

Don McGahn

Red Flags:

- **Although “Trump Has Made His Opposition To The Flood Of Big Money In Politics A Centerpiece” Of His Campaign, Don McGahn “Was A Crucial Player In Creating The Out-Of-Control Campaign Finance System That His Boss Now Denounces.”** “Donald Trump has made his opposition to the flood of big money in politics a centerpiece of his front-running campaign, frequently lamenting the role of super PACs and the outsized sway of wealthy donors like the Koch brothers. But Trump’s top campaign lawyer, veteran Republican election attorney Donald McGahn, was a crucial player in creating the out-of-control campaign finance system that his boss now denounces.” (Zachary Roth, “Trump s Top Lawyer Helped Open Poltical Spending Floodgates,” [MSNBC](#), 3/23/16)
- **“McGahn Led The Successful Conservative Effort To Neuter” The FEC.** “As a member of the FEC from 2008 to 2013, campaign finance reformers say, McGahn led the successful conservative effort to neuter the agency, with the result that today it is unable to respond to even seemingly egregious violations of campaign finance law. Soon after McGahn joined the FEC as its chair, its three Republican-appointed commissioners have consistently voted as a bloc against enforcement, stymieing the agency from taking action a situation that has continued since he left.” (Zachary Roth, “Trump s Top Lawyer Helped Open Poltical Spending Floodgates,” [MSNBC](#) 3/23/16)

Personal Information:

Donald Francis McGahn II

[REDACTED]

[REDACTED]

Political Affiliation:

According To GOP Data Center, Donald McGahn Is Listed As A Registered Republican Voter In Fairfax, Virginia. (GOP Data Center, Accessed 11/17/16)

Political Contributions:

According To Open Secrets, Donald McGahn Has Donated To George W. Bush, Demaris Miller, The Republican National Committee, Joe Pitts, The Republican National State Elections Committee. ([Center For Responsive Politics](#) Accessed 11/17/16)

Contributor	Occupation	Date	Amount	Recipient
MCGAHN, DONALD F [REDACTED]	PATTON BOGGS LLP	6/21/99	\$1,000	Bush, George W (R)
MCGAHN, DONALD [REDACTED]	PATTON BOGGS	9/25/98	\$250	Miller, Demaris (R)
MCGAHN, DONALD [REDACTED]	PATTON BOGGS L L P	8/8/96	\$1,000	Republican National Cmte (R)
MCGAHN, DONALD F II [REDACTED]	PATTON BOGGS	8/5/96	\$250	Pitts, Joe (R)
MCGAHN, DONALD [REDACTED]		7/9/96	\$1,025	RNC/Repub National State Elections Cmte (R)

Lobbying:

N/A

Revolving Door:

According To Open Secrets, Donald McGahn Is Listed As Having Gone Through The Revolving Door. ([Center For Responsive Politics](#), Accessed 11/17/16)

Period	Employer	Title	Additional Info
2008-	Federal Election Commission Revolving Door Personnel: (31)	Commissioner	Agency lobbying profile
	McGahn & Associates Revolving Door Personnel: (1)	Managing Director	
	National Republican Congressional Cmte Revolving Door Personnel: (32)	General Counsel	
	Patton Boggs LLP Revolving Door Personnel: (170)	Lawyer	Firm lobbying profile Major Donor profile

Legend: Lobbying Firm (orange square), Private Sector (yellow square), Federal Govt. (blue square), State/Local Govt. (green square)

Bankruptcy:

N/A

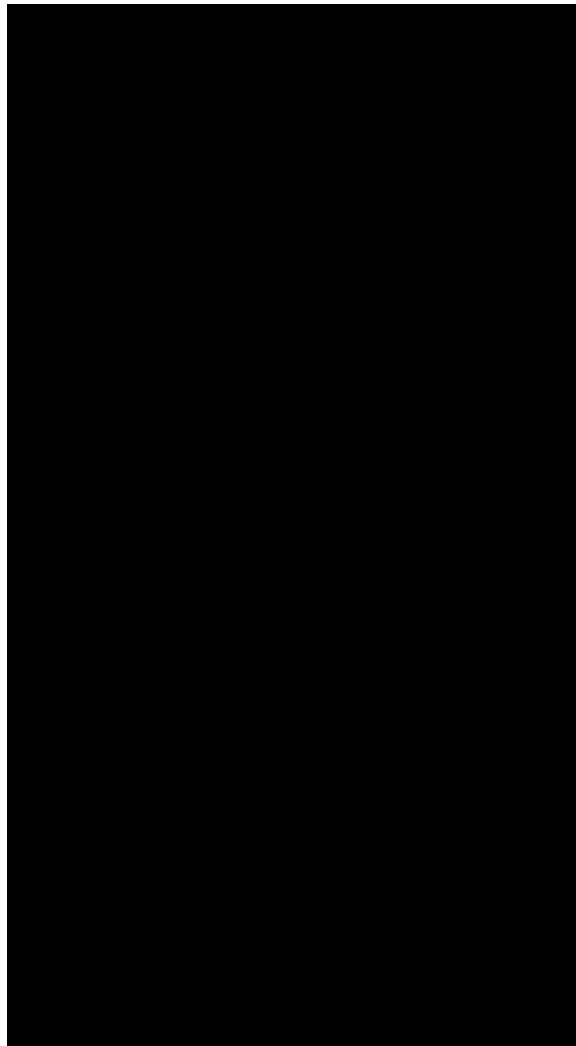
Liens:

N/A

[Redacted]

[Redacted]

[Redacted]



Social Media:

[LinkedIn](#)

News Of note:

Notable Clients

McGahn Served As An Attorney For Then-House Majority Leader Tom DeLay's Super PAC, Americans For A Republican Majority (ARMPAC). "DeLay's Americans for a Republican Majority, which has raised more than \$12.5 million since 1998, used more unregulated 'soft' money than was allowed for fund-raising and get-out-the-vote activities, according to the Federal Election Commission audit. The audit made no recommendation about possible fines against ARMPAC, as DeLay's committee is known, and the commission does not confirm or discuss pending enforcement action, said Kelly Huff, an agency spokeswoman. ARMPAC in May and June filed amended disclosure reports based on preliminary audit results, signaling its agreement with the investigation's findings, which an ARMPAC attorney characterized as technical in nature. 'It didn't disclose any substantive violations of election laws. Instead, it's really accounting issues -- some very technical and based on FEC regulatory minutia,' Don McGah said." (Chuck Lindell, "DeLay's National PAC Misspent Soft Money, Election Audit Finds," *Austin American Statesman*, 8/12/05)

- **DeLay's PAC Used "More Unregulated 'Soft' Money That It Was Legally Allowed To According To An FEC Audit.** "DeLay's Americans for a Republican Majority, which has raised more than \$12.5 million since 1998, used more unregulated 'soft' money than was allowed for fund-raising and get-out-the-vote activities, according to the Federal Election Commission audit. The audit made no recommendation about possible fines against ARMPAC, as DeLay's committee is known, and the commission does not confirm or discuss pending enforcement action, said Kelly

Huff, an agency spokeswoman.” (Chuck Lindell, “DeLay s National PAC Misspent Soft Money, Election Audit Finds,” *Austin American Statesman*, 8/12/05)

- **The Congressman Was Indicted On Charges That He Conspired To Launder Illegal Corporate Contribution To Texas Candidates,** “DeLay has been indicted along with several colleagues on charges he conspired to launder illegal corporate contributions to Texas state candidates. He denies the charges. Earle, apparently, hasn't been solicited by the campaign. "I haven't seen it and have no comment," the prosecutor said when reached Friday. Earle has strongly denied politics has anything to do with his prosecution. Don McGahn, a lawyer for DeLay's campaign, said the use of the campaign for the anti-Earle effort was "perfectly legal" and had nothing do with trying to sway jurors.” (John Solomon, “DeLay Campaign Slams Texas Prosecutor,” *The Associated Press*, 10/14/05)
- **At The Time, His Office Was Also Being Investigated For Ties To The Scandal Involving Jack Abramoff, Who DeLay Once Called One Of His “Closest And Dearest Friends.”** “DeLay announced his resignation from Congress in April after two of his former congressional aides pleaded guilty to bribery charges in the Abramoff scandal, with some of the charges relating to a DeLay-led golfing expedition to Scotland. DeLay has said he had no knowledge of Abramoff's misdeeds, although he famously described Abramoff as "one of my closest and dearest friends," and he has insisted that the Texas charges were the result of a Democratic plot to chase him out of office.” (Michael Grunwald, “DeLay Pulls No Punches In Final Speech To House,” *The Washington Post* 6/9/06)
- **Although Indicted In 2010, DeLay's Conviction Has Since Been Reversed.** “The highest criminal court in Texas refused Wednesday to reinstate two money-laundering convictions for former U.S. House Majority Leader Tom DeLay. The Texas Court of Criminal Appeals upheld a ruling last year from the 3rd Court of Appeals that tossed the Republican's 2010 convictions for money laundering and conspiracy to commit money laundering in a scheme to influence Texas state elections... As a result, DeLay 'was not susceptible to conviction for laundering money or conspiring to launder money,' the court said.” (“Court Tom DeLay s Money Laundering Convictions Won t Be Reinstated,” [CBS](#), 10/1/14)

McGahn Served As A Lawyer For Rep. Marsha Blackburn When She Faced A Complaint That She Misreported Her Campaign Finances; The Complaint Was Later Dismissed. “The Federal Election Commission has dismissed a complaint that Rep. Marsha Blackburn misreported her campaign finances...McGahn was hired by Blackburn's campaign to conduct the audit of her campaign finances, which resulted in her report to the FEC in April 2008.” (Bill Theobald, “Finances Record Complaint Against Blackburn Dismissed,” *The Tennessean*, 2/14/09)

McGahn Served As The NRCC's General Counsel While The Committee's Accounting Scandal Unfolded. “Revelations about the falsified document touched off an unfolding scandal that has rocked the NRCC and spurred a criminal investigation by the FBI into the committee's accounting procedures...In an effort to calm some of the most anxious Republicans, Cole said they could set up a private briefing with the committee's general counsel, Don McGahn, to learn more, members said after the briefing. That way, lawmakers would be protected by attorney-client privilege.” (Patrick O Connor and Josh Bresnahan, “New Details Emerge In NRCC Scandal,” [Politico](#) 2/8/08)

- **NRCC Treasurer Chris Ward Was Later Convicted Of Stealing Over \$844,000 From The NRCC And Other Political Committees.** “A federal judge sentenced Christopher J. Ward to 37 months in prison on Thursday for stealing more than \$844,000 from the National Republican Congressional Committee and other political fundraising committees for which he worked as treasurer... Ward served as treasurer for 83 GOP committees in a decade, including at the NRCC from 2003 until 2008, and admitted stealing funds for seven years before being discovered in 2008.” (NRCC Treasurer Christopher Ward Sentenced To 37 Months For Stealing \$844,000,” *The Washington Post*, 12/3/10)

McGahn Was Briefly Hired To Provide Counsel To Congressman Aaron Schock While He Tried To Navigate A Scandal Regarding His Campaign And Taxpayer Spending. “Schock's decision to hold a

news conference Friday is a departure from his hunkered-down posture of late. He has hired Ron Bonjean, a political communications specialist, and two lawyers, Don McGahn and William McGinley of the firm Jones Day. Sources close to Schock say he has been frustrated that he's been unable to directly answer questions about the scandal that threatens to derail his career." (Jake Sherman and Anna Palmer, "Schock To Press I m Still A Good Congressman," Politico, 3/6/15)

- **Schock Resigned Shortly After Questions About His Spending Were Raised.** "Illinois Rep. Aaron Schock resigned Tuesday, less than 12 hours after POLITICO raised questions about tens of thousands of dollars in mileage reimbursements he received for his personal vehicle." (Jake Sherman, Anna Palmer, and John Bresnahan, "Schock Resigns," [Politico](#) 3/17/15)
- **On November 10, He Was Charged In A 24-Count Indictment With Personally Profiting Off His Congressional Office.** "An Illinois congressman who resigned amid scrutiny of lavish spending including a 'Downton Abbey;-style redecorating of his Capitol Hill office was charged Thursday in a wide-ranging federal indictment that alleges he schemed to profit personally from his government job... The 35-year-old Republican from Peoria is charged in the 24-count indictment with nine counts of wire fraud, five of falsification of election commission filings, six of filing false federal income tax returns, two of making false statements and one each of mail fraud and theft of government funds. A conviction on just one count of wire fraud alone carries a maximum 20 year prison sentence." (Ivan Moreno and Michael Tarm, "Grand Jury Indicts Aaron Schock On Wire Fraud, Theft Counts," [The Associated Press](#) 11/10/16)

McGahn Is Affiliated With The Koch Network's Freedom Partners Chamber Of Commerce And Its Super PAC Freedom Partners Action Fund. "Trump is being counseled by lawyer Donald F. McGahn, the former Federal Election Commission chair who just months ago represented the Koch political network during hearings with the FEC. McGahn is listed as affiliated with Freedom Partners Action Fund, the Super PAC set up by the Koch brothers and their lobbyists." (Lee Fang, "Political Operatives Abandon Koch Network For Donald Trump," [The Intercept](#) 8/27/15)

McGahn Previously Advised The GOP Convention Rules Committee, The RNC And The NRSC. "McGinley is a partner at Jones Day, the same firm that employs Don McGahn, Trump's top campaign attorney. While better known in Washington for representing members of Congress facing ethics issues, he advised the 2012 GOP convention rules committee and once advised the Republican National Committee and National Republican Senatorial Committee on ethics, ballot and campaign finance issues. His background will lend much-needed knowledge to a campaign still struggling to master the trickiest elements of presidential politics." (Jenna Johnson and Ed O Keefe, "Donald Trump's National Field Director Quits Amid Major Staff Changes," [The Times Picayune](#), 4/18/16)

Legal Commentary

"McGahn Has Often Cited Free Speech Grounds" In His Legal Battles Against Restricting Campaign Contributions. "McGahn has often cited free speech grounds in opposing restrictions on campaign spending, and he's pushed back against federal enforcement cases, arguing that they could chill political speech." (Carrie Levine, "Two Very Different Donalds, One White House Goal," [The Center For Public Integrity](#), 5/9/16)

McGahn Said That In His Role At The FEC He Saw Himself "Certainly Stopping Or Containing The Role Of The Government To Limit It To What The Courts Have Said The Proper Role Is." "Commission hearings are often dominated by verbal jousting between Ms. Weintraub and Mr. McGahn, who brings not only a laissez-faire approach to campaign finance but a rapid-fire command of case law to support his view. 'I see myself certainly stopping or containing the role of the government to limit it to what the courts have said the proper role is,' Mr. McGahn said." (Eric Lichtblau, "Long Battle By Foes Of Campaign Finance Rules Shifts Landscape," [The New York Times](#), 10/15/10)

McGahn Praised A Texas Judge's Ruling In A Licensing Case Calling It "A Manifesto On Economic Liberty We Have No Seen In Our Lifetime." "McGahn did praise by name a few of the federal judges on the list, including William Pryor and Diane Sykes. And he mentioned state Supreme Court justices Allison

Eid of Colorado and Don Willett of Texas, an anti-regulatory judge whose opinion in a Texas licensing case McGahn called 'a manifesto on economic liberty we have not seen in our lifetime.'" (Peter Montgomery, "Trump Lawyer Who Trashed Campaign Finance Laws SCOTUS List Shows How Trump Will Govern," [Right Wing Watch](#) 7/25/16)

McGahn Co-Authored An Article That Criticized The Impact Of McCain-Feingold On State Parties.

"Neil Reiff, the former deputy general counsel of the Democratic National Committee, and Don McGahn, the former chairman of the Federal Election Committee, observed in a recent article for Campaigns and Elections magazine that the McCain-Feingold law has hit state parties especially hard. They noted that many state parties had received significant transfers from the national parties prior to the law's passage but now no longer do. 'The two-party system has been a stabilizing force in our democracy for over 200 years,' they wrote. 'Without that stabilizing force, however, there has been a significant rise in the number of single-issue candidates, nasty primaries pitting the middle against the hard partisan flank, and a general polarization.'" (Alexander Bolton, "McConnell, Priebus Differ On Cash Limits," *The Hill*, 4/16/14)

In 2014, McGahn Argued That Candidates And Committees In Favor Of Limiting Campaign

Contributions "Are Against It Because...It Makes Great Theater." FOX NEWS' MEGYN KELLY: "Why

would the democrats be against this kind of spending, like citizens united for example which not only open up the flood gates for corporate spending but for union spending which tends to benefits them?" FORMER FEC COMMISSIONER DON MCGAHN: "I think they are against it because like I mentioned it's an election year I think it makes for great theater, in the current political environment, given that they are the party in power they are the ones being criticized the most and I think the citizens united decision opens up spending for folks who really had not been able to spend without fear of retribution by the government. If you look the Citizen's United case, it was a movie about Hillary Clinton which was banned by the government. On the other hand, another movie, Michael Moore's Fahrenheit 9/11 was not. The Federal Election Commission said Michael Moore could have his movie but citizens united could not have their movie. So this sort of tells you how this law plays out in practical application it always seems to tilt one way and seems to tilt their way and now that the law has been removed and now that everyone can speak their mind, they don't like it." (Fox News The Kelly File, 5/1/14)

Lobbying

Wife Shannon McGahn, "Is Staff Director For The House Financial Services Committee, A Role That Makes Her A Magnet For The Very Lobbyists That Trump Regularly Pillories.

"His wife, Shannon McGahn, is staff director for the House Financial Services Committee, a role that makes her a magnet for the very lobbyists that Trump regularly pillories." (Ben Terris, "Trump s Own Beltway Establishment Guy The Curious Journey Of Don McGahn," [The Washington Post](#), 4/11/16)