



FEDERAL ELECTION COMMISSION
Washington, DC 20463

June 9, 2021

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2 TO: The Commission
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4 FROM: Lisa J. Stevenson
5 Acting General Counsel
6
7 Charles Kitcher
8 Acting Associate General Counsel for Enforcement
9
10 BY: Lynn Y. Tran *Lyt*
11 Assistant General Counsel
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13 Saurav Ghosh *Sg*
14 Attorney
15
16 SUBJECT: MURs 7165 and 7196 (Great America PAC, *et al.*)
17 Pre-Probable Cause Conciliation

18 On February 25, 2021, the Commission found reason to believe that the Great America
19 PAC and Dan Backer in his official capacity as treasurer (“GAP”) knowingly and willfully
20 violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by knowingly soliciting a
21 contribution from a foreign national. On March 17, 2021, GAP submitted a response to the
22 Commission’s reason to believe finding and requested pre-probable cause conciliation (“PPCC”)
23 in these matters. Pursuant to our recommendation, the Commission, on April 19, 2021,
24 authorized PPCC and approved a conciliation agreement. Attached is a revised negotiated
25 agreement that would settle GAP’s violations.

26 We recommend that
27 the Commission accept the revised agreement and close the file in these matters as to GAP.¹
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¹ The matters would remain open as to Jesse Benton, another respondent in these matters.

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9 we believe the negotiated agreement sufficiently
10 vindicates the Commission's enforcement interests in these matters as to GAP. We therefore
11 recommend that the Commission accept the attached signed agreement and close the file as to
12 GAP.

13 **RECOMMENDATIONS**

14 1. Accept the attached signed conciliation agreement with Great America PAC and
15 Dan Backer in his official capacity as treasurer.

16 2. Close the file as to Great America PAC and Dan Backer in his official capacity as
17 treasurer.

18 3. Approve the appropriate letter.

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