

February 6, 2023

Federal Election Commission
Lisa J. Stevenson, Acting General Counsel
Office of the General Counsel
1050 First Street, NE
Washington, D.C. 20463

RE: Supplemental Information in MUR 8096

Dear Ms. Stevenson:

End Citizens United write to supplement our complaint, filed on January 9, 2023 in Matter Under Review 8096 against George Anthony Devolder-Santos (“George Santos”), Devolder-Santos for Congress (the “Campaign”), Nancy Marks, in her official capacity as treasurer, and Devolder Organization LLC.

As described in our original complaint, Santos admitted that he lied to voters “about his professional background, educational history, and property ownership” during his campaign for the U.S. House of Representatives.¹ Of all the questions surrounding Santos, we still do not know how he made the \$705,000 in personal contributions to his campaign. Santos has claimed that he made the contributions with personal funds earned through his work at the Devolder Organization, but as detailed in the original complaint and public reporting, “there are several reasons to doubt whether Santos funded these massive contributions through income he earned at the Devolder Organization.”² The original complaint, therefore, argued that there was reason to believe that Santos and the Campaign may have accepted, and the Devolder Organization may have made, prohibited corporate contributions or contributions in the name of another, and requested that the Commission open an investigation to determine the source of the contributions.

On January 14, 2023, the Campaign filed several amended reports in what appears to be an effort to correct the unusually high number of reporting irregularities flagged in the Commission’s 20 Requests for Additional Information issued to the Campaign.³ The Campaign’s recent amendments to its reports, some of which have now been amended seven times, continues to raise important questions regarding the source of the loans Santos made to his campaign.

First, the Campaign’s amended reports provide contradictory information regarding the source of the \$500,000 contribution Santos gave his campaign. The Campaign’s fourth amended April Quarterly Report did not include a notation indicating that this loan was from Santos’s personal funds.⁴ However, on its Amended 30-Day Post-Election Report, filed on the same day as the

¹ Michael Gold and Grace Ashford, *George Santos Admits to Lying About College and Work History*, New York Times, (Dec. 26, 2022), <https://www.nytimes.com/2022/12/26/nyregion/george-santos-interview.html>; see Grace Ashford and Michael Gold, *Who Is Rep.-Elect George Santos? His Resume May be Largely Fiction*, New York Times (Dec. 19, 2022), <https://www.nytimes.com/2022/12/19/nyregion/george-santos-ny-republicans.html>.

² Complaint at 4, MUR 8096.

³ See Devolder-Santos for Congress, <https://www.fec.gov/data/committee/C00721365/?cycle=2022&tab=filings>.

Amended April Quarterly Report, the Campaign checked the box to indicate that the loan was from Santos's personal funds.⁵ The relevant images are reproduced below.

Fourth Amended 2022 April Quarterly Report⁶

LOAN SOURCE Full Name (Last, First, Middle Initial) DEVOLDER SANTOS, GEORGE, ANTHONY, ,			<input type="checkbox"/> Memo Item	Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
Mailing Address 90-02 QUEENS BOULEVARD				
City ELMHURST	State NY	ZIP Code 11373	<input type="checkbox"/> Personal Funds of the Candidate	
Original Amount of Loan \$ 500000.00	Cumulative Payment To Date \$ 0.00	Balance Outstanding at Close of This Period \$ 500000.00		
TERMS	Date Incurred M 03 ^M / P 31 ^D / Y 2022 ^Y	Date Due M M / D D / Y Y Y Y	Interest Rate (if none, enter 0) % (apr)	Secured: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Amended 2022 30-Day Post-Election Report⁷

LOAN SOURCE Full Name (Last, First, Middle Initial) DEVOLDER SANTOS, GEORGE, ANTHONY, ,			<input type="checkbox"/> Memo Item	Election: 2022 <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
Mailing Address 90-02 QUEENS BOULEVARD				
City ELMHURST	State NY	ZIP Code 11373	<input checked="" type="checkbox"/> Personal Funds of the Candidate	
Original Amount of Loan \$ 500000.00	Cumulative Payment To Date \$ 0.00	Balance Outstanding at Close of This Period \$ 500000.00		
TERMS	Date Incurred M 03 ^M / P 31 ^D / Y 2022 ^Y	Date Due None ^Y	Interest Rate (if none, enter 0) 0.00 % (apr)	Secured: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Second, Santos made a \$125,000 contribution to his campaign on October 26, 2022,⁸ which the Campaign disclosed as a loan on its Amended 30-Day Post-General Report, but the Campaign did not indicate that the loan was from Santos's personal funds or was funded by another source.⁹

Amended 2022 30-Day Post-Election Report

⁴ See Devolder-Santos for Congress, Fourth Amended 2022 April Quarterly Report at 156 (Jan. 24, 2023).
⁵ See Devolder-Santos for Congress, Amended 30-Day Post Election Report at 126, 2022 (Jan. 24, 2023).
⁶ The Campaign also did not check the box stating that the loan was from personal funds on its original report April Quarterly Report. See Devolder-Santos for Congress, 2022 April Quarterly Report at 356, (Apr. 15, 2022).
⁷ Like with the original April Quarterly Report, the Campaign checked the box stating that the loan was from personal funds. See Devolder-Santos for Congress, 30-Day Post Election Report at 126 (Dec. 8, 2022).
⁸ See Devolder-Santos for Congress, 2022 30-Day Post Election Report at 182 (Dec. 8, 2022). The Campaign's original 2022 30-Day Post General Report disclosed the loan as a receipt on Schedule A, but the report did not disclose the contribution as a loan on Schedule C. See Devolder-Santos for Congress, 2022 30-Day Post Election Report at 182 (Dec. 8, 2022).
⁹ See Devolder-Santos for Congress, Amended 2022 30-Day Post Election Report at 123, (Jan. 24, 2023).

LOAN SOURCE Full Name (Last, First, Middle Initial) DEVOLDER SANTOS, GEORGE, ANTHONY, ,			<input type="checkbox"/> Memo Item	Election: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼
Mailing Address 90-02 QUEENS BOULEVARD				
City ELMHURST	State NY	ZIP Code 11373	<input type="checkbox"/> Personal Funds of the Candidate	
Original Amount of Loan \$ 125000.00	Cumulative Payment To Date \$ 0.00	Balance Outstanding at Close of This Period \$ 125000.00		

The Federal Election Campaign Act (the Act), as amended, places strict limits on who may give contributions to candidate campaigns and in what amounts. These limits also apply to loans, except loans funded with the candidate's personal funds and loans obtained from a bank. Federal law requires that campaigns provide information regarding the source of loans made by candidates to their campaigns when the loans are not from the candidate's personal funds.¹⁰ The FEC has long made clear that if any person gives or loans a candidate money "for the purpose of influencing any election for federal office," then those funds are "not considered personal funds of the candidate even if they are given to the candidate directly."¹¹ Federal campaigns must provide detailed information about these loans including the terms of repayment.¹² These rules not only prevent circumvention of the amount and source restrictions, but they further the Act's goal of transparency in federal election spending by preventing candidates from concealing the source and details of loans given by others that fund federal campaigns.

The Campaign's spate of recent amended filings provides additional reasons for the Commission to open an investigation to determine the source of the more than half a million dollars Santos loaned his campaign. Despite the 10 amendments filed on January 24, 2023, and the more than 20 reports and amendments filed since April 2022, Santos and his Campaign have failed to provide a clear, consistent explanation for the source of these loans. When questioned by reporters about these amended filings, including the contradictions in the reports, Santos again refused to offer an explanation on where he got the money to make the loans to his campaign.¹³ These amendments, along with the information in our original complaint and public reporting, strongly suggest that Santos did not earn the money from the Devolder Organization to make these loans to his campaign.

Notably, the Campaign appears to have admitted that Santos did not personally fund one of the loans to his campaign. With respect to the \$125,000 contribution reported as a loan from Santos, the Campaign did not check the "personal funds" box on any report, indicating that the funds

¹⁰ FEC, Personal Loans from the Candidate, <https://www.fec.gov/help-candidates-and-committees/handling-loans-debts-and-advances/personal-loans-candidate/> (last visited Jan. 26, 2023). Generally, personal funds include assets, income, and jointly owned assets. 11 CFR § 100.33.

¹¹ *Id.*

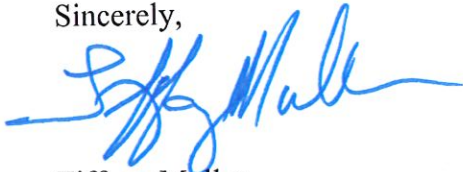
¹² Campaigns must disclose when the loan was obtained, as well as the date, amount, and interest rate of the loan, advance, or line of credit; the name and address of the lending institution; and the types and value of collateral or other sources of repayment that secure the loan, advance, or line of credit, if any. 11 CFR § 104.3(d)(4).

¹³ See, e.g., Roger Sollenberger, Inside the George Santos Campaign Report Blame Game, Daily Beast, Jan. 26, 2023, <https://www.thedailybeast.com/inside-the-george-santos-campaign-report-blame-game>.

used for this loan may not have come from Santos's personal funds. Nevertheless, the Campaign did not provide any of the required information regarding the origin of the money for this loan, depriving the public of critical information regarding the source of the funds that Santos used to further his candidacy.

In sum, the available information continues to raise serious questions regarding the source of the contributions Santos loaned to his campaign, and the contradictory information in the recent amendments provides additional and compelling reasons for the Commission to open an investigation determine the source of these loans. For the reasons provided in the original complaint and in this supplement, the Commission should find reason to believe that Santos and his Campaign accepted, and the Devolder Organization made, prohibited corporate contributions or contributions in the name of another and commence an investigation into these issues immediately.

Sincerely,



Tiffany Muller
End Citizens United
PO Box 66005
Washington, DC 20035

SUBSCRIBED AND SWORN to before me this 6th day of February 2023.



Notary Public

My Commission Expires:

MARK ANDREWS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2024

