



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

September 5, 2024

VIA ELECTRONIC MAIL

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RE: MUR 8111
Pacem Solutions International, LLC
Pacem Defense LLC
1198 Windrock, LLC
Pacem Estate Holdings, LLC
ALS, Inc.

Dear Messrs. Torchinsky, Bayes and Watkins:

On February 22 and December 19, 2023, the Federal Election Commission notified Pacem Solutions International, LLC; Pacem Defense LLC; 1198 Windrock, LLC; Pacem Estates Holdings, LLC; and ALS, Inc., your clients, of a complaint and amended complaint, respectively, alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (“the Act”). A copy of the complaint and amended complaint were forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint and amended complaint, and information supplied by your clients, the Commission, on July 23, 2024, voted to dismiss the allegations that Pacem Solution International, LLC, Pacem Defense LLC, 1198 Windrock, LLC, Pacem Estate Holdings, LLC, and ALS, Inc., made excessive or prohibited contributions or contributions in the name of another in connection with Cory Mills’s loans to Cory Mills for Congress in violation of 52 U.S.C. §§ 30116(a), 30118(a), and 30122 and 11 C.F.R. §§ 110.1(b)(1) and 110.4(b)(1).

Accordingly, the Commission voted to close the file in this matter effective September 5, 2024. Any applicable Factual and Legal Analysis or Statements of Reasons available at the time of this letter’s transmittal are enclosed.

MUR 8111 (Pacem Respondents)
Letter to Messrs. Torchinsky, Bayes and Watkins
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Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

If you have any questions, please contact Dominique Dillenseger, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Aaron Rabinowitz".

Aaron Rabinowitz
Assistant General Counsel

1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

3 **RESPONDENTS:** Cory Mills **MURs 8098 & 8111**
4 Cory Mills for Congress and
5 David Satterfield¹ in his official capacity
6 as treasurer
7 The Mills Victory Fund and
8 David Satterfield in his official capacity
9 as treasurer
10 Laura Loomer for Congress, Inc., and
11 Laura Loomer in her official capacity as treasurer
12 Pacem Solution International LLC
13 Pacem Defense LLC
14 1198 Windrock LLC
15 Pacem Estate Holdings LLC
16 ALS, Inc.
17 Waygar Capital, Inc.
18 Unknown Persons
19

20 **I. INTRODUCTION**

21 These matters arise from Complaints alleging that Congressman Cory L. Mills, a
22 candidate in the 2022 election in Florida’s Seventh Congressional District, had insufficient
23 financial assets to make loans totaling \$1,848,900 to his principal campaign committee, Cory
24 Mills for Congress and David Satterfield in his official capacity as treasurer (the “Committee”)
25 during the 2022 election cycle, and that Mills and the Committee accepted unreported,
26 prohibited, and excessive contributions to make the loans, in violation of the Federal Election
27 Campaign Act of 1971, as amended (the “Act”). The Complaints base these allegations on
28 Mills’s financial disclosure reports, which the Complaints claim are inaccurate and do not reflect
29 sufficient assets and income to support the loans. The Complaints claim that the loans came
30 from other sources, including businesses in which Mills has an ownership interest (collectively

¹ 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.

1 the “Pacem Respondents”), other loans Mills obtained — including from an agent of a foreign
2 entity, Waygar Capital Inc. — and from unknown persons. The Complaints also allege that
3 Mills converted campaign funds to personal use through various disbursements and that Mills
4 made contributions to Laura Loomer for Congress (the “Loomer Committee”) that were
5 excessive and violated the ban on federal contractor contributions, and that the Committee and a
6 joint fundraising committee accepted excessive contributions.

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

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

21 The Commission also dismisses the allegations that Mills made excessive or federal
22 contractor contributions to the Loomer Committee or that the Loomer Committee accepted

1 excessive or prohibited federal contractor contributions or solicited federal contractor
2 contributions from Mills, as the available information does not support these allegations.

3 Because the available information also does not support the allegations that Mills
4 converted campaign funds to personal use, the Commission dismisses those allegations. The
5 Committee failed to identify the purpose for certain disbursements pertaining to this allegation,
6 but the Commission dismisses this apparent violation as a matter of prosecutorial discretion
7 given the low amount in violation.²

8 Regarding the allegations pertaining to the joint fundraising transfers, none of them
9 appear to be excessive. Therefore, the Commission dismisses the allegations that the Mills
10 Committee accepted excessive contributions in connection with these transfers.

11 **II. FACTUAL BACKGROUND**

12 Congressman Cory Mills was a candidate in the 2022 election for the Seventh District in
13 Florida. Mills filed his original Statement of Candidacy on April 1, 2021.³ Cory Mills for
14 Congress is Mills's principal campaign committee.⁴ David Satterfield is the Committee's
15 current treasurer.⁵ Mills won the August 23, 2022, Republican primary and the November 8,
16 2022, general election. Mills is running for re-election to represent the same district in 2024.⁶

17 The Mills Victory Fund (the "Fund") is a joint fundraising committee for the Committee, Restore
18 America's Voice PAC, and the NRCC.⁷ The Fund made transfers totaling \$51,266.23 to the

² *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

³ Cory Mills, Statement of Candidacy (Apr. 1, 2021).

⁴ Cory Mills for Congress, Amended Statement of Organization (Feb. 10, 2023).

⁵ *Id.*

⁶ Cory Mills, Statement of Candidacy (Dec. 19, 2022).

⁷ The Mills Victory Fund, Amended Statement of Organization (Feb. 27, 2023).

1 Committee in 2023. Several contributors made more than one contribution to both committees
 2 during the same time period.

3 During the course of Mills's congressional campaign, the Committee disclosed that Mills
 4 made 12 separate loans, totaling \$1,848,900, from his personal funds to the campaign:⁸

Date	Total Loan Amount
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
TOTAL:	\$1,848,900

5 On his first United States House of Representatives financial disclosure report, filed on
 6 May 7, 2021, Mills disclosed rental property income in the current and previous year in the range
 7 of \$200,002 to \$2,000,000, bank accounts in the range of \$115,000 to \$300,000, and salary from
 8 Pacem Solution International of \$300,000 in the current year and \$500,000 in the previous year.⁹
 9 The assets consisting of rental and unearned income, bank accounts, and salary have a combined
 10 disclosed annual range from \$615,000 to \$2,600,000.¹⁰ The remaining assets (real estate) have a
 11 combined value in the range of \$8,000,000 to \$40,000,000.¹¹ On January 9, 2023, Mills filed a

⁸ 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.*

⁹ Compl. (MUR 8111), Ex. 2 (Cory Mills, Financial Disclosure Report, May 7, 2021).

¹⁰ *Id.*

¹¹ *Id.*

1 second financial disclosure report, covering the period January 1, 2021, to December 31, 2022,
2 and disclosed the same assets and ranges as on the previous reports, except for slight changes to
3 two bank balances and his salaries.¹²

4 The Complaints allege that Mills had insufficient assets to make loans totaling
5 \$1,848,900 to the Committee and that the Committee accepted prohibited and excessive
6 contributions to make the loans.¹³ The Complaints allege that the funds may have come from a
7 number of sources, including: businesses in which Mills has an ownership interest — namely
8 Pacem Solution International LLC, Pacem Defense LLC, 1198 Windrock LLC, Pacem Estate
9 Holdings LLC, and ALS, Inc. — loans Mills obtained from the Payment Protection Program;
10 other loans obtained by Mills involving his businesses; loans obtained from an agent of Waygar
11 Capital Inc., a foreign entity; and from unknown persons.¹⁴ The Complaints allege that this
12 resulted in knowing and willful violations of the Act and Commission regulations involving
13 contributions in the name of another, excessive or prohibited contributions, and misreporting.¹⁵

14 Separately, the MUR 8111 Complaint alleges that Mills converted campaign funds to
15 personal use through disbursements totaling \$20,628.49 to Derick Agustin for “rent,” and
16 payments totaling \$89,158.88 for “luxury” travel, hotel, and transportation expenses.¹⁶ The
17 MUR 8098 Complaint asserts that Mills made contributions to Laura Loomer for Congress that
18 were excessive and also violated the ban on federal contractor contributions because Mills owns

¹² *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 prior filing. Cory Mills, Financial Disclosure Report (Mar. 26, 2023), https://disclosures-clerk.house.gov/public_disc/financial-pdfs/2022/10051150.pdf (last visited June 8, 2024).

¹³ MUR 8098 Compl.at 9-10; MUR 8111 Compl. at 19-23; Amend. MUR 8111 Compl. at 13-14, 19-23.

¹⁴ MUR 8111 Compl. at 12-16; Amend. MUR 8111 Compl. at 19-23.

¹⁵ MUR 8098 Compl.at 9-10; MUR 8111 Compl.at. 19-23.

¹⁶ MUR 8111 Compl. ¶¶ 11-13.

1 entities that are federal contractors.¹⁷ Finally, the MUR 8111 Complaint suggests that the
2 Committee and The Mills Victory Fund, a joint fundraising committee, accepted excessive
3 contributions from several individuals that made contributions on the same date and in the same
4 amount to both committees.¹⁸

5 The Mills Respondents' Responses assert that Mills made the loans from personal funds
6 and that his financial disclosure reports show that he had sufficient assets to make the loans.¹⁹
7 The Pacem Respondents similarly assert that all compensation payments and distributions were
8 made to Mills personally and not to any account owned or controlled by Mills's campaign
9 committee and that the Pacem Respondents made no loans to Mills or his committee.²⁰ With
10 respect to allegations that Mills converted campaign funds to personal use with respect to
11 disbursements to Agustin and for "luxury" aircraft, lodging, and transportation, the Mills
12 Respondents contend that all the disbursements were for legitimate campaign expenses and not
13 for personal use.²¹

14 The Mills Respondents assert that contributions made to the Loomer Committee were not
15 excessive contributions and did not violate the prohibition on federal contractor contributions,²²
16 and the Loomer Committee similarly asserts that the Mills contributions were not excessive,
17 were properly reported, and that the contribution designated for the general election was properly

¹⁷ MUR 8098 Compl. at 8-9.

¹⁸ Amend. MUR 8111 Compl. ¶¶ 7-10.

¹⁹ 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).

²⁰ 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).

²¹ Resp. of Mills Respondents to MUR 8111 Compl.; Resp. of Mills Respondents and The Mills Victory Fund to Amend. MUR 8111 Compl.

²² Resp. of Mills Respondents to MUR 8098 Compl. at 2-3.

1 refunded.²³ Finally, with respect to the allegations pertaining to joint fundraising transfers and
2 contributions, the Committee and the Fund’s Response states that all transfers and contributions
3 were properly made and reported.²⁴

4 Waygar Capital Inc., through its CEO, Wayne R. Ehgoetz, states that the firm is a loan
5 consultant to the Ninepoint Canadian Senior Debt Fund, based in Toronto, Canada, that it
6 provides operating and term loans, and is a senior lender to Pacem.²⁵ It denies that it provided
7 funds for the loans to the Mills Committee.²⁶

8 **III. LEGAL ANALYSIS**

9 **A. The Commission Dismisses the Allegation that the Pacem Respondents, Waygar** 10 **Capital Inc., and/or Unknown Persons Made and Mills and the Committee** 11 **Knowingly Accepted Impermissible Contributions**

12 The Act and Commission regulations prohibit any person from making, and a candidate
13 or political committee from knowingly accepting, a contribution that exceeded \$2,900 during the
14 2022 election cycle and \$3,300 during the 2024 cycle.²⁷ Federal candidates, however, may make
15 unlimited contributions from their own “personal funds” to their authorized campaign
16 committees.²⁸ The Act and Commission regulations provide that “personal funds” include:
17 (a) amounts derived from any asset that the candidate had legal right of access to or control over
18 and had legal and rightful title or an equitable interest in at the time the individual became a
19 candidate; and (b) income received during the current election cycle of the candidate.²⁹

²³ Resp. of Loomer Committee to MUR 8098 at 1-3 (Jan. 19, 2023).

²⁴ Resp. of Mills Respondents and The Mills Victory Fund to Amend. MUR 8111 Compl. at 2.

²⁵ Resp. of Waygar Capital Inc., to Amend. MUR 8011 Compl. at 1 (Feb. 9, 2024).

²⁶ *Id.*

²⁷ 52 U.S.C. § 30116(a)(1)(A), (f); 11 C.F.R. §§ 110.1(b)(1), 110.9.

²⁸ 11 C.F.R. § 110.10.

²⁹ 52 U.S.C. § 30101(26); 11 C.F.R. § 100.33(a), (b).

1 The Act prohibits corporations from making, and candidates and political committees
2 from knowingly accepting, contributions to federal candidates or their committees.³⁰ Under
3 Commission regulations, a contribution from an LLC is permissible if the LLC is treated as a
4 partnership for tax purposes and has not elected to be treated as a corporation by the Internal
5 Revenue Service.³¹ LLCs that claim corporate status or those that are publicly traded are treated
6 as corporations for purposes of the Act.³² Finally, no person shall make a contribution in the
7 name of another or knowingly permit one's name to be used to effect such contribution.³³

8 The Complainant alleges that Mills did not have sufficient funds to make 12 separate
9 loans, totaling \$1,848,900, from his personal funds to the campaign based on Mills's financial
10 disclosure reports.³⁴ Complainant asserts that the source of the loans may have come from a
11 number of sources including: the Pacem Respondents; loans obtained from Waygar Capital Inc.,
12 a foreign entity; from other loan sources including PPP loans; and from unknown persons.³⁵

13 Respondents deny the allegations. The Mills Respondents state that Complainant has
14 provided no information to support the allegations that the funds for the loans were not from
15 Mills's personal assets and were not properly disclosed in accordance Commission regulations.³⁶
16 Respondents also state that Complainant misread the financial disclosure reports, and that the

³⁰ 52 U.S.C. § 30118(a).

³¹ 11 C.F.R. § 110.1(g).

³² *Id.*

³³ 52 U.S.C. § 30122; 11 C.F.R. § 110.4.

³⁴ MUR 8098 Compl. at 3, 5, 8, 12-16.

³⁵ MUR 8111 Compl. at 3, 5, 8, 12-16 and Amend. 8111 Compl. at 19-23.

³⁶ 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.

1 reports show that Mills's combined unearned and earned income exceed the amount Mills loaned
2 to his campaign.³⁷

3 The Pacem Respondents deny the allegations that they participated in a straw donor
4 scheme through which their assets were contributed to the Mills campaign and/or that they made
5 may have been the source of funds for the loans.³⁸ They explain that, as a founder, Mills held an
6 ownership interest in the Pacem businesses, and was named as Executive Chairman of Pacem
7 International in 2021.³⁹ They state that, consistent with his positions with the Pacem businesses,
8 Mills was compensated for his services during the period at issue, including W-2 compensation
9 and deferred compensation payments from Pacem Solution International and distributions from
10 Pacem Estate Holdings.⁴⁰ They claim that all compensation payments were made to Mills
11 personally and not to any account owned or controlled by the Committee and they made no loans
12 to Mills or the Committee.⁴¹ Wayne Ehgoetz, Waygar Capital's CEO, replied that neither
13 Waygar Capital nor its loan consultant, Ninepoint Canadian Senior Debt Fund, or their
14 employees ever provided donations to Mills's campaign.⁴²

15 The information disclosed on Mills's financial disclosure reports, documentation
16 provided with the Complaints, and the Pacem Response indicates that Mills had the ability to
17 make the twelve loans, in amounts between \$500 and \$500,000, totaling \$1,848,900, that were
18 made over a two-year period. As noted above, the financial reports filed disclose a combined

³⁷ Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 2-3.

³⁸ Resp. of Pacem Respondents to MUR 8111 Compl. at 1-4 and Amended MUR 8111 Compl. at 1-2.

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Resp. of Waygar Capital Inc. at 1 (Feb. 29, 2024).

1 unearned and earned income ranging from \$615,000 to \$2,778,000.⁴³ Further, the Pacem
2 Respondents state, and the financial disclosure reports demonstrate, that Mills receives
3 compensation payments from Pacem Solution.⁴⁴ Thus, the available information indicates that
4 Mills would have had sufficient assets and income to fund the loans to his Committee. Finally,
5 Complainant does not provide any information to support the allegations that the Pacem
6 Respondents, Waygar Capital Inc., or unknown persons were the sources of the loans, and
7 further offers no specific information regarding Mills's inability to afford a loan to his
8 committee.

9 Accordingly, the Commission dismisses the allegations that the Pacem Respondents,
10 Waygar Capital Inc., and/or unknown respondents made, and Mills and the Committee
11 knowingly accepted, excessive and prohibited contributions, and contributions in the name of
12 another in violation of 52 U.S.C. §§ 30116(a) and (f), 30118(a), and 30122 and 11 C.F.R.
13 §§ 110.1(b)(1), 110.4(b)(1), 110.9, in connection with Mills's loans to the Committee.

14 **B. The Commission Dismisses the Allegation that Mills Converted Campaign**
15 **Funds to Personal Use and Dismisses as a Matter of Prosecutorial Discretion the**
16 **Allegations that the Committee Failed to Properly Itemize Disbursements**

17 The Act and Commission regulations provide that campaign funds "shall not be
18 converted by any person to personal use," and define personal use as using funds "to fulfill any
19 commitment, obligation, or expense of a person that would exist irrespective of the candidate's
20 election campaign or individual's duties as a holder of Federal office."⁴⁵ The Act and
21 Commission regulations provide that an authorized committee must itemize and report the name

⁴³ *Supra*, notes 10-14 and accompanying text.

⁴⁴ *Id.*

⁴⁵ 52 U.S.C. § 30114(b)(1); 11 C.F.R. §§ 113.1(g), 113.2(e)

1 and address of each person to whom it makes expenditures or other disbursements that aggregate
2 more than \$200 per election cycle, together with the date, amount, and purpose of each
3 expenditure.⁴⁶ The committee must keep a record of each disbursement including its purpose (a
4 brief but specific description of why the disbursement was made).⁴⁷ For every disbursement
5 transaction that requires itemization (i.e., the payee received over \$200 in the aggregate from the
6 committee during the election cycle), the committee must specify the purpose for the
7 disbursement.⁴⁸

8 The Complaints allege that Committee disbursements to Agustin totaling \$7,103.93 in
9 2022 — which were described in Committee reports as “see memo entries” — and \$13,524.56
10 in 2023 — which were described as “Expense Reimbursement: See itemization below” and
11 included memo entries describing the purpose for the disbursements as for “materials” — were
12 actually for rent payments for Mills’s use of a personal room at a single-family house in Winter
13 Park, Florida.⁴⁹ The Mills Respondents deny the allegation, and assert that the expenditures to
14 Agustin, a campaign staffer, were for legitimate campaign expenses and were properly

⁴⁶ 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).

⁴⁷ 11 C.F.R. § 102.9(b)(1).

⁴⁸ 52 U.S.C. § 30104(b)(5)(A); 11 C.F.R. §§ 104.3(b)(4)(i), 104.9(a).

⁴⁹ 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 (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).

1 reported.⁵⁰ The Respondents explain that the 2022 disbursements were not further described
2 because they were under the \$200 itemization threshold.⁵¹

3 The MUR 8111 Complaint also alleges personal use violations by Mills relating to
4 disbursements totaling \$89,000 for airfare, lodging, travel expenses, and meeting/meals, which
5 the Complaint describes as “luxury” items.⁵² The Mills Respondents note that the Committee’s
6 \$29,668.00 reimbursement to Mills for air travel to “Luxury Aircraft LLC” was a disbursement
7 similar to a “chartered airplane expenditure,” and all the expenditures are campaign related.⁵³

8 The personal use allegations relating to the Agustin disbursements are based on lack of
9 description for “memo entries” for the 2022 disbursements and speculation that Mills was paying
10 rent for a “fake residence” in Florida.⁵⁴ However, the Complaints do not provide specific
11 information indicating that the disbursements to Agustin were actually for rent payments. With
12 respect to the other expenditures for travel-related expenses, none fall into the *per se* personal
13 use categories and the Complaints provide no information that would support the inference that
14 they would have existed irrespective of Mills’ candidacy. Accordingly, the Commission
15 dismisses the allegations that Mills violated 52 U.S.C. § 30114(b) and 11 C.F.R § 113.2(e) by
16 using campaign funds for personal use in connection with the Committee’s disbursements to
17 Derick Agustin and travel-related expenses.

18 The seven disbursements made in 2022 were over \$200 and thus required a purpose
19 entry. A purpose of “see memo entries” would not be considered adequate unless that entry is

⁵⁰ Resp. of Mills Respondents to MUR 8111 Compl. at 2.

⁵¹ *Id.*

⁵² Amend. MUR 8111 Compl. ¶ 11.

⁵³ Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 3-4.

⁵⁴ *See* MUR 8111 Compl. at 8-9, 16-18 and Amend. MUR 8111 Compl. at 7, 15, 23-24.

1 actually followed with a descriptive memo entry, adequately explaining the expenditure's
2 purpose. However, none of these disbursements included a descriptive memo entry.
3 Nevertheless, given the low amount at issue, the Commission exercises its prosecutorial
4 discretion and dismisses the allegations pertaining to the failure to properly itemize these
5 disbursements, in violation of 52 U.S.C. § 30104(b)(5)(A) and 11 C.F.R §§ 104.3(b) and 104.9.⁵⁵

6 **C. The Commission Dismisses the Allegation that Mills Made Contributions to**
7 **Laura Loomer for Congress that were Excessive and Violated the Ban on**
8 **Federal Contractor Contributions and that Laura Loomer for Congress**
9 **Knowingly Accepted Excessive or Prohibited Federal Contractor Contributions**
10 **or Solicited Prohibited Federal Contractor Contributions**

11 The Act and the Commission's regulations bar contributions to political committees by
12 any person who enters into a contract with the United States or its departments or agencies for
13 "furnishing any material, supplies, or equipment," if payment on such contract "is to be made in
14 whole or in part from funds appropriated by Congress."⁵⁶ This prohibition does not apply to "the
15 stockholders, officers, or employees" of a federal contractor.⁵⁷ The Act also bars any person
16 from knowingly soliciting a contribution from a federal contractor during the prohibited period.⁵⁸
17 No person shall make contributions to any candidate or authorized committee with respect to any
18 election which, in the aggregate, exceed the Act's contribution limit, which was \$2,900, during

⁵⁵ 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).

⁵⁶ 52 U.S.C. § 30119(a)(1); 11 C.F.R. § 115.2(a).

⁵⁷ 11 C.F.R. § 115.6.

⁵⁸ 52 U.S.C. § 30119(a)(2); 11 C.F.R. § 115.2(c).

1 the 2022 election cycle.⁵⁹ Further, the Act provides that no political committee shall knowingly
2 accept any contribution that exceeds this limit.⁶⁰

3 The Complaint in MUR 8098 alleges that Mills's contributions to Laura Loomer for
4 Congress, Inc., totaling \$3,650, were prohibited federal contractor contributions because Mills
5 owns Pacem Solution International, Inc., a federal contractor and that the contributions were
6 excessive.⁶¹ The Mills Respondents state that Commission regulations would not prohibit Mills,
7 an officer of a Federal contractor, from making contributions from personal assets.⁶² There is no
8 information that Mills himself is a federal contractor or that he used Pacem funds to make these
9 contributions. In addition, the available information does not indicate that Laura Loomer for
10 Congress knowingly solicited contributions from a federal contractor. Mills's contributions to
11 the primary election totaled \$2,900 and thus were not excessive. Mills also made a \$750
12 contribution designated for the general election, which the Loomer Committee refunded to Mills
13 after Loomer lost the election. Therefore, the Commission dismisses the allegation that Mills
14 violated 52 U.S.C. §§ 30116(a) and 30119(a)(1) and 11 C.F.R. § 115.2(a) and that Laura Loomer
15 for Congress, Inc., and Laura Loomer in her official capacity as treasurer violated 52 U.S.C.
16 §§ 30119(a)(2), 30116(f) and 11 C.F.R. §§ 110.9 and 115.2(c).

17 **D. The Commission Dismisses the Allegation that the Committee and The Mills**
18 **Victory Fund Knowingly Accepted Excessive Contributions**

19 No candidate or authorized committee may knowingly accept contributions with respect
20 to any election which, in the aggregate, exceed the Act's contribution limit, which was \$3,300

⁵⁹ 52 U.S.C. § 30116(a)(1)(A).

⁶⁰ 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.

⁶¹ MUR 8098 Compl. 4.

⁶² Resp. of Mills Respondents to MUR 8098 Compl. at 3. See https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00714543&contributor_name=cory+mil (last visited June 8, 2024).

1 during the 2024 election cycle.⁶³ A contributor may make a contribution to the joint fundraising
2 committee that “represents the total amount that the contributor could contribute to all of the
3 participants.”⁶⁴ A contribution to a joint fundraising committee is allocated between all of the
4 joint fundraising participants.⁶⁵

5 The MUR 8111 Complaint alleges that the Mills’s Committee 2023 April and July
6 Quarterly Reports disclose that a number of contributors made contributions on the same date
7 and in the same amount to both the Fund and the Committee and appears to allege that those
8 contributors made, and the Fund and/or Committee knowingly accepted , excessive
9 contributions.⁶⁶ The Mills Respondents and the Fund assert that the joint fundraising transfers
10 are accurate and were properly reported.⁶⁷

11 Large contributions to a joint fundraising committee are allocated between all joint
12 fundraising participants and thus the per committee limits would not apply to the Fund.⁶⁸
13 Further, a review of the Mills Committee 2023 April and July Quarterly reports for contributors
14 who gave to both the Fund and the Mills Committee do not reflect any contributions that appear
15 to be excessive. Several contributors made more than one contribution, but some were
16 designated for the 2024 primary and others for the 2024 general election, and none exceeded the
17 \$3,300 per-election limit. Accordingly, the Commission dismisses the allegations that the

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

⁶⁴ 11 C.F.R. § 102.17(c)(5).

⁶⁵ *Id.*

⁶⁶ Amend. MUR 8111 Compl. ¶¶ 7-10.

⁶⁷ Resp. of Mills Respondents to Amend. MUR 8111 Compl. at 2.

⁶⁸ 11 C.F.R. § 102.17(c)(5).

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- 1 Committee and The Mills Victory Fund violated 52 U.S.C. § 30116(f) and 11 C.F.R. § 110.9 by
- 2 accepting excessive contributions.