

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MURs 7340 and 7609
Great America Committee and Cabell	)	
Hobbs in his official capacity as	)	
treasurer; America First Policies, Inc.;	)	
America First Action, Inc. and Jon Proch	)	
in his official capacity as treasurer;	)	
President Donald J. Trump; Donald J.	)	
Trump for President, Inc. and Bradley T.	)	
Crate in his official capacity as treasurer;	)	
Vice President Michael R. Pence;	)	
Republican National Committee and	)	
Ronald C. Kaufman in his official	)	
capacity as treasurer; Parscale Strategy,	)	
LLC; Bradley J. Parscale; MO Strategies,	)	
Inc.; Marty Obst	)	

## CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on April 20, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-2 to:
  - a. Find reason to believe that Donald J. Trump and Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30125 by establishing, financing, maintaining, or controlling America First Policies, Inc. and America First Action, Inc., which raised and spent soft money.
  - b. Find reason to believe that America First Policies, Inc. and America First Action, Inc. and Jon Proch in his official capacity as treasurer violated 52 U.S.C. § 30125 by accepting soft money contributions as

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organizations established, financed, maintained, or controlled by a federal candidate or office holder.

- c. Find reason to believe that Donald J. Trump; Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer, though their agent, Brad Parscale, violated 52 U.S.C. § 30125 by raising soft money for America First Policies, Inc. and America First Action, Inc.
- d. Take no action at this time regarding the allegation that the Republican National Committee and Ronald C. Kaufman in his official capacity as treasurer violated 52 U.S.C. § 30125.
- e. Take no action at this regarding the allegation that Michael R. Pence, and Great America Committee and Cabell Hobbs in his official capacity as treasurer violated 52 U.S.C. § 30125.
- f. Find reason to believe that America First Policies, Inc. violated 52 U.S.C. §§ 30116 and 30118 by making excessive and prohibited contributions in the form of coordinated expenditures.
- g. Find reason to believe that Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. §§ 30104(b), 30116, and 30118 by receiving and failing to report excessive and prohibited contributions in the form of coordinated expenditures.
- h. Find reason to believe that Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61 by soliciting soft money.
- i. Direct the Office of General Counsel to draft appropriate Factual and Legal Analyses consistent with these findings.
- j. Authorize the use of compulsory process.
- k. Approve the appropriate letters.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Cooksey and Dickerson dissented. Commissioner Trainor was recused and did not vote.

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2. Failed by a vote of 2-2 to:

- a. Dismiss the allegation that Donald J. Trump and Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30125 by establishing, financing, maintaining, or controlling America First Policies, Inc. and America First Action, Inc., which raised and spent soft money.
- b. Dismiss the allegation that America First Policies, Inc. and America First Action, Inc. and Jon Proch in his official capacity as treasurer violated 52 U.S.C. § 30125 by accepting soft money contributions as organizations established, financed, maintained, or controlled by a federal candidate or office holder.
- c. Dismiss the allegation that Donald J. Trump; Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer; or the Republican National Committee and Ronald C. Kaufman in his official capacity as treasurer, though their agent, Brad Parscale, violated 52 U.S.C. § 30125 by raising soft money for America First Policies, Inc. and America First Action, Inc.
- d. Dismiss the allegation that Michael R. Pence, and Great America Committee and Cabell Hobbs in his official capacity as treasurer, through their agent, Marty Obst, violated 52 U.S.C. § 30125 by raising soft money for America First Policies, Inc. and America First Action, Inc.
- e. Dismiss the allegation that America First Policies, Inc. violated 52 U.S.C. §§ 30116 and 30118 by making excessive and prohibited contributions in the form of coordinated expenditures.
- f. Dismiss the allegation that Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. §§ 30104(b), 30116, and 30118 by receiving and failing to report excessive and prohibited contributions in the form of coordinated expenditures.
- g. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated November 24, 2020, that correspond to those dismissed respondents.
- h. Close the file as to America First Policies, Inc.; America First Action, Inc. and Jon Proch in his official capacity as treasurer; Republican National Committee and Ronald C. Kaufman in his official capacity as treasurer; Parscale Strategy, LLC; Bradley J. Parscale; Great America Committee and Cabell Hobbs in his official capacity as treasurer;

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President Donald J. Trump; Vice President Michael R. Pence; MO Strategies, Inc.; and Marty Obst.

- i. Issue appropriate letters.

Commissioners Cooksey and Dickerson voted affirmatively for the motion.

Commissioners Broussard and Weintraub dissented. Commissioner Walther abstained.

Commissioner Trainor was recused and did not vote.

Attest:



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May 5, 2021

Date

Vicktoria Allen

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Date: 2021.05.05 17:00:28 -04'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission