



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

**VIA EMAIL**  
**AND ELECTRONIC MAIL**  
**RETURN RECEIPT REQUESTED**

August 18, 2021

Allen J. Epstein

Orlando, FL 32808

RE: MUR 7207

Dear Mr. Epstein:

This is in reference to the complaint you filed with the Federal Election Commission on August 16, 2019. As previously indicated in a letter dated September 24, 2020, the Office of General Counsel severed your submission into three matters under review, including MUR 7207, concerning Russian interference in the 2016 election. On April 22, 2021, the Commission found that there was reason to believe H. Russell Taub violated 52 U.S.C. § 30121(a), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 110.20(g) of the Commission regulations by knowingly soliciting, accepting, or receiving a prohibited in-kind foreign national contribution. On August 10, 2021, a conciliation agreement signed by H. Russell Taub was accepted by the Commission.

In addition, on April 22, 2021, the Commission considered the allegations raised in your complaint but was equally divided on whether to find reason to believe that Donald J. Trump and Make America Great Again PAC (f/k/a Donald J. Trump for President, Inc.) and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by knowingly soliciting, accepting or receiving an in-kind contribution from the Russian Federation in connection with Trump's press conference statement; and on whether to find reason to believe that the Russian Federation violated 52 U.S.C. § 30121(a)(1)(A) and 11 C.F.R. § 110.20(b) by making a prohibited in-kind contribution to Donald J. Trump for President, Inc. by expending resources to hack Hillary Clinton-related servers in response to Trump's press conference statement. In addition, the Commission voted to dismiss the Russian Federation as a matter of prosecutorial discretion. Accordingly, on August 10, 2021, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). A copy of the conciliation agreement with H. Russell Taub is enclosed for your

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information. In addition, a Statement of Reasons providing a basis for the Commission's decision regarding the other respondents will follow.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8). If you have any questions, please contact Nicholas Bamman, the attorney assigned to this matter, at (202) 694-1650 or nbamman@fec.gov.

Sincerely,



Claudio Pavia  
Acting Assistant General Counsel

Enclosure:  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	MUR 7207
H. Russell Taub	)	
	)	

**CONCILIATION AGREEMENT**

The Federal Election Commission (the “Commission”) found reason to believe that H. Russell Taub (“Respondent”) violated 52 U.S.C. § 30121(a) of the Federal Election Campaign Act of 1971, as amended (the “Act”), and 11 C.F.R. § 110.20(g) of the Commission’s regulations, by knowingly soliciting, accepting, or receiving a prohibited in-kind foreign national contribution in the form of opposition research related to the candidate’s opponent.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this Agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts and law in this matter are as follows:

1. On May 17, 2017, the Deputy Attorney General appointed Robert S. Mueller III as Special Counsel to investigate the Russian Federation’s “efforts to interfere in the 2016 presidential election” and “links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump.” *See* Office of Deputy

Att’y Gen., Order No. 3915-2017: *Appointment of Special Counsel to Investigate Russian Interference with the 2016 Presidential Election and Related Matters* (May 17, 2017). The Special Counsel determined, *inter alia*, that the Russian Federation’s Main Intelligence Directorate of the General Staff (GRU) hacked the computers and email accounts of various organizations related to the 2016 U.S. election, including the DNC and DCCC, and disseminated stolen materials through fictitious online personas, including Guccifer 2.0. SPECIAL COUNSEL ROBERT S. MUELLER, III, U.S. DEP’T OF JUSTICE, REPORT ON THE INVESTIGATION INTO RUSSIAN INTERFERENCE IN THE 2016 PRESIDENTIAL ELECTION at 36 (Mar. 22, 2019) (redactions partially removed on June 19 and November 2, 2020) (“Special Counsel’s Report”) (citations reference Volume 1).

2. On August 15, 2016, Taub sent a Twitter direct message to Guccifer 2.0, asking: “Can you get a list of Republican donors for me. I am running for office myself.” Taub said, “I could use your help to defeat Cicilline.” He further explained that a donor list would help to “raise some money to put against [Cicilline] . . . if I had the resources I can win.” Guccifer 2.0 replied, “it seems i have a dossier on cicilline . . . I can send u a dossier via email.” Taub then provided the email address, info@russforcongress2016.com for receipt of the dossier.

3. On August 17, 2016, “Guccifer2 <guccifer2@protonmail.com>” sent an email to info@russforcongress2016.com with 10 attachments, all related to Cicilline, apparently stolen from the GRU’s various election-related hacking targets. Among the attached documents were three professionally-produced opposition research reports, polling data, news articles, and one of Cicilline’s U.S. House of Representatives Financial Disclosure Statements.

4. The Act and Commission regulations prohibit any “foreign national” from directly or indirectly making a contribution or donation of money or other thing of value in

connection with a federal, state, or local election. 52 U.S.C. § 30121(a)(1)(A); 11 C.F.R.

§ 110.20(b); *see also* 52 U.S.C. § 30121(b) (defining “foreign national” to include an individual who is not a citizen or national of the United States and who is not lawfully admitted for permanent residence, as well as a “foreign principal” as defined at 22 U.S.C. § 611(b), which, in turn, includes “a government of a foreign country”). Moreover, the Act and Commission regulations prohibit any person from knowingly soliciting, accepting, or receiving any such contribution or donation from a foreign national. 52 U.S.C. § 30121(a)(2); 11 C.F.R.

§ 110.20(g).

5. A “contribution” includes “any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A). Under Commission regulations, “anything of value” includes all in-kind contributions, which include “the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods or services.” 11 C.F.R. § 100.52(d).

V. Solely for the purpose of settling this matter only and without respect to any other proceeding, Respondent agrees not to contest the Commission’s findings that he violated 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(g) by knowingly soliciting, accepting, and receiving prohibited in-kind foreign national contributions.

VI. Respondent will take the following actions:

1. Respondent H. Russell Taub, through the submission of financial documentation to the Commission and additional representations, has indicated that financial hardship prevents him from paying any civil penalty to the Commission. Taub is currently obligated to pay substantial restitution in another matter and has limited or no assets. The

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Conciliation Agreement  
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Commission regards these submissions and representations as material representations. Due to Taub's financial condition, the Commission agrees to depart from the civil penalty that it would normally seek for the violations at issue, and the Commission agrees that no civil penalty shall be due. If evidence is uncovered indicating Respondent's financial condition is not as stated, a civil penalty of thirty-one thousand dollars (\$31,000) shall be immediately due, pursuant to 52 U.S.C. § 30109(a)(5)(A) and 11 C.F.R. § 111.24(a)(1).

2. Cease and desist from violating 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(g).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire Agreement.

IX. Respondent shall have no more than 30 days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written Agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson  
Acting General Counsel

BY: Charles Kitcher  
Charles Kitcher  
Acting Associate General Counsel  
for Enforcement

8/18/21  
Date

FOR THE RESPONDENT:

H. Russell Taub  
H. Russell Taub

7/14/21  
Date