



FEDERAL ELECTION COMMISSION
Washington, DC 20463

JUL 22 2011

David Madore, Chair
U.S. Digital
1400 NE 136th Avenue
Vancouver, WA 98664

RE: MUR 6448

Dear Mr. Madore:

On January 4, 2011, the Federal Election Commission notified U.S. Digital of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On July 19, 2011, the Commission found, on the basis of the information in the complaint, the available information, and information provided in U.S. Digital's response, that there is no reason to believe that U.S. Digital violated 2 U.S.C. § 441a(a). Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). The Factual and Legal Analysis, which explains the Commission's findings, is enclosed for your information.

If you have any questions, please contact Stana M. Broussard, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

A handwritten signature in black ink that reads "Mark Allen".

Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: U.S. Digital

MUR 6448

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission ("the Commission") by Alexander Stone. *See* 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

The complaint alleges that U.S. Digital made excessive contributions to NoTolls.com ("NoTolls"), a state-registered committee not registered with the Commission, in violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). *See* Complaint at 1-2. The complaint alleges that U.S. Digital made contributions to NoTolls in excess of \$5,000. *Id.* at 2; 2 U.S.C. § 441a(a). The Act defines "contribution" to include "anything of value made by any person for the purpose of influencing any election for Federal office." *See* 2 U.S.C. § 431(8)(A).

In its response, U.S. Digital acknowledges that it made in-kind contributions to NoTolls, but asserts that its conduct was limited to support of a local issue, opposing tolls on the Interstate 5 Bridge over the Columbia River. *See* U.S. Digital Response. Based on the available information, NoTolls is not a federal political committee; therefore, the monetary and in-kind donations made by U.S. Digital are not considered to be "contributions" under the Act, and are not subject to the Act's contribution limits. Accordingly, the Commission finds no reason to believe that U.S. Digital violated 2 U.S.C. § 441a(a).