

# MAKE AMERICA NUMBER 1

2 ROOSEVELT AVENUE | PORT JEFFERSON STATION, NY 11776

October 26, 2016

Dear Station Manager,

The undersigned is Counsel to Make America Number 1, a federally registered independent expenditure committee. We are in receipt of the correspondence by Hillary for America ("HFA") dated October 24, 2016 through which they seek to cause your station not to air our advertisement "Can't Run Her House". Ostensibly, HFA tries to deny the public an opportunity to view our advertisement because it is "false and misleading". In reality, HFA simply finds it politically inconvenient that a top surrogate for its candidate once held a differing view concerning her qualifications for office. Whether these comments are probative to the issues in this campaign is an issue for the public to determine, it is not justification for keeping legitimate speech from the airwaves.

Specifically, HFA seeks to keep our advertisement off the air by arguing that clearly authentic video of Michelle Obama's comments are taken out of context. First, it is important to note that HFA actually cites a *different* speech than the one quoted in "Can't Run Her House". HFA is apparently unaware that Michelle Obama has made the videotaped comments more than once. Politifact has already made this observation ([See http://www.politifact.com/truth-o-meter/statements/2016/oct/11/donald-trump/donald-trump-base-claim-about-michelle-obama-criti/](http://www.politifact.com/truth-o-meter/statements/2016/oct/11/donald-trump/donald-trump-base-claim-about-michelle-obama-criti/)).

Regardless, the heart of HFA's argument are based upon completely nonsensical, and irrelevant, observations about Michelle Obama's current support to Hillary Clinton and a purely factual argument that the line "if you can't run your own house, you certainly can't run the White House" is a reference to her husband Barack Obama! The public can certainly determine for itself whether such arguments pass the "smell test" and do not justify a refusal to air the advertisement. Rather than justifying taking the advertisement down, this juxtaposition in positions between Michelle Obama's current and former positions highlights the legitimate public interest in our advertisement. Numerous media outlets reporting on these comments have drawn the same fair inference that the comments in question are a clear reference to the Clintons.

A small sampling of such examples can be found here (although there are numerous others):

<https://www.conservativeoutfitters.com/blogs/news/watch-michelle-obama-attacks-hillary-clinton-video>

<http://www.thegatewaypundit.com/2016/07/flashback-michelle-obama-attacks-hillary-cant-run-house-cant-run-white-house/>

Not authorized by any candidate or candidate's committee.

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<http://politistick.com/flashback-michelle-obama-slams-hillary-clinton-unfit-presidency/#>

<http://www.youngcons.com/michelle-on-hillary-2008-if-you-cant-run-your-own-house-you-cant-run-the-white-house/>

In short, if HFA seeks to make a factual argument concerning the meaning of the words clearly and unambiguously videotaped coming from the mouth of Michelle Obama, they are free to do so. They are not, however, free to threaten legal action to prevent the public from making up its own mind.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Levy". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Larry Levy  
Counsel, Make America Number 1

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committee.