



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Veronica Vasquez
Veronica Vasquez Campaign
112 E. Pecan Street, Suite 1450
San Antonio, TX 78205

DEC 21 2018

RE: MUR 7430

Dear Ms. Vasquez:

The Federal Election Commission reviewed the allegations in your complaint received on July 17, 2018. On December 17, 2018, based upon the information provided in the complaint, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to unknown respondent and close its file in this matter. Accordingly, the Commission closed its file in this matter on December 17, 2018. A copy of the Factual and Legal Analysis, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

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).

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure
Factual and Legal Analysis

18047442019

1 totaling \$3 to Barnett's committee,⁵ and one contribution totaling \$1 to Gonzalez's committee.⁶
2 In each case, the contributors appeared to use fictitious names and addresses, and the
3 Complainants cancelled the transactions and refunded the contributions.⁷ The payment
4 processing forms attached to each Complaint state that the contributions came from Italy.⁸

5 III. LEGAL ANALYSIS

6 The Federal Election Campaign Act of 1971, as amended ("Act"), and Commission
7 regulations prohibit any "foreign national" from "directly or indirectly" making a contribution or
8 donation of money or any other thing of value in connection with a Federal, State, or local
9 election.⁹ A "foreign national" is an individual who "is not a citizen of the United States or a
10 national of the United States . . . and who is not lawfully admitted for permanent residence[.]"¹⁰

11 The available information would support a reasonable inference that Unknown
12 Respondents violated the Act's prohibition against making foreign national contributions. The
13 receipt from the payment processing software indicates that the contributions came from Italy,
14 although we cannot be certain that the contributor was, in fact, a foreign national. Given the
15 limited information before the Commission, it would be very difficult to verify the contributors'
16 citizenship. Accordingly, given the amounts in violation and the difficulty posed by a potential

⁵ Compl. at 1, MUR 7444. The two contributions were made within hours of each other, and the first was for \$2 and the second for \$1. *Id.* at Ex. 1. Based on the information provided by Complainant, it appears that the same fake name was used on Complainant Barnett's website for both contributions but that different fake names and addresses were used on the payment processing software for each of the two contributions to Barnett. *Id.*

⁶ Compl. at 1, MUR 7445. Although the Complaint alleges that the contribution was made using a pre-paid MasterCard, the attached exhibit identifies the card at issue as a pre-paid Visa card. *Id.* at Ex. 1.

⁷ Compl. at 1, MUR 7430; Compl. at 1, MUR 7444; Compl. at 1, MUR 7445.

⁸ Compl. at Ex. 1, MUR 7430; Compl. at Ex. 1, MUR 7444; Compl. at Ex. 1, MUR 7445.

⁹ 52 U.S.C. § 30121(a)(1); 11 C.F.R. § 110.20(b).

¹⁰ 52 U.S.C. § 30121(b); 11 C.F.R. § 110.20(a)(3).

- 1 investigation of the violations, the Commission dismisses the Complaints as a matter of
- 2 prosecutorial discretion.

10044110100