

May 27, 2026

The Hon. Catherine L. Hanaway
Missouri Attorney General's Office
Supreme Court Building
207 W. High Street
Jefferson City, Missouri 65102

Re: Complaint Against American Civil Liberties Union Foundation (EIN: 13-6213516) and Stop the Ban (MECID: C253512) under Foreign Influence in Ballot Measures Act

Dear Attorney General Hanaway:

Americans for Public Trust (“APT”), a 501(c)(3) nonprofit that works to uncover and publicize foreign dark money, submits this Complaint to the Office of the Missouri Attorney General (the “Office”) regarding potential violations of the Foreign Influence in Ballot Measures Act. As detailed below, APT alleges that the American Civil Liberties Union Foundation (“ACLU Foundation”) is the recipient of foreign donations and has, in turn, contributed to a Missouri ballot measure committee, Stop the Ban, in violation of §§ 130.170 – 130.188 RSMo.

Factual Background

The ACLU Foundation, a New York-based 501(c)(3) nonprofit, has knowingly received foreign donations for many years. Public filings indicate that the ACLU Foundation has benefitted from almost \$6 million from Swiss-billionaire Hansjörg Wyss contributed via his nonprofit Wyss Foundation alone.¹ The organization has also received upwards of \$2 million from the Switzerland-based Oak Foundation, with grants received in 2014, 2017, and 2020.² Moreover, ACLU Foundation’s sister organization, the Americans for Civil Liberties Union (“ACLU”) has received at least \$6 million from Mr. Wyss via his 501(c)(4), Berger Action Fund.³

Most recently – and pertinent to the immediate request for action – the ACLU Foundation received a new, two-year, \$2 million grant from the Switzerland-based Oak Foundation according to their recently released annual report. The Oak Foundation states that the grant was made “[t]o provide core support to the ACLU Foundation, which works to protect civil rights, civil liberties, and the rule of law in the United States.”⁴ “Core support,” in Oak Foundation’s own words, is “unrestricted funding”...[which] provides civil society organisations with the flexibility and autonomy they need to decide where the funding is best spent.”⁵ The Oak Foundation repeatedly highlights the benefits of their “core funding,” and how they “support the autonomy and freedom of [Oak Foundation] grantees to operate and develop as they see fit,” while freeing [grantees] “to focus on their most pressing needs and support their own development.”⁶

¹ Americans for Public Trust, [Wyss Foundation 990s: 2002 – 2024](#) (May 19, 2026). Note: *See* years 2005-2011 and 2013; all grants except 2005 were made through HJW Foundation, the sister foundation of the Wyss Foundation that then merged with latter.

² Americans for Public Trust, Foreign Charities Fueling Extreme Policies in the U.S., [Report](#) (Oct. 2025); Americans for Public Trust, [Oak Foundation Annual Reports, 2014 – 2024](#) (Oct. 31, 2025).

³ Americans for Public Trust, Hansjörg Wyss’ Berger Action Fund Totals: 2009 – 2024, [Factsheet](#) (Mar. 4, 2026).

⁴ Oak Foundation, [Annual Report 2025](#), p. 46.

⁵ Oak Foundation, Stories, [What Evidence is There On the Impact of Core Funding](#) (Oct. 30, 2024).

⁶ Douglas Griffiths, Silvia Guizzardi, and Adriana Craciun, There’s Nothing Controversial About Core Funding, [Alliance Magazine](#) (May 13, 2025); *Supra* note 5.

Since receiving this foreign grant, the ACLU Foundation has subsequently made multiple contributions, totaling \$500,000, to the Missouri ballot measure committee, Stop the Ban.⁷

Accordingly, APT respectfully requests that the Attorney General initiate an investigation of the ACLU Foundation and Stop the Ban pursuant to §§ 130.170 – 130.188 RSMo and, if found in violation, pursue appropriate enforcement action.⁸

The ACLU Foundation and Stop the Ban May Have Violated the Foreign Influence in Ballot Measures Act

On May 15, 2025, a ballot measure committee called Stop the Ban filed a Statement of Committee Organization with the Missouri Ethics Commission (“MEC”), and began filing regular reports with the Commission.⁹ In July 2025, Governor Mike Kehoe signed SB 152, the Foreign Influence in Ballot Measures Act (the “Act”), into law.¹⁰ Effectively, this new law banned foreign funding and influence from infiltrating Missouri ballot measure campaigns.¹¹ As part of the law’s implementation, affirmations of compliance with the ban were added to the “Statement of Committee Organization” and “Committee Disclosure Report Cover Page” forms required to be filed by ballot measure committees.¹²

9. SIGNATURE(S) AND CERTIFICATION(S) (required for all committees)

ALL COMMITTEES: I affirm and attest under penalty of perjury that information and facts in this report are complete, true, and accurate. I further acknowledge that I am aware that any false statement or declaration made herein is punishable under Chapter 575, RSMo

CONTINUING (PACS), CAMPAIGN, & POLITICAL PARTY COMMITTEES ONLY: I certify that no preliminary activity was funded by prohibited sources, whether directly or indirectly (see § 130.170, RSMo, for complete definitions of “preliminary activity,” “prohibited sources,” & “directly or indirectly.”)

Committee treasurer (required for all committees)

Candidate (required for candidate committees only)

(Missouri Ethics Commission (MEC), [Statement of Committee Organization and Electronic Filing Agreement](#) (revised Aug. 2025; accessed May 27, 2026))

3. SIGNATURE AND CERTIFICATIONS

Do you affirm that this committee has not knowingly or willfully received, solicited, or accepted, directly or indirectly, contributions (received on or after August 28, 2025) from a prohibited source during this reporting period? Yes No

Do you affirm that the contributor associated with each contribution received (on or after August 28, 2025) during this reporting period is not a foreign national and has not knowingly or willfully received, solicited, or accepted, whether directly or indirectly, contributions from one or more prohibited sources aggregating in excess of \$10,000 within the four years preceding the date of each contribution? Yes No

Do you affirm that this committee has not knowingly or willfully accepted funds, directly or indirectly, aggregating in excess of \$10,000 from one or more prohibited sources within the four-year period immediately preceding the date each expenditure is made? Yes No

I certify that this report, comprised of this cover page and all attached forms, is complete, true, and accurate. Yes No

Treasurer’s signature

Report date

VETERANS INFORMATION

If you are a Veteran in the state of Missouri and are interested in learning more about benefits and resources available to you and your dependents, visit <https://mvc.dps.mo.gov/MoVeteransInformation/Survey/MEC>

Rev. 08/2025 CD Cover Page

(Missouri Ethics Commission (MEC), [Committee Disclosure Report Cover Page: Signature and Certifications](#) (revised Aug. 2025; accessed May 27, 2026))

⁷ Missouri Ethics Commission, Stop the Ban, [April Quarterly Report](#) (filed Apr. 14, 2026).

⁸ §§ 130.170 – 130.188 RSMo.

⁹ Missouri Ethics Commission, Stop the Ban, [Statement of Committee Organization](#) (filed May 15, 2025).

¹⁰ Abigail Nichols, Missouri Bans Loophole Allowing Foreign Nationals to Fund Ballot Initiatives, [The Federalist](#) (July 10, 2025).

¹¹ *Supra* note 10.

¹² Missouri Ethics Commission, [Senate Bill 152](#); Missouri Ethics Commission (MEC), [Statement of Committee Organization and Electronic Filing Agreement](#) (revised Aug. 2025; accessed May 27, 2026); Missouri Ethics Commission (MEC), [Committee Disclosure Report Cover Page: Signature and Certifications](#) (revised Aug. 2025; accessed May 27, 2026).

The new forms make clear that a ballot issue committee must affirm that they have “not knowingly or willfully” received foreign funding “whether directly or indirectly.”¹³ However, in March 2026, Stop the Ban accepted contributions totaling \$500,000 from the foreign-funded ACLU Foundation.¹⁴ Additionally under the Act, the ACLU Foundation is required to file a “Contributor Information Card,” collected by Stop the Ban, which includes an attestation that the contributor (here the ACLU Foundation) is neither a foreign national nor received more than \$10,000 in foreign funding.¹⁵

Contributor Information Card

This information is required when filing campaign finance reports with the Missouri Ethics Commission.

Full name of contributor	Contributor's address	
Contributor's employer/occupation (individuals only)	Date received	Amount

Monetary
 In-kind

The following attestation must be collected by all continuing committees (PACs), political party committees, campaign committees and those not yet meeting the definition of committee that plan to make expenditures supporting or opposing a ballot measure.

Contributor attestation: I attest that I am not a foreign national and I have not received more than \$10,000 from prohibited sources in the four years immediately preceding the date of this contribution.

Contributor's signature

DISCLAIMER: Additional information may be required for committee record-keeping and reporting (including, but not limited to: the contributor's aggregate for the calendar year, whether the contribution was made in cash, loan information, etc.). Keep all records necessary to substantiate a committee's reported contributions.

(See Missouri Ethics Commission (MEC), [Senate Bill 152: Foreign Funding Restrictions: Ballot Measures](#), pg. 3 (Aug. 28, 2025))

The ACLU Foundation has become a bastion of foreign money, unceremoniously opening its coffers to millions in Swiss-based funding, and, subsequently, to an unknowable degree of influence that comes along with it. Publicly available documents and reporting have openly described and detailed the foreign influence that the likes of Swiss-billionaire Hansjorg Wyss and the Oak Foundation seek to exert on U.S. nonprofits.¹⁶ This flow of money, from foreign entity to U.S. nonprofit – in this case, the ACLU Foundation – to a Missouri ballot measure committee, is exactly the scenario covered by the Act. Prevention of avoidance of the law is exactly the purpose for inclusion of the dual-certification requirement. A Kansas District Court described the dual-certification system as aiming “to reign-in precisely that one-step removed from foreign influence.”¹⁷ At a minimum, the ACLU Foundation and Stop the Ban demonstrate reckless disregard for the newly enacted requirements of the Act, and, at worst, they demonstrate willful evasion of a law designed to keep foreign money out of Missouri politics.

Here, there is substantial evidence suggesting that both the ACLU Foundation and Stop the Ban have violated §§ 130.170 – 130.188 RSMo, the Foreign Influence in Ballot Measures Act, by receiving and spending foreign money to influence a Missouri ballot measure campaign.

¹³ See Missouri Ethics Commission (MEC), [Statement of Committee Organization and Electronic Filing Agreement](#) (revised Aug. 2025; accessed May 27, 2026); Missouri Ethics Commission (MEC), [Committee Disclosure Report Cover Page: Signature and Certifications](#) (revised Aug. 2025; accessed May 27, 2026).

¹⁴ *Supra* note 4; Missouri Ethics Commission, Stop the Ban, [Statement of Committee Organization Amendment](#) (filed Apr. 10, 2026); See Missouri Ethics Commission (MEC), [Committee Summary: Stop the Ban](#).

¹⁵ *Supra* note 12.

¹⁶ *Supra* notes 1-4.

¹⁷ *Kansans for Constitutional Freedom v. Kobach et al*, No. 2:2025-cv-02265 (D. Kan. 2025).

Foreign Influence in Ballot Measures Act

Effective August 28, 2025, Missouri's Foreign Influence in Ballot Measures Act comprehensively prohibits foreign funding of Missouri ballot measure campaigns.¹⁸ The Act specifically requires ballot measure committees to comply with the following:

- Upon creating, forming, or registering a committee, the treasurer shall file an accompanying certification that no preliminary activity was funded by prohibited sources, whether directly or indirectly.¹⁹
- After a committee has been created, formed, or registered, the committee shall not knowingly or willfully receive, solicit, or accept contributions from a prohibited source, whether directly or indirectly.²⁰
- Any report filed by a ballot measure committee shall include an affirmation that the committee has not knowingly or willfully received, solicited, or accepted, directly or indirectly, contributions from a prohibited source.²¹
- Any committee or person that makes an expenditure in support of or in opposition to a ballot measure shall keep records of any contribution or expenditure and retain such records.²²
- Upon a committee's receipt of a contribution of more than two thousand dollars, the treasurer shall obtain from the donor an affirmation that the donor is not a foreign national and has not knowingly or willfully accepted funds, directly or indirectly, aggregating in excess of ten thousand dollars from one or more prohibited sources within the two-year period immediately preceding the date the contribution is made, in the case of an individual, or within the four-year period immediately preceding the date the contribution is made, in case of any other entity.²³
- Each disclosure report shall require the treasurer of a committee to affirm that the donor associated with each contribution is not a foreign national and has not knowingly or willfully received, solicited, or accepted, whether directly or indirectly, contributions from one or more prohibited sources aggregating in excess of ten thousand dollars within the four-year period immediately preceding the date of the contribution.²⁴
- Within forty-eight hours of making one or more expenditures supporting or opposing a ballot measure, the entity making the expenditure shall affirm to the Missouri ethics commission that it has not knowingly or willfully accepted funds, directly or indirectly, aggregating in excess of ten thousand dollars from one or more prohibited sources within the four-year period immediately preceding the date the expenditure is made and that it will not do so through the remainder of the calendar year in which the ballot measure will appear on the ballot. Each disclosure report filed shall require the entity making the expenditure to affirm that it has not knowingly or willfully accepted funds, directly or indirectly, aggregating in excess of ten thousand dollars from one or more prohibited sources within the four-year period immediately preceding the date the expenditure is made. Receipt of an affirmation from a donor that it is not a foreign national shall create a rebuttable presumption that

¹⁸ §§ 130.170 – 130.188 RSMo.

¹⁹ § 130.173(1) RSMo.

²⁰ § 130.173(2) RSMo.

²¹ § 130.173(3) RSMo.

²² § 130.173(4) RSMo.

²³ § 130.176(1) RSMo.

²⁴ § 130.176(2) RSMo.

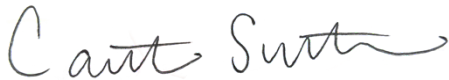
the entity has not knowingly or willingly accepted funds, directly or indirectly, aggregating in excess of ten thousand dollars from one or more prohibited sources.²⁵

- A committee shall not accept an in-kind contribution from any foreign national or from any individual or entity that has knowingly or willfully accepted funds, directly or indirectly, aggregating in excess of ten thousand dollars from one or more foreign nationals within the four-year period immediately preceding the date the in-kind contribution is made. A foreign national shall not make an in-kind expenditure for the purpose of supporting or opposing any ballot measure.²⁶
- The Act authorizes the Missouri Attorney General to initiate a civil investigation demand possibly requiring an appearance, testimony, or production of relevant documentary material or physical evidence or examination.²⁷

Prayer for Relief

APT respectfully requests that the Attorney General commence an investigation pursuant to § 130.188 RSMo to determine whether, and to what extent, the ACLU Foundation and Stop the Ban may have evaded Missouri’s Foreign Influence in Ballot Measures Act. We further request that, if so determined, the Attorney General pursue all available and appropriate penalties, including refund of the contribution, disgorgement of funds to the Attorney General, injunctive relief, and/or enhanced statutory damages – up to and including triple statutory damages – should any violation be found in the course of investigation determined to be knowingly or willful violations of the Act.²⁸

Respectfully Submitted,



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²⁵ § 130.176(3) RSMo.

²⁶ § 130.176(5) RSMo.

²⁷ § 130.188(1) RSMo.

²⁸ § 130.188(5) RSMo.