



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Latinos for Trump  
Madeline Moreira

West Palm Beach, FL 33411

JUL. 18 2019

RE: MUR 7401

Dear Ms. Moreira:

On June 11, 2018, the Federal Election Commission notified you and Latinos for Trump of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on July 11, 2019, voted to dismiss the allegation that you and Latinos for Trump made prohibited contributions to Donald J. Trump and Donald J. Trump for President and Bradley T. Crate in his official capacity as treasurer in the form of coordinated communications or expenditures. The Factual and Legal Analysis, which more fully explains the Commission's decision, is enclosed for your information.

You are advised that the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Nicholas Bamman, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Lynn Y. Tran  
Assistant General Counsel

Enclosure:

Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Latinos for Trump (aka Latinos with Trump) MUR: 7401  
Madeline Moreira

## I. FACTUAL BACKGROUND

7 The Complaint generally alleges that Latinos for Trump (aka Latinos with Trump) and  
8 Madeline Moreira coordinated communications with Trump and his principal campaign  
9 committee, Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as  
10 treasurer (“Trump Committee”). Based on alleged meetings between individuals associated with  
11 the Trump Committee and Latinos for Trump and Moreira, the substance of which is vague and  
12 unsubstantiated by the Complaint’s attachments, the Complaint concludes that Latinos for Trump  
13 and Moreira coordinated communications with the Trump Committee.<sup>1</sup>

## 14 II. LEGAL ANALYSIS

15 The Act prohibits corporations from making, and candidates or their committees from  
16 knowingly accepting, contributions in connection with any election to political office.<sup>2</sup>  
17 Expenditures made by any person “in cooperation, consultation, or concert with, or at the request  
18 or suggestion of” a candidate or his authorized committee or agent qualify as an in-kind  
19 contribution to the candidate and must be reported as expenditures made by the candidate’s  
20 authorized committee.<sup>3</sup>

<sup>1</sup> See Compl. at 1, 3.

<sup>2</sup> 52 U.S.C. § 30118(a).

<sup>3</sup> 52 U.S.C. § 30116(a)(7)(B); 11 C.F.R. § 109.20(a), (b).

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1           A communication that is coordinated with a candidate or his authorized committee is  
2   considered an in-kind contribution and is subject to the limits, prohibitions, and reporting  
3   requirements of the Act.<sup>4</sup> A communication is coordinated with a candidate, his authorized  
4   committee, or agent of either, if it meets a three-prong test set forth in the Commission's  
5   regulations: (1) it is paid for, in whole or in part, by a person other than the candidate or  
6   authorized committee; (2) it satisfies a content standard in 11 C.F.R. § 109.21(c); and (3) it  
7   satisfies a conduct standard in 11 C.F.R. § 109.21(d). All three prongs must be satisfied for a  
8   communication to be considered coordinated under Commission regulations.<sup>5</sup>

9           Here, the Complaint does not identify any specific communications with which to  
10   conduct a coordination analysis. Nor do the conclusory allegations of meetings between  
11   individuals from the Trump campaign and Latinos for Trump and Moreira, indicate, based on the  
12   available information in the record, any impermissible coordination under the Act or  
13   Commission regulations. Because the allegations fail to indicate that a violation occurred, the  
14   Commission dismisses the allegations that Latinos for Trump and Moreira made, and the Trump  
15   Committee accepted, prohibited contributions in the form of coordinated communications or  
16   expenditures in violation of 52 U.S.C. §§ 30116 and 30118 and 11 C.F.R. § 109.21.

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<sup>4</sup>       52 U.S.C. § 30116; 11 C.F.R. § 109.21(b).

<sup>5</sup>       11 C.F.R. § 109.21(a); *see also* Explanation and Justification, *Coordinated and Independent Expenditures*, 68 Fed. Reg. 421, 453 (Jan. 3, 2003).