder/> (last visited May 1, 2023); *Justin Goodman, Senior Vice President, Advocacy & Public Policy*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/justin-goodman-senior-vice-president-advocacy-public-policy/> (last visited May 1, 2023).

⁸ *Welcome to CorpOnline*, DC.GOV, <https://corponline.dcrd.dc.gov/Home.aspx> (last visited May 1, 2023) (search the entity name “White Coat Waste”) (reflecting that Bellotti, along with Alyssa Hackbarth, Rebekah DeHaen [*sic*], and Julie Germany are “governors” of WCW Project); *but see White Coat Waste Board of Directors*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/wcwboardofdirectors/> (last visited May 1, 2023) (reflecting only Alyssa Hackbarth, Rebekah DeHaven, and Julie Germany as serving on WCW Project's Board of Directors).

⁹ *See* Compl. at 2, nn.3-4 (citing Yasmeen Abutaleb & Beth Reinhard, *Fauci Swamped By Angry Calls Over Beagle Experiments After Campaign That Included Misleading Image*, WASH. POST, Nov. 19, 2021, <https://www.washingtonpost.com/investigations/2021/11/19/fauci-beagle-white-coat-waste/>) (“A separate political committee co-

1 non-connected committee since registering with the Commission in February 2017.¹⁰ WCW
 2 PAC describes its mission as electing candidates who are “committed to ending \$20 billion in
 3 wasteful and cruel taxpayer-funded animal experiments.”¹¹ In addition to their roles at WCW
 4 Project, Bellotti, Goodman, and Germany serve as board members of WCW PAC with Bellotti
 5 also serving as WCW PAC’s president.¹² Respondents state that the persons who are involved in
 6 the management of both organizations participate and contribute to WCW PAC in their personal
 7 capacities.¹³ Since its inception, WCW PAC has had the same name and received \$183,200 in
 8 contributions.¹⁴ According to the Complaint, in the 2020 election cycle, WCW PAC contributed
 9 to the seven House candidates who sponsored or cosponsored legislation supported by WCW
 10 Project.¹⁵

founded by Goodman and Bellotti has donated to Democrats and Republicans.”); Resp. at 7 (explaining that Bellotti “co-founded” WCW PAC); Bellotti Aff. ¶ 4.

¹⁰ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

¹¹ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023).

¹² *Entity Information*, VA STATE CORP. COMM’N CLERK’S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=141358&businessType=Nonstock%20Corporation&Source=fromFormation&isSeries=False> (last visited May 1, 2023) (reflecting that WCW PAC’s officers are Julie Germany, Justin Goodman, Anthony Bellotti, and Janna Rutland); Bellotti Aff. ¶ 4 (“I am the President and board member of both the Project and the PAC — two organizations I built from the ground up.”).

¹³ Resp. at 9; Bellotti Aff. ¶¶ 3, 9.

¹⁴ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>; *White Coat Waste PAC: Financial Summary*, FEC.GOV, <https://www.fec.gov/data/committee/C00632760/> (last visited May 1, 2023) (aggregating the total contributions received as reflected in the 2018, 2020, and 2022 election cycles).

¹⁵ Compl. at 5; *see also FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760&two_year_transaction_period=2020&line_number=F3X-23 (last visited May 1, 2023) (reflecting that WCW PAC made contributions to seven principal campaign committees and one joint fundraising committee in 2019-2020).

1 Although WCW Project and WCW PAC maintain separate websites through which they
 2 solicit funds, these websites use the same slogan and nearly the same logo as reflected below:



3
 4 The Complaint also alleges that WCW Project is the registrant organization and
 5 administrative organization for WCW PAC's website through WCW Project's GoDaddy LLC
 6 ("GoDaddy") account.¹⁸ Both WCW Project's and WCW PAC's website domains appear to be
 7 registered under the same GoDaddy account, which is currently associated with the registered
 8 name and email address of WCW Project.¹⁹ Although Bellotti originally used his personal
 9 GoDaddy account to register the website domains for both WCW Project's and WCW PAC's

¹⁶ WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/> (last visited May 1, 2023) (screenshot of the webpage's top left corner)

¹⁷ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023) (screenshot of the webpage's center image).

¹⁸ Compl. at 2. GoDaddy is a corporation that provides a variety of web services, including website domain, web hosting, and website design services. GODADDY, <https://www.godaddy.com/> (last visited May 1, 2023).

¹⁹ *See* Bellotti Aff. ¶¶ 4-9 (explaining that the GoDaddy account registered with WCW Project's name and email address sets its recurring expenses to be paid with WCW Project's corporate credit card and these expenses include the web hosting services for WCW PAC); *see also* Compl. at 2.

1 websites,²⁰ in December 2020, the registered name and primary email address of Bellotti's
2 personal GoDaddy account was changed to that of WCW Project's.²¹ Respondents state that
3 WCW Project subsequently removed "non-Project-related items out of its GoDaddy account . . .
4 and into other accounts that were not related to the Project or its operations."²² However, WCW
5 Project apparently did not remove WCW PAC's website domain from its account as WCW
6 Project later paid an expense relating to WCW PAC's website.²³ Respondents assert that,
7 because recurring expenses from the GoDaddy account were set to be automatically paid using
8 WCW Project's corporate credit card, a charge associated with WCW PAC's website was
9 inadvertently paid by WCW Project.²⁴ Although Respondents claim that WCW PAC has "fully
10 reimbursed (with interest)" WCW Project for the GoDaddy website fee in the amount of \$187.66
11 on March 4, 2022,²⁵ WCW PAC's reported disbursements do not reflect such a reimbursement.²⁶
12 Moreover, the invoice provided in the Response refers to a GoDaddy fee dated July 16, 2022,

²⁰ See Bellotti Aff. ¶ 4 (Bellotti declaring that he would pay the recurring expenses required to maintain the websites of both WCW Project and WCW PAC, including the annual GoDaddy web hosting fees); *id.* ¶ 5 (explaining that the WCW PAC's website domain was transferred to his personal GoDaddy account in 2017).

²¹ Resp. at 7; Bellotti Aff. ¶¶ 6-7; *see also* Compl. at 2.

²² Bellotti Aff. ¶ 7.

²³ See Resp., Ex. B (reflecting a March 4, 2022 invoice to WCW PAC to reimburse WCW Project for a July 16, 2022 GoDaddy fee). WCW Project does not appear to have paid for any other website fee associated with WCW PAC. See, e.g., White Coat Waste PAC, 2022 October Quarterly Report at 15-16 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf> (reflecting a \$122.65 disbursement to Bellotti on August 10, 2022 for reimbursement of a GoDaddy website fee).

²⁴ Resp. at 7. Bellotti previously used his own personal credit card to pay both WCW Project and WCW PAC's website fees. Bellotti Aff. ¶ 4.

²⁵ Resp. at 7, Ex. B; Bellotti Aff. ¶ 10.

²⁶ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements). Because WCW PAC's aggregated disbursements to GoDaddy exceeded \$200 in 2022, WCW PAC was required to report this disbursement to GoDaddy through reimbursing WCW Project. 11 C.F.R. § 104.3(b)(3)(i).

1 which postdates the March 4, 2022 invoice and the date of the April 15, 2022 Response.²⁷

2 Finally, WCW PAC and WCW Project may be operating from the same location. WCW
3 PAC's address as reflected in the March 4, 2022 invoice provided by Respondents and in its
4 submissions to the Virginia Corporation Commission is the same location as WCW Project's
5 address provided in WCW Project's submissions to the D.C. Department of Licensing and
6 Consumer Protection (formerly known as the Department of Consumer and Regulatory
7 Affairs).²⁸ WCW PAC, however, does not report making any disbursements for rent or
8 utilities.²⁹ While WCW PAC also reports having an address at P.O. Box 9891, Arlington,
9 Virginia,³⁰ and previously reported having an address at P.O. Box 26141, Alexandria, Virginia,³¹
10 it also has not reported a fee related to either post office box rental in its disbursements.³²

²⁷ Resp., Ex. B. WCW PAC also does not report any disbursement dated July 16, 2022. *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

²⁸ Resp., Ex. B (reflecting that WCW PAC's address is 15405 John Marshall Highway, Haymarket, VA 20169); *Entity Information*, VA STATE CORP. COMM'N CLERK'S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=141358&businessType=Nonstock%20Corporation&Source=fromFormation&isSeries=False> (last visited May 1, 2023); *Welcome to CorpOnline*, DC.GOV, <https://corponline.dcr.dc.gov/Home.aspx> (last visited May 1, 2023) (search the entity name "White Coat Waste") (reflecting that WCW Project's business address is 15405 John Marshall Highway, Haymarket, VA 20169).

²⁹ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

³⁰ White Coat Waste PAC, Amended Statement of Organization (Feb. 28, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>; White Coat Waste PAC, Amended Statement of Organization (Apr. 8, 2019), <https://docquery.fec.gov/pdf/485/201904089146049485/201904089146049485.pdf>.

³¹ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

³² *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements). WCW PAC did report, however, a \$838,40 disbursement for "postage" on August 5, 2022. White Coat Waste PAC, 2022 October Quarterly Report at 15 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf>.

1 **III. LEGAL ANALYSIS**

2 **A. WCW PAC Appears to Be the Separate Segregated Fund of WCW Project**

3 A separate segregated fund (“SSF”), also known as a connected political committee, is a
4 committee that has a connected organization (such as a corporation, labor union, or trade
5 association) that establishes, administers, or financially supports the committee.³³ A benefit of
6 organizing as a connected political committee is that the committee may use unlimited funds
7 from its connected organization to pay for its “[e]stablishment, administration, and solicitation
8 costs,” such as “the cost of office space, phones, salaries, utilities, supplies, legal and accounting
9 fees, fund-raising and other expenses incurred in setting up and running” the committee.³⁴ These
10 payments are not considered contributions and thus are not subject to the Act’s contribution
11 prohibitions,³⁵ which otherwise generally prohibit corporations and labor unions from making
12 direct or in-kind contributions.³⁶ However, except for two written solicitations per year to the
13 general public, the connected political committee may only solicit contributions from members
14 of its connected organization’s restricted class, which are the connected organization’s members,
15 stockholders, executive or administrative personnel, and their families.³⁷

16 In contrast, all payments to a non-connected political committee, including those for its
17 establishment, administration, and solicitation, are considered direct or in-kind contributions

³³ 52 U.S.C. §§ 30101(7), 30118(b)(2); 11 C.F.R. § 100.6(a). For the purposes of determining whether a committee has a connected organization, financial support for the committee “does not include contributions to the political committee, but does include the payment of establishment, administration and solicitation costs of such committee.” 11 C.F.R. § 100.6(c).

³⁴ 11 C.F.R. §§ 114.1(b), 114.5(b).

³⁵ 11 C.F.R. § 114.1(a)(2)(iii).

³⁶ 52 U.S.C. § 30118(a). Corporations may contribute to independent-expenditure-only political committees (“IEOPCs”). Advisory Opinion 2010-11 at 2-3 (Commonsense Ten) (“AO 2010-11”).

³⁷ 52 U.S.C. § 30118(b)(4); 11 C.F.R. §§ 114.1(j), 114.5(g), 114.6(a)-(b).

1 subject to the limits and prohibitions of the Act, unless another exception applies.³⁸ In exchange,
2 the non-connected political committee is permitted to solicit contributions from the general
3 public.³⁹

4 Under certain circumstances, the Commission has permitted individuals associated with a
5 corporation to establish a non-connected committee by considering (1) “whether the committee
6 is financially supported by that corporation” and (2) “the organizational independence of the
7 committee from any other incorporated entity.”⁴⁰

8 Financial independence requires the committee to not only reject monetary payments
9 (other than contributions) from another organization but also requires the committee to pay “the
10 normal and usual rental charge” to use the organization’s facilities,⁴¹ and the committee must use
11 the facilities in a manner consistent with the permissions given to other entities.⁴² In this regard,
12 a committee could only accept credit from a corporation (without receiving a financial benefit) if
13 that credit was extended in the corporation’s ordinary course of business “and the terms are
14 substantially similar to extensions of credit to nonpolitical debtors that are of similar risk and

³⁸ Factual & Legal Analysis (“F&LA”) at 4, MUR 6746 (AICPAC); *see also* F&LA at 3, MUR 5830 (U.S.-Cuba Democracy PAC, *et al.*).

³⁹ F&LA at 3, MUR 5830.

⁴⁰ F&LA at 4, MUR 6746 (dismissing pursuant to prosecutorial discretion an allegation that a committee failed to register as an SSF where the committee demonstrated financial independence from the alleged connected organization); *see also* F&LA at 3-4, MUR 5830 (explaining that the Commission permits persons associated with a corporation to form a non-connected committee where “(1) . . . the committee is not financially supported by that corporation; and (2) the committee maintains organizational independence from any other incorporated entity”).

⁴¹ *See* 11 C.F.R. § 100.52(d) (providing that “anything of value includes all in-kind contributions,” including the use of “facilities”); Advisory Opinion 2000-20 at 4 (Comm. for Quality Cancer Care) (“AO 2000-20”) (advising that the committee would not appear to have a connected organization where it “pay[s] for the actual cost of all rent and other administrative expenses ” despite sharing office space with another entity).

⁴² Advisory Opinion 1984-12 at 3 (Am. College of Allergists) (“AO 1984-12”) (advising that, in order for the committee to use a firm’s facilities without receiving a financial benefit from that firm, “that use must be consistent with [the firm’s] relations with organizations other than the [committee]”).

1 size of obligation.”⁴³ An organization is also providing financial support to a committee where it
 2 “engag[es] in conduct which favors or appears to favor [the committee’s] solicitation activity”
 3 such as allowing the committee “to use its letterhead for solicitation and administrative
 4 purposes.”⁴⁴

5 As for organizational independence, the Commission considers “the role which members
 6 or controlling individuals of other organizations play in the creation and operation of the
 7 proposed non-connected political committee.”⁴⁵ The Commission has found that the
 8 organizational structure of a nonconnected committee is one where “a majority of the PAC’s
 9 governing body does not appear to have been comprised of directors, officers or other personnel”
 10 of another entity.⁴⁶

⁴³ 11 C.F.R. § 116.3(b); *see also* Advisory Opinion 1997-15 at 5 (Nickalo) (“AO 1997-15”) (advising that BGB could not extend credit to the committee for administration or fundraising assistance, as “[i]t does not appear that BGB is in the business of providing goods or services to other entities for the purpose of administration or fundraising assistance”).

⁴⁴ AO 1984-12 at 3 (stating that “it would be improper for the College to allow IAPAC to use its letterhead for solicitation and administrative purposes” where IAPAC was organizing as a committee independent of the College); *cf.* F&LA at 4, MUR 7302 (Ted Campbell for N.D., *et al.*) (“The Commission has previously determined that a corporation’s name, trade name, trademarks, and service marks are things of value owned by the corporation, and that allowing a committee to use them in a manner suggesting the corporation’s support or endorsement of a candidate may constitute an in-kind contribution.”); AO 1997-15 at 7-8 (explaining that, if a purported non-connected committee uses a corporation’s name or letterhead in soliciting contributions, then its non-connected status should be re-examined).

⁴⁵ AO 2000-20 at 4; *see also* 52 U.S.C. § 30101(7) (“The term ‘connected organization’ means any organization which is not a political committee but which directly or indirectly establishes, administers or financially supports a political committee.”).

⁴⁶ *See* F&LA at 5, MUR 5830 (concluding that “it appears that the organizational structure of CDA is consistent with nonconnected committee status in that a majority of the PAC’s governing body does not appear to have been comprised of directors, officers or other personnel of the corporation” where only one person of a 25-member board and one person of a seven-member executive committee was affiliated with the corporation); *see also, e.g.*, Conciliation Agreement (“CA”) ¶¶ IV.6, VI, MUR 1363 (MediAmerica, Inc., *et al.*) (reflecting that Commission found probable cause that the committee failed to report having a corporation as its connected organization where the committee was “operated and directed solely by employees” of the corporation); Advisory Opinion 1997-26 at 4 (Ass’n of Metro. Sewerage Agencies) (“AO 1997-26”) (stating “should a majority of [the committee’s] board of directors be comprised of directors, officers or other personnel of AMSA, this would require further review of [the committee’s] non-connected status in relation to AMSA, and may lead to a conclusion that [the committee] is the separate segregated fund of AMSA.”).

1 1. WCW PAC Has Not Been Financially Independent from WCW Project

2 The available information appears to show that WCW Project financially supports WCW
 3 PAC. First, WCW Project permits WCW PAC to use its slogan, name, and logo to solicit
 4 contributions free of charge.⁴⁷ Although Respondents are correct that the Commission does not
 5 prohibit an “organization and a nonconnected PAC to share similar names and to use nearly
 6 identical logos,”⁴⁸ to be consistent with its purported non-connected status, WCW PAC would be

⁴⁷ See *supra* notes 16-17 and accompanying text and images. We note that Respondents do not indicate that WCW PAC's use of WCW Project's slogan and similar logo and name was not permitted. Cf. F&LA at 6-7, MUR 7508 (Whirlpool Corp.) (indicating that it is unlikely that Whirlpool made a prohibited corporate contribution and dismissing the allegation where Whirlpool refused to allow the committee to film on Whirlpool property and requested the committee to clarify that the appearance of the Whirlpool logo and Whirlpool employees in its advertisement was not an endorsement from Whirlpool).

Consistent with our recommendations, the Commission has previously found reason to believe that a corporation made prohibited corporate contributions where it allowed a committee to repeatedly use its corporate trademarks in its advertisements free of charge. F&LA at 4-6, MUR 4340 (TWEEZERMAN Corp.) (finding reason to believe that TWEEZERMAN Corporation (“Tweezerman”) made prohibited corporate contributions to the campaign of its president and founder, LaMagna, when (1) LaMagna used the phrase “TWEEZERMAN for Congress” in political advertisements; (2) Tweezerman shared advertising space with LaMagna's campaign; and (3) Tweezerman's website contained a link to LaMagna's campaign's website, which accepted contributions). In contrast, the Commission has dismissed allegations of a corporate contribution where a committee uses a corporate trademark in limited instances as the value of those apparent corporate contributions appear to be small. See, e.g., Gen. Counsel's Rpt. at 3-4, MUR 6331 (Committee to Elect Shirley Gibson for Congress) (EPS Dismissal) (recommending dismissal where invitations to a fundraising event included corporate names and logos, the committee raised only \$4,400 at the event, and the event was fully funded by the committee for \$3,875); Certification (“Cert.”) ¶¶ 1, 3 (Feb. 4, 2011), MUR 6331 (dismissing MUR 6331 and modifying the general counsel's report). Here, like in MUR 4340, the evidence suggests that WCW PAC's use of WCW Project's slogan, logo, and name is over a protracted period, and the value of WCW PAC's use is likely more than *de minimis*, as WCW PAC has raised \$183,200 since its apparent use of WCW Project's name. See *White Coat Waste PAC: Financial Summary*, FEC.GOV, <https://www.fec.gov/data/committee/C00632760/> (last visited May 1, 2023) (adding up the total contributions reflected in the 2018, 2020, and 2022 election cycles).

⁴⁸ Resp. at 4 n.29. The Response also notes the similarity between the logos shared by Planned Parenthood Federation of America, Inc., and Planned Parenthood Votes, an IEOPC. See *id.* Without addressing whether Planned Parenthood Votes accepted a corporate contribution, as these allegations were not described in the Complaint, we note that IEOPCs are generally permitted to accept unlimited contributions from corporations. AO 2010-11 at 3.

1 required to pay for its use of WCW Project's slogan and similar name and logo,⁴⁹ which it has
2 not done.⁵⁰

3 In addition, Respondents admit that WCW Project inadvertently paid for one of WCW
4 PAC's website fees.⁵¹ Although Respondents assert that this website fee was reimbursed,⁵² this
5 reimbursement is not reflected in WCW PAC's disclosure reports.⁵³ However, even if WCW
6 PAC promptly reimbursed WCW Project, the initial payment may still constitute financial
7 support as the available evidence does not suggest that WCW Project ordinarily pays or extends
8 credit for the website hosting fees of other organizations during its ordinary course of business.⁵⁴

9 Finally, WCW Project appears to allow WCW PAC to use its office space and utilities
10 free of charge.⁵⁵ As indicated above, WCW Project and WCW PAC have both reported using
11 the same address.⁵⁶ However, WCW PAC has not reported any disbursements for rent or

⁴⁹ See, e.g., F&LA at 3-4, MUR 7302 ("The Commission has previously determined that a corporation's name, trade name, trademarks, and service marks are things of value owned by the corporation, and that allowing a committee to use them in a manner suggesting the corporation's support or endorsement of a candidate may constitute an in-kind contribution."); AO 1997-15 at 7-8 (explaining that, if a purported non-connected committee uses a corporation's name or letterhead in soliciting contributions, then its non-connected status would be re-examined); Advisory Opinion 1991-32 at 9 (CEC Inc.) (explaining that a candidate would not be accepting a corporate contribution if he or she pays an advance fee for solicitation letters containing the corporation's letterhead and a signature by a corporate officer or director).

⁵⁰ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

⁵¹ Resp. at 7; Bellotti Aff. ¶ 9.

⁵² Resp. at 7; Bellotti Aff. ¶ 10.

⁵³ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

⁵⁴ See 11 C.F.R. § 116.3(b)-(c); AO 1997-17 at 5 (advising that BGB could not extend credit to the committee for administration or fundraising assistance, as "[i]t does not appear that BGB is in the business of providing goods or services to other entities for the purpose of administration or fundraising assistance."); Advisory Opinion 1991-37 at 4 (Democratic Election Reporting Educ. Fund) ("AO 1991-37") (advising that "insufficient or late payments could lead to the conclusion that CFC is the connected organization of DEREf and that DEREf is an SSF").

⁵⁵ See AO 1991-37 at 4 (advising that "[a] failure to have DEREf make full payment for its share of the rent and the other facilities would result in CFC financially maintaining the committee").

⁵⁶ *Supra* note 28.

1 utilities.⁵⁷ In addition, while WCW PAC initially reported an address at P.O. Box 26141,
 2 Alexandria, Virginia,⁵⁸ and currently reports an address at P.O. Box 9891, Arlington, Virginia,⁵⁹
 3 these post office box rentals may be subsidized by WCW Project as WCW PAC has not reported
 4 a disbursement related to a post office box rental in its disclosure reports.⁶⁰

5 Thus, because WCW Project allows WCW PAC to use its slogan, logo, and name free of
 6 charge, paid a WCW PAC website fee, and appears to allow WCW PAC to use its office
 7 facilities free of charge, WCW Project appears to financially support WCW PAC.⁶¹

8 2. WCW PAC Does Not Appear to Be Organizationally Independent from
 9 WCW Project

10 The available information indicates that WCW PAC is not organizationally independent
 11 of WCW Project. WCW PAC only has four board members and three of them are board

⁵⁷ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

⁵⁸ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

⁵⁹ White Coat Waste PAC, Amended Statement of Organization (Feb. 28, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>.

⁶⁰ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements since inception).

⁶¹ Although Respondents attempt to analogize to MUR 6746, in that matter, the alleged connected committee paid its alleged connected organization for administrative services, and thus the Commission found that the committee was financially independent and dismissed the allegations. F&LA at 5, MUR 6746 (noting that the committee paid \$496,659 in total to its alleged connected organization for administrative services, phone communications, and PAC surveys). In contrast, here, WCW PAC has not made a disbursement to WCW Project that appears to cover the above-referenced costs from using WCW Project's marks, the July 16, 2022 website fee, or the rent and utilities associated with 15405 John Marshall Highway, Hay market, VA 20169. *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements). Respondents also cite to the Statement of Reasons from Vice Chair Dickerson and Commissioners Cooksey and Trainor in MUR 7528, which is inapposite as that Statement of Reasons explained that the alleged connected organization was an Alaska Native Corporation and that the Complaint did not fairly allege that the committee should have been designated as a separate segregated fund, both reasons that are not applicable here. *See* Statement of Reasons, Comm'rs. Dickerson, Cooksey & Trainor at 4-5, MUR 7528 (Yukon Kusko Pol. Action Comm., *et al.*).

1 members or officers of WCW Project: Bellotti, Germany, and Goodman.⁶² Thus, a majority of
 2 WCW PAC's governing body is comprised of directors or officers of WCW Project such that
 3 WCW PAC lacks organizational independence from WCW Project.⁶³

4 Although Respondents claim that the persons who are involved in the management of
 5 both organizations participate and contribute to WCW PAC in their personal capacities,⁶⁴
 6 Respondents agree that WCW PAC and WCW Project share "the same goal,"⁶⁵ further
 7 indicating that WCW PAC is not independent of WCW Project.

8 * * *

9 In sum, because the available information appears to indicate that WCW PAC was
 10 neither financially nor organizationally independent from WCW Project, WCW PAC appears to
 11 be the separate segregated fund of WCW Project in accordance with 52 U.S.C. § 30118(b),
 12 rather than a non-connected committee.⁶⁶

⁶² *Supra* notes 7-8, 12.

⁶³ *See* F&LA at 5, MUR 5830 (concluding that "it appears that the organizational structure of CDA is consistent with nonconnected committee status in that a majority of the PAC's governing body does not appear to have been comprised of directors, officers or other personnel of the corporation" where only one person of a 25-member board and one person of a seven-member executive committee was affiliated with the corporation); *see also, e.g.*, CA ¶¶ IV.6, VI, MUR 1363; AO 1997-26 at 4.

⁶⁴ Resp. at 9; Bellotti Aff. ¶¶ 3, 9.

⁶⁵ Resp. at 5; *see also* Compl. at 5 (alleging that WCW PAC only contributed to the seven House candidates, who sponsored or cosponsored legislation supported by WCW Project); *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760&two_year_transaction_period=2020&line_number=F3X-23 (last visited May 1, 2023) (reflecting that WCW PAC made contributions to seven principal campaign committees and one joint fundraising committee in 2019-2020).

⁶⁶ *See* RTB Notif. Letter, MUR 1363 (explaining the Commission found reason to believe that the committee was the corporation's SSF because "key principals" of the corporation were "actively involved in the affairs" of the committee and the corporation "provided funds and services for the establishment and administration" of the committee); *cf.* F&LA at 4, MUR 3062 (Wild PAC) (finding reason to believe that the committee was an SSF of a nonprofit corporation where the committee's treasurer was also the executive director of the nonprofit corporation); Cert. ¶ 1, MUR 3062 (taking no further action against the committee where the evidence indicated that the nonprofit corporation did not financially support the committee).

1 **B. The Commission Should Find Reason to Believe that WCW PAC Failed to**
2 **Adhere to the Registration and Solicitation Requirements for Connected**
3 **Political Committees**

4 The Act and Commission regulations prescribe specific registration and solicitation
5 requirements for connected political committees. Specifically, a connected political committee
6 must include “the name, address, relationship, and type of any connected organization or
7 affiliated committee” in its statement of organization.⁶⁷ In addition, the name of the committee
8 “shall include the full name of its connected organization.”⁶⁸ Finally, as noted above, except for
9 two written solicitations per year to the general public, the connected political committee may
10 only solicit contributions from members of its connected organization’s restricted class, which
11 are the connected organization’s members, stockholders, executive or administrative personnel,
12 and their families.⁶⁹

13 The available information shows that WCW PAC failed to adhere any of the above-
14 referenced requirements. WCW PAC’s most recent statement of organization does not indicate
15 that it is a connected political committee and does not refer to WCW Project as its connected
16 organization.⁷⁰ Its name, White Coat Waste PAC, also fails to include the full name of its
17 connected organization, White Coat Waste Project, Inc. Finally, WCW PAC’s website solicits
18 contributions from any person,⁷¹ rather than just its connected organization’s restricted class.

⁶⁷ 52 U.S.C. § 30103(b)(2).

⁶⁸ 11 C.F.R. § 102.14(c); *see also* 52 U.S.C. § 30102(e)(5).

⁶⁹ 52 U.S.C. § 30118(b)(4); 11 C.F.R. §§ 114.1(j), 114.5(g), 114.6(a)-(b); *see also* F&LA at 10, MUR 6106 (Minn. Corn Growers Assoc., *et al.*) (finding reason to believe that an SSF solicited contributions outside of its connected organization’s restricted class when it advertised its annual auction fundraiser through a publication that was publicly circulated and the auction was open to the public).

⁷⁰ White Coat Waste PAC, Amended Statement of Organization at 2-3 (Feb. 18, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>.

⁷¹ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023) (reflecting a donate button in the middle of the webpage leading to another webpage that collects contributions).

1 WCW PAC has also collected contributions from individuals outside of the restricted class, such
2 as Paul D. Blinn, an employee of Applied Finance Advisors,⁷² and Robert S. Egerman, an
3 employee of the state of Florida.⁷³

4 Thus, we recommend that the Commission find (1) reason to believe that WCW PAC
5 violated 52 U.S.C. § 30103(b)(2) by failing to include the name, address, relationship, and type
6 of its connected organization in its statement of organization; (2) reason to believe that WCW
7 PAC violated 52 U.S.C. § 30102(e)(5) and 11 C.F.R. § 102.14(c) by failing to include in its
8 name the full name of its connected organization; and (3) reason to believe that WCW PAC
9 violated 52 U.S.C. § 30118(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) by soliciting contributions
10 from persons outside of its connected organization's restricted class.

11 **C. The Commission Should Take No Action at this Time as to WCW Project**
12 **and its Corporate Officers, Bellotti and Goodman**

13 We also recommend the Commission to take no action at this time as to WCW Project,
14 Bellotti, and Goodman. Although these Respondents would not appear to have violated the Act
15 or Commission regulations if WCW PAC is found to be a separate segregated fund, they may be
16 liable for making and consenting to corporate contributions if the Commission were to determine
17 that WCW PAC is properly registered as a non-connected multi-candidate committee.⁷⁴

⁷² White Coat Waste PAC, 2022 October Quarterly Report at 6 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf>.

⁷³ *Id.* at 7.

⁷⁴ See 52 U.S.C. § 30118(a); *see also* Cert. ¶¶ 1-2 (Apr. 15, 1983), MUR 1363 (finding probable cause to believe that the committee was a corporate SSF, and finding, in the alternative, probable cause to believe that the corporation advanced goods and services to the committee and thus the corporation gave, and the committee accepted, prohibited corporate contributions).

MUR 7964 (White Coat Waste PAC, *et al.*)

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13 **V. RECOMMENDATIONS**

14 1. Find reason to believe that White Coat Waste PAC and Janna Rutland in her official
15 capacity as treasurer violated 52 U.S.C. § 30103(b)(2) by failing to include the name,
16 address, relationship, and type of its connected organization in its statement of
17 organization;

18 2. Find reason to believe that White Coat Waste PAC and Janna Rutland in her official
19 capacity as treasurer violated 52 U.S.C. § 30102(e)(5) and 11 C.F.R. § 102.14(c) by
20 failing to include in its name the full name of its connected organization, White Coat
21 Waste Project, Inc.;

22 3. Find reason to believe that White Coat Waste PAC and Janna Rutland in her official
23 capacity as treasurer violated 52 U.S.C. § 30118(b)(4)(A)(i) and 11 C.F.R.

1 **FEDERAL ELECTION COMMISSION**2 **FACTUAL AND LEGAL ANALYSIS**

3
4 **RESPONDENTS:** White Coat Waste PAC and Janna Rutland
5 in her official capacity as treasurer

MUR 79646 **I. INTRODUCTION**

7 The Complaint alleges that White Coat Waste PAC and Janna Rutland in her official
8 capacity as treasurer (“WCW PAC”), which registered with the Commission as a non-connected
9 multi-candidate committee in 2017, is financially supported and controlled by White Coat Waste
10 Project, Inc. (“WCW Project”), a section 501(c)(3) corporation, and that WCW PAC is therefore
11 a separate segregated fund under the Federal Election Campaign Act of 1971, as amended (the
12 “Act”), and Commission regulations.¹ WCW PAC, its co-founders, Anthony Bellotti and Justin
13 Goodman, and WCW Project (collectively, the “Respondents”) filed a joint Response denying
14 that WCW PAC is a separate segregated fund of WCW Project. The Response acknowledges
15 that WCW PAC and WCW Project share identical slogans and similar logos,² that WCW Project
16 board members also serve as board members of WCW PAC,³ and that WCW Project has
17 advanced limited funds for and has administrative control over WCW PAC’s website.⁴
18 However, Respondents maintain that WCW PAC was intended to be and operates as an
19 independent non-connected multi-candidate committee that is not financially supported by WCW
20 Project.⁵

¹ See generally Compl. (Feb. 24, 2022).

² Resp. at 5 & n. 29 (Apr. 15, 2022).

³ *Id.* at 8.

⁴ *Id.* at 7.

⁵ *Id.* at 2, 8-9.

1 The available information indicates, however, that WCW PAC is not financially
2 independent of WCW Project, as WCW Project paid for WCW PAC’s website fees, permits
3 WCW PAC to use its slogan, logo, and name free of charge, and appears to pay rent and other
4 utilities on behalf of WCW PAC. WCW PAC is also not organizationally independent of WCW
5 Project, as a majority of WCW PAC’s board members are board members or officers of WCW
6 Project. Thus, the Commission finds reason to believe that WCW PAC is WCW Project’s
7 separate segregated fund pursuant to 52 U.S.C. § 30118(b), and subsequently: (1) reason to
8 believe that WCW PAC violated 52 U.S.C. § 30103(b) by failing to identify WCW Project as its
9 connected organization; (2) reason to believe that WCW PAC violated 52 U.S.C. § 30102(e)(5)
10 and 11 C.F.R. § 102.14(c) as its name does not contain the full legal name of WCW Project; and
11 (3) reason to believe that WCW PAC violated 52 U.S.C. § 30118(b)(4)(a) and 11 C.F.R.
12 § 114.5(g)(1) by soliciting contributions from persons outside of its connected organization’s
13 restricted class.

14 **II. FACTUAL BACKGROUND**

15 WCW Project is a section 501(c)(3) corporation established in 2013 that describes its
16 mission as helping taxpayers avoid being “forced to pay over \$20 billion every year for wasteful
17 and cruel experiments on dogs, cats, monkeys and other animals.”⁶ Anthony Bellotti is its
18 founder, president, and a board member, and Justin Goodman is its senior vice president.⁷

⁶ WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/> (last visited May 1, 2023); Resp. at 2; *but see Entity Information*, VA STATE CORP. COMM’N CLERK’S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=335445&businessType=Nonstock%20Corporation&Source=fromFormatio&isSeries=False> (last visited May 1, 2023) (reflecting that WCW Project was formed on Oct. 3, 2011).

⁷ Resp. at 2, Ex. A ¶¶ 1, 4 [hereinafter Bellotti Aff.]; *see also Anthony Bellotti, President & Founder*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/anthony-bellotti-president-founder/> (last visited May 1, 2023); *Justin Goodman, Senior Vice President, Advocacy & Public Policy*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/justin-goodman-senior-vice-president-advocacy-public-policy/> (last visited May 1, 2023).

1 WCW Project’s other board members appear to be Julie Germany, Alyssa Hackbarth, and
2 Rebekah DeHaven.⁸

3 WCW PAC, which was co-founded by Bellotti and Goodman,⁹ has represented itself as a
4 non-connected committee since registering with the Commission in February 2017.¹⁰ WCW
5 PAC describes its mission as electing candidates who are “committed to ending \$20 billion in
6 wasteful and cruel taxpayer-funded animal experiments.”¹¹ In addition to their roles at WCW
7 Project, Bellotti, Goodman, and Germany serve as board members of WCW PAC with Bellotti
8 also serving as WCW PAC’s president.¹² Respondents state that the persons who are involved in
9 the management of both organizations participate and contribute to WCW PAC in their personal
10 capacities.¹³ Since its inception, WCW PAC has had the same name and received \$183,200 in
11 contributions.¹⁴ According to the Complaint, in the 2020 election cycle, WCW PAC contributed

⁸ Welcome to CorpOnline, DC.GOV, <https://corponline.dcrd.dc.gov/Home.aspx> (last visited May 1, 2023) (search the entity name “White Coat Waste”) (reflecting that Bellotti, along with Alyssa Hackbarth, Rebekah DeHaen [*sic*], and Julie Germany are “governors” of WCW Project); *but see White Coat Waste Board of Directors*, WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/wcwboardofdirectors/> (last visited May 1, 2023) (reflecting only Alyssa Hackbarth, Rebekah DeHaven, and Julie Germany as serving on WCW Project’s Board of Directors).

⁹ See Compl. at 2, nn.3-4 (citing Yasmeen Abutaleb & Beth Reinhard, *Fauci Swamped By Angry Calls Over Beagle Experiments After Campaign That Included Misleading Image*, WASH. POST, Nov. 19, 2021, <https://www.washingtonpost.com/investigations/2021/11/19/fauci-beagle-white-coat-waste/> (“A separate political committee co-founded by Goodman and Bellotti has donated to Democrats and Republicans.”)); Resp. at 7 (explaining that Bellotti “co-founded” WCW PAC); Bellotti Aff. ¶ 4.

¹⁰ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

¹¹ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023).

¹² Entity Information, VA STATE CORP. COMM’N CLERK’S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=141358&businessType=Nonstock%20Corporation&Source=fromFormatio n&isSeries=False> (last visited May 1, 2023) (reflecting that WCW PAC’s officers are Julie Germany, Justin Goodman, Anthony Bellotti, and Janna Rutland); Bellotti Aff. ¶ 4 (“I am the President and board member of both the Project and the PAC — two organizations I built from the ground up.”).

¹³ Resp. at 9; Bellotti Aff. ¶¶ 3, 9.

¹⁴ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>; *White Coat Waste PAC: Financial Summary*, FEC.GOV, <https://www.fec.gov/data/committee/C00632760/> (last visited May 1, 2023) (aggregating the total contributions received as reflected in the 2018, 2020, and 2022 election cycles).

1 to the seven House candidates who sponsored or cosponsored legislation supported by WCW
2 Project.¹⁵

3 Although WCW Project and WCW PAC maintain separate websites through which they
4 solicit funds, these websites use the same slogan and nearly the same logo as reflected below:



5
6 The Complaint also alleges that WCW Project is the registrant organization and
7 administrative organization for WCW PAC's website through WCW Project's GoDaddy LLC
8 ("GoDaddy") account.¹⁸ Both WCW Project's and WCW PAC's website domains appear to be
9 registered under the same GoDaddy account, which is currently associated with the registered

¹⁵ Compl. at 5; see also *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760&two_year_transaction_period=2020&line_number=F3X-23 (last visited May 1, 2023) (reflecting that WCW PAC made contributions to seven principal campaign committees and one joint fundraising committee in 2019-2020).

¹⁶ WHITE COAT WASTE PROJECT, INC., <https://www.whitecoatwaste.org/> (last visited May 1, 2023) (screenshot of the webpage's top left corner)

¹⁷ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023) (screenshot of the webpage's center image).

¹⁸ Compl. at 2. GoDaddy is a corporation that provides a variety of web services, including website domain, web hosting, and website design services. GODADDY, <https://www.godaddy.com/> (last visited May 1, 2023).

1 name and email address of WCW Project.¹⁹ Although Bellotti originally used his personal
2 GoDaddy account to register the website domains for both WCW Project’s and WCW PAC’s
3 websites,²⁰ in December 2020, the registered name and primary email address of Bellotti’s
4 personal GoDaddy account was changed to that of WCW Project’s.²¹ Respondents state that
5 WCW Project subsequently removed “non-Project-related items out of its GoDaddy account . . .
6 and into other accounts that were not related to the Project or its operations.”²² However, WCW
7 Project apparently did not remove WCW PAC’s website domain from its account as WCW
8 Project later paid an expense relating to WCW PAC’s website.²³ Respondents assert that,
9 because recurring expenses from the GoDaddy account were set to be automatically paid using
10 WCW Project’s corporate credit card, a charge associated with WCW PAC’s website was
11 inadvertently paid by WCW Project.²⁴ Although Respondents claim that WCW PAC has “fully
12 reimbursed (with interest)” WCW Project for the GoDaddy website fee in the amount of \$187.66
13 on March 4, 2022,²⁵ WCW PAC’s reported disbursements do not reflect such a reimbursement.²⁶

¹⁹ See Bellotti Aff. ¶¶ 4-9 (explaining that the GoDaddy account registered with WCW Project’s name and email address sets its recurring expenses to be paid with WCW Project’s corporate credit card and these expenses include the web hosting services for WCW PAC); *see also* Compl. at 2.

²⁰ See Bellotti Aff. ¶ 4 (Bellotti declaring that he would pay the recurring expenses required to maintain the websites of both WCW Project and WCW PAC, including the annual GoDaddy web hosting fees); *id.* ¶ 5 (explaining that the WCW PAC’s website domain was transferred to his personal GoDaddy account in 2017).

²¹ Resp. at 7; Bellotti Aff. ¶¶ 6-7; *see also* Compl. at 2.

²² Bellotti Aff. ¶ 7.

²³ See Resp., Ex. B (reflecting a March 4, 2022 invoice to WCW PAC to reimburse WCW Project for a July 16, 2022 GoDaddy fee). WCW Project does not appear to have paid for any other website fee associated with WCW PAC. See, e.g., White Coat Waste PAC, 2022 October Quarterly Report at 15-16 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf> (reflecting a \$122.65 disbursement to Bellotti on August 10, 2022 for reimbursement of a GoDaddy website fee).

²⁴ Resp. at 7. Bellotti previously used his own personal credit card to pay both WCW Project and WCW PAC’s website fees. Bellotti Aff. ¶ 4.

²⁵ Resp. at 7, Ex. B; Bellotti Aff. ¶ 10.

²⁶ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC’s disbursements).

1 Moreover, the invoice provided in the Response refers to a GoDaddy fee dated July 16, 2022,
2 which postdates the March 4, 2022 invoice and the date of the April 15, 2022 Response.²⁷

3 Finally, WCW PAC and WCW Project may be operating from the same location. WCW
4 PAC's address as reflected in the March 4, 2022 invoice provided by Respondents and in its
5 submissions to the Virginia Corporation Commission is the same location as WCW Project's
6 address provided in WCW Project's submissions to the D.C. Department of Licensing and
7 Consumer Protection (formerly known as the Department of Consumer and Regulatory
8 Affairs).²⁸ WCW PAC, however, does not report making any disbursements for rent or
9 utilities.²⁹ While WCW PAC also reports having an address at P.O. Box 9891, Arlington,
10 Virginia,³⁰ and previously reported having an address at P.O. Box 26141, Alexandria, Virginia,³¹
11 it also has not reported a fee related to either post office box rental in its disbursements.³²

Because WCW PAC's aggregated disbursements to GoDaddy exceeded \$200 in 2022, WCW PAC was required to report this disbursement to GoDaddy through reimbursing WCW Project. 11 C.F.R. § 104.3(b)(3)(i).

²⁷ Resp., Ex. B. WCW PAC also does not report any disbursement dated July 16, 2022. *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

²⁸ Resp., Ex. B (reflecting that WCW PAC's address is 15405 John Marshall Highway, Haymarket, VA 20169); *Entity Information*, VA STATE CORP. COMM'N CLERK'S INFO. SYS., <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=141358&businessType=Nonstock%20Corporation&Source=fromFormatio&isSeries=False> (last visited May 1, 2023); *Welcome to CorpOnline*, DC.GOV, <https://corponline.dcr.dc.gov/Home.aspx> (last visited May 1, 2023) (search the entity name "White Coat Waste") (reflecting that WCW Project's business address is 15405 John Marshall Highway, Haymarket, VA 20169).

²⁹ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements).

³⁰ White Coat Waste PAC, Amended Statement of Organization (Feb. 28, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>; White Coat Waste PAC, Amended Statement of Organization (Apr. 8, 2019), <https://docquery.fec.gov/pdf/485/201904089146049485/201904089146049485.pdf>.

³¹ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

³² *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements). WCW PAC did report, however, a \$838,40 disbursement for "postage" on August 5, 2022. White Coat Waste PAC, 2022 October Quarterly Report at 15 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf>.

1 **III. LEGAL ANALYSIS**

2 **A. WCW PAC Appears to Be the Separate Segregated Fund of WCW Project**

3 A separate segregated fund (“SSF”), also known as a connected political committee, is a
4 committee that has a connected organization (such as a corporation, labor union, or trade
5 association) that establishes, administers, or financially supports the committee.³³ A benefit of
6 organizing as a connected political committee is that the committee may use unlimited funds
7 from its connected organization to pay for its “[e]stablishment, administration, and solicitation
8 costs,” such as “the cost of office space, phones, salaries, utilities, supplies, legal and accounting
9 fees, fund-raising and other expenses incurred in setting up and running” the committee.³⁴ These
10 payments are not considered contributions and thus are not subject to the Act’s contribution
11 prohibitions,³⁵ which otherwise generally prohibit corporations and labor unions from making
12 direct or in-kind contributions.³⁶ However, except for two written solicitations per year to the
13 general public, the connected political committee may only solicit contributions from members
14 of its connected organization’s restricted class, which are the connected organization’s members,
15 stockholders, executive or administrative personnel, and their families.³⁷

16 In contrast, all payments to a non-connected political committee, including those for its
17 establishment, administration, and solicitation, are considered direct or in-kind contributions

³³ 52 U.S.C. §§ 30101(7), 30118(b)(2); 11 C.F.R. § 100.6(a). For the purposes of determining whether a committee has a connected organization, financial support for the committee “does not include contributions to the political committee, but does include the payment of establishment, administration and solicitation costs of such committee.” 11 C.F.R. § 100.6(c).

³⁴ 11 C.F.R. §§ 114.1(b), 114.5(b).

³⁵ 11 C.F.R. § 114.1(a)(2)(iii).

³⁶ 52 U.S.C. § 30118(a). Corporations may contribute to independent-expenditure-only political committees (“IEOPCs”). Advisory Opinion 2010-11 at 2-3 (Commonsense Ten) (“AO 2010-11”).

³⁷ 52 U.S.C. § 30118(b)(4); 11 C.F.R. §§ 114.1(j), 114.5(g), 114.6(a)-(b).

1 subject to the limits and prohibitions of the Act, unless another exception applies.³⁸ In exchange,
2 the non-connected political committee is permitted to solicit contributions from the general
3 public.³⁹

4 Under certain circumstances, the Commission has permitted individuals associated with a
5 corporation to establish a non-connected committee by considering (1) “whether the committee
6 is financially supported by that corporation” and (2) “the organizational independence of the
7 committee from any other incorporated entity.”⁴⁰

8 Financial independence requires the committee to not only reject monetary payments
9 (other than contributions) from another organization but also requires the committee to pay “the
10 normal and usual rental charge” to use the organization’s facilities,⁴¹ and the committee must use
11 the facilities in a manner consistent with the permissions given to other entities.⁴² In this regard,
12 a committee could only accept credit from a corporation (without receiving a financial benefit) if
13 that credit was extended in the corporation’s ordinary course of business “and the terms are
14 substantially similar to extensions of credit to nonpolitical debtors that are of similar risk and

³⁸ Factual & Legal Analysis (“F&LA”) at 4, MUR 6746 (AICPAC); *see also* F&LA at 3, MUR 5830 (U.S.-Cuba Democracy PAC, *et al.*).

³⁹ F&LA at 3, MUR 5830.

⁴⁰ F&LA at 4, MUR 6746 (dismissing pursuant to prosecutorial discretion an allegation that a committee failed to register as an SSF where the committee demonstrated financial independence from the alleged connected organization); *see also* F&LA at 3-4, MUR 5830 (explaining that the Commission permits persons associated with a corporation to form a non-connected committee where “(1) . . . the committee is not financially supported by that corporation; and (2) the committee maintains organizational independence from any other incorporated entity”).

⁴¹ *See* 11 C.F.R. § 100.52(d) (providing that “anything of value includes all in-kind contributions,” including the use of “facilities”); Advisory Opinion 2000-20 at 4 (Comm. for Quality Cancer Care) (“AO 2000-20”) (advising that the committee would not appear to have a connected organization where it “pay[s] for the actual cost of all rent and other administrative expenses ” despite sharing office space with another entity).

⁴² Advisory Opinion 1984-12 at 3 (Am. College of Allergists) (“AO 1984-12”) (advising that, in order for the committee to use a firm’s facilities without receiving a financial benefit from that firm, “that use must be consistent with [the firm’s] relations with organizations other than the [committee]”).

1 size of obligation.”⁴³ An organization is also providing financial support to a committee where it
2 “engag[es] in conduct which favors or appears to favor [the committee’s] solicitation activity”
3 such as allowing the committee “to use its letterhead for solicitation and administrative
4 purposes.”⁴⁴

5 As for organizational independence, the Commission considers “the role which members
6 or controlling individuals of other organizations play in the creation and operation of the
7 proposed non-connected political committee.”⁴⁵ The Commission has found that the
8 organizational structure of a nonconnected committee is one where “a majority of the PAC’s
9 governing body does not appear to have been comprised of directors, officers or other personnel”
10 of another entity.⁴⁶

⁴³ 11 C.F.R. § 116.3(b); *see also* Advisory Opinion 1997-15 at 5 (Nickalo) (“AO 1997-15”) (advising that BGB could not extend credit to the committee for administration or fundraising assistance, as “[i]t does not appear that BGB is in the business of providing goods or services to other entities for the purpose of administration or fundraising assistance”).

⁴⁴ AO 1984-12 at 3 (stating that “it would be improper for the College to allow IAPAC to use its letterhead for solicitation and administrative purposes” where IAPAC was organizing as a committee independent of the College); *cf.* F&LA at 4, MUR 7302 (Ted Campbell for N.D., *et al.*) (“The Commission has previously determined that a corporation’s name, trade name, trademarks, and service marks are things of value owned by the corporation, and that allowing a committee to use them in a manner suggesting the corporation’s support or endorsement of a candidate may constitute an in-kind contribution.”); AO 1997-15 at 7-8 (explaining that, if a purported non-connected committee uses a corporation’s name or letterhead in soliciting contributions, then its non-connected status should be re-examined).

⁴⁵ AO 2000-20 at 4; *see also* 52 U.S.C. § 30101(7) (“The term ‘connected organization’ means any organization which is not a political committee but which directly or indirectly establishes, administers or financially supports a political committee.”).

⁴⁶ *See* F&LA at 5, MUR 5830 (concluding that “it appears that the organizational structure of CDA is consistent with nonconnected committee status in that a majority of the PAC’s governing body does not appear to have been comprised of directors, officers or other personnel of the corporation” where only one person of a 25-member board and one person of a seven-member executive committee was affiliated with the corporation); *see also, e.g.*, Conciliation Agreement (“CA”) ¶¶ IV.6, VI, MUR 1363 (MediAmerica, Inc., *et al.*) (reflecting that Commission found probable cause that the committee failed to report having a corporation as its connected organization where the committee was “operated and directed solely by employees” of the corporation); Advisory Opinion 1997-26 at 4 (Ass’n of Metro. Sewerage Agencies) (“AO 1997-26”) (stating “should a majority of [the committee’s] board of directors be comprised of directors, officers or other personnel of AMSA, this would require further review of [the committee’s] non-connected status in relation to AMSA, and may lead to a conclusion that [the committee] is the separate segregated fund of AMSA.”).

1 1. WCW PAC Has Not Been Financially Independent from WCW Project

2 The available information appears to show that WCW Project financially supports WCW
3 PAC. First, WCW Project permits WCW PAC to use its slogan, name, and logo to solicit
4 contributions free of charge.⁴⁷ Although Respondents are correct that the Commission does not
5 prohibit an “organization and a nonconnected PAC to share similar names and to use nearly
6 identical logos,”⁴⁸ to be consistent with its purported non-connected status, WCW PAC would be
7 required to pay for its use of WCW Project’s slogan and similar name and logo,⁴⁹ which it has
8 not done.⁵⁰

9 In addition, Respondents admit that WCW Project inadvertently paid for one of WCW
10 PAC’s website fees.⁵¹ Although Respondents assert that this website fee was reimbursed,⁵² this

⁴⁷ See *supra* notes 16-17 and accompanying text and images. We note that Respondents do not indicate that WCW PAC’s use of WCW Project’s slogan and similar logo and name was not permitted. Cf. F&LA at 6-7, MUR 7508 (Whirlpool Corp.) (indicating that it is unlikely that Whirlpool made a prohibited corporate contribution and dismissing the allegation where Whirlpool refused to allow the committee to film on Whirlpool property and requested the committee to clarify that the appearance of the Whirlpool logo and Whirlpool employees in its advertisement was not an endorsement from Whirlpool).

⁴⁸ Resp. at 4 n.29. The Response also notes the similarity between the logos shared by Planned Parenthood Federation of America, Inc., and Planned Parenthood Votes, an IEOPC. See *id.* Without addressing whether Planned Parenthood Votes accepted a corporate contribution as these allegations were not described in the Complaint, we note that IEOPCs are generally permitted to accept unlimited contributions from corporations. AO 2010-11 at 3.

⁴⁹ See, e.g., F&LA at 3-4, MUR 7302 (“The Commission has previously determined that a corporation’s name, trade name, trademarks, and service marks are things of value owned by the corporation, and that allowing a committee to use them in a manner suggesting the corporation’s support or endorsement of a candidate may constitute an in-kind contribution.”); AO 1997-15 at 7-8 (explaining that, if a purported non-connected committee uses a corporation’s name or letterhead in soliciting contributions, then its non-connected status would be re-examined); Advisory Opinion 1991-32 at 9 (CEC Inc.) (explaining that a candidate would not be accepting a corporate contribution if he or she pays an advance fee for solicitation letters containing the corporation’s letterhead and a signature by a corporate officer or director).

⁵⁰ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC’s disbursements).

⁵¹ Resp. at 7; Bellotti Aff. ¶ 9.

⁵² Resp. at 7; Bellotti Aff. ¶ 10.

1 reimbursement is not reflected in WCW PAC’s disclosure reports.⁵³ However, even if WCW
2 PAC promptly reimbursed WCW Project, the initial payment may still constitute financial
3 support as the available evidence does not suggest that WCW Project ordinarily pays or extends
4 credit for the website hosting fees of other organizations during its ordinary course of business.⁵⁴
5 Finally, WCW Project appears to allow WCW PAC to use its office space and utilities
6 free of charge.⁵⁵ As indicated above, WCW Project and WCW PAC have both reported using
7 the same address.⁵⁶ However, WCW PAC has not reported any disbursements for rent or
8 utilities.⁵⁷ In addition, while WCW PAC initially reported an address at P.O. Box 26141,
9 Alexandria, Virginia,⁵⁸ and currently reports an address at P.O. Box 9891, Arlington, Virginia,⁵⁹
10 these post office box rentals may be subsidized by WCW Project as WCW PAC has not reported
11 a disbursement related to a post office box rental in its disclosure reports.⁶⁰

⁵³ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC’s disbursements).

⁵⁴ See 11 C.F.R. § 116.3(b)-(c); AO 1997-17 at 5 (advising that BGB could not extend credit to the committee for administration or fundraising assistance, as “[i]t does not appear that BGB is in the business of providing goods or services to other entities for the purpose of administration or fundraising assistance.”); Advisory Opinion 1991-37 at 4 (Democratic Election Reporting Educ. Fund) (“AO 1991-37”) (advising that “insufficient or late payments could lead to the conclusion that CFC is the connected organization of DEREf and that DEREf is an SSF”).

⁵⁵ See AO 1991-37 at 4 (advising that “[a] failure to have DEREf make full payment for its share of the rent and the other facilities would result in CFC financially maintaining the committee”).

⁵⁶ *Supra* note 28.

⁵⁷ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC’s disbursements).

⁵⁸ White Coat Waste PAC, Statement of Organization at 1 (Feb. 10, 2017), <https://docquery.fec.gov/pdf/927/201702109049342927/201702109049342927.pdf>.

⁵⁹ White Coat Waste PAC, Amended Statement of Organization (Feb. 28, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>.

⁶⁰ *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC’s disbursements since inception).

1 Thus, because WCW Project allows WCW PAC to use its slogan, logo, and name free of
2 charge, paid a WCW PAC website fee, and appears to allow WCW PAC to use its office
3 facilities free of charge, WCW Project appears to financially support WCW PAC.⁶¹

4 2. WCW PAC Does Not Appear to Be Organizationally Independent from
5 WCW Project

6 The available information indicates that WCW PAC is not organizationally independent
7 of WCW Project. WCW PAC only has four board members and three of them are board
8 members or officers of WCW Project: Bellotti, Germany, and Goodman.⁶² Thus, a majority of
9 WCW PAC's governing body is comprised of directors or officers of WCW Project such that
10 WCW PAC lacks organizational independence from WCW Project.⁶³

11 Although Respondents claim that the persons who are involved in the management of
12 both organizations participate and contribute to WCW PAC in their personal capacities,⁶⁴

⁶¹ Although Respondents attempt to analogize to MUR 6746, in that matter, the alleged connected committee paid its alleged connected organization for administrative services, and thus the Commission found that the committee was financially independent and dismissed the allegations. F&LA at 5, MUR 6746 (noting that the committee paid \$496,659 in total to its alleged connected organization for administrative services, phone communications, and PAC surveys). In contrast, here, WCW PAC has not made a disbursement to WCW Project that appears to cover the above-referenced costs from using WCW Project's marks, the July 16, 2022 website fee, or the rent and utilities associated with 15405 John Marshall Highway, Hay market, VA 20169. *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760 (last visited May 1, 2023) (reflecting WCW PAC's disbursements). Respondents also cite to the Statement of Reasons from Vice Chair Dickerson and Commissioners Cooksey and Trainor in MUR 7528, which is inapposite as that Statement of Reasons explained that the alleged connected organization was an Alaska Native Corporation and that the Complaint did not fairly allege that the committee should have been designated as a separate segregated fund, both reasons that are not applicable here. *See* Statement of Reasons, Comm'rs. Dickerson, Cooksey & Trainor at 4-5, MUR 7528 (Yukon Kusko Pol. Action Comm., *et al.*).

⁶² *Supra* notes 7-8, 12.

⁶³ *See* F&LA at 5, MUR 5830 (concluding that "it appears that the organizational structure of CDA is consistent with nonconnected committee status in that a majority of the PAC's governing body does not appear to have been comprised of directors, officers or other personnel of the corporation" where only one person of a 25-member board and one person of a seven-member executive committee was affiliated with the corporation); *see also, e.g.*, CA ¶¶ IV.6, VI, MUR 1363; AO 1997-26 at 4.

⁶⁴ Resp. at 9; Bellotti Aff. ¶¶ 3, 9.

1 Respondents agree that WCW PAC and WCW Project share “the same goal,”⁶⁵ further
2 indicating that WCW PAC is not independent of WCW Project.

3 * * *

4 In sum, because the available information appears to indicate that WCW PAC was
5 neither financially nor organizationally independent from WCW Project, WCW PAC appears to
6 be the separate segregated fund of WCW Project in accordance with 52 U.S.C. § 30118(b),
7 rather than a non-connected committee.⁶⁶

8 **B. The Commission Finds Reason to Believe that WCW PAC Failed to Adhere**
9 **to the Registration and Solicitation Requirements for Connected Political**
10 **Committees**

11 The Act and Commission regulations prescribe specific registration and solicitation
12 requirements for connected political committees. Specifically, a connected political committee
13 must include “the name, address, relationship, and type of any connected organization or
14 affiliated committee” in its statement of organization.⁶⁷ In addition, the name of the committee
15 “shall include the full name of its connected organization.”⁶⁸ Finally, as noted above, except for
16 two written solicitations per year to the general public, the connected political committee may

⁶⁵ Resp. at 5; *see also* Compl. at 5 (alleging that WCW PAC only contributed to the seven House candidates, who sponsored or cosponsored legislation supported by WCW Project); *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00632760&two_year_transaction_period=2020&line_number=F3X-23 (last visited May 1, 2023) (reflecting that WCW PAC made contributions to seven principal campaign committees and one joint fundraising committee in 2019-2020).

⁶⁶ *See* RTB Notif. Letter, MUR 1363 (explaining the Commission found reason to believe that the committee was the corporation’s SSF because “key principals” of the corporation were “actively involved in the affairs” of the committee and the corporation “provided funds and services for the establishment and administration” of the committee); *cf.* F&LA at 4, MUR 3062 (Wild PAC) (finding reason to believe that the committee was an SSF of a nonprofit corporation where the committee’s treasurer was also the executive director of the nonprofit corporation); Certification ¶ 1, MUR 3062 (taking no further action against the committee where the evidence indicated that the nonprofit corporation did not financially support the committee).

⁶⁷ 52 U.S.C. § 30103(b)(2).

⁶⁸ 11 C.F.R. § 102.14(c); *see also* 52 U.S.C. § 30102(e)(5).

1 only solicit contributions from members of its connected organization's restricted class, which
2 are the connected organization's members, stockholders, executive or administrative personnel,
3 and their families.⁶⁹

4 The available information shows that WCW PAC failed to adhere any of the above-
5 referenced requirements. WCW PAC's most recent statement of organization does not indicate
6 that it is a connected political committee and does not refer to WCW Project as its connected
7 organization.⁷⁰ Its name, White Coat Waste PAC, also fails to include the full name of its
8 connected organization, White Coat Waste Project, Inc. Finally, WCW PAC's website solicits
9 contributions from any person,⁷¹ rather than just its connected organization's restricted class.
10 WCW PAC has also collected contributions from individuals outside of the restricted class, such
11 as Paul D. Blinn, an employee of Applied Finance Advisors,⁷² and Robert S. Egerman, an
12 employee of the state of Florida.⁷³

13 Thus, the Commission finds (1) reason to believe that WCW PAC violated 52 U.S.C.
14 § 30103(b)(2) by failing to include the name, address, relationship, and type of its connected
15 organization in its statement of organization; (2) reason to believe that WCW PAC violated
16 52 U.S.C. § 30102(e)(5) and 11 C.F.R. § 102.14(c) by failing to include in its name the full name

⁶⁹ 52 U.S.C. § 30118(b)(4); 11 C.F.R. §§ 114.1(j), 114.5(g), 114.6(a)-(b); *see also* F&LA at 10, MUR 6106 (Minn. Corn Growers Assoc., *et al.*) (finding reason to believe that an SSF solicited contributions outside of its connected organization's restricted class when it advertised its annual auction fundraiser through a publication that was publicly circulated and the auction was open to the public).

⁷⁰ White Coat Waste PAC, Amended Statement of Organization at 2-3 (Feb. 18, 2021), <https://docquery.fec.gov/pdf/118/202102189428639118/202102189428639118.pdf>.

⁷¹ WHITE COAT WASTE PAC, <https://www.whitecoatwastepac.org/> (last visited May 1, 2023) (reflecting a donate button in the middle of the webpage leading to another webpage that collects contributions).

⁷² White Coat Waste PAC, 2022 October Quarterly Report at 6 (Oct. 15, 2022), <https://docquery.fec.gov/pdf/559/202210159532616559/202210159532616559.pdf>.

⁷³ *Id.* at 7.

- 1 of its connected organization; and (3) reason to believe that WCW PAC violated 52 U.S.C.
- 2 § 30118(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) by soliciting contributions from persons outside
- 3 of its connected organization's restricted class.