

**FEDERAL ELECTION COMMISSION**  
**FIRST GENERAL COUNSEL'S REPORT**

**MUR 8098**

DATE OF COMPLAINT:	Jan. 11, 2023
DATE OF NOTIFICATION:	Jan. 18, 2023
LAST RESPONSE RECEIVED:	Mar. 17, 2023
DATE ACTIVATED:	Feb. 15, 2024
EXPIRATION OF SOL:	Apr. 7, 2026 – Jun. 29, 2028
ELECTION CYCLES:	2022, 2024

**COMPLAINANT:** Michael Don Johnson

**RESPONDENTS:** Cory Mills  
Cory Mills for Congress and David Satterfield<sup>1</sup>  
his official capacity as treasurer  
Laura Loomer for Congress, Inc. and Laura Loomer  
In her official capacity as treasurer

**MUR 8111**

DATES OF COMPLAINTS:	Feb. 15, 2023 Dec. 15, 2023 (Am.)
LAST NOTIFICATION DATE:	Dec. 19, 2023
LAST RESPONSE RECEIVED:	Feb. 9, 2024
DATE ACTIVATED:	Feb. 15, 2024
EXPIRATION OF SOL:	Apr. 7, 2026 – Jun. 29, 2028
ELECTION CYCLES:	2022, 2024

**COMPLAINANT:** Michael Don Johnson

**RESPONDENTS:<sup>2</sup>** Cory Mills  
Cory Mills for Congress and David Satterfield  
his official capacity as treasurer

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<sup>1</sup> Steve Martin was treasurer of record for part of the relevant period in this matter, in 2021-2022. David Satterfield became treasurer on February 10, 2023.

<sup>2</sup> The MUR 8111 Amended Complaint (“Amended Complaint”) adds several individuals in its caption: Pacem executives Andrew Knaggs, Tarun Handa, and Joseph Schmitz, whose names appear on public records filed by Pacem Organizations that are attached to the Amended Complaint; Aaron M. Ehgoetz, Waygar Capital Inc., and Sarah C. Kessler, an attorney whose name appears on a legal document attached to the Complaint. However, the Amended Complaint does not make any allegations regarding these individuals and, accordingly, CELA did not notify them as respondents.

1 The Mills Victory Fund and David Satterfield  
 2 in his official capacity as treasurer  
 3 Pacem Solution International LLC  
 4 Pacem Defense LLC  
 5 1198 Windrock LLC  
 6 Pacem Estate Holdings LLC  
 7 ALS, INC.  
 8 Waygar Capital Inc.  
 9 Unknown Persons

10  
 11 **RELEVANT STATUTES**  
 12 **AND REGULATIONS:**

13 52 U.S.C. § 30104(b)(5)(A)  
 14 52 U.S.C. § 30114(b)(1)  
 15 52 U.S.C. § 30116(a)(1)(A), (f)  
 16 52 U.S.C. § 30118(a)  
 17 52 U.S.C. § 30119(a)(1), (a)(2)  
 18 52 U.S.C. § 30122  
 19 11 C.F.R. § 104.3(b)(4)(i)  
 20 11 C.F.R. § 104.9(a)  
 21 11 C.F.R. § 110.1(b)(1)  
 22 11 C.F.R. § 110.4(b)(2)  
 23 11 C.F.R. § 110.9  
 24 11 C.F.R. § 110.10  
 25 11 C.F.R. § 113.2(e)  
 26 11 C.F.R. § 115.2(a), (b), (c)

27 **INTERNAL REPORTS CHECKED:** Disclosure Reports

28  
 29 **FEDERAL AGENCIES CHECKED:** None

30 **I. INTRODUCTION**

31 These matters arise from Complaints alleging that Congressman Cory L. Mills, a  
 32 candidate in the 2022 election in Florida's Seventh Congressional District, had insufficient  
 33 financial assets to make loans totaling \$1,848,900 to his principal campaign committee, Cory  
 34 Mills for Congress and David Satterfield in his official capacity as treasurer (the "Committee")  
 35 during the 2022 election cycle, and that Mills and the Committee accepted unreported,  
 36 prohibited, and excessive contributions to make the loans, in violation of the Federal Election  
 37 Campaign Act of 1971, as amended (the "Act"). The Complaints base these allegations on

1 Mills's financial disclosure reports, which the Complaints claim are inaccurate and do not reflect  
2 sufficient assets and income to support the loans. The Complaints claim that the loans came  
3 from other sources, including businesses in which Mills has an ownership interest (collectively  
4 the "Pacem Respondents"), other loans Mills obtained — including from an agent of a foreign  
5 entity, Waygar Capital Inc. — and from unknown persons. The Complaints also allege that  
6 Mills converted campaign funds to personal use through various disbursements and that Mills  
7 made contributions to Laura Loomer for Congress that were excessive and violated the ban on  
8 federal contractor contributions, and that the Committee and a joint fundraising committee  
9 accepted excessive contributions.

10 Respondents deny the allegations, arguing that Mills made the loans from personal funds  
11 and that his financial disclosure reports shows that he had sufficient assets to make the loans and  
12 that the disbursements and contributions identified by the Complainant did not violate the Act.

13 As discussed below, we recommend that the Commission dismiss all of the Complaints'  
14 allegations. The information disclosed on Mills's financial disclosure reports suggests that he  
15 would have had sufficient liquid assets to loan his Committee \$1,848,900 from personal funds.  
16 The Complaint's allegations regarding the accuracy of the disclosures on the reports and the lack  
17 of documentation to support the disclosures are not within the jurisdiction of the Commission.  
18 Further, the available information is not sufficient to substantiate the related allegations that the  
19 Pacem Respondents, foreign nationals, and other unknown persons may have made  
20 impermissible contributions. Accordingly, we recommend that the Commission dismiss the  
21 allegations that the Pacem Respondents and Waygar Capital Inc. made, and Mills and the  
22 Committee knowingly accepted, excessive or prohibited contributions, or contributions in the  
23 name of another in connection with Mills' loans to his campaign.

1           We also recommend that the Commission dismiss the allegations that Mills made  
2 excessive or federal contractor contributions to the Loomer Committee or that the Loomer  
3 Committee accepted excessive or prohibited federal contractor contributions or solicited federal  
4 contractor contributions from Mills, as the available information does not support these  
5 allegations.

6           Because the available information also does not support the allegations that Mills  
7 converted campaign funds to personal use, we recommend the Commission dismiss those  
8 allegations. The Committee failed to identify the purpose for certain disbursements pertaining to  
9 this allegation, but we recommend that the Commission dismiss this apparent violation as a  
10 matter of prosecutorial discretion given the low amount in violation.<sup>3</sup>

11           Regarding the allegations pertaining to the joint fundraising transfers, none of them  
12 appear to be excessive. Therefore, we recommend that the Commission dismiss the allegations  
13 that the Mills Committee received excessive contributions in connection with these transfers.<sup>4</sup>

## 14 **II. FACTUAL BACKGROUND**

15           Congressman Cory Mills was a candidate in the 2022 election for the Seventh District in  
16 Florida. Mills filed his original Statement of Candidacy on April 1, 2021.<sup>5</sup> Cory Mills for  
17 Congress is Mills's principal campaign committee.<sup>6</sup> David Satterfield is the Committee's

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<sup>3</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). [REDACTED]

<sup>4</sup> Other allegations pertaining to Mills's alleged misstatements as to his professional, military and business background and experience, accuracy and timeliness of Mills's financial disclosure reports, PPP loans, and "fake" residences are outside the Commission's jurisdiction and are not addressed in this report.

<sup>5</sup> Cory Mills, Statement of Candidacy (Apr. 1, 2021).

<sup>6</sup> Cory Mills for Congress, Amended Statement of Organization (Feb. 10, 2023).

1 current treasurer.<sup>7</sup> Mills won the August 23, 2022, Republican primary and the November 8,  
 2 2022, general election. Mills is running for re-election to represent the same district in 2024.<sup>8</sup>  
 3 The Mills Victory Fund (the "Fund") is a joint fundraising committee for the Committee, Restore  
 4 America's Voice PAC, and the NRCC.<sup>9</sup> The Fund made transfers totaling \$51,266.23 to the  
 5 Committee in 2023. Several contributors made more than one contribution to both committees  
 6 during the same time period.

7 During the course of Mills's congressional campaign, the Committee disclosed that Mills  
 8 made 12 separate loans, totaling \$1,848,900, from his personal funds to the campaign:<sup>10</sup>

<b>Date</b>	<b>Total Loan Amount</b>
04/07/2021	\$500
06/08/2021	\$1,000
06/30/2021	\$200,000
09/30/2021	\$290,000
12/31/2021	\$150,000
03/31/2022	\$17,400
03/31/2022	\$25,000
03/31/2022	\$100,000
06/22/2022	\$500,000
07/27/2022	\$125,000
08/01/2022	\$125,000
08/28/2022	\$315,000
<b>TOTAL:</b>	<b>\$1,848,900</b>

9 On his first House financial disclosure report, filed on May 7, 2021, Mills disclosed  
 10 rental property income in the current and previous year in the range of \$200,002 to \$2,000,000,  
 11 bank accounts in the range of \$115,000 to \$300,000, and salary from Pacem Solution

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<sup>7</sup> *Id.*

<sup>8</sup> Cory Mills, Statement of Candidacy (Dec. 19, 2022).

<sup>9</sup> The Mills Victory Fund, Amended Statement of Organization (Feb. 27, 2023).

<sup>10</sup> Cory Mills for Congress, 2024 April Quarterly Report (Schedule C), <https://docquery.fec.gov/pdf/171/202404159627950171/202404159627950171.pdf>. The Committee has not repaid the loans to date. *Id.*

1 International of \$300,000 in the current year and \$500,000 in the previous year.<sup>11</sup> The assets  
2 consisting of rental and unearned income, bank accounts, and salary have a combined disclosed  
3 annual range from \$615,000 to \$2,600,000.<sup>12</sup> The remaining assets (real estate) have a combined  
4 value in the range of \$8,000,000 to \$40,000,000.<sup>13</sup> On January 9, 2023, Mills filed a second  
5 financial disclosure report, covering the period January 1, 2021, to December 31, 2022, and  
6 disclosed the same assets and ranges as on the previous reports, except for slight changes to two  
7 bank balances and his salaries.<sup>14</sup>

8 The Complaints allege that Mills had insufficient assets to make loans totaling  
9 \$1,848,900 to the Committee and that the Committee accepted prohibited and excessive  
10 contributions to make the loans.<sup>15</sup> The Complaints allege that the funds may have come from a  
11 number of sources, including: businesses in which Mills has an ownership interest — namely  
12 Pacem Solution International LLC, Pacem Defense LLC, 1198 Windrock LLC, Pacem Estate  
13 Holdings LLC, and ALS, Inc. — loans Mills obtained from the Payment Protection Program;  
14 other loans obtained by Mills involving his businesses; loans obtained from an agent of Waygar  
15 Capital Inc., a foreign entity; and from unknown persons.<sup>16</sup> The Complaints allege that this

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<sup>11</sup> Compl. (MUR 8111), Ex. 2 (Cory Mills, Financial Disclosure Report, May 7, 2021).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*, Ex. 3 (Cory Mills, Financial Disclosure Report, Jan. 9, 2023). On March 26, 2023, Mills filed an amended financial disclosure report containing the same information as in the prior filing. Cory Mills, Financial Disclosure Report (Mar. 26, 2023), [https://disclosures-clerk.house.gov/public\\_disc/financial-pdfs/2022/10051150.pdf](https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/10051150.pdf) (last visited June 8, 2024).

<sup>15</sup> MUR 8098 Compl. at 9-10; MUR 8111 Compl. at 19-23; Amend. MUR 8111 Compl. at 13-14, 19-23.

<sup>16</sup> MUR 8111 Compl. at 12-16; Amend. MUR 8111 Compl. at 19-23.

1 resulted in knowing and willful violations of the Act and Commission regulations involving  
2 contributions in the name of another, excessive or prohibited contributions, and misreporting.<sup>17</sup>

3 Separately, the MUR 8111 Complaint alleges that Mills converted campaign funds to  
4 personal use through disbursements totaling \$20,628.49 to Derick Agustin for “rent,” and  
5 payments totaling \$89,158.88 for “luxury” travel, hotel, and transportation expenses.<sup>18</sup> The  
6 MUR 8098 Complaint asserts that Mills made contributions to Laura Loomer for Congress that  
7 were excessive and also violated the ban on federal contractor contributions because Mills owns  
8 entities that are federal contractors.<sup>19</sup> Finally, the MUR 8111 Complaint suggests that the  
9 Committee and The Mills Victory Fund, a joint fundraising committee, accepted excessive  
10 contributions from several individuals that made contributions on the same date and in the same  
11 amount to both committees.<sup>20</sup>

12 The Mills Respondents' Responses assert that Mills made the loans from personal funds  
13 and that his financial disclosure reports show that he had sufficient assets to make the loans.<sup>21</sup>  
14 The Pacem Respondents similarly assert that all compensation payments and distributions were  
15 made to Mills personally and not to any account owned or controlled by Mills's campaign  
16 committee and that the Pacem Respondents made no loans to Mills or his committee.<sup>22</sup> With  
17 respect to allegations that Mills converted campaign funds to personal use with respect to

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<sup>17</sup> MUR 8098 Compl. at 9-10; MUR 8111 Compl. at 19-23.

<sup>18</sup> MUR 8111 Compl. ¶¶ 11-13.

<sup>19</sup> MUR 8098 Compl. at 8-9.

<sup>20</sup> Amend. MUR 8111 Compl. ¶¶ 7-10.

<sup>21</sup> Resp. of Mills Respondents to MUR 8098 Compl. (Mar. 7, 2023); Resp. of Mills Respondents to MUR 8111 Compl. (Apr. 7, 2023); Resp. of Mills Respondents and The Mills Victory Fund to Amend. MUR 8111 Compl. (Jan. 12, 2024).

<sup>22</sup> Resp. of Pacem Respondents to MUR 8111 Compl. (Apr. 7, 2023) (MUR 8111); Resp. of Pacem Respondents to Amend. MUR 8111 Compl. (Dec. 29, 2023).

1 disbursements to Agustin and for “luxury” aircraft, lodging, and transportation, the Mills  
2 Respondents contend that all the disbursements were for legitimate campaign expenses and not  
3 for personal use.<sup>23</sup>

4 The Mills Respondents assert that contributions made to the Loomer Committee were not  
5 excessive contributions and did not violate the prohibition on federal contractor contributions,<sup>24</sup>  
6 and the Loomer Committee similarly asserts that the Mills contributions were not excessive,  
7 were properly reported, and that the contribution designated for the general election was properly  
8 refunded.<sup>25</sup> Finally, with respect to the allegations pertaining to joint fundraising transfers and  
9 contributions, the Committee and the Fund’s Response states that all transfers and contributions  
10 were properly made and reported.<sup>26</sup>

11 Waygar Capital Inc., through its CEO, Wayne R. Ehgoetz, states that the firm is a loan  
12 consultant to the Ninepoint Canadian Senior Debt Fund, based in Toronto, Canada, that it  
13 provides operating and term loans, and is a senior lender to Pacem.<sup>27</sup> It denies that it provided  
14 funds for the loans to the Mills Committee.<sup>28</sup>

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<sup>23</sup> Resp. of Mills Respondents to MUR 8111 Compl.; Resp. of Mills Respondents and The Mills Victory Fund to Amend. MUR 8111 Compl.

<sup>24</sup> Resp. of Mills Respondents to MUR 8098 Compl. at 2-3.

<sup>25</sup> Resp. of Loomer Committee to MUR 8098 at 1-3 (Jan. 19, 2023).

<sup>26</sup> Resp. of Mills Respondents and The Mills Victory Fund to Amend. MUR 8111 Compl. at 2.

<sup>27</sup> Resp. of Waygar Capital Inc., to Amend. MUR 8011 Compl. at 1 (Feb. 9, 2024).

<sup>28</sup> *Id.*



1 **III. LEGAL ANALYSIS**

2 **A. The Commission Should Dismiss the Allegation that the Pacem Respondents,**  
3 **Waygar Capital Inc., and/or Unknown Persons Made and Mills and the**  
4 **Committee Knowingly Accepted Impermissible Contributions**

5 The Act and Commission regulations prohibit any person from making, and a candidate  
6 or political committee from knowingly accepting, a contribution that exceeded \$2,900 during the  
7 2022 election cycle and \$3,300 during the 2024 cycle.<sup>29</sup> Federal candidates, however, may make  
8 unlimited contributions from their own “personal funds” to their authorized campaign  
9 committees.<sup>30</sup> The Act and Commission regulations provide that “personal funds” include:  
10 (a) amounts derived from any asset that the candidate had legal right of access to or control over  
11 and had legal and rightful title or an equitable interest in at the time the individual became a  
12 candidate; and (b) income received during the current election cycle of the candidate.<sup>31</sup>

13 The Act prohibits corporations from making, and candidates and political committees  
14 from knowingly accepting, contributions to federal candidates or their committees.<sup>32</sup> Under  
15 Commission regulations, a contribution from an LLC is permissible if the LLC is treated as a  
16 partnership for tax purposes and has not elected to be treated as a corporation by the Internal  
17 Revenue Service.<sup>33</sup> LLCs that claim corporate status or those that are publicly traded are treated  
18 as corporations for purposes of the Act.<sup>34</sup> Finally, no person shall make a contribution in the  
19 name of another or knowingly permit one's name to be used to effect such contribution.<sup>35</sup>

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<sup>29</sup> 52 U.S.C. § 30116(a)(1)(A), (f); 11 C.F.R. §§ 110.1(b)(1), 110.9.

<sup>30</sup> 11 C.F.R. § 110.10.

<sup>31</sup> 52 U.S.C. § 30101(26); 11 C.F.R. § 100.33(a), (b).

<sup>32</sup> 52 U.S.C. § 30118(a).

<sup>33</sup> 11 C.F.R. § 110.1(g).

<sup>34</sup> *Id.*

<sup>35</sup> 52 U.S.C. § 30122; 11 C.F.R. § 110.4.

1           The Complainant alleges that Mills did not have sufficient funds to make 12 separate  
2 loans, totaling \$1,848,900, from his personal funds to the campaign based on Mills's financial  
3 disclosure reports.<sup>36</sup> Complainant asserts that the source of the loans may have come from a  
4 number of sources including: the Pacem Respondents; loans obtained from Waygar Capital Inc.,  
5 a foreign entity; from other loan sources including PPP loans; and from unknown persons.<sup>37</sup>

6           Respondents deny the allegations. The Mills Respondents state that Complainant has  
7 provided no information to support the allegations that the funds for the loans were not from  
8 Mills's personal assets and were not properly disclosed in accordance Commission regulations.<sup>38</sup>  
9 Respondents also state that Complainant misread the financial disclosure reports, and that the  
10 reports show that Mills's combined unearned and earned income exceed the amount Mills loaned  
11 to his campaign.<sup>39</sup>

12           The Pacem Respondents deny the allegations that they participated in a straw donor  
13 scheme through which their assets were contributed to the Mills campaign and/or that they made  
14 may have been the source of funds for the loans.<sup>40</sup> They explain that, as a founder, Mills held an  
15 ownership interest in the Pacem businesses, and was named as Executive Chairman of Pacem  
16 International in 2021.<sup>41</sup> They state that, consistent with his positions with the Pacem businesses,  
17 Mills was compensated for his services during the period at issue, including W-2 compensation  
18 and deferred compensation payments from Pacem Solution International and distributions from

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<sup>36</sup> MUR 8098 Compl. at 3, 5, 8, 12-16.

<sup>37</sup> MUR 8111 Compl. at 3, 5, 8, 12-16 and Amend. 8111 Compl. at 19-23.

<sup>38</sup> Resp. of Mills Respondents to MUR 8098 Compl. at 1-4, MUR 8111 Compl. at 1-3, and Amend. MUR 8111 Compl. at 1-5.

<sup>39</sup> Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 2-3.

<sup>40</sup> Resp. of Pacem Respondents to MUR 8111 Compl. at 1-4 and Amended MUR 8111 Compl. at 1-2.

<sup>41</sup> *Id.*

1 Pacem Estate Holdings.<sup>42</sup> They claim that all compensation payments were made to Mills  
2 personally and not to any account owned or controlled by the Committee and they made no loans  
3 to Mills or the Committee.<sup>43</sup> Wayne Ehgoetz, Waygar Capital's CEO, replied that neither  
4 Waygar Capital nor its loan consultant, Ninepoint Canadian Senior Debt Fund, or their  
5 employees ever provided donations to Mills's campaign.<sup>44</sup>

6 The information disclosed on Mills's financial disclosure reports, documentation  
7 provided with the Complaints, and the Pacem Response indicates that Mills had the ability to  
8 make the twelve loans, in amounts between \$500 and \$500,000, totaling \$1,848,900, that were  
9 made over a two-year period. As noted above, the financial reports filed disclose a combined  
10 unearned and earned income ranging from \$615,000 to \$2,778,000.<sup>45</sup> Further, the Pacem  
11 Respondents state, and the financial disclosure reports demonstrate, that Mills receives  
12 compensation payments from Pacem Solution.<sup>46</sup> Thus, the available information indicates that  
13 Mills would have had sufficient assets and income to fund the loans to his Committee. Finally,  
14 Complainant does not provide any information to support the allegations that the Pacem  
15 Respondents, Waygar Capital Inc., or unknown persons were the sources of the loans, and  
16 further offers no specific information regarding Mills's inability to afford a loan to his  
17 committee.

18 Accordingly, we recommend that the Commission dismiss the allegations that the Pacem  
19 Respondents, Waygar Capital Inc., and/or unknown respondents made, and Mills and the

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<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> Resp. of Waygar Capital Inc. at 1 (Feb. 29, 2024).

<sup>45</sup> *Supra*, notes 10-14 and accompanying text.

<sup>46</sup> *Id.*

1 Committee knowingly accepted, excessive and prohibited contributions, and contributions in the  
 2 name of another in violation of 52 U.S.C. §§ 30116(a) and (f), 30118(a), and 30122 and 11  
 3 C.F.R. §§ 110.1(b)(1), 110.4(b)(1), 110.9, in connection with Mills's loans to the Committee.

4 **B. The Commission Should Dismiss the Allegation that Mills Converted Campaign**  
 5 **Funds to Personal Use and Dismiss as a Matter of Prosecutorial Discretion the**  
 6 **Allegations that the Committee Failed to Properly Itemize Disbursements**

7 The Act and Commission regulations provide that campaign funds “shall not be  
 8 converted by any person to personal use,” and define personal use as using funds “to fulfill any  
 9 commitment, obligation, or expense of a person that would exist irrespective of the candidate’s  
 10 election campaign or individual’s duties as a holder of Federal office.”<sup>47</sup> The Act and  
 11 Commission regulations provide that an authorized committee must itemize and report the name  
 12 and address of each person to whom it makes expenditures or other disbursements that aggregate  
 13 more than \$200 per election cycle, together with the date, amount, and purpose of each  
 14 expenditure.<sup>48</sup> The committee must keep a record of each disbursement including its purpose (a  
 15 brief but specific description of why the disbursement was made).<sup>49</sup> For every disbursement  
 16 transaction that requires itemization (i.e., the payee received over \$200 in the aggregate from the

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<sup>47</sup> 52 U.S.C. § 30114(b)(1); 11 C.F.R. §§ 113.1(g), 113.2(e)

<sup>48</sup> 52 U.S.C. § 30104(b)(5)(A); 11 C.F.R. §§ 104.3(b)(4)(i), 104.9(a). The Commission’s *Statement of Policy: “Purpose of Disbursement” Entries for Filings with the Commission* instructs that descriptions, when considered along with the identity of the disbursement recipient, must be sufficiently specific to make clear the purpose of the disbursement. *See* Statement of Policy “Purpose of Disbursement” Entries for Filings with the Commission, 72 Fed. Reg. 887 (Jan. 9, 2007). Further, the policy includes a non-exhaustive list of sufficient and insufficient “purposes” for disbursements made by political committees and instructs political committees to contact their RAD analysts with questions as to how to report the purposes of disbursements. *Id.* at 888. Examples of statements or descriptions, which meet the requirements of 11 C.F.R. § 104.3(b)(4) include the following: dinner expenses, media, salary, polling, travel, party fees, phone banks, travel expenses, travel expense reimbursement, and catering costs. 11 C.F.R. § 104.3(b)(4)(i)(A).

<sup>49</sup> 11 C.F.R. § 102.9(b)(1).

1 committee during the election cycle), the committee must specify the purpose for the  
2 disbursement.<sup>50</sup>

3 The Complaints allege that Committee disbursements to Agustin totaling \$7,103.93 in  
4 2022 — which were described in Committee reports as “see memo entries” — and \$13,524.56  
5 in 2023 — which were described as “Expense Reimbursement: See itemization below” and  
6 included memo entries describing the purpose for the disbursements as for “materials” — were  
7 actually for rent payments for Mills’s use of a personal room at a single-family house in Winter  
8 Park, Florida.<sup>51</sup> The Mills Respondents deny the allegation, and assert that the expenditures to  
9 Agustin, a campaign staffer, were for legitimate campaign expenses and were properly  
10 reported.<sup>52</sup> The Respondents explain that the 2022 disbursements were not further described  
11 because they were under the \$200 itemization threshold.<sup>53</sup>

12 The MUR 8111 Complaint also alleges personal use violations by Mills relating to  
13 disbursements totaling \$89,000 for airfare, lodging, travel expenses, and meeting/meals, which  
14 the Complaint describes as “luxury” items.<sup>54</sup> The Mills Respondents note that the Committee’s  
15 \$29,668.00 reimbursement to Mills for air travel to “Luxury Aircraft LLC” was a disbursement  
16 similar to a “chartered airplane expenditure,” and all the expenditures are campaign related.<sup>55</sup>

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<sup>50</sup> 52 U.S.C. § 30104(b)(5)(A); 11 C.F.R. §§ 104.3(b)(4)(i), 104.9(a).

<sup>51</sup> MUR 8111 Compl. at 16-17; Amend. MUR 8111 Compl. ¶ 12. *See FEC Disbursements: Filtered Results*, FEC.GOV [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00774943&recipient\\_name=Derick+Agustin&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00774943&recipient_name=Derick+Agustin&two_year_transaction_period=2022) (last visited June 8, 2024) (Reflecting disbursements to Agustin during the 2022 cycle from the Committee). The Committee also made three additional disbursements to Agustin during the 2022 cycle, which do not include a purpose description: \$1,171.50 (Nov. 7, 2022); \$2,846.37 (Nov. 16, 2022); and \$1,699.02 (Dec. 2, 2022).

<sup>52</sup> Resp. of Mills Respondents to MUR 8111 Compl. at 2.

<sup>53</sup> *Id.*

<sup>54</sup> Amend. MUR 8111 Compl. ¶ 11.

<sup>55</sup> Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 3-4.

1           The personal use allegations relating to the Agustin disbursements are based on lack of  
2 description for “memo entries” for the 2022 disbursements and speculation that Mills was paying  
3 rent for a “fake residence” in Florida.<sup>56</sup> However, the Complaints do not provide specific  
4 information indicating that the disbursements to Agustin were actually for rent payments. With  
5 respect to the other expenditures for travel-related expenses, none fall into the *per se* personal  
6 use categories and the Complaints provide no information that would support the inference that  
7 they would have existed irrespective of Mills’ candidacy. Accordingly, we recommend that the  
8 Commission dismiss the allegations that Mills violated 52 U.S.C. § 30114(b) and 11 C.F.R.  
9 § 113.2(e) by using campaign funds for personal use in connection with the Committee’s  
10 disbursements to Derick Agustin and travel-related expenses.

11           The seven disbursements made in 2022 were over \$200 and thus required a purpose  
12 entry. A purpose of “see memo entries” would not be considered adequate unless that entry is  
13 actually followed with a descriptive memo entry, adequately explaining the expenditure’s  
14 purpose. However, none of these disbursements included a descriptive memo entry.  
15 Nevertheless, given the low amount at issue, ■ we recommend that the Commission exercise its  
16 prosecutorial discretion and dismiss the allegations pertaining to the failure to properly itemize  
17 these disbursements, in violation of 52 U.S.C. § 30104(b)(5)(A) and 11 C.F.R §§ 104.3(b) and  
18 104.9.<sup>58</sup>

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<sup>56</sup> See MUR 8111 Compl. at 8-9, 16-18 and Amend. MUR 8111 Compl. at 7, 15, 23-24.

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<sup>58</sup> See *Heckler*, 470 U.S. 831; see also Factual and Legal Analysis (“F&LA”) at 11-12, MUR 7778 (Lake for Congress, *et al.*) (*Heckler* dismissal for inadequately describing the purpose of certain disbursements given the low dollar amounts that fall below the itemization threshold); F&LA at 1-2, MUR 7278 (McClintock for Congress) (*Heckler* dismissal for incorrectly describing the purpose of certain disbursements given the technical nature of the alleged violations).

1           **C. The Commission Should Dismiss the Allegation that Mills Made Contributions**  
2           **to Laura Loomer for Congress that were Excessive and Violated the Ban on**  
3           **Federal Contractor Contributions and that Laura Loomer for Congress**  
4           **Accepted Excessive or Prohibited Federal Contractor Contributions or Solicited**  
5           **Prohibited Federal Contractor Contributions**

6           The Act and the Commission's regulations bar contributions to political committees by  
7 any person who enters into a contract with the United States or its departments or agencies for  
8 "furnishing any material, supplies, or equipment," if payment on such contract "is to be made in  
9 whole or in part from funds appropriated by Congress."<sup>59</sup> This prohibition does not apply to "the  
10 stockholders, officers, or employees" of a federal contractor.<sup>60</sup> The Act also bars any person  
11 from knowingly soliciting a contribution from a federal contractor during the prohibited period.<sup>61</sup>  
12 No person shall make contributions to any candidate or authorized committee with respect to any  
13 election which, in the aggregate, exceed the Act's contribution limit, which was \$2,900, during  
14 the 2022 election cycle.<sup>62</sup> Further, the Act provides that no political committee shall knowingly  
15 accept any contribution that exceeds this limit.<sup>63</sup>

16           The Complaint in MUR 8098 alleges that Mills's contributions to Laura Loomer for  
17 Congress, Inc., totaling \$3,650, were prohibited federal contractor contributions because Mills  
18 owns Pacem Solution International, Inc. a federal contractor and that the contributions were  
19 excessive.<sup>64</sup> The Mills Respondents state that Commission regulations would not prohibit Mills,  
20 an officer of a Federal contractor, from making contributions from personal assets.<sup>65</sup> There is no

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<sup>59</sup> 52 U.S.C. § 30119(a)(1); 11 C.F.R. § 115.2(a).

<sup>60</sup> 11 C.F.R. § 115.6.

<sup>61</sup> 52 U.S.C. § 30119(a)(2); 11 C.F.R. § 115.2(c).

<sup>62</sup> 52 U.S.C. § 30116(a)(1)(A).

<sup>63</sup> 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.

<sup>64</sup> MUR 8098 Compl. 4.

<sup>65</sup> Resp. of Mills Respondents to MUR 8098 Compl. at 3. See <https://www.fec.gov/data/receipts/individual->

1 information that Mills himself is a federal contractor or that he used Pacem funds to make these  
2 contributions. In addition, the available information does not indicate that Laura Loomer for  
3 Congress knowingly solicited contributions from a federal contractor. Mills's contributions to  
4 the primary election totaled \$2,900 and thus were not excessive. Mills also made a \$750  
5 contribution designated for the general election, which the Loomer Committee refunded to Mills  
6 after Loomer lost the election. Therefore, we recommend that the Commission dismiss the  
7 allegation that Mills violated 52 U.S.C. §§ 30116(a) and 30119(a)(1) and 11 C.F.R. § 115.2(a)  
8 and that Laura Loomer for Congress violated 52 U.S.C. §§ 30119(a)(2), 30116(f) and 11 C.F.R.  
9 §§ 110.9 and 115.2(c).

10 **D. The Commission Should Dismiss the Allegation that the Committee and The**  
11 **Mills Victory Fund Knowingly Accepted Excessive Contributions**

12 No candidate or authorized committee may knowingly accept contributions with respect  
13 to any election which, in the aggregate, exceed the Act's contribution limit, which was \$3,300  
14 during the 2024 election cycle.<sup>66</sup> A contributor may make a contribution to the joint fundraising  
15 committee that "represents the total amount that the contributor could contribute to all of the  
16 participants."<sup>67</sup> A contribution to a joint fundraising committee is allocated between all of the  
17 joint fundraising participants.<sup>68</sup>

18 The MUR 8111 Complaint alleges that the Mills's Committee 2023 April and July  
19 Quarterly Reports disclose that a number of contributors made contributions on the same date  
20 and in the same amount to both the Fund and the Committee and appears to allege that those

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[contributions/?committee\\_id=C00714543&contributor\\_name=cory+mil](#) (last visited June 8, 2024).

<sup>66</sup> 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.

<sup>67</sup> 11 C.F.R. § 102.17(c)(5).

<sup>68</sup> *Id.*



1 contributors made, and the Fund and/or Committee knowingly accepted, excessive  
 2 contributions.<sup>69</sup> The Mills Respondents and the Fund assert that the joint fundraising transfers  
 3 are accurate and were properly reported.<sup>70</sup>

4 Large contributions to a joint fundraising committee are allocated between all joint  
 5 fundraising participants and thus the per committee limits would not apply to the Fund.<sup>71</sup>  
 6 Further, a review of the Mills Committee 2023 April and July Quarterly reports for contributors  
 7 who gave to both the Fund and the Mills Committee do not reflect any contributions that appear  
 8 to be excessive. Several contributors made more than one contribution, but some were  
 9 designated for the 2024 primary and others for the 2024 general election, and none exceeded the  
 10 \$3,300 per-election limit. Accordingly, we recommend that the Commission dismiss the  
 11 allegations that the Committee and The Mills Victory Fund violated 52 U.S.C. § 30116(f) and  
 12 11 C.F.R. § 110.9 by accepting excessive contributions.

#### 13 **IV. RECOMMENDATIONS**

- 14 1. Dismiss the allegations that Pacem Solution International, LLC, Pacem Defense,  
 15 LLC, 1198 Windrock, LLC, Pacem Estate Holdings, LLC, ALS, Inc., and Waygar  
 16 Capital Inc. made, and Cory Mills, and Cory Mills for Congress and David  
 17 Satterfield in his official capacity as treasurer knowingly accepted, excessive or  
 18 prohibited contributions or contributions in the name another in connection with  
 19 Mills's loans to Cory Mills for Congress in violation of 52 U.S.C. §§ 30116(a)  
 20 and (f), 30118(a), and 30122 and 11 C.F.R. §§ 110.1(b)(1), 110.4(b)(1), 110.9;
- 21 2. Dismiss the allegations that Cory Mills violated 52 U.S.C. § 30114(b) and  
 22 11 C.F.R. § 113.2(e) by converting campaign funds to personal use in connection  
 23 with disbursements to Derick Agustin and other disbursements for travel-related  
 24 expenses;
- 25 3. Dismiss the allegations that Cory Mills for Congress and David Satterfield in his  
 26 official capacity as treasurer failed to properly itemize disbursements to Derick

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<sup>69</sup> Amend. MUR 8111 Compl. ¶¶ 7-10.

<sup>70</sup> Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 2.

<sup>71</sup> 11 C.F.R. § 102.17(c)(5).

- 1                   Agustin in violation of 52 U.S.C. § 30104(b) and 11 C.F.R. §§ 104.3(b) and
- 2                   104.9;
  
- 3           4.       Dismiss the allegations that Cory Mills violated 52 U.S.C. §§ 30116(a) or
- 4                   30119(a)(1) and 11 C.F.R. § 115.2(a) by making excessive or prohibited federal
- 5                   contractor contributions to Laura Loomer for Congress, Inc. and Elizabeth Curtis
- 6                   in her official capacity as treasurer;
  
- 7           5.       Dismiss the allegations that Laura Loomer for Congress and Elizabeth in her
- 8                   official capacity as treasurer violated 52 U.S.C. §§ 30119(a)(2), 30116(f) and
- 9                   11 C.F.R. §§ 110.9, 115.2(c) by accepting excessive contributions or accepting or
- 10                  soliciting prohibited federal contractor contributions;
  
- 11          6.       Dismiss the allegations that The Mills Victory Fund and David Satterfield in his
- 12                  official capacity as treasurer and Cory for Congress and David Satterfield in his
- 13                  official capacity violated 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by
- 14                  accepting excessive contributions in connection with joint fundraising transfers;
  
- 15          7.       Approve the attached Factual and Legal Analysis;
  
- 16          8        Approve the appropriate letters, and,
  
- 17          9.       Close the file.

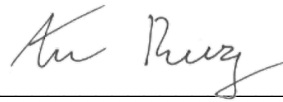
Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Associate General Counsel  
for Enforcement

25       6/13/2024  
26       Date

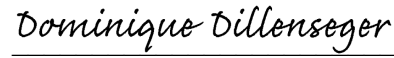
*Adrienne C. Baranowicz*  
Adrienne Baranowicz  
Deputy Associate General Counsel  
for Enforcement

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Aaron Rabinowitz  
Assistant General Counsel



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Dominique Dillenseger  
Attorney

