

Jeff Jordan
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The Commission may find "reason to believe" only if a complaint sets forth sufficient specific facts, which, if proven true, would constitute a violation of the Act.⁴ For claims of coordination, the Commission requires an even stronger showing: that Complainant provide "probative information of coordination."⁵ Additionally, the Commission has made clear that "unwarranted legal conclusions [drawn] from asserted facts" or "mere speculation" are *not* sufficient to find reason to believe that Respondents violated the Act.⁶

Here, FACT alleges that Respondents coordinated the ads with the sponsors, but it does not present a single fact to support that allegation. Instead, FACT merely recites the coordination standard, asserting that it has been met by stating that there was "close and ongoing coordination." This is precisely the type of mere speculation which the Commission has consistently rejected. Accordingly, we request the Commission find no reason to believe Respondents committed any violation of the Act and dismiss this matter immediately.

Very truly yours,



Marc Erik Elias

⁴ FEC Matter Under Review 4960, Statement of Reasons of Commissioners David M. Mason, Karl J. Sandstrom, Bradley A. Smith, and Scott E. Thomas at 1 (Dec. 21, 2000).

⁵ FEC Matter Under Review 5999, Factual and Legal Analysis (Dec. 15, 2008); see also FEC Matter Under Review 6059, Factual and Legal Analysis at 6 (Feb. 3, 2009).

⁶ FEC Matter Under Review 4960, supra note 4.