

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 7313, 7319 and 7379
 Michael D. Cohen; Donald J. Trump;)
 Donald J. Trump for President, Inc., and)
 Bradley T. Crate in his official capacity)
 as treasurer; Trump Organization, LLC)
 Trump Tower Commercial, LLC)
 Timothy Jost; Essential Consultants, LLC)

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 23, 2021, the Commission took the following actions in the above-captioned matter:

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

MURs 7313 and 7319

- a. Find reason to believe that Donald J. Trump knowingly and willfully violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions from Michael D. Cohen.
- b. Find reason to believe that Donald J. Trump knowingly and willfully violated 52 U.S.C. § 30118(a) by knowingly accepting a corporate contribution from the Trump Organization OR knowingly and willfully violated 52 U.S.C. § 30116(f) by knowingly accepting an excessive contribution from the Trump Organization.
- c. Find reason to believe that Donald J. Trump for President, Inc., and Bradley T. Crate in his official capacity as treasurer knowingly and willfully violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 104.3(a) and (b) by filing false disclosure reports with the Commission.

- d. Find reason to believe that Donald J. Trump for President, Inc., and Bradley T. Crate in his official capacity as treasurer knowingly and willfully violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions from Michael D. Cohen.
- e. Find reason to believe that Donald J. Trump for President, Inc., and Bradley T. Crate in his official capacity as treasurer knowingly and willfully violated 52 U.S.C. § 30118(a) by knowingly accepting a corporate contribution from the Trump Organization OR knowingly and willfully violated 52 U.S.C. § 30116(f) by knowingly accepting an excessive contribution from the Trump Organization.
- f. Find reason to believe that Trump Organization, LLC, knowingly and willfully violated 52 U.S.C. § 30118(a) by making a corporate contribution OR knowingly and willfully violated 52 U.S.C. § 30116(a)(1)(A) by making an excessive contribution.
- g. Authorize the use of compulsory process.

MUR 7319

- h. Take no action at this time with respect to Timothy Jost.
- i. Dismiss the allegations with respect to Trump Tower Commercial, LLC.

MUR 7379

- j. Dismiss the allegations that Michael D. Cohen, 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. § 30114(b) by converting campaign funds to personal use through payments for Michael Cohen's legal fees with respect to the activities with respect to Ms. Clifford.

MURs 7313, 7319, and 7379

- k. Direct the Office of General Counsel to draft an appropriate Factual and Legal Analyses that reflect these findings and in so doing omit reference to Advisory Opinion 2008-17 (KITPAC).
- l. Approve the appropriate letters.

Commissioners Broussard and Weintraub voted affirmatively for the motion.

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

2. Failed by a vote of 2-3 to:
 - a. Dismiss the allegations against all respondents.
 - b. Issue appropriate letters.
 - c. Close the file.

Commissioners Cooksey and Trainor voted affirmatively for the motion. Commissioners Broussard, Walther, and Weintraub dissented. Commissioner Dickerson was recused and did not vote.

Attest:



Vicktoria Allen Digitally signed by Vicktoria Allen
Date: 2021.03.31 10:57:58 -04'00'

Vicktoria J. Allen
Acting Deputy Secretary of the
Commission