All Expenses Still Paid











A Look at Leadership PACs' Latest Outlandish Spending

October - December 2018









Acknowledgments

This report was written by Michael Beckel and Amisa Ratliff of Issue One. Brendan Fischer and Maggie Christ of Campaign Legal Center contributed to this report. Design by Evan Ottenfeld.

About Issue One

Issue One is the leading cross-partisan political reform group in Washington. We unite Republicans. Democrats, and independents in the movement to increase transparency. strengthen ethics and accountability, and reduce the influence of big money in politics. Issue One's ReFormers Caucus of more than 200 former members of Congress, governors, and Cabinet officials is the largest bipartisan coalition of its kind ever assembled to advocate for solutions to fix our broken political system.

issueone.org | f facebook.com/issueonereform | y @issueonereform

About Campaign Legal Center

Campaign Legal Center ("CLC") is a nonpartisan, nonprofit organization based in Washington, D.C. Through litigation, policy analysis, and public education, CLC works to protect and strengthen the U.S. democratic process across all levels of government. CLC is adamantly nonpartisan, holding candidates and government officials accountable regardless of political affiliation. CLC was founded in 2002 and is a recipient of the prestigious MacArthur Award for Creative and Effective Institutions. Our work today is more critical than ever as we fight the current threats to our democracy in the areas of campaign finance, voting rights, redistricting, and ethics.

<u>campaignlegal.org</u> | **f** facebook.com/campaignlegalcenter | **y** @campaignlegal

Media Contact

William Gray wgray@issueone.org | (202) 204-8553





All Expenses Still Paid:

A Look at Leadership PACs' Latest Outlandish Spending

October - December 2018

By Michael Beckel and Amisa Ratliff of Issue One

Should it be legal for members of Congress to operate "slush funds" to subsidize lavish lifestyles — spending money on private jets, five-star resorts, and fine dining at events that are often underwritten by lobbyists and special interest donors?

If you think the answer should be no, then we've got some news for you: Such outlandish expenditures from these funds — known as leadership PACs — are being treated by regulators as lawful when they shouldn't be.

Leadership PACs first came onto the scene in the late 1970s when the Federal Election Commission (FEC) decided to allow members of Congress to establish separate committees to raise extra money to give away to fellow politicians. Today, nearly every member of Congress in both parties operates a leadership PAC, and these lawmakercontrolled committees collectively raise tens of millions of dollars each year.

Disturbingly, the bulk of leadership PACs' expenditures are now a far cry from the purposes originally permitted by the FEC. In recent years, only a minority of leadership PAC spending — about 46% — has actually gone toward contributions to candidates and political groups, according to data from the Center for Responsive Politics.

Instead, as Issue One and Campaign Legal Center previously reported, members of Congress routinely use leadership PAC funds to pay for expensive meals, rounds of golf, and luxury hotel stays, often under the guise of fundraising. Since, by law, officeholders cannot use official campaign funds for

"personal use" — like country club dues, clothing purchases, or family vacations they have instead dipped into their leadership PAC funds for these expenses. This pattern arose, and has worsened, because the FEC has not applied the personal use prohibition to leadership PACs.

"I served in Congress for 16 years without a leadership PAC, and it is disturbing that we continue to see them abused," said Issue One ReFormers Caucus Co-chair Rep. Zach Wamp (R-TN). "If we can't do away with leadership PACs altogether, we at least need new language prohibiting any personal use of these funds, similar to the prohibition on personal use governing regular federal campaign accounts."

Added Issue One ReFormers Caucus Co-chair Amb. Tim Roemer (D-IN): "We must take commonsense steps to repair our broken democracy and restore the shattered faith in the Congress. Addressing leadership PACs and how they buy influence and access is a bipartisan solution and sound approach. The American people are angry and are demanding reform."

Neither Wamp (who was the top Republican member of two subcommittees on the House Appropriations Committee during his eight terms in Congress) nor Roemer (who served in the House of Representatives for six terms and was co-chair of the New Democrat Coalition) operated a leadership PAC while they were in office.

Below are some of the most eyebrow-raising expenditures from the final three months

of 2018, based on a new Issue One and Campaign Legal Center analysis of campaign finance data from the Federal Election Commission.

Expensive meals

Just steps away from the Capitol building are several high-end restaurants where members of Congress routinely spend leadership PAC funds on expensive meals, rubbing shoulders with wealthy special interests in places that are often out of the reach of their constituents.

Among the restaurants in the nation's capital where lawmakers' leadership PACs spent significant funds between October and December were the following:

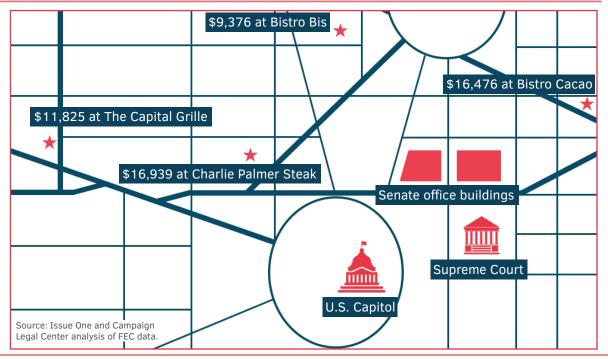
- Joe's Seafood, Prime Steak & Stone Crab, an upscale seafood restaurant and steakhouse in downtown D.C.. where four leadership PACs spent a total of \$22,175;
- Charlie Palmer Steak, a posh steakhouse located just three blocks west of the Senate office buildings. where the leadership PACs of 13 members of Congress spent a total of \$16,939;

- Bistro Cacao, a traditional French bistro just three blocks northeast of the Senate office buildings, where six leadership PACs spent a total of \$16,476;
- ► The Capital Grille, a fine dining steakhouse in downtown D.C., where nine leadership PACs spent a total of \$11,825;
- Morton's The Steakhouse, which advertises that diners can "mingle amongst the decision makers of D.C.." where four leadership PACs spent a total of \$10,424; and
- Bistro Bis, an upscale French restaurant iust three blocks northwest of the Senate office buildings, where 10 leadership PACs spent a total of \$9.376.

Elite travel and tickets to coveted events

Under the guise of fundraising, leadership PACs are often used by members of Congress to pay for trips to luxurious destinations, exclusive resorts, and entertainment and sporting events.

Between October and December 2018, lawmakers' leadership PACs spent...



For example: Four members of Congress paid a combined \$113,263 from their leadership PACs between October and December to Sea <u>Island</u>, a five-star luxury resort in Georgia with oceanfront views, a spa, three golf courses, and horseback riding.

Likewise, three members of Congress paid a combined \$72,561 from their leadership PACs during the final three months of 2018 to the lavish Kiawah Island Golf Resort in South Carolina, which markets itself as "a destination like no other." Among the offerings at the five-star resort are 22 tennis courts, five golf courses, and six pools.

Meanwhile, the leadership PACs of two members of Congress combined to spend \$25,936 between October and December at the Watercolor Inn and Resort in Florida, which offers beachfront rooms on the Gulf of Mexico. And ten members of Congress combined to spend \$15.906 during the same time period at restaurants and hotels in Las Vegas, including the prestigious SLS Las Vegas, Venetian, and Palazzo.

Of course, some members of Congress prefer to travel to their destinations in style. For example, seven members of Congress together spent \$82,408 from their leadership PACs on private jets between October and December.

And what's a trip without something to do? Leadership PACs spent eye-popping amounts on numerous activities, tickets, and event expenses during the fourth guarter of 2018, including:

- **\$23,130** for tickets, purchased by one leadership PAC, to the South Beach Wine and Food Festival in Miami, "a national, star-studded, five-day destination event showcasing the talents of the world's most renowned wine and spirits producers, chefs, and culinary personalities";
- ▶ \$10.750 for tickets and other expenses associated with the Mardi Gras-themed celebration hosted in Washington, D.C.. by the Mystick Krewe of Louisianians, paid for by four lawmakers' leadership PACs; and

> \$3.382 on tickets, purchased by two lawmakers' leadership PACs, to events at the Capital One Arena in Washington, D.C., where numerous professional sports games and concerts are held.

Lavish lifestyles on someone else's dime

When the FEC approved the first leadership PAC in the late 1970s, the idea was that these committees would allow members of Congress to raise extra funds that politicians would then give away to their political allies. But in many cases, that's not what's happening anymore.

The reality today is that many members of Congress appear to be using leadership PACs as slush funds to pay for layish meals and trips on someone else's dime. Lawmakers often say they need to hold fundraisers at elite locations to successfully raise money from wealthy donors. But numerous leadership PACs give proportionally little away in contributions to candidates and political groups. Thus, it appears as though many officeholders are simply raising money for leadership PACs at luxury hotels, beachfront resorts, and exclusive golf clubs to perpetuate a never-ending fundraising cycle.

Here are just a few examples of leadership PACs that devoted a minority of their spending to political contributions while spending lavishly on travel, meals, entertainment, and more during the fourth quarter of 2018:

► Only about 18% of the \$321,000 in spending between January 2017 and December 2018 by the leadership PAC of Rep. George Holding (R-NC) went toward contributions to candidates and political groups.

In just the final three months of 2018. Holding's leadership PAC spent. among other things, \$15,605 on food, beverage, and lodging-related expenditures; \$11,659 on airfare with American Airlines; and \$3,983 on transportation expenses with the ridehailing service **Uber**.

Holding's leadership PAC paid for meals at eateries ranging from elegant French restaurants to high-end steakhouses.

Between October and December 2018, lawmakers' leadership PACs spent...

\$113,236

\$82,408

\$16,939

\$15.906



at a five-star luxury resort in Georgia

on private jets

at a posh D.C. steakhouse



at restaurants and hotels in Las Vegas





\$2,569

\$1.276







at a Mardi Gras celebration

on pens and ornaments at the Senate Gift Shop at a private, men-only social club in London

at a luxury hotel in Puerto Rico

Source: Issue One and Campaign Legal Center analysis of FEC data.

And it spent a total of \$7,698 between October and December at exclusive. members-only clubs, including \$3,058 at the <u>Union Club</u> in New York. The Union Club, founded in 1836, is considered the "first men's social club in New York," with a jacket-and-tie-only dress code and a ban on cellphones in common areas.

Holding's leadership PAC even footed the bill for a stay at a membersonly club overseas, paying \$2,569 in December for "lodging, food/beverage" at the East India Club in London. The East India Club is a private, men-only club founded in the middle of the 19th century that offers members access to "sixty-seven bedrooms, a formal dining room, bars, gymnasium, snooker room, business centre, library, drawing rooms, private dining, and meeting rooms."

Only about 22% of the \$102.000 in spending between January 2017 and December 2018 by the leadership PAC of former Rep. Jason Chaffetz (R-UT) — the one-time House Oversight Committee chairman who resigned from his seat in June 2017 and is now a contributor at Fox News — went toward contributions to candidates and political groups. In just the final three months of 2018, Chaffetz's leadership

PAC spent, among other things, \$1,766 on airfare, \$1,279 on "supplies" at a Costco near his home in Utah, and \$2,881 at the Trump International Hotel in Washington, D.C.

Only about 29% of the \$485,000 in spending between January 2017 and December 2018 by the leadership PAC of Rep. Hal Rogers (R-KY) went toward contributions to candidates and political groups.

In just the final three months of 2018, Rogers' leadership PAC spent, among other things, \$6,311 on food and beverage expenses, including \$1,179 at the Capitol Hill Club, a private social club for Republicans in D.C. His leadership PAC also spent \$18,369 in November on "event tickets" at the Churchill Downs racetrack, home of the Kentucky Derby.

Only about 32% of the \$154,000 in spending between January 2017 and December 2018 by the leadership PAC of Rep. Gregory Meeks (D-NY) went toward contributions to candidates and political groups.

In December 2018 alone, Meeks' leadership PAC paid \$1,276 to the San

Juan Marriott Resort in Puerto Rico. which markets itself as "the definition of elegance and comfort." A month earlier. Meeks' leadership PAC spent \$543 at the opulent Venetian on the Las Vegas Strip, a luxury resort that advertises that its guests can "take in the beauty of old world Italy" — including gondola rides — while enjoying "all the comforts and excitement of modern day Las Vegas."

- Only about 36% of the \$430,000 in spending between January 2017 and December 2018 by the leadership PAC of Rep. Ron Kind (D-WI) went toward contributions to candidates and political groups. In October 2018 alone, Kind's leadership PAC spent \$5,000 at the American Club Resort, a five-star, 241room resort in Wisconsin that touts itself as "the Midwest's premier luxury resort."
- ▶ Only about 36% of the \$1.6 million in spending between January 2017 and December 2018 by the leadership PAC of Sen. John Thune (R-SD) went toward contributions to candidates and political groups.

In October 2018 alone, Thune's leadership PAC spent \$32,286 on chartered jets through Charter First, a Minnesota-based company that caters to "business executives and luxury vacationers." Thune also appears to enjoy traveling in luxury on the ground: His leadership PAC spent \$1,447 in iust the final two months of 2018 on transportation through <u>Dav-El Services</u>, which offers "deluxe limousines, luxury sedans, executive vans, and buses." Additionally, Thune's leadership PAC spent \$3,000 in October at the exclusive Greenbrier Sporting Club in West

Virginia, whose slogan is "life as few know it." The members-only club offers on-site fishing, trap and skeet shooting fields, hiking, equestrian stables, a spa, a fitness center, and five golf courses.

Only about 41% of the \$485,000 in spending between January 2017 and December 2018 by the leadership PAC of Sen. Orrin Hatch (R-UT), who retired in January after the completion of his seventh term in the Senate, went toward contributions to candidates and political aroups.

Between October and December alone. Hatch's leadership PAC spent \$11,547 on gifts and memorabilia, including \$7,122 at retailer L.L. Bean and \$4,425 on pens and ornaments at the U.S. Senate Gift Shop.

During the same time period. Hatch's leadership PAC also paid a total of \$810 in dues to the esteemed Alta Club in Salt Lake City — part of the \$6,204 in total dues it paid there in 2017 and 2018. The Alta Club was formed in 1883, and was modeled after the gentlemen's social clubs that were then prominent on the east and west coasts. Today. the Alta Club offers members access to meeting rooms, dining facilities, a billiards room, a full-service salon, and a fitness center. Women were not allowed to become members until 1987.

Only about 43% of the \$829,000 in spending between January 2017 and December 2018 by the leadership PAC of Sen. Patrick Leahy (D-VT) went toward contributions to candidates and political groups. In October 2018 alone, Leahy's leadership PAC spent \$8.797 at the chic Hotel Vermont in

Dues payments: Illegal for a campaign committee — okay for a leadership PAC?

Using campaign cash to pay for dues at country clubs, health clubs, recreational facilities, and other "nonpolitical organizations" is generally prohibited under federal laws that bar the personal use of campaign funds, unless those dues payments are "made in connection with a specific fundraising event that takes place on the organization's premises." But politicians have used their leadership PACs to pay for dues — such as at the Alta Club in Salt Lake City, by the leadership PAC of Sen. Orrin Hatch (R-UT) — that would likely be considered illegal if campaign funds were used.

- downtown Burlington as well as \$1.365 at the <u>Trapp Family Lodge</u>, a luxury resort in Vermont that advertises its "Austrianinspired architecture and Europeanstyle accommodations" surrounded by "stunning mountain views."
- Only about 47% of the \$426,000 in spending between January 2017 and December 2018 by the leadership PAC of Sen. Tom Udall (D-NM) went toward contributions to candidates and political groups. In October 2018 alone, Udall's leadership PAC spent \$2,518 for catering at the Bandon Dunes Golf Resort on the coast of southern Oregon.
- Only about 48% of the \$868,000 in spending between January 2017 and December 2018 by the leadership PAC of Sen. Todd Young (R-IN) went toward contributions to candidates and political groups. Between October and December, Young's leadership PAC spent \$2,219 on travel-related expenses on airplanes, trains, and chauffeured automobiles. And in November alone. Young's leadership PAC spent \$4,830 for a "registration fee" at the Medinah Country Club just outside Chicago, which describes itself as "one of the most prominent private country clubs in the United States."

What can be done to curb the misuse of leadership PAC funds?

Leadership PACs allow donors who've already given the maximum to a politician's campaign committee to then contribute significantly more money to that politician's leadership PAC — giving donors yet another avenue to buy access and influence. And leadership PAC contributions become even more concerning given how those funds are often spent. When many leadership PACs give proportionally little away in contributions to candidates and political groups, those officeholders appear to be raising money for leadership PACs to perpetuate a never-ending fundraising cycle.

As the examples in this report show, leadership PACs have become, in the words of prominent conservative writer **Peter** Schweizer, "essentially a second personal bank account, or a second pocket from which politicians can pull money."

Some have even questioned whether leadership PACs should exist at all. For instance, former Rep. Joel Hefley (R-CO) now a member of Issue One's ReFormers Caucus — once introduced a bill to ban leadership PACs. Similarly, Brad Smith, a former Republican chairman of the FEC who now serves as the chairman of the Institute for Free Speech, supports the eradication of leadership PACs.

One thing that everyone should agree on is that politicians should not be permitted to use leadership PACs as slush funds.

Today, there is growing bipartisan interest in curbing the abuse of leadership PACs. Bipartisan legislation was introduced earlier this year that would expressly extend the personal use ban that applies to candidates' official campaign committees to their leadership PACs as well. This legislation (H.R. 679) is sponsored by Reps. Mike Gallagher (R-WI), John Katko (R-NY), Derek Kilmer (D-WA), and Kathleen Rice (D-NY).

Moreover, the FEC can, and should, be doing more to step up its enforcement of leadership PAC spending. Existing law states that any "contribution accepted by a candidate" or "received by an individual as support for activities of the individual as a holder of federal office" cannot be put toward personal use. Based on a plain reading of the law, the personal use prohibition should clearly apply to contributions accepted by candidates for their leadership PACs. Yet the FEC has failed to agree on whether the personal use prohibition applies to leadership PACs. Campaign Legal Center, Issue One, and five former Republican and Democratic members of Congress have petitioned the FEC to clarify that leadership PAC funds cannot be converted to personal use. That petition remains pending.

It is now incumbent upon both the FEC and Congress to ensure that leadership PAC funds cannot be used for politicians' personal expenses.•