



AMERICAN PRINCIPLES PROJECT

Robert P. George
Founder

August 20, 2020

Frank Cannon
President

Federal Election Commission
1050 First Street, NE

Terry Schilling
Executive Director

Washington D.C. 20463

Sean Fieler
Chairman

To Commissioners Trainor, Walther, and Weintraub:

Ellen Barrosse
Secretary

I am writing today to express concern about a potential violation of campaign finance law by major tech companies in the U.S. House race in Florida's 21st Congressional District.

On Tuesday night, Laura Loomer was selected by voters in that district to stand as the Republican nominee in the general election. She will face Democratic incumbent Rep. Lois Frankel in November. Due to past controversial comments she has made, Loomer has been banned from using the services of a number of tech companies and platforms, including Facebook, Twitter, Instagram, Uber, Lyft, PayPal, Venmo, and Medium, among others. Under normal circumstances, it would arguably be well within those companies' rights to take this action. But given that Loomer is now a major party nominee for U.S. Congress, a reassessment may be warranted.

Can these tech companies legally grant a material benefit to one political candidate, but not another? Can they deny one political candidate access to their services and platforms, while granting full access to another? Does this not amount to an in-kind contribution to the favored candidate?

I respectfully ask that the FEC investigate these concerns and answer the following questions, both with regard to this specific race, and to the FEC's broad application of campaign finance law in future races:

- Have any of the companies named above been listed on Rep. Lois Frankel's FEC filings as having provided an in-kind contribution during this election cycle?
- Facebook, Twitter, and Instagram would appear to pay all costs associated with the hosting and distribution on their platforms of election-related materials created by the political campaign of Rep. Lois Frankel. They refuse to provide the same service for her opponent. Does this practice violate campaign finance law?

AMERICAN PRINCIPLES PROJECT

- More generally, is it the opinion of the FEC that social media companies may agree to materially contribute to political campaigns by freely distributing campaign-related messages and advertisements for some political candidates while categorically refusing to do the same for others?

Thank you for your consideration of this matter. Your swift response is appreciated given the proximity of the November election.

Sincerely,



Jon Schweppe
Director of Policy and Government Affairs
American Principles Project