

**BEFORE THE
FEDERAL ELECTION COMMISSION**

TIFFANY MULLER
END CITIZENS UNITED
PO BOX 66005
WASHINGTON, D.C. 20035

Complainant,

v.

LAUREN BOEBERT
120 E 3RD STREET, UNIT B
RIFLE, CO 81650

LAUREN BOEBERT FOR CONGRESS
PO BOX 752
RIFLE, CO 81652

WE THE PEOPLE LEADERSHIP PAC
PO BOX 752
RIFLE, CO 81652

TAYLOR MOOSE, IN THEIR OFFICIAL CAPACITY AS TREASURER
228 S WASHINGTON ST.
STE. 115
ALEXANDRIA, VA 22314

Respondents.

COMPLAINT

This complaint is filed under 52 U.S.C. § 30109(a)(1) against Rep. Lauren Boebert, Lauren Boebert for Colorado, We the People Leadership PAC, and Taylor Moose in their official capacity as treasurer of both Boebert for Colorado (the “principal campaign committee”) and We the People Leadership PAC (the “leadership PAC”), collectively the “Respondents,” for violating the Federal Election Campaign Act of 1971, as amended (the “Act”) and Federal Election Commission (the “FEC” or “Commission”) regulations. It appears that Lauren Boebert’s leadership PAC spent close to \$60,000 on voter contact calls and texts that the

circumstances indicate were likely made in support of Boebert's congressional race or to support the elections of other federal candidates. However, Respondents appear to have failed to accurately report the communications as independent expenditures or in-kind contributions on their reports filed with the Commission. The Commission should immediately investigate these apparent violations and take appropriate remedial action against Respondents.

FACTS

Congresswoman Lauren Boebert currently represents Colorado's Third Congressional District; she was elected to her second term in 2022.¹ Lauren Boebert for Congress is her principal campaign committee.² We the People Leadership PAC is her leadership PAC.³ Taylor Moose serves as treasurer for both the principal campaign committee and the leadership PAC.⁴

On October 28, 2022, Lauren Boebert for Congress reported paying \$4,623.22 to Telephone Town Hall Meeting, Inc. for "text message advertising." On the same date, We the People Leadership PAC reported disbursing \$6,221.73 to Telephone Town Hall Meeting, Inc. for "Voter Contact – GOTV Calls/Texts."⁵ On November 18, 2022, the leadership PAC reported a second disbursement to Telephone Town Hall Meeting, Inc. for \$53,760 for conducting "Voter Contact – GOTV Calls/Texts."⁶

¹ *Biography*, CONGRESSWOMAN LAUREN BOEBERT, <https://boebert.house.gov/about/biography> (last visited Apr. 6, 2023).

² Lauren Boebert for Congress, FEC Form 1, Statement of Organization (amended Jan. 31, 2023), <https://docquery.fec.gov/pdf/696/202301319575636696/202301319575636696.pdf>.

³ We the People Leadership PAC, FEC Form 1, Statement of Organization (amended Jan. 31, 2023), <https://docquery.fec.gov/pdf/960/202301319575662960/202301319575662960.pdf>.

⁴ *See id.*; Lauren Boebert for Congress, FEC Form 1, Statement of Organization (amended Jan. 31, 2023), <https://docquery.fec.gov/pdf/696/202301319575636696/202301319575636696.pdf>.

⁵ We the People Leadership PAC, 2022 Post General Report at 11 (Dec. 8, 2022), <https://docquery.fec.gov/pdf/715/202212089547554715/202212089547554715.pdf>.

⁶ *Id.* at 12.

During the entire 2022 election cycle, We the People Leadership PAC did not file any reports with the Commission to disclose that it made independent expenditures to support or oppose any candidate for federal office.⁷

Further, We the People Leadership PAC did not report any in-kind contributions to Lauren Boebert for Congress during the 2022 election cycle, nor did Lauren Boebert for Congress report receiving any in-kind contributions from the leadership PAC during the 2022 election cycle.⁸

LEGAL DISCUSSION

The Act and Commission regulations establish strict reporting requirements.⁹ The cardinal rule is that all contributions received, and expenditures disbursed by a political committee must be reported and reported accurately.¹⁰ The Commission also sets forth rules differentiating between a candidate's authorized committee and a leadership PAC. An authorized committee is a "principal campaign committee" or a committee authorized by a candidate "to receive contributions or make expenditures on behalf of such candidate."¹¹ A leadership PAC, on the other hand, "is not an authorized committee of the candidate or individual and . . . is not affiliated with an authorized committee of the candidate or individual."¹² Thus, if a candidate's leadership PAC makes disbursements that, if made by another committee would constitute

⁷ See We the People Leadership PAC, Spending 2021-2022,

<https://www.fec.gov/data/committee/C00764795/?tab=spending#independent-expenditures>.

⁸ We the People Leadership PAC, Disbursements to Lauren Boebert for Congress 2021-2022,

https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00764795&recipient_name=C00728238&two_year_transaction_period=2022; Lauren Boebert for Congress, Receipts from We the People Leadership PAC 2021-2022,

https://www.fec.gov/data/receipts/?data_type=processed&committee_id=C00728238&contributor_name=C00764795&two_year_transaction_period=2022.

⁹ See 52 U.S.C. § 30104; 11 C.F.R. § 104.3.

¹⁰ See 52 U.S.C. § 30104; 11 C.F.R. § 104.3.

¹¹ 11 C.F.R. § 100.5(f)(1).

¹² *Id.* § 100.5(e)(6).

independent expenditures supporting or opposing a candidate, they must be reported as such. Further, if a leadership PAC pays for a communication that it has coordinated with a candidate, the cost of the communication becomes an in-kind contribution to the candidate and counts against the leadership PAC's \$5,000 per-election contribution limit to that candidate.¹³

Here, Lauren Boebert's leadership PAC paid Telephone Town Hall Meeting, Inc. \$59,981.73 for voter contact calls and text messages.¹⁴ Given the proximity of the communications to the election, the cost of the disbursement, and the purpose of the disbursement for "Voter Contact – GOTV Calls/Texts," it seems likely that the text messages and voter contact phone calls mentioned candidates or political parties and may have run in Boebert's congressional district. The fact that Boebert's principal campaign committee paid the same vendor, on the same date – October 28, 2022 – for text message advertising, further suggests that the leadership PAC's disbursement was either a contribution to Boebert's campaign or an independent expenditure in support of Boebert and other candidates. Despite this, Boebert's leadership PAC did not report any independent expenditures during the 2022 cycle, nor did it report in-kind contributions resulting from the voter contact calls and texts, worth close to \$60,000. Thus, it appears that either Boebert's leadership PAC was required to file independent expenditure reports associated with the \$59,981.73 disbursement for voter contact calls and texts, or that these communications were coordinated in-kinds with Boebert's race, and both the leadership PAC and the principal campaign committee failed to report the disbursement appropriately with the FEC.

¹³ See 52 U.S.C. § 30116(a)(7)(B); Factual & Legal Analysis at 3, MURs 7169, *et al.* (Democratic Congressional Campaign Committee, *et al.*) (2017).

¹⁴ We the People Leadership PAC, 2022 Post General Report at 11 (Dec. 8, 2022), <https://docquery.fec.gov/pdf/715/202212089547554715/202212089547554715.pdf>; *id.* at 12.

REQUESTED ACTION

Respondents appear to have violated the Act and Commission regulations by seemingly failing to file independent expenditure reports, or in the alternative, failing to report in-kind contributions to federal candidates for close to \$60,000 worth of voter contact communications before the 2022 elections. As such, we respectfully request that the Commission immediately investigate this apparent violation, fine Respondents the maximum amount permitted by law, and enjoin Respondents from further violations of the law.

Sincerely,



TIFFANY MULLER
END CITIZENS UNITED
PO BOX 66005
WASHINGTON, D.C. 20035

SUBSCRIBED AND SWORN to before me this 3rd day of May 2023

Mark Andrews

Notary Public

My Commission Expires:

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

