



May 8, 2019

Indiana Election Division
J. Bradley King, Co-Director
Angela M. Nussmeyer, Co-Director
302 West Washington Street
Room E-204
Indianapolis, IN 46204

Co-Directors King and Nussmeyer:

I request the Indiana Election Commission initiate an investigation into the Eric Holcomb for Indiana, Indiana Republican Party and Team Holcomb committees' failure to disclose in-kind contributions related to the governor's air travel on July 22-24, 2018 and November 27-29, 2018. The issue requires your scrutiny as it appears the entities' reasoning for not disclosing is in clear conflict with the truth.

First reported by the Indianapolis Star, Governor Holcomb flew aboard a private jet to Republican Governors Association meetings. On those same dates, Team Holcomb and Eric Holcomb for Indiana received nearly two dozen contributions. In a memo to the Star, the Holcomb campaign argued that they did not have a duty to report the flights as the campaign did not directly benefit from the travel.

"Therefore, as his attendance directly benefits the RGA rather than Eric Holcomb for Indiana or Team Holcomb, those flights are considered an in-kind contribution to the RGA and are reported accordingly along with the corresponding expense.

...

"The burden of disclosure is on the organization or entity benefitting from the activity."

Between July 22-24, 2018 and November 27-29, 2018, The Eric Holcomb for Indiana and Team Holcomb committees reported 21 contributions, including contributions from organizations that have donated as much as \$720,000 to the RGA in 2018. Additionally, the Holcomb for Indiana committee reported an expenditure coded 'fundraising' on July 24, 2018 for an expense in Aspen, Colorado. The fundraising expenditure code is to be used for: *'expenditures, direct or in-kind, associated with holding a fundraiser, including payments to restaurants, hotels and caterers, other food and refreshment vendors, entertainers, and speakers.'*

In their May 3, 2019 letter to the Election Division, Holcomb for Indiana claimed no fundraising by "individual campaign committees" occurs on RGA travel. The fundraising expenditure by Eric Holcomb for Indiana seems to directly contradict their statement. Furthermore, the Holcomb campaign takes care to evade whether a joint fundraising committee, an arrangement that directly benefits the governor and the Indiana Republican Party, collected contributions or commitments at RGA meetings.

In 2016, the RGA donated \$7.6 million to Holcomb's gubernatorial campaign. All of Holcomb's efforts supporting fundraising by the RGA will benefit Holcomb. It is disingenuous to claim that fundraising on behalf of the RGA only benefits the RGA, given the history of investment made by the RGA in Holcomb's campaign.

The Commission must examine: **1.) Whether any or all the contributions to Eric Holcomb for Indiana or Team Holcomb reported in or around the dates of Governor Holcomb's travel were collected at RGA events; and 2.) If contributions were obtained as a result of the governor's travel, whether Eric Holcomb for Indiana; Team Holcomb; or the Indiana Republican Party must report the flights that brought them to the events as in-kind contributions.**

Fraudulent campaign finance reporting and accepting contributions from gaming interests are serious offenses. The Commission's duty is to hold elected officials to the highest standard. Those standards are meaningless if the commission does not investigate and enforce adherence.

Sincerely,

John Zody

Chair