

ACCOUNTABILITY

Table of Contents

Key Findings 1

Executive Summary 2

Section I: History of Concerned Women for America..... 3

Family Affair 4

Leadership..... 8

Liberty University & Donald Trump..... 8

Lobbying Activities 10

Section II: Nonprofit for Hire..... 11

Anti-Obamacare Campaign Tied to the Koch Network 11

Dark-Money Defense of Brett Kavanaugh 13

CWA’s Funding from the Judicial Crisis Network..... 15

Section III: Problematic Financial Arrangements 16

Failure to Disclose Political Spending 16

Exorbitant Payments to Contractors..... 18

Potentials Business Services 18

Premier Fulfillment & Processing Inc 19

InfoCision Management Corporation 20

Cherie Short 21

New Headquarters..... 22

Conclusion..... 22

Key Findings

- Concerned Women for America is in a steady state of decline as measured by donations and staffing.
- CWA appears to operate as a nonprofit for hire that rents out its name and membership to conservative advocacy organizations including the Koch Network and the Judicial Crisis Network.
- CWA’s finances are rife with problems. The organization has redirected funds designated for political purposes into its main bank account, has paid salaries to family members of its directors, has directed lucrative contracts to vendors with personal ties to the group, and its top fundraisers are paid substantial percentages of the money they raise.

Executive Summary

Concerned Women for America (CWA) claims to be the “largest public policy women's organization” in the United States, but CFA’s new report, *Fake Feminists for Hire*, reveals how CWA has been staving off a decade-long decline by, in part, collaborating with well-funded dark money groups to amplify conservative causes that at times are unrelated to its mission.¹

CWA has had an undeniable influence on American public policy over the course of its 40 year history: the group had the ear of presidents, helped defeat the Equal Rights Amendment, fought against U.S. ratification of the Convention on the Elimination of All Forms of Discrimination Against Women, and led the war against abortion.² In addition to its domestic efforts, CWA worked abroad to advance the U.S. government's interests in Latin America during the 1980s.³

Recently, however, the group has been shrinking. Over the past roughly 15 years, CWA's budget has decreased by approximately one-half, and the group has lost nearly a third of its staff. To survive, CWA appears to have pursued an aggressive strategy of aligning itself with right-wing political powerbrokers. Evidence suggests that the group may be morphing into a “gun for hire” for conservative organizations in need of an astroturf women’s group to support their cause.

During the height of the debate over the Affordable Care Act, for instance, millions of dollars in donations from dark money groups poured into CWA’s 501(c)(4) arm, the CWA Legislative Action Committee, for the purported aim of opposing healthcare reform.⁴ Most of the money appears to have come from organizations connected to the Koch Brothers’ donor network, swelling the budget of the 501(c)(4) arm by more than 400 percent.⁵

More recently, the group has attracted the support of two mysterious dark money groups, the Judicial Crisis Network and the Judicial Education Project, which may have conscripted CWA into their fight to confirm Brett Kavanaugh to the Supreme Court. In the years before the confirmation fight, the groups transferred hundreds of thousands of dollars to CWA, but a full accounting of their current financial arrangement will not be known until their most recent tax returns are released.⁶

¹ <https://concernedwomen.org/about/who-we-are/>.

² <https://concernedwomen.org/about/our-history/>; Lisa Baldez, U.S. drops the ball on women’s rights, *CNN*, Mar. 8, 2013, available at <https://www.cnn.com/2013/03/08/opinion/baldez-womens-equality-treaty/index.html>; Wendy Wright, Save Mother’s Day From the UN!, *Concerned Women for America*, May 12, 2010, available at <https://concernedwomen.org/save-mothers-day-from-the-un/>.

³ Sara Diamond, *Spiritual Warfare: The Politics of the Christian Right*, Black Rose Books, (1990), available at https://books.google.com/books?id=VRDo9R_FbdUC&printsec=frontcover#v=onepage&q&f=false.

⁴ Stephanie Mencimer, Who’s Paying for \$6 Million of New Anti-Obamacare Ads?, *Mother Jones*, June 27, 2012, available at <https://www.motherjones.com/politics/2012/06/concerned-women-americas-6-million-anti-obama-campaign/>.

⁵ 2011 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Nov. 13, 2012, available at https://projects.propublica.org/nonprofits/display_990/953370744/2012_12_EO%2F95-3370744_9900_201206.

⁶ 2017 Return of Organization Exempt from Income Tax, Form 990, Judicial Education Project, Nov. 10, 2018, available at <https://www.documentcloud.org/documents/5188744-Judicial-Education-Project-2017-990.html>; 2016 Return of Organization Exempt from Income Tax, Form 990, Judicial Crisis Network, June 15, 2018, available at http://pdfs.citizenaudit.org/2018_08_EO/20-2303252_9900_201706.pdf; 2015 Return of Organization Exempt from

While CWA receives funding from dark money groups to support its work, the organization often uses the money it raises to pad its own bank account for other purposes. For instance, money raised by CWA's PAC and 501(c)(4) is often redirected back to the group's 501(c)(3) arm, which cannot spend money on political activity. During the tax year ending in June 2018, CWA transferred nearly \$1.2 million from its 501(c)(4) arm to its 501(c)(3) entity.⁷ The same year, CWA's 501(c)(3) bought a \$2.9 million office building in suburban Washington.⁸

Section I: History of Concerned Women for America

Conservative activist Beverly LaHaye founded Concerned Women for America (CWA) in 1979 in response to the growing feminist political movement of the 1970s. CWA's website claims that Ms. LaHaye formed CWA after watching an interview of Betty Friedan, the founder of the National Organization for Women.⁹ LaHaye was particularly disturbed by Friedan's humanist beliefs, and she set out to create a foil to "the feminists' anti-God, anti-family rhetoric."¹⁰ CWA was originally established as a 501(c)(4) nonprofit, allowing it to spend up to 50 percent of its funds on political activity.¹¹

Two years later, on June 4, 1981, LaHaye registered a 501(c)(3) nonprofit in Washington D.C. called the Concerned Women for America.¹² In 2002, CWA started a political action committee.¹³ Today, the 501(c)(3) is called Concerned Women for America, and the 501(c)(4) is called Concerned Women for America Legislative Action Committee (CWALAC).¹⁴ While 501(c)(4) groups can spend money on political campaign activity, 501(c)(3) organizations are

Income Tax, Form 990, Judicial Crisis Network, May 9, 2017, *available at* http://pdfs.citizenaudit.org/2017_06_EO/20-2303252_990O_201606.pdf.

⁷ 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 10, 2018, *available at* <https://projects.propublica.org/nonprofits/organizations/953370744/201813029349301111/IRS990>.

⁸ Real Estate Property Search, 100 N Payne Street, City of Alexandria, Virginia, *available at* <https://realestate.alexandriava.gov/detail.php?accountno=10491500>.

⁹ <https://concernedwomen.org/about/our-history/>.

¹⁰ *Id.*

¹¹ Registration, Concerned Women for America Legislative Action Committee, California Secretary of State, filed Jan. 8, 1979, *accessed at* <https://businesssearch.sos.ca.gov/>; <https://projects.propublica.org/nonprofits/organizations/953370744>; Sean Sullivan, What is a 501(c)(4), anyway?, *The Washington Post*, May 13, 2013, *available at* <https://www.washingtonpost.com/news/the-fix/wp/2013/05/13/what-is-a-501c4-anyway/>.

¹² Entity Information, Concerned Women for America, Washington D.C. Department of Consumer and Regulatory Affairs, *accessed at* <https://corponline.dhra.dc.gov/>; <https://projects.propublica.org/nonprofits/organizations/953580834>.

¹³ Concerned Women for America Legislative Action Committee Political Action Committee, FEC Form 1, Statement of Organization, Apr. 4, 2002, *available at* <https://docquery.fec.gov/pdf/540/22037514540/22037514540.pdf>.

¹⁴ 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2018, *available at* <https://projects.propublica.org/nonprofits/organizations/953580834/201823029349301112/IRS990>; 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 24, 2018, *available at* <https://projects.propublica.org/nonprofits/organizations/953370744/201813029349301111/IRS990>.

prohibited from engaging in any political campaign actions.¹⁵ Both groups remain operational and file separately with the IRS, although they share a board of directors, staff, and a website.¹⁶ LaHaye, now 90, continues to serve as chairwoman of both groups.¹⁷

LaHaye and her late husband, Tim LaHaye, were well-connected to the “religious right” at the time of CWA’s founding. Mr. LaHaye, a minister, was a key figure in the Moral Majority, a religious conservative group led by Jerry Falwell, Sr. that was instrumental in helping the Republican Party forge an alliance with the country’s evangelical Christians.¹⁸ Falwell counted Tim LaHaye as one his “closest confidants for decades.”¹⁹ In the 1990s and 2000s, Tim LaHaye earned worldwide fame for authoring the “Left Behind” series of Christian rapture-themed books.²⁰

The LaHayes also cultivated a close relationship with Liberty University, a Christian university in Lynchburg, Virginia founded by Mr. Falwell. Both LeHayes served on Liberty University’s board of trustees and donated millions of dollars to finance campus facilities, including the LaHaye Ice Center and LaHaye Recreation and Fitness Center.²¹ CWA itself regularly provides fellowships to Liberty University students, and has employed many graduates of the school, including CWA CEO Penny Nance.²² Tim LaHaye died in 2016.²³

Family Affair

All four of the LaHaye children, as well as other family members, have been involved with CWA.²⁴ Two of their children, Linda Murphy and Lori Scheck, are longtime members of the

¹⁵ Gene Takagi, *Comparing 501(c)(3) vs. 501(c)(4) for Nonprofit Startups*, *Nonprofit Law Blog*, Apr. 26, 2017, available at <http://www.nonprofitlawblog.com/comparing-501c3-vs-501c4-nonprofit-startups/>.

¹⁶ *Id.*

¹⁷ *Id.*; <https://www.womenshistory.org/education-resources/biographies/beverly-lahaye>.

¹⁸ Alex Johnson, ‘Left Behind’ Co-Author Tim LaHaye, Leading Voice of Evangelicalism, Dies, *NBC News*, July 25, 2016, available at <https://www.nbcnews.com/news/us-news/left-behind-co-author-tim-lahaye-leading-voice-evangelicalism-dies-n616481>.

¹⁹ Falwell: Author Tim LaHaye ‘Will be Terribly Missed’, *Associated Press*, July 25, 2016, available at https://www.newsadvance.com/news/local/falwell-author-tim-lahaye-will-be-terribly-missed/article_5f9e10c2-5317-11e6-850b-8708c337839c.html.

²⁰ *Id.*

²¹ Press Release, *Liberty Mourns Loss of Dr. Tim LaHaye, Former Board Member and Generous Supporter*, *Liberty University*, July 25, 2016, available at <https://www.liberty.edu/news/index.cfm?PID=18495&MID=200029>; Press Release, *Alumna Named CEO of Concerned Women for America*, *Liberty University*, Jan. 22, 2010, available at <http://www.liberty.edu/news/index.cfm?PID=18495&MID=14950>.

²² <https://concernedwomen.org/about/our-experts/cwa-fellows/>; Press Release, *Alumna Named CEO of Concerned Women for America*, *Liberty University*, Jan. 22, 2010, available at <https://www.liberty.edu/news/index.cfm?PID=18495&MID=14950>.

²³ Robert McFadden, *Tim LaHaye Dies at 90; Fundamentalist Leader’s Grisly Novels Sold Millions*, *The New York Times*, July 25, 2016, available at <https://www.nytimes.com/2016/07/26/books/tim-lahaye-a-christian-fundamentalist-leader-dies-at-90.html>.

²⁴ <https://www.nndb.com/people/194/000098897/>.

board of directors.²⁵ Beverly's sister, Barrie Lyons, has also served on the board.²⁶ A son, Lee LaHaye, was CWA's chief financial officer until 2015. From July 2006 to June 2015, CWA paid Lee LaHaye a total of \$1,224,373 in salary for his work as CFO, and in three of those years he was the group's highest paid officer or employee.²⁷ CWA has paid his successor as director of finance, Debbie Cappuccio, a significantly lower salary.²⁸ Despite working for an organization staunchly opposed to same-sex relationships, Lee LaHaye married a man shortly before he died in 2016.²⁹

Similarly, CWA has paid hundreds of thousands of dollars to another child of Beverly and Tim, Larry LaHaye. According to the organization's 990 tax forms, from July 2007 to June 2012, CWA paid a total of \$636,155 to Larry LaHaye and his company Advanced Marketing Concepts,

²⁵ Publicly filed lists of organization directors and trustees, which date back to 2002, show both women have served as CWA directors since 2002. It is possible that their appointments predate the earliest records available from 2002. 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2018, available at <https://projects.propublica.org/nonprofits/organizations/953580834/201823029349301112/IRS990>; 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 24, 2018, available at <https://projects.propublica.org/nonprofits/organizations/953370744/201813029349301111/IRS990>.

²⁶ Beverly LaHaye and Janice Crouse, *A Woman's Path to True Significance*, Harvest House Publishers, (2001), available at <https://books.google.com/books?id=u8Aa10Ea4qcC&pg=PA6&lpg=PA6&dq=beverly+lahaye+sister+lyons&source=bl&ots=KcroOQ->

[wSs&sig=ACfU3U2Q2nXtjpZuEd6j0MR7mUytrmcMbw&hl=en&sa=X&ved=2ahUKewiBwbCHmJ_IAhU1oVwKHSEMDqAQ6AEwFnoECAsQAQ#v=onepage&q=beverly%20lahaye%20sister%20lyons&f=false](https://books.google.com/books?id=u8Aa10Ea4qcC&pg=PA6&lpg=PA6&dq=beverly+lahaye+sister+lyons&source=bl&ots=KcroOQ-wSs&sig=ACfU3U2Q2nXtjpZuEd6j0MR7mUytrmcMbw&hl=en&sa=X&ved=2ahUKewiBwbCHmJ_IAhU1oVwKHSEMDqAQ6AEwFnoECAsQAQ#v=onepage&q=beverly%20lahaye%20sister%20lyons&f=false); 2001 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 26, 2002, available at https://projects.propublica.org/nonprofits/display_990/953580834/2002_10_EO%2F95-3580834_990_200206; 2004 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 20, 2005, available at https://projects.propublica.org/nonprofits/display_990/953370744/2005_10_EO%2F95-3370744_990O_200506.

²⁷ 2009 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 4, 2010, available at https://projects.propublica.org/nonprofits/display_990/953580834/2010_10_EO%2F95-3580834_990_201006; 2008 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Dec. 16, 2009 available at https://projects.propublica.org/nonprofits/display_990/953580834/2010_01_EO%2F95-3580834_990_200906; 2006 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2007, available at https://projects.propublica.org/nonprofits/display_990/953580834/2007_10_EO%2F95-3580834_990_200706.

²⁸ <https://projects.propublica.org/nonprofits/organizations/953580834>.

²⁹ Bil Browning, *Religious Right Leader's Estate Sale Had Gay Erotic Art Hanging in his Home*, *LGBTQ Nation*, Sept. 27, 2017, available at <https://www.lgbtqnation.com/2017/09/religious-right-leader-gay-erotic-art-hanging-fireplace/>.

based in El Cajon, California.³⁰ CWA disclosed this conflict of interest in its IRS filings, indicating that Larry was Beverly LaHaye's son.³¹

Political Advocacy

From its inception, CWA relied on a grassroots model, forming local “prayer/action chapters” to organize its supporters.³² One of CWA's earliest victories was helping to defeat the ratification of the Equal Rights Amendment (ERA), a proposed amendment to the U.S. Constitution that would have outlawed discrimination on the basis of sex. Beverly LaHaye allied with fellow anti-feminist activist Phyllis Schlafly in the conservative push against the ERA, framing the proposed constitutional amendment as a threat to women who preferred existing gender roles.³³ LaHaye reportedly said the ERA would “totally destroy the traditional family.”³⁴ The ERA passed the House and Senate but after the anti-feminist backlash led by figures like LaHaye and Schlafly, the measure failed to gain the necessary three-fourths of state legislatures and has never been adopted.³⁵

CWA quickly expanded its mission beyond domestic politics. LaHaye went on a “fact finding trip” to meet with refugees from the Nicaraguan Sandinista regime in the 1980s and pledged her support for the Contras.³⁶ In 1988, CWA established a Central American Affairs Department under the direction of former missionary Jim Woodall, who ran a social service organization in

³⁰ 2011 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Nov. 13, 2012, available at https://projects.propublica.org/nonprofits/display_990/953580834/2012_12_EO%2F95-3580834_990_201206; 2010 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 5, 2011, available at https://projects.propublica.org/nonprofits/display_990/953580834/2011_11_EO%2F95-3580834_990_201106; 2009 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 4, 2010, available at https://projects.propublica.org/nonprofits/display_990/953580834/2010_10_EO%2F95-3580834_990_201006; 2008 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Dec. 16, 2009 available at https://projects.propublica.org/nonprofits/display_990/953580834/2010_01_EO%2F95-3580834_990_200906; 2007 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 16, 2008, available at https://projects.propublica.org/nonprofits/display_990/953580834/2008_11_EO%2F95-3580834_990_200806.

³¹ *Id.*

³² <https://concernedwomen.org/about/our-history/>.

³³ Mary Battiata, Beverly LaHaye and the Hymn of the Right, *Washington Post*, Sept. 26, 1987, available at <https://www.washingtonpost.com/archive/lifestyle/1987/09/26/beverly-lahaye-and-the-hymn-of-the-right/4a52e08e-9909-470b-a768-157bc82ab7e8/>.

³⁴ *Kochconcerned Women for America*, *American Bridge*, available at

<http://bridgeproject.com/app/uploads/Concerned-Women-for-America.pdf>.

³⁵ *History of the Equal Rights Amendment*, *Alice Paul Institute*, available at

<https://www.equalrightsamendment.org/the-equal-rights-amendment>. Recently, there has been renewed effort to adopt the ERA as Virginia considers its ratification. Virginia would become the 38th state to ratify the ERA, meeting the necessary ratification threshold. The United States Department of Justice has nevertheless stated that the ERA Resolution has expired and can no longer be added to the U.S. Constitution, creating an additional hurdle for its adoption. Danielle Kurtzleben, *Virginia May Ratify the Equal Rights Amendment. What Would Come Next is Murky*, *NPR*, Jan. 8, 2020, available at <https://www.npr.org/2020/01/08/794418122/virginia-may-ratify-the-equal-rights-amendment-what-would-come-next-is-murky>.

³⁶ Sara Diamond, *Spiritual Warfare: The Politics of the Christian Right*, *Black Rose Books*, (1990), available at https://books.google.com/books?id=VRDo9R_FbdUC&printsec=frontcover#v=onepage&q&f=false.

Costa Rica.³⁷ The group LaHaye visited with in Nicaragua was funded by the National Endowment for Democracy, and some have speculated that ultimate benefactor behind the Christian Right in Nicaragua may have been the CIA.³⁸

At home, CWA continued its advocacy against expanded rights for American women. The group vigorously lobbied for abortion restrictions and worked to spread dubious information about phenomena like “live birth abortions” and erroneously claimed there is an elevated breast cancer risk associated with abortion.³⁹

CWA also runs a research arm called the Beverly LaHaye Institute, which has been referred to as the group’s internal “think tank.”⁴⁰ Some of the material published, however, including pieces authored by Beverly LaHaye, resemble advice pieces and self-help articles.⁴¹ One article LaHaye wrote was titled, “How to Make Your Honeymoon a Success.”⁴²

CWA's historical significance has earned the group an audience with every Republican administration since its inception. For example, Ronald Reagan spoke at the group's fourth national convention in 1987.⁴³ In November 1989, President George H.W. Bush addressed the group via-satellite at CWA’s tenth anniversary conference.⁴⁴ Beverly LaHaye was among a small group of evangelicals with whom George W. Bush consulted during his first presidential campaign, and a review of CWA’s history on its website illuminates the numerous close ties between CWA and the Bush administration.⁴⁵ Currently, CWA has numerous ties to the Trump administration, and Vice President Mike Pence was a keynote speaker at CWA’s 40th anniversary gala, held at the Trump International Hotel in Washington.⁴⁶

CWA fought alongside the major players of the culture wars of the 1990s and 2000s, opposing government recognition of gay marriage and working to roll back access to abortion.⁴⁷ CWA, like many groups on the religious right, morphed into a multi-issue organization guided by an anti-LGBT and anti-abortion ideology. Staff from CWALAC have been engaged in federal advocacy since the 1980s, when CWA opened up a branch office and later moved its national

³⁷ <https://concernedwomen.org/about/our-history/>.

³⁸ <https://nacla.org/article/contras-chaplains>; Sara Diamond, *Spiritual Warfare: The Politics of the Christian Right*, Black Rose Books, (1990), available at https://books.google.com/books?id=VRDo9R_FbdUC&printsec=frontcover#v=onepage&q&f=false.

³⁹ <https://concernedwomen.org/about/our-history/>.

⁴⁰ <https://concernedwomen.org/resources/beverly-lahaye-institute/>; <https://www.womenshistory.org/education-resources/biographies/beverly-lahaye>; <https://theird.org/person/dr-janice-shaw-crouse/>.

⁴¹ <https://genprogress.org/beverly-lahaye/>.

⁴² *Id.*

⁴³ Mary Battiata, *Beverly LaHaye and the Hymn of the Right*, *Washington Post*, Sept. 26, 1987, available at <https://www.washingtonpost.com/archive/lifestyle/1987/09/26/beverly-lahaye-and-the-hymn-of-the-right/4a52e08e-9909-470b-a768-157bc82ab7e8/>; <https://concernedwomen.org/about/our-history/>.

⁴⁴ Carol Brzozowski, *Conference to Discuss Abortion, Pornography*, *South Florida Sun-Sentinel*, Oct. 6, 1989, available at <https://www.sun-sentinel.com/news/fl-xpm-1989-10-06-8902020984-story.html>.

⁴⁵ <http://www.publiceye.org/ifas/fw/0009/bush.html>; <https://concernedwomen.org/about/our-history/>.

⁴⁶ Press Release, *Concerned Women for America 40th Anniversary Gala with Vice President Mike Pence (with Photos)*, *Concerned Women for America*, Sept. 13, 2019, available at <https://concernedwomen.org/concerned-women-for-america-40th-anniversary-gala/>.

⁴⁷ <https://concernedwomen.org/about/our-history/>.

office to Washington.⁴⁸ Several of the group's recent lobbyists have worked in government, having held positions on Capitol Hill and in the White House.⁴⁹

Leadership

Today, CWA is run by Penny Young Nance, the CEO and public face of the organization. Nance attended Liberty University, graduating in 1988 with a communications degree.⁵⁰ In 2016, Liberty University awarded Nance an honorary doctorate of humanities.⁵¹

Early in her career, Nance worked as a congressional aide to former Rep. Pat Swindall (R-GA), a conservative, evangelical Christian whose political career ended after he was convicted of perjury in 1989 for his involvement in a money laundering scheme.⁵² Nance then joined CWA where she served as legislative director for five years.⁵³

In the 2000s, Nance managed her own Christian family values nonprofit and served as an appointee in the Bush administration. Nance then rejoined CWA and was appointed CEO in 2010.⁵⁴ She has been registered to lobby on behalf of CWA since 2010.⁵⁵

Liberty University & Donald Trump

Under Nance, CWA has emerged as an ardent supporter of President Trump, possibly in part due to Liberty University's embrace of the president. The school's current president, Jerry Falwell

⁴⁸ <https://concernedwomen.org/about/our-history/>.

⁴⁹ Concerned Women for America Legislative Action Committee, *First Quarter 2019 Lobbying Disclosure Report*, Apr. 23, 2019, Secretary of the Senate, Office of Public Records, *available at* <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=146C5B41-AB53-4405-8147-A39587E4E562&filingTypeID=51>; <https://concernedwomen.org/about/our-experts/penny-young-nance/>; <https://concernedwomen.org/about/our-experts/doreen-denny/>; <https://concernedwomen.org/about/our-experts/>.

⁵⁰ Press Release, *Alumna Named CEO of Concerned Women for America, Liberty University*, Jan. 22, 2010, *available at* <http://www.liberty.edu/news/index.cfm?PID=18495&MID=14950>.

⁵¹ Press Release, *CEO and President Penny Young Nance Presented Honorary Doctorate, Concerned Women for America*, May 19, 2016, *available at* <https://concernedwomen.org/ceo-and-president-penny-young-nance-presented-honorary-doctorate/>.

⁵² <https://concernedwomen.org/about/our-experts/penny-young-nance/>; Nicole Casta, *FOX's "Suburban Stay-At-Home Mom," Media Matters*, July 20, 2014, *available at* <https://www.mediamatters.org/research/2004/07/20/foxs-suburban-stay-at-home-mom/131468>; Pat Swindall, *Georgia Congressman Convicted of Perjury, Dies at 67, Associated Press*, July 12, 2018, *available at* https://www.washingtonpost.com/local/obituaries/pat-swindall-georgia-congressman-convicted-of-perjury-dies-at-67/2018/07/12/bf60dc6e-8610-11e8-8f6c-46cb43e3f306_story.html; Jim Galloway and Tamar Hallerman, *Pat Swindall, Pioneering Evangelical Congressman Who Served Prison Time, Dies at 67, The Atlanta Journal-Constitution*, July 12, 2018, *available at* <https://www.ajc.com/blog/politics/pat-swindall-pioneering-evangelical-congressman-dies/eXW26kDnhtCEwASIJZQTI/#>.

⁵³ <https://www.ohiochristian.edu/profile/penny-nance>.

⁵⁴ *2009 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America*, Oct. 4, 2010, *available at* <https://ag.hawaii.gov/charity/attachments/irs/953580834/2009/0/T/953580834.pdf>; <https://concernedwomen.org/cwa-expands-leadership-team-names-penny-young-nance-as-ceo/>.

⁵⁵ Concerned Women for America Legislative Action Committee, *First Quarter 2010 Lobbying Disclosure Report*, Apr. 16, 2010, Secretary of the Senate, Office of Public Records, *available at* <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=2BA7E6A6-23F5-4FC2-94DD-50E27AA405BC&filingTypeID=55>.

Jr., cultivated a relationship with Trump after the future presidential candidate spoke at the school's convocation ceremony in 2012.⁵⁶ Falwell also developed a relationship with Trump's former personal attorney, Michael Cohen, who negotiated Falwell's endorsement of Trump during the 2016 election. The endorsement was a major coup for Trump, considering many evangelicals were expected to support other candidates in the primary.⁵⁷ According to reporting by *Reuters* and *The New York Times*, Cohen may have brokered the endorsement in exchange for helping Falwell and his wife acquire a series of compromising photos involving the couple, although there was no direct evidence of any *quid pro quo* arrangement.⁵⁸

Nance herself has cultivated ties with President Trump. In 2016, she traveled to meet with the president-elect shortly after his surprise victory in 2016.⁵⁹ Nance also attended a "grassroots leaders" dinner at the White House in September 2017.⁶⁰ Other guests included Susan B. Anthony List president Marjorie Dannenfelser and Leonard Leo.⁶¹ Nance also reimbursed CWA's PAC \$771 in April 2017 for "reimbursement from Trump Offices for travel to meeting," which may have been connected to a meeting she attended at the White House along with Rep. Diane Black (R-TN).⁶² It is unclear whether the "reimbursement from Trump Offices" refers to a reimbursement from the White House or from one of the president's businesses, nor is it clear why she received the reimbursement. The Trump administration considered Nance for the U.S. ambassadorship for women's issues in 2017.⁶³

Declining Size

Despite its extensive political connections, CWA has been shrinking. For the first decade of the twenty first century, the group maintained a budget of around \$10 million a year.⁶⁴ Since 2010, CWA's budget has fallen precipitously, to around \$4 million to \$5 million a year.⁶⁵ The

⁵⁶ Brandon Ambrosino, 'Someone's Gotta Tell the Freakin' Truth: Jerry Falwell's Aides Break Their Silence,' *Politico*, Sept. 9, 2019, available at <https://www.politico.com/magazine/story/2019/09/09/jerry-falwell-liberty-university-loans-227914>.

⁵⁷ Aram Roston, *Jerry Falwell Jr. And A Young Pool Attendant Launched A Business That Sparked A Bitter Dispute*, *BuzzFeed News*, May 31, 2018, available at <https://www.buzzfeednews.com/article/aramroston/jerry-falwell-jr-michael-cohen-pool-attendant-lawsuit>.

⁵⁸ Aram Roston, *Exclusive: Trump fixer Cohen says he helped Falwell handle racy photos*, *Reuters*, May 7, 2019, available at <https://www.reuters.com/article/us-usa-politics-falwell-exclusive/exclusive-trump-fixer-cohen-says-he-helped-falwell-handle-racy-photos-idUSKCN1SD2JG>; Frances Robles and Jim Rutenberg, *The Evangelical, the 'Pool Boy,' the Comedian and Michael Cohen*, *The New York Times*, June 18, 2019, available at <https://www.nytimes.com/2019/06/18/us/trump-falwell-endorsement-michael-cohen.html>.

⁵⁹ Concerned Women for America Legislative Action Committee Political Action Committee, *FEC Form 3X, 2016 Year-End Report, Amended*, July 7, 2017, available at <http://docquery.fec.gov/cgi-bin/fecimg/?201707079066566042>.

⁶⁰ Press Release, *Photos from President Donald J. Trump's Dinner with Grassroots Leaders*, *The White House*, Sept. 26, 2017, available at <https://www.whitehouse.gov/briefings-statements/photos-president-donald-j-trumps-dinner-grassroots-leaders/>.

⁶¹ *Id.*

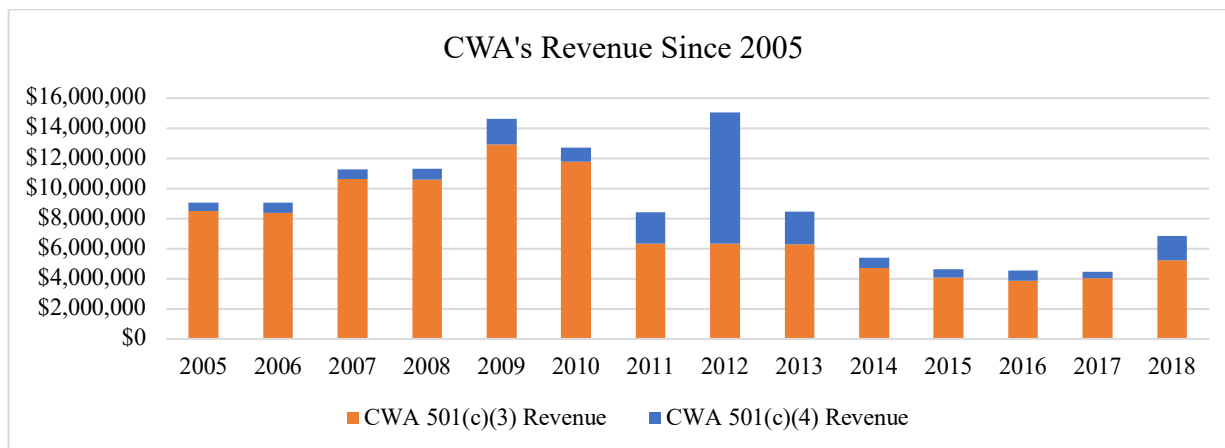
⁶² Penny Nance, *Twitter*, Apr. 13, 2017, available at <https://twitter.com/PYNance/status/852535255970058240>; Concerned Women for America Legislative Action Committee Political Action Committee, *FEC Form 3X, 2017 Runoff Report, Amended*, Jul. 7, 2017, available at <https://docquery.fec.gov/cgi-bin/fecimg/?201707079066566218>.

⁶³ Nahal Toosi, *Likely Trump Envoy Nominee Slams Senate Republicans*, *Politico*, Oct. 27, 2017, available at <https://www.politico.com/story/2017/10/27/penny-young-nance-womens-issues-senate-republicans-feud-244249>.

⁶⁴ <https://projects.propublica.org/nonprofits/organizations/953580834>.

⁶⁵ *Id.*

organization's staff has also constricted, from 35 in 2002 to 24 in 2016.⁶⁶ In 2018, CWALAC's political action committee filed a termination report with the Federal Election Commission.⁶⁷ Despite its dwindling staff and resources, CWA bought a new building for \$2.9 million in 2018.⁶⁸ The Alexandria, Virginia property cost more than half of the group's total revenue for the previous year.⁶⁹



Lobbying Activities

Today, CWA claims to have “participants and supporters” in all 50 states.⁷⁰ CWA often promotes its work through its chapters.⁷¹ For instance, a previously unsecured Google group for one state chapter encouraged members to lobby their senators in support of the Born Alive Abortion Survivors Protection Act and promoted a speaking tour by a former state politician who was working to expose communism in the deep state.⁷²

⁶⁶ 2002 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 26, 2002, available at https://projects.propublica.org/nonprofits/display_990/953580834/2002_10_EO%2F95-3580834_990_200206; 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2018, available at

<https://projects.propublica.org/nonprofits/organizations/953580834/201823029349301112/IRS990>.

⁶⁷ Concerned Women for America Legislative Action Committee Political Action Committee, FEC Form 3X, Termination Report, Amended, June 20, 2018, available at

<http://docquery.fec.gov/pdf/665/201806209114119665/201806209114119665.pdf>.

⁶⁸ <https://realestate.alexandriava.gov/detail.php?accountno=10491500>.

⁶⁹ *Id.*; 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2018, available at

<https://projects.propublica.org/nonprofits/organizations/953580834/201823029349301112/IRS990>.

⁷⁰ Brief *Amicus Curiae* of Concerned Women for America, *Masterpiece Cakeshop, LTD.*; and *Jack C. Phillips v. Colorado Civil Rights Commission*; *Charlie Craig; and David Mullins*, No. 16-111 (U.S.), available at

https://www.americanbar.org/content/dam/aba/publications/supreme_court_preview/briefs-2017-2018/16-111-amicus-pet-reversal-concerned-women-for-america.pdf.

⁷¹ <https://concernedwomen.org/state/washington/>.

⁷² The Google group is now private. See <https://groups.google.com/forum/#!topic/cwatxsouth/0JONezqzqLU>; Kelsey Good, Unconscionably Blocked: Born Alive Abortion Survivors Protection Act, *Concerned Women for America*, Feb. 25, 2019, available at <https://concernedwomen.org/unconscionably-blocked-born-alive-abortion-survivors-protection-act/>; <https://concernedwomen.org/wp-content/uploads/2019/05/MO-Agenda-Tour-2019-1.pdf>.

At the national level, CWALAC's 2018 lobbying expenses amounted to \$85,500, which was the most CWA had spent in a single year since 2011.⁷³ In addition to lobbying to confirm Judge Brett Kavanaugh to the Supreme Court, CWALAC lobbied for legislation to permit government-funded child welfare agencies to refuse services to prospective LGBTQ adoptee families.⁷⁴ The group also reported lobbying in favor of repealing the Johnson Amendment which bars religious, tax-exempt 501(c)(3) organizations from engaging in certain political speech and activities such as endorsing or opposing candidates.⁷⁵ In 2019, despite being a self-described women's group, CWALAC lobbied against a reauthorization of the Violence Against Women Act, which, among other things, supports a hotline and shelters for victims of domestic violence.⁷⁶

Section II: Nonprofit for Hire

Anti-Obamacare Campaign Tied to the Koch Network

During the 2012 presidential election, the billionaire brothers, Charles and David Koch, launched an expansive dark money campaign to defeat Democratic incumbent Barack Obama, in part by attacking his signature policy achievement, the Affordable Care Act.⁷⁷ The Kochs appear to have executed their advocacy campaign in part by funneling money to CWA, a group with which they had previous ties. Fred Koch, the family patriarch, and Tim LaHaye, were both involved with the ultra-conservative John Birch Society.⁷⁸

CWA's campaign was part of a larger effort to disparage the Affordable Care Act, dubbed "Obamacare."⁷⁹ During the 2012 and 2014 elections, the GOP ran on a promise to repeal the

⁷³ <https://www.opensecrets.org/lobby/clientsum.php?id=D000025077&year=2018>.

⁷⁴ Concerned Women for America Legislative Action Committee, Fourth Quarter 2018 Lobbying Disclosure Report, Mar. 1, 2019, Secretary of the Senate, Office of Public Records, *available at* <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=39E1D279-ADFF-48B2-9B9D-2D18184C9A5D&filingTypeID=78>; <https://www.hrc.org/resources/child-welfare-provider-inclusion-act>.

⁷⁵ Concerned Women for America Legislative Action Committee, Fourth Quarter 2018 Lobbying Disclosure Report, Mar. 1, 2019, Secretary of the Senate, Office of Public Records, *available at* <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=39E1D279-ADFF-48B2-9B9D-2D18184C9A5D&filingTypeID=78>; Tom Gjelten, The Johnson Amendment In 5 Questions And Answers, *NPR*, Feb. 3, 2017, *available at* <https://www.npr.org/2017/02/03/513187940/the-johnson-amendment-in-five-questions-and-answers>.

⁷⁶ Concerned Women for America Legislative Action Committee, First Quarter 2019 Lobbying Disclosure Report, Apr. 23, 2019, Secretary of the Senate, Office of Public Records, *available at* <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=146C5B41-AB53-4405-8147-A39587E4E562&filingTypeID=51>.

⁷⁷ Matea Gold, Koch-backed Political Network, Built to Shield Donors, Raised \$400 Million in 2012 elections, *Washington Post*, Jan. 5, 2014, *available at* https://www.washingtonpost.com/politics/koch-backed-political-network-built-to-shield-donors-raised-400-million-in-2012-elections/2014/01/05/9e7cfd9a-719b-11e3-9389-09ef9944065e_story.html.

⁷⁸ Lee Fang, John Birch Society Celebrates Koch Family For Their Role in Founding The Hate Group, *ThinkProgress*, June 10, 2011, *available at* <https://thinkprogress.org/john-birch-society-celebrates-koch-family-for-their-role-in-founding-the-hate-group-b8fd2ac8b379/>; Rob Boston, Left Behind, *Church & State Magazine*, Feb. 2002, *available at* <https://www.au.org/church-state/february-2002-church-state/featured/left-behind>.

⁷⁹ Stephanie Mencimer, Who's Paying for \$6 Million of New Anti-Obamacare Ads?, *Mother Jones*, June 27, 2012, *available at* <https://www.motherjones.com/politics/2012/06/concerned-women-americas-6-million-anti-obama-campaign/>.

landmark 2010 healthcare law. The Koch Network and other outside Republican groups spent millions of dollars on issue ads attacking the program and politicians who supported it.⁸⁰

During this time, a Koch-influenced group, Freedom Partners, which has been referred to as the Koch Brother's "secret bank," distributed hundreds of millions of dollars to conservative charitable organizations and political nonprofits, including groups that ran ads against Obamacare.⁸¹ Because many of the groups are tax-exempt 501(c) groups, they are not required to disclose their donors.

CWA and CWALAC received funding from Freedom Partners directly during this time, as well as from the Center to Protect Patient Rights and TC4 Trust, another nonprofit that appears to be part of the Koch Network.⁸² Between 2010 and 2013, CWA and CWALAC received \$8.4 million from Freedom Partners, as well as \$1.6 million from the Center to Protect Patient Rights and \$1.3 million from the TC4 Trust, for a combined total of about \$11.3 million.⁸³

For the 2012 presidential race, CWALAC reportedly spent at least \$3 million on more than 3,000 ads opposing reelection of President Obama, including \$1.7 million in Wisconsin, Iowa and Minnesota, all major swing states.⁸⁴ In addition, CWA said it spent \$6 million on anti-Obamacare ads in the summer of 2012 that ran in several swing states.⁸⁵ CWA's website still has a page dedicated to Obamacare, featuring a tombstone engraved with the words "R.I.P. Religious Freedom" as well as links to television ads, YouTube videos, podcasts, op-eds, fact sheets, policy briefs and press releases alleging all sorts of dangers posed by the law.⁸⁶ While many of the links are now inactive, the page features an encyclopedic trove of hyperbolic

⁸⁰ Americans for Prosperity Spent Record Cash in 2012, *HuffPost*, Nov. 14, 2013, available at https://www.huffpost.com/entry/americans-for-prosperity-2012_n_4275980.

⁸¹ Carl Hulse and Ashley Parker, Koch Group, Spending Freely, Hones Attack on Government, *The New York Times*, Mar. 20, 2014, available at <https://www.nytimes.com/2014/03/21/us/politics/koch-group-seeks-lasting-voice-for-small-government.html>; Mike Allen and Jim Vandehei, The Koch Brothers' Secret Bank, *Politico*, Sept. 11, 2013, available at <https://www.politico.com/story/2013/09/behind-the-curtain-exclusive-the-koch-brothers-secret-bank-096669>.

⁸² Robert Maguire and Viveca Novak, Largest Dark Money Donors Groups Share Funds, Hide Links, *Center for Responsive Politics*, Sept. 10, 2013, available at <https://www.opensecrets.org/news/2013/09/exclusive-largest-dark-money-donor-groups-hide-ties-using-new-trick/>.

⁸³ 2013 Return of Organization Exempt from Income Tax, Form 990, Freedom Partners Chamber of Commerce, Inc., Sept. 15, 2014, available at https://projects.propublica.org/nonprofits/display_990/453732750/2014_10_EO%2F45-3732750_990O_201310; 2012 Return of Organization Exempt from Income Tax, Form 990, Freedom Partners Chamber of Commerce, Inc., Sept. 15, 2013, available at https://projects.propublica.org/nonprofits/display_990/453732750/2013_10_EO%2F45-3732750_990O_201210; 2012 Return of Organization Exempt from Income Tax, Form 990, Center to Protect Patient Rights, Inc., Nov. 14, 2013, available at https://projects.propublica.org/nonprofits/display_990/264683543/2013_12_EO%2F26-4683543_990O_201212; 2011 Return of Organization Exempt from Income Tax, Form 990, Center to Protect Patient Rights, Inc., Nov. 13, 2012, available at https://projects.propublica.org/nonprofits/display_990/264683543/2012_12_EO%2F26-4683543_990O_201112; 2011 Return of Organization Exempt from Income Tax, Form 990, TC4 Trust, Nov. 13, 2012, available at https://projects.propublica.org/nonprofits/display_990/367519719/2012_06_EO%2F36-7519719_990O_201106.

⁸⁴ Mary Bottari, A Field Guide to the Koch O' Nuts Behind the Near Government Default, *Truthout*, Oct. 21, 2013, available at <https://truthout.org/articles/a-field-guide-to-the-koch-o-nuts-behind-the-near-government-default/>.

⁸⁵ *Id.*

⁸⁶ <https://concernedwomen.org/obamacare/>.

statements and arguments against the Affordable Care Act, including referring to the program as a “pyramid scheme.”⁸⁷

Dark-Money Defense of Brett Kavanaugh

CWA’s apparent coordination with the Koch Network on Obamacare appears to be part of the group’s financial strategy. In the second half of 2018, CWA devoted considerable resources to supporting the nomination of Brett Kavanaugh to the U.S. Supreme Court. This was an apparent effort to use CWA’s position, ostensibly a women’s advocacy group, to support a man credibly accused of sexual assault and to undermine the credibility of his female accuser. While nonprofit disclosure rules and the absence of current tax filings make it difficult to know the exact amount CWA spent to support the Kavanaugh nomination, contextual evidence suggests CWA may have received massive amounts of money from conservative legal groups to run its campaign.

Before working together on Justice Kavanaugh’s nomination, CWA had a close relationship with the Judicial Crisis Network, a 501(c)(4) legal advocacy nonprofit, and its 501(c)(3) “sister organization,” the Judicial Education Project (JEP).⁸⁸ JCN and JEP are massive dark money groups that spend tens of millions of dollars to confirm conservative judges and support Republican policies in the judiciary.⁸⁹ JCN was founded in 2004, and the two organizations have received millions of dollars from the Donors Trust and the Wellspring Committee, which are large donor-advised nonprofits that help obscure the identities of their powerful backers by serving as a pass-through for nonprofit donations.⁹⁰ CWA was a natural ally for JCN’s defense of Kavanaugh – CWA had filed numerous amicus briefs in support of rolling back abortion rights and had advocated for the appointment of conservative judges to the federal bench.⁹¹

CWA appears to have launched its Kavanaugh confirmation campaign in coordination with JCN. In a July 14, 2018 blog post, CWA announced that it was launching a “Women for Kavanaugh”

⁸⁷ <https://concernedwomen.org/images/content/ObamaCare&YoungPeople-BulletinInsert-2013BW.pdf>.

⁸⁸ 2016 Return of Organization Exempt from Income Tax, Form 990, Judicial Crisis Network, June 15, 2018, available at http://pdfs.citizenaudit.org/2018_08_EO/20-2303252_990O_201706.pdf; <https://projects.propublica.org/nonprofits/organizations/202466871>; David Armiak, *Donors Trust Bankrolled Right-Wing Judicial Appointments, Trump’s Acting AG, and Lobbying Front Groups in 2017*, *PRWatch*, Feb. 19, 2019, available at <https://www.prwatch.org/news/2019/02/13449/donorstrust-bankrolled-right-wing-judicial-appointments-trumps-acting-ag-and>.

⁸⁹ *Id.*; Viveca Novak and Peter Stone, *The JCN Story: How to Build a Secretive, Right-Wing Judicial Machine*, *The Daily Beast*, Mar. 23, 2015, available at <https://www.thedailybeast.com/the-jcn-story-how-to-build-a-secretive-right-wing-judicial-machine>.

⁹⁰ Robert Maguire, *Web of secret money hides one mega-donor funding conservative court*, *Center for Responsive Politics*, Nov. 21, 2017, available at <https://www.opensecrets.org/news/2017/11/web-of-secret-money-hides-one-mega-donor-funding-conservative-court/>; David Armiak, *Donors Trust Bankrolled Right-Wing Judicial Appointments, Trump’s Acting AG, and Lobbying Front Groups in 2017*, *PRWatch*, Feb. 19, 2019, available at <https://www.prwatch.org/news/2019/02/13449/donorstrust-bankrolled-right-wing-judicial-appointments-trumps-acting-ag-and>; Andy Kroll, *Exposed: The Dark-Money ATM of the Conservative Movement*, *Mother Jones*, Feb. 5, 2013, available at <https://www.motherjones.com/politics/2013/02/donors-trust-donor-capital-fund-dark-money-koch-bradley-devos/>.

⁹¹ <https://concernedwomen.org/about/our-history/>; Brief for Concerned Women for America and Susan B. Anthony List as *Amici Curiae* in Support of Respondents, *Whole Woman’s Health v. Hellerstedt*, No.15-274 (U.S.), available at <https://www.scotusblog.com/wp-content/uploads/2016/02/15-274-bsac-CWA-reprint.pdf>.

campaign and would spend \$500,000 to support his confirmation.⁹² In the blog post, CEO Penny Nance included a reference to a hashtag created for the campaign, #ConfirmJudgeK.

The hashtag was first used by a public relations representative whose firm has ties to JCN. Keith Appell, a senior vice president at Creative Response Concepts (CRC) Strategies, was the first person to tweet the hashtag.⁹³ He tweeted it out the day before CWA's announcement, and he tagged both JCN and CWA in his post.⁹⁴ CRC Strategies has a deep and longstanding relationship with JCN, which has paid the firm millions of dollars for public relations services in recent years.⁹⁵ CRC Strategies was also derided for its botched attempt to discredit Kavanaugh's accuser, Dr. Christine Blasey Ford, by working with a conservative activist to put out a false alibi for Kavanaugh on Twitter.⁹⁶

As part of its Women for Kavanaugh campaign, CWA also launched a multi-state bus tour, which included visits to Alabama, Florida, Indiana, Iowa, Missouri, North Dakota, and West Virginia.⁹⁷ At tour stops, CWA employees and local activists participated in campaign events.⁹⁸ The tour visited states represented by senators who were viewed as crucial swing votes on Kavanaugh's nomination, and most of those states' senators were involved in hotly contested reelection fights.⁹⁹ In North Dakota, Kavanaugh's nomination was widely supported by the public, yet moderate Democrat Sen. Heidi Heitkamp (D-ND) voted against Kavanaugh's nomination, which may have ensured the loss of her Senate seat.¹⁰⁰

Ahead of a congressional hearing regarding Dr. Ford's allegations, CWA staged a Women for Kavanaugh rally on Capitol Hill.¹⁰¹ Women for Kavanaugh members also occupied the Hart

⁹² Penny Nance, *Conservative Women Rally to Support Judge Kavanaugh*, *Concerned Women for America*, July 14, 2018, available at <https://concernedwomen.org/conservative-women-rally-to-support-judge-kavanaugh/>.

⁹³ <https://twitter.com/search?f=tweets&vertical=default&q=%23ConfirmJudgeK%20since%3A2018-05-01%20until%3A2018-08-05&src=typd>; <https://www.linkedin.com/in/keith-appell-5490914/>; https://www.sourcewatch.org/index.php/Creative_Response_Concepts.

⁹⁴ <https://twitter.com/keithcrc/status/1017753938626478080>.

⁹⁵ Michael Hobbes, *The Selling of Judge Brett Kavanaugh*, *HuffPost*, July 21, 2018, available at https://www.huffingtonpost.com/entry/brett-kavanaugh-crc-public-relations_us_5b523c8ae4b0de86f48ce857; 2015 Return of Organization Exempt from Income Tax, Form 990, Judicial Crisis Network, May 9, 2017, available at http://pdfs.citizenaudit.org/2017_06_EO/20-2303252_990O_201606.pdf; 2016 Return of Organization Exempt from Income Tax, Form 990, Judicial Crisis Network, June 15, 2018, available at http://pdfs.citizenaudit.org/2018_08_EO/20-2303252_990O_201706.pdf.

⁹⁶ Eliana Johnson, *PR firm helped Whelan stoke half-baked Kavanaugh alibi*, *Politico*, Sept. 21, 2018, available at <https://www.politico.com/story/2018/09/21/ed-whelan-kavanaugh-tweets-pr-firm-836405>.

⁹⁷ <https://concernedwomen.org/women-for-kavanaugh-bus-tour-schedule/>.

⁹⁸ Mario Diaz, Esq., *Women and The Kavanaugh Effect*, *Concerned Women for America*, Nov. 7, 2018, available at <https://concernedwomen.org/women-and-the-kavanaugh-effect/>.

⁹⁹ *Id.*; Perry Bacon, Jr., *The 7 Senators Who Will Decide Kavanaugh's Fate*, *FiveThirtyEight*, Sept. 26, 2018, available at <https://fivethirtyeight.com/features/the-7-senators-who-will-decide-kavanaughs-fate/>; Simone Pathè and Bridget Bowman, *Six Months Out: The Ten Most Vulnerable Senators in 2018*, *Roll Call*, May 10, 2018, available at <https://www.rollcall.com/news/politics/six-months-10-vulnerable-senators-2018>.

¹⁰⁰ Nicole Goodkin, *Heidi Heitkamp May Lose Her Election for Kavanaugh Vote, but at Least She Can Look Herself in the Mirror, Brother Says*, *Newsweek*, Oct. 5, 2018, available at <https://www.newsweek.com/heidi-heitkamp-brett-kavanaugh-vote-brother-1155081>.

¹⁰¹ Michelle Nickerson and Emily S. Johnson, *Women Are Deeply Divided on Brett Kavanaugh. Here's Why.*, *The Washington Post*, Sept. 30, 2018, available at <https://www.washingtonpost.com/outlook/2018/10/01/women-are->

Senate Office Building.¹⁰² CWA coordinated its efforts with Liberty University, which gave participating students the day off from class to attend the hearing.¹⁰³ When CWA offered to send 150 students to the protest, Liberty University President Jerry Falwell, Jr. announced that the university had agreed to match it and would pay for another 150 to attend.¹⁰⁴

In addition to the publicity efforts, CWALAC also reported lobbying in favor of Judge Kavanaugh's confirmation in the third and fourth quarters of 2018. The group reported spending a total of \$31,000 on lobbying during the third quarter of 2018, regarding Judge Kavanaugh's confirmation and several other public policy issues, the highest amount it had spent on lobbying in a single quarter since 2015.¹⁰⁵ CWA spent another \$28,000 during the fourth quarter of 2018.¹⁰⁶

CWA's Funding from the Judicial Crisis Network

JCN's total contribution to CWA's "Women for Kavanaugh" campaign is not yet clear from the public record, but JCN and JEP have become increasingly significant players in the CWA orbit, funneling hundreds of thousands of dollars to CWA in the past three tax years. In 2015 and 2016, JCN gave CWA a total of \$255,455.¹⁰⁷ In 2017, JEP, which shares the same president with JCN, Daniel Casey, gave CWA \$125,000.¹⁰⁸ More recently, in 2019, JCN appears to have been a sponsor of CWA's 40th anniversary gala, and CWA thanked JCN for its support on its website.¹⁰⁹ A full accounting of how much the two groups contributed to CWA during the 2018 Kavanaugh confirmation fight will not be revealed until the groups release their annual tax returns.

[deeply-divided-brett-kavanaugh-heres-why/?utm_term=.7b9ddb615b93; https://concernedwomen.org/rsvp-i-stand-with-brett-rally/](https://www.concernedwomen.org/rsvp-i-stand-with-brett-rally/).

¹⁰² Meg Kinnard, [Many Women Line Up in Support of Kavanaugh](https://www.apnews.com/7ec2e072ad774ce392c414354ff21dac), *Associated Press*, Sept. 29, 2018, available at <https://www.apnews.com/7ec2e072ad774ce392c414354ff21dac>.

¹⁰³ Sean Rossman, [Kavanaugh Protestors Answered by Supporters from Conservative Liberty University](https://www.usatoday.com/story/news/investigations/2018/09/26/brett-kavanaugh-support-liberty-university-evangelical-students/1436710002/), *USA Today*, Sept. 26, 2018, available at <https://www.usatoday.com/story/news/investigations/2018/09/26/brett-kavanaugh-support-liberty-university-evangelical-students/1436710002/>.

¹⁰⁴ Neetu Chandak, [Liberty University President Gives An Okay For 300 Students To Support Kavanaugh Amidst Yale Protesters](https://dailycaller.com/2018/09/26/liberty-university-kavanaugh-protest-yale/), *Daily Caller*, Sept. 26, 2018, available at <https://dailycaller.com/2018/09/26/liberty-university-kavanaugh-protest-yale/>.

¹⁰⁵ Concerned Women for America Legislative Action Committee, [Third Quarter 2018 Lobbying Disclosure Report](https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=5442CB28-EBAB-49AB-843D-D587E024326F&filingTypeID=69), Oct. 29, 2018, Secretary of the Senate, Office of Public Records, available at

<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=5442CB28-EBAB-49AB-843D-D587E024326F&filingTypeID=69>; https://www.senate.gov/legislative/Public_Disclosure/LDA_reports.htm.

¹⁰⁶ Concerned Women for America Legislative Action Committee, [Fourth Quarter 2018 Lobbying Disclosure Report](https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=39E1D279-ADFF-48B2-9B9D-2D18184C9A5D&filingTypeID=78), Mar. 1, 2019, Secretary of the Senate, Office of Public Records, available at

<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=39E1D279-ADFF-48B2-9B9D-2D18184C9A5D&filingTypeID=78>.

¹⁰⁷ [2015 Return of Organization Exempt from Income Tax, Form 990](http://pdfs.citizenaudit.org/2017_06_EO/20-2303252_9900_201606.pdf), Judicial Crisis Network, May 9, 2017, available at http://pdfs.citizenaudit.org/2017_06_EO/20-2303252_9900_201606.pdf; [2016 Return of Organization Exempt from Income Tax, Form 990](http://pdfs.citizenaudit.org/2018_08_EO/20-2303252_9900_201706.pdf), Judicial Crisis Network, June 15, 2018, available at http://pdfs.citizenaudit.org/2018_08_EO/20-2303252_9900_201706.pdf.

¹⁰⁸ [2017 Return of Organization Exempt from Income Tax, Form 990](https://www.documentcloud.org/documents/5188744-Judicial-Education-Project-2017-990.html), Judicial Education Project, Nov. 10, 2018, available at <https://www.documentcloud.org/documents/5188744-Judicial-Education-Project-2017-990.html>.

¹⁰⁹ <https://concernedwomen.org/40th-anniversary-gala/>.

Section III: Problematic Financial Arrangements

Failure to Disclose Political Spending

While CWA has waded into politics in conjunction with other organizations, an analysis of its political spending indicates the organization may be failing to adequately disclose its political activity and instead is directing money to its own coffers and allies rather than the causes it supports. In the last three months of 2012, CWALAC reported to the Federal Election Commission (FEC) that it spent \$405,350 to support a congressional candidate in Utah.¹¹⁰ The FEC report disclosed two \$202,675 ad buys to support Utah Republican Mia Love's candidacy for the U.S. House and oppose her Democratic opponent.¹¹¹ CWALAC did not report any receipts to pay for the cost of the expenditure, however, indicating CWALAC used its general treasury funds to pay for the ad buys.

Despite these disclosures to the FEC, CWALAC told the IRS that it did not engage in any political campaign activities between July 2012 and June 2013. On its annual tax form for the corresponding year, CWALAC answered "no" to the question, "Did the organization engage in direct or indirect activities on behalf of or in opposition to candidates for public office?"¹¹² This appears to be a tax law violation, but it is unknown if the FEC or the IRS investigated the matter.

Enrichment Through Political Contributions

While its 501(c)(4) arm spent some money on politics directly, CWA's primary vehicle for political spending was the Concerned Women for America Legislative Action Committee Political Action Committee (CWAPAC).¹¹³ Interestingly, CWALAC terminated its political action committee (PAC) on June 20, 2018, one week before Justice Anthony Kennedy announced his retirement from the Supreme Court.¹¹⁴ Despite CWA's campaign to have Kavanaugh replace Kennedy, the organization did not employ the use of its PAC to manage any political contributions during the nomination battle.

¹¹⁰ <http://docquery.fec.gov/pdf/244/13960692244/13960692244.pdf>.

¹¹¹ *Id.*

¹¹² 2012 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Nov. 12, 2013, available at

https://projects.propublica.org/nonprofits/display_990/953370744/2013_12_EO%2F95-3370744_990O_201306;

2012 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Nov. 13, 2012, available at

https://projects.propublica.org/nonprofits/display_990/953370744/2012_12_EO%2F95-3370744_990O_201206.

¹¹³ Concerned Women for America Legislative Action Committee Political Action Committee, [FEC Form 1, Statement of Organization](#), Apr. 4, 2002, available at

<http://docquery.fec.gov/pdf/540/22037514540/22037514540.pdf>; Concerned Women for America Legislative Action Committee Political Action Committee, [FEC Form 3X, Termination Report](#), June 20, 2018, available at

<http://docquery.fec.gov/pdf/665/201806209114119665/201806209114119665.pdf>.

¹¹⁴ Concerned Women for America Legislative Action Committee Political Action Committee, [FEC Form 3X, Termination Report](#), June 20, 2018, available at

<http://docquery.fec.gov/pdf/665/201806209114119665/201806209114119665.pdf>; Michael D. Shear, Supreme Court Justice Anthony Kennedy Will Retire, *The New York Times*, June 27, 2018, available at <https://www.nytimes.com/2018/06/27/us/politics/anthony-kennedy-retire-supreme-court.html>.

Before closing the PAC, CWA appears to have used PAC funds to benefit itself rather than distribute funds to political candidates – one of the key intended purposes of PACs.¹¹⁵ For instance, during the 2018 election cycle, the PAC raised a total of \$54,664 in contributions.¹¹⁶ During the same period, the PAC paid out more than \$80,000 in disbursements but donated just \$2,500 to federal candidate committees.¹¹⁷ The vast majority of its spending was used for “operating expenditures.”¹¹⁸ Notably, the PAC’s largest expenditure during this period was an \$18,839 transfer of funds to CWA’s 501(c)(4) arm, CWALAC, which enabled it to close out the PAC’s account.¹¹⁹

Similarly, during the 2016 election cycle, the PAC raised \$149,122, but transferred just \$9,497 to federal candidate committees.¹²⁰ CWAPAC contributed much of its funds to male candidates, including to Rep. Trent Franks (R-AZ), who later resigned his seat under a cloud of bizarre sexual harassment allegations.¹²¹

Over the course of the PAC’s history, it collected more than \$1.8 million in receipts, but contributed about \$115,000 to federal candidates.¹²² The committee funneled nearly twice that amount, more than \$400,000, to its parent organization, the 501(c)(4) CWALAC.¹²³

This money likely made its way back to CWA, the 501(c)(3). In the tax year ending in June of 2018, CWALAC gave \$1,169,784 to CWA.¹²⁴ The donation, which helped deplete CWALAC’s assets to all but \$11,000, was the largest donation from CWALAC to CWA since at least

¹¹⁵ <https://www.opensecrets.org/pacs/pacfaq.php>.

¹¹⁶ <https://www.fec.gov/data/committee/C00375865/?tab=summary>.

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ https://www.fec.gov/data/disbursements/?committee_id=C00375865&two_year_transaction_period=2018&data_type=processed; Concerned Women for America Legislative Action Committee Political Action Committee, Schedule B (FEC Form 3X), Itemized Disbursements, May 25, 2018, available at <https://docquery.fec.gov/cgi-bin/fecimg/?201806209114119670>.

¹²⁰ <https://www.fec.gov/data/committee/C00375865/?tab=summary&cycle=2016>.

¹²¹ https://www.fec.gov/data/disbursements/?committee_id=C00375865&two_year_transaction_period=2016&cycle=2016&line_number=F3X-23&data_type=processed; Katie Rogers, Trent Franks, Accused of Offering \$5 Million to Aide for Surrogacy, Resigns, *The New York Times*, Dec. 8, 2017, available at <https://www.nytimes.com/2017/12/08/us/politics/trent-franks-sexual-surrogacy-harassment.html>.

¹²² CfA added up the sum of the total receipts and the sum of contributions to other committees as calculated by the FEC in its year end cycles for CWAPAC. CfA included totals from the 2002 election cycle through the 2018 election cycle. See <https://www.fec.gov/data/committee/C00375865/>, accessed on Nov. 1, 2019.

¹²³ CfA calculated the sum of disbursements from CWAPAC to CWALAC from the 2002 election cycle through 2018 election cycle. See https://www.fec.gov/data/disbursements/?cycle=2016&data_type=processed&committee_id=C00375865&recipient_name=concerned+women+for+america&two_year_transaction_period=2002&two_year_transaction_period=2004&two_year_transaction_period=2006&two_year_transaction_period=2008&two_year_transaction_period=2010&two_year_transaction_period=2012&two_year_transaction_period=2014&two_year_transaction_period=2016&two_year_transaction_period=2018, accessed on Nov. 1, 2019.

¹²⁴ 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 10, 2018, available at <https://projects.propublica.org/nonprofits/organizations/953370744/201813029349301111/IRS990>.

2005.¹²⁵ In previous years, between 2009 and 2017, the 501(c)(4) committee transferred an additional \$1,556,625 in gifts, grants, or capital contributions to CWA.¹²⁶

Exorbitant Payments to Contractors

Beyond redirecting PAC funds to its own coffers, CWA has also distributed money from its various entities to questionable vendors with ties to the organization. For instance, one of the largest recipients of disbursements from CWAPAC was Potentials Business Services. Between 2004 and 2018, CWAPAC paid Potentials Business Services around \$400,000 for database administration and production of a member newsletter.¹²⁷

Potentials Business Services

Potentials Business Services (Potentials) is owned by Trina Putnam, who appears to be married or related to Geoff Putnam, who served as CWA's chief operating officer until November 2015.¹²⁸ CWA's 2014 tax Form 990 indicates that Geoff Putnam is also an employee or owner of Potentials.¹²⁹ Potentials does not appear to have any other employees, and the company does not appear to be registered with the Virginia secretary of state's office, nor is it registered with Delaware's Division of Corporations.¹³⁰

Before founding Potentials, Ms. Putnam was directly employed by CWA for about four years.¹³¹ Her employment at CWA overlapped with Geoff Putnam's.¹³² She previously worked as a self-employed pianist and earned a music degree from Bob Jones University.¹³³ According to FEC records, CWA has been Potentials' sole PAC client since 2007. Between 2005 and 2007, Potentials also provided newsletter services for Madison Project, a PAC that endorses and funds

¹²⁵ <https://projects.propublica.org/nonprofits/organizations/953370744>.

¹²⁶ *Id.*

¹²⁷ https://www.fec.gov/data/disbursements/?cycle=2018&data_type=processed&committee_id=C00375865&recipient_name=POTENTIALS+BUSINESS+SERVICES&recipient_name=Potential&two_year_transaction_period=2018&two_year_transaction_period=2016&two_year_transaction_period=2014&two_year_transaction_period=2012&two_year_transaction_period=2010&two_year_transaction_period=2008&two_year_transaction_period=2006&two_year_transaction_period=2004&line_number=F3X-21B.

¹²⁸ <https://www.linkedin.com/in/trina-putnam-45337b4/>;

<https://www.linkedin.com/in/trina-putnam-20729358/>; <https://www.linkedin.com/in/geoff-putnam-2326215/>.

¹²⁹ 2014 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 29, 2015, available at https://projects.propublica.org/nonprofits/display_990/953580834/2016_02_EO%2F95-3580834_990_201506; 2013 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Nov. 10, 2014, available at https://projects.propublica.org/nonprofits/display_990/953580834/2014_12_EO%2F95-3580834_990_201406.

¹³⁰ https://sccefile.scc.virginia.gov/Find/Business?SearchTerm=potentials&SearchPattern=K&as_fid=ef7673b6235cdf262c6154b93db067d465fe68;

<https://www.google.com/search?hl=en&q=%22potentials%20business%20services%22%20site%3Alinkedin.com%2F%2F>.

¹³¹ <https://www.linkedin.com/in/trina-putnam-20729358/>.

¹³² <https://www.linkedin.com/in/trina-putnam-20729358/>; <https://www.linkedin.com/in/geoff-putnam-2326215/>.

¹³³ <https://www.linkedin.com/in/trina-putnam-20729358/>.

far-right candidates.¹³⁴ Madison Project has close ties with CWA: Tim and Beverly LaHaye were involved with the group.¹³⁵

Trina Putnam appears to have had a direct role in the operations of CWALAC's PAC. In 2018, the PAC amended its statement of organization to include potentialsTP@gmail.com as a secondary contact email.¹³⁶ Ms. Putnam also worked as an accounting assistant for CWA for six months in 2016.¹³⁷

Potentials and Geoff Putnam have also received money from CWA directly. From July 2009 until he left the organization in November 2015, the group paid Potentials or Geoff Putnam a total of \$158,607 for "data entry", for an average of \$26,434 a year. This appears to have been in addition to his salary he received from CWA for his work as vice president of operations, which ranged from \$100,000 to almost \$110,000 per year during this period.

CWA's PAC also directed contracts to a consulting firm owned by Michael Mears, who served as CWA's executive director from January 2006 to December 2011.¹³⁸ Between 2006 and 2018, CWA paid Mears and his company, Right Writing, more than \$115,000. The CWA PAC made most of its payments to Mears after he left CWA, though several payments coincide with his tenure.¹³⁹

Premier Fulfillment & Processing Inc

In addition to the payments to Geoff Putnam and Potentials Business Services, CWA has also paid a number of other contractors with close connections to the group. For instance, Premier Fulfillment & Processing Inc. (Premier Fulfillment) is a business that collects and processes donations for CWA, a service often referred to as "caging."¹⁴⁰ Jim Woodall, the owner of Premier Fulfillment, served as CEO of CWA in the 1990s, and then as an organization trustee until January 2013.¹⁴¹ A longtime associate of Beverly LaHaye, in 1986, Woodall started a refugee initiative in Costa Rica called "Amor de la Libertad," which was sponsored by CWA,

¹³⁴https://www.fec.gov/data/disbursements/?cycle=2018&data_type=processed&recipient_name=POTENTIALS+BUSINESS+SERVICES&two_year_transaction_period=2006&two_year_transaction_period=2008&two_year_transaction_period=2010&two_year_transaction_period=2012&two_year_transaction_period=2014&two_year_transaction_period=2016&two_year_transaction_period=2018&two_year_transaction_period=2020&line_number=F3X-21B;https://www.fec.gov/data/disbursements/?committee_id=C00298000&two_year_transaction_period=2018&cycle=2018&line_number=F3X-23&data_type=processed;http://www.madisonprojectcandidates.com/endorsements/

¹³⁵ <http://www.publiceye.org/ifas/fw/0009/bush.html>.

¹³⁶ Concerned Women for America Legislative Action Committee Political Action Committee, [FEC Form 1, Statement of Organization](http://www.fec.gov/disclosure/Statement_of_Organization), May 10, 2018, available at <http://docquery.fec.gov/cgi-bin/forms/C00375865/1230415/>.

¹³⁷ <https://www.linkedin.com/in/trina-putnam-20729358/>.

¹³⁸ Entity Details, Right Writing Consulting, LLC, State Corporation Commission, Commonwealth of Virginia, accessed Oct. 31, 2019, available at <https://sccfile.scc.virginia.gov/Business/S468128;https://www.linkedin.com/in/mike-mears-28913451/>.

¹³⁹ https://www.fec.gov/data/disbursements/?cycle=2018&data_type=processed&committee_id=C00375865&recipient_name=Right+Writing&recipient_name=mears&two_year_transaction_period=2006&two_year_transaction_period=2008&two_year_transaction_period=2010&two_year_transaction_period=2012&two_year_transaction_period=2014&two_year_transaction_period=2016&two_year_transaction_period=2018.

¹⁴⁰ <http://merkleresponse.com/caging>.

¹⁴¹ <https://www.linkedin.com/in/jim-woodall-33277a10/>.

and in 1988, Woodall established CWA's Central American Affairs Office.¹⁴² CWA stopped disclosing its relationship with Woodall in its IRS filings once he resigned from the board of directors.¹⁴³

CWA has paid Premier Fulfillment more than \$3 million for its services since July 2009.¹⁴⁴ Because CWA does not itemize donations from direct mail campaigns on the public portions of its 990s, there is no way to know whether Premier Fulfillment charges a reasonable fee for processing the group's donations.

InfoCision Management Corporation

Another CWA contractor, InfoCision Management Corporation (InfoCision), is an Ohio-based fundraising company that has worked as a vendor for CWA for more than ten years.¹⁴⁵ The firm, one of the largest telemarketing companies in the country, is known for raising money for right-wing political candidates, religious organizations, charities, and special interest groups.¹⁴⁶ InfoCision often retains the majority of the funds it raises for clients, including CWA and CWALAC. InfoCision has also faced state and federal investigations for deceptive fundraising tactics. For example, in 2012, the company paid a \$75,000 fine after it was accused of violating Ohio's laws on soliciting charitable contributions. In 2018, the firm paid a \$250,000 fine to the Federal Trade Commission, leading many clients to abandon or reconsider their relationships with the firm.¹⁴⁷

InfoCision's compensation arrangement with CWA appears to be slightly more even-handed than its contracts with other groups, but InfoCision still kept a large percentage of the money it raised for CWA. For example, during the tax year ending in June 2018, InfoCision's gross fundraising activity on behalf of CWA amounted to \$193,686, and InfoCision netted \$89,436 from the fundraising campaign.¹⁴⁸ In 2016, CWA reported \$321,243 in gross fundraising activity from InfoCision, with InfoCision keeping \$121,334 from the fundraising haul.¹⁴⁹

¹⁴² Sara Diamond, *Spiritual Warfare: The Politics of the Christian Right*, Black Rose Books, (1990), available at https://books.google.com/books?id=VRDo9R_FbdUC&printsec=frontcover#v=onepage&q&f=false; <https://concernedwomen.org/about/our-history/>.

¹⁴³ 2013 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Nov. 10, 2014, available at https://projects.propublica.org/nonprofits/display_990/953580834/2014_12_EO%2F95-3580834_990_201406.

¹⁴⁴ <https://projects.propublica.org/nonprofits/organizations/953580834>.

¹⁴⁵ <https://projects.propublica.org/nonprofits/organizations/953580834>.

¹⁴⁶ When Telemarketers Pocket Money Meant for Charity, NPR, Sept. 12, 2012, available at <https://www.npr.org/templates/transcript/transcript.php?storyId=160997044>; Sarah Kleiner, *High-Profile Charities Distance Themselves From Telemarketer Following Federal Allegations*, *The Center for Public Integrity*, January 31, 2018, available at <https://publicintegrity.org/federal-politics/high-profile-charities-distance-themselves-from-telemarketer-following-federal-allegations/>.

¹⁴⁷ *Id.*; InfoCision settles with Ohio attorney general, *CantonRep.com*, Apr. 20, 2012, available at <https://www.cantonrep.com/x596775039/Infocision-settles-with-Ohio-attorney-general>.

¹⁴⁸ 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 24, 2018, available at <https://projects.propublica.org/nonprofits/organizations/953580834/201823029349301112/IRS990ScheduleG>.

¹⁴⁹ 2016 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Sept. 22, 2017, available at <https://projects.propublica.org/nonprofits/organizations/953580834/201712999349300326/IRS990ScheduleG>.

CWA's 501(c)(4) arm, CWALAC, has also worked with InfoCision. During the tax year ending June 2014, CWA paid InfoCision \$171,467 for telemarketing services. During the same tax year, InfoCision also executed a fundraising campaign raising \$108,131 on behalf of CWALAC and retaining \$66,840 of it.¹⁵⁰ Similarly, in the tax year ending June 2016, CWA paid InfoCision \$365,159 for telemarketing, and – separately– InfoCision raised \$134,582 on behalf of CWALAC and retained \$81,931.¹⁵¹

While not accused of misleading donors in connection with its CWA contract, InfoCision was fined by one state for failing to file notice of the fundraising relationship. The Pennsylvania Bureau of Charitable Organizations levied a \$3,000 fine against InfoCision Management Corporation in 2010 after the company failed to file the proper report on its fundraising activities on behalf of CWA and CWALAC in 2009.¹⁵² The order noted that InfoCision also solicited funds on behalf of the National Rifle Association and failed to file the required paperwork for that contract as well.¹⁵³ InfoCision's contract with the NRA from 2012 to 2015 was valued at \$80,000,000.¹⁵⁴

InfoCision has generated considerable revenue from its relationships with conservative groups like CWA. In 2007, InfoCision purchased the naming rights to the University of Akron's new \$55 million football stadium.¹⁵⁵

Cherie Short

Cherie Short, the former director of development for CWA, also appears to have used the group's fundraising efforts for her own interests.¹⁵⁶ For the tax year ending in June 2011, CWA reported on Schedule G of its tax Form 990 that Cherie Short provided consulting fundraising services to the group. Oddly, however, she did not raise any money for the group, but rather

¹⁵⁰ 2013 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Nov. 10, 2014, available at https://projects.propublica.org/nonprofits/display_990/953580834/2014_12_EO%2F95-3580834_990_201406; 2013 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Nov. 10, 2014, available at

<https://projects.propublica.org/nonprofits/organizations/953370744/201433149349301878/IRS990ScheduleG>.

¹⁵¹ 2015 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 3, 2016, available at

<https://projects.propublica.org/nonprofits/organizations/953580834/201612999349300031/IRS990>; 2015 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Oct. 6, 2016, available at

<https://projects.propublica.org/nonprofits/organizations/953370744/201632999349300913/IRS990ScheduleG>.

¹⁵² Consent Agreement and Order, *Commonwealth of Pennsylvania Bureau of Charitable Organizations vs. Infocision Management Corporation*, Dkt No. 0029-98-10, available at

<https://www.dos.pa.gov/BusinessCharities/Charities/Resources/Documents/Consent%20Orders%20and%20Agreements/Infocision%20Management.pdf>.

¹⁵³ *Id.*

¹⁵⁴ <https://projects.propublica.org/nonprofits/organizations/530116130>.

¹⁵⁵ InfoCision Gets Naming Rights to New Akron Stadium, *Ideastream*, Sept. 7, 2007, available at <https://www.ideastream.org/news/infocision-gets-naming-rights-to-new-akron-stadium>.

¹⁵⁶ Christina Wilkie, DC Young Republican Leader Touts Rent Control In Ad Looking For “Conservative Roommate”, *HuffPost*, June 18, 2012, available at https://www.huffpost.com/entry/dc-young-republican-rent-controlled-apartment_n_1597236; <https://www.linkedin.com/in/cherie-short-bars>.

retained all of the funds she raised, resulting in a negative \$52,475 outlay for CWA.¹⁵⁷ CWA reported the same arrangement for the tax year ending in 2012, with CWA paying Short \$88,200.¹⁵⁸ Between 2012 and 2017, Short earned a total of \$561,819 in salary for her work as director of development or vice president of external affairs.¹⁵⁹

It is possible Short used the funds from CWA to start her own firm, The Giving Groupe, established in 2011.¹⁶⁰ It is also unclear why CWA essentially paid her for non-existent fundraising.

New Headquarters

Despite its declining finances, on April 23, 2018, CWA purchased a \$2.9 million office building in Alexandria, Virginia.¹⁶¹ Permits filed by CWA with the City of Alexandria show the property is undergoing extensive renovations.¹⁶²

The \$2.9 million that CWA paid for the building represents more than six times the organization's total assets at the end of the previous fiscal year, which makes it likely that at least some of the amount was mortgaged or that CWA received a major contribution from another source to finance the purchase. Notably, CWALAC reported an unusually high income in 2017, most of which it transferred to CWA.¹⁶³ It is possible that those funds were used for the purchase.

Conclusion

CWA appears to have turned itself into a vehicle for board members and officials to enrich themselves, but other conservative groups still appear to respect its reputation among the evangelical Christian community and often collaborate with it to push various conservative agendas. CWA has embraced the flow of dark money to become a front in prominent conservative battles, even if it is forced to take stances that appear to be anti-women. CWA's track record and mercenary tactics make it clear that the organization should no longer be trusted as an independent voice for and of women.

¹⁵⁷ 2010 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Oct. 5, 2011, available at https://projects.propublica.org/nonprofits/display_990/953580834/2011_11_EO%2F95-3580834_990_201106.

¹⁵⁸ 2011 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America, Nov. 13, 2012, available at https://projects.propublica.org/nonprofits/display_990/953580834/2012_12_EO%2F95-3580834_990_201206.

¹⁵⁹ <https://projects.propublica.org/nonprofits/organizations/953580834>.

¹⁶⁰ <https://www.linkedin.com/in/cherie-short-bars>.

¹⁶¹ Detailed Property Description, 100 N Payne Street, City of Alexandria Virginia, available at <https://realestate.alexandriava.gov/detail.php?accountno=10491500>.

¹⁶² <https://apps.alexandriava.gov/permittracker/Default.aspx?stno=1000&stname=PAYNE%20ST&stunit=#>.

¹⁶³ 2017 Return of Organization Exempt from Income Tax, Form 990, Concerned Women for America Legislative Action Committee, Sept. 24, 2018, available at <https://projects.propublica.org/nonprofits/organizations/953370744/201813029349301111/IRS990>.