

Watchdog group accuses Clinton campaign of election law violations



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Hillary Clinton speaks at a Women for Hillary event in Washington, D.C., October 5, 2016. (Photo: Brian Snyder/Reuters)

A nonpartisan watchdog group Thursday called for a federal investigation of Hillary Clinton’s campaign committee, accusing it of illegally accepting millions of dollars worth of “opposition research” and other assistance from Correct the Record, an outside super-PAC, in violation of U.S. election laws.

The Campaign Legal Center also filed complaints with the Federal Election Commission to initiate probes of Donald Trump’s campaign, and two super-PACs backing it, for similar violations of laws barring “coordination” between political campaigns and outside groups.

But the Campaign Legal Center's detailed 52-page complaint against Hillary for America and Correct the Record — part of the sprawling political empire run by Clinton backer David Brock — is likely to get special attention, given Clinton's repeated advocacy of campaign finance reform. She has vowed to “curb the influence of big money in American politics” and to push for a constitutional amendment to overturn Citizens United — the controversial ruling that opened the door for groups such as Correct the Record to accept unlimited donations to benefit political candidates.

Correct the Record, which has taken in over \$6 million in this campaign from hedge-fund executives, plaintiffs' lawyers and other wealthy donors, has effectively become a “parallel shadow” arm of the Clinton campaign, said Larry Noble, who served for 13 years as the chief legal counsel for the FEC and is now chief counsel of the Campaign Legal Center. “They're training people [for the Clinton campaign], they're doing research for it. They've really pushed the envelope in this case, and ripped it open.”

Asked for comment, Clinton campaign spokesman Glen Caplin said the complaint was a “frivolous lawsuit” and had no merit. Brad Woodhouse, president of Correct the Record, also fired back that the issues raised in the complaint were “ridiculous” and similar to those raised in another complaint last year against the group. He said Correct the Record was well within its rights to coordinate its activities with the Clinton campaign, because it restricts itself to communicating through Internet messages and on its website — forms of communication that he said are “free from campaign finance regulation” under FEC rules.

To be sure, Correct the Record is different from many other super-PACs in that it doesn't run standard “attack ads” on television and radio. Instead, it features as its centerpiece hard-edged political attacks online — such as a recently [posted mock-tabloid cover](#) proclaiming the “bromance” between Russian president Vladimir Putin and Trump, complete with big red hearts.

But the Campaign Legal Center details evidence that Correct the Record's pro-Clinton activities go well beyond Internet political trolling. Citing multiple media reports and campaign filings, the group's complaint charges that Correct the Record, among other activities, deployed so-called trackers to trail and record rival candidates (such as former Maryland Gov. Martin O'Malley during the Democratic primaries); hired a polling firm (which declared Clinton the instant winner after a debate with Bernie Sanders); set up a 30-person “war room” to do “rapid response” to attacks on Clinton during her appearance before the House Select Committee on Benghazi (including circulating a 140-page “opposition research” book that “impugns the character of Republicans” on the panel; paid \$391,000 to an affiliated Brock organization, the Franklin Forum, to conduct media training for Clinton surrogates; committed to spend \$1 million to “confront social media users who post unflattering messages” about Clinton; and received a \$275,615 direct payment from the Clinton campaign in June 2015 for what was listed as “research.”

While conducting these and other activities aimed at boosting Clinton, Correct the Record accepted multiple hefty donations, exceeding the \$2,700 limit on the amount that can be given to individual candidates, the complaint charges. Among them were \$1 million from Priorities USA Action, another pro-Clinton super-PAC, and \$500,000 from Henry Laufer, a vice president for research at Renaissance Technologies, a Wall Street hedge fund, and a major Democratic donor who held a fundraiser for the Clinton campaign in Florida last April. (The Center for Responsive Progress, which tracks campaign donations, lists 25 Correct the Record donors who have given the group \$100,000 or more.)

Woodhouse, in a follow-up email to Yahoo News, said the “vast majority” of Correct the Record’s activities “do result in a public Internet posting,” noting that, for example, the results of its polling were publicly posted. In other instances, such as the “research” it provided to Hillary for America, the campaign paid for it, which would have made it an above-board transaction that did not run afoul of federal election law. (Woodhouse also acknowledged that Correct the Record uses the services of Marc Elias of the Perkins Coie law firm; Elias is also chief outside counsel to the Clinton campaign. Elias did not respond to an email request for comment.)

But the Campaign Legal Center argues that Correct the Record is stretching FEC rules exempting Internet communications from federal election laws far beyond recognition. That exemption was intended to permit “individual citizens using the Internet to speak freely regarding candidates and elections,” its complaint argues, not to “offer campaigns a way to outsource their communications, opposition research, and press operations to a political committee and to pay for those activities” using unregulated funds.

Noble, of the Campaign Legal Center, acknowledged he was not “overly optimistic” the FEC would act on its complaint, given that the agency has been repeatedly deadlocked among its commissioners along partisan lines and has failed to take enforcement actions against other alleged violations. But in this case, he said, given the openness with which Correct the Record is coordinating with the Clinton campaign, his group may “take them to court” if the FEC fails to act.

In its separate complaint against the Trump campaign and two pro-Trump super-PACs, Rebuilding America Now and Make America Number One, the Campaign Legal Center charges that they too are violating the law.

In the case of Rebuilding America Now, the group charges that it was formed by two former Trump campaign staffers within a 120-day so-called cooling-off period that bars campaign aides from working for super-PACs backing the same candidate. In the case of Make America Number One, the complaint charges that the pro-Trump super-PAC is “intertwined” with the Trump campaign; Trump’s campaign manager, Kellyanne Conway, was the former president of the super-PAC, and was reportedly hired at the behest of the super-PAC’s chair, Rebekah Mercer. In addition, both the Trump campaign and the super-PAC use the same data analytics firm — owned by the Mercer family — to target voters and develop ad content, the group charged.

The Trump campaign did not respond to a request for comment.

<https://www.yahoo.com/news/watchdog-group-accuses-clinton-campaign-of-election-law-violations-214054242.html>