



FEDERAL ELECTION COMMISSION
Washington, DC 20463

1 **MEMORANDUM**

2 **TO:** The Commission

3 **FROM:** Lisa J. Stevenson
4 Acting General Counsel

5 Charles Kitcher
6 Acting Associate General Counsel for Enforcement

7 Stephen Gura
8 Deputy Associate General Counsel for Enforcement

9 **BY:** Mark Allen *MA*
10 Assistant General Counsel

11 Joseph P. Wenzinger *JPW*
12 Attorney

13 **SUBJECT:** MUR 7048 (Cruz for President, *et al.*)
14 Pre-Probable Cause Conciliation Agreement
15 Close the File

16 **I. Introduction**

17 On April 9, 2019, the Commission found reason to believe that Cruz for President and
18 Bradley S. Knippa in his official capacity as treasurer (the “Committee” or “Respondent”)
19 violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61 by soliciting unlimited contributions to an
20 independent-expenditure-only committee. The Commission also authorized pre-probable cause
21 conciliation with the Committee and approved a conciliation agreement.¹

22 We recommend that the Commission

¹ Certification, MUR 7048 (Apr. 9, 2019).

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1 accept the signed agreement. A redlined version of the conciliation agreement highlighting
2 changes made to the agreement originally approved by the Commission is attached.³

3 In addition, at the time it made its reason-to-believe finding as to the Committee, the
4 Commission determined to take no action with respect to J. Keet Lewis (“Lewis”) — the
5 Committee’s agent who made the solicitation at issue — and Senator Ted Cruz (“Cruz”) as to the
6 allegation that either of those respondents violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61.
7 For the reasons discussed below, we recommend that the Commission dismiss the allegations as
8 to Lewis and Cruz and close the entire file.

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³ Attach. 2.

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1 **III. Disposition of Remaining Respondents**

2 At the time we recommended that the Commission take no action with respect to Lewis
3 regarding the solicitation at issue, we explained that, should the Committee conciliate with the
4 Commission, we would recommend dismissal as to Lewis.⁶ Similarly, in recommending that the
5 Commission take no action against Cruz, we explained that, while we lacked information
6 regarding his involvement in the solicitation or event at issue, it was conceivable that additional
7 factual information would come to light during conciliation; and should the Committee conciliate
8 with the Commission, we would recommend dismissal as to Cruz, as well.⁷

9 During the course of conciliation, no pertinent information has come to light about Cruz's
10 involvement. Thus, we recommend dismissing the allegations as to Lewis and Cruz and closing
11 the entire file.

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13 **RECOMMENDATIONS:**

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- 15 1. Accept the attached conciliation agreement;
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- 17 2. Dismiss the allegation that J. Keet Lewis violated 52 U.S.C. § 30125(e) and
18 11 C.F.R. § 300.61;
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- 20 3. Dismiss the allegation that Senator Ted Cruz violated 52 U.S.C. § 30125(e) and
21 11 C.F.R. § 300.61;
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- 23 4. Approve the appropriate letters; and
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- 25 5. Close the file.
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⁶ FGCR, MUR 7048 (Cruz for President, *et al.*) at 14.

⁷ *Id.*