



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

December 15, 2021

## MEMORANDUM

TO: The Commission

**FROM:** Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher *CK*  
Associate General Counsel for Enforcement

Mark Allen *MA*  
Assistant General Counsel

Richard L. Weiss *RLW*  
Attorney

**SUBJECT:** MURs 7291 & 7449 (HFA)

**RE: Office of General Counsel's Notice to the Commission  
Following the Submission of Probable Cause Brief**

## I. INTRODUCTION

On November 19, 2021, the Office of General Counsel (“OGC”) notified counsel for Hillary for America and Elizabeth Jones in her official capacity as treasurer (“HFA”) that it was prepared to recommend that the Commission find probable cause to believe that HFA violated 52 U.S.C. § 30104(b)(5)(A) and 11 C.F.R. § 104.3(b)(4)(i) by failing to report the proper purpose of the funds HFA paid to Perkins Coie for opposition research performed by Fusion GPS.<sup>1</sup> OGC’s notification included a General’s Counsel’s Brief setting forth the factual and legal basis for the recommendation.<sup>2</sup> Respondent submitted a Reply Brief on December 6, 2021, in which it requested a Probable Cause Hearing,<sup>3</sup> which was held on December 14, 2021.

<sup>1</sup> Letter from Richard L. Weiss, Att'y, FEC, to Graham Wilson, Couns. for HFA (Nov. 19, 2021) (enclosing GC Br.).

2 *Id.*

<sup>3</sup> Reply Br. (Dec. 6, 2021).

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OGC Notice  
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1 Pursuant to the *Agency Procedure Following the Submission of Probable Cause Briefs by*  
2 *the Office of General Counsel*, 76 Fed. Reg. 63,570 (Oct. 13, 2011), OGC is hereby notifying the  
3 Commission that it intends to proceed with the recommendation to find probable cause to believe  
4 that HFA violated the Federal Election Campaign Act of 1971, as amended, based on the factual  
5 and legal analysis set forth in the General Counsel's Brief. A copy of this Notice is being  
6 provided to the Respondent at the same time that it is circulated to the Commission.  
7

8 For the reasons set forth in the General Counsel's Brief, the Commission should proceed  
9 with finding probable cause to believe that HFA failed to report the proper purpose of the funds  
10 HFA paid to Perkins Coie for opposition research performed by Fusion GPS.  
11

12 **II. RECOMMENDATION**

13 Find probable cause to believe that Hillary for America and Elizabeth Jones in her  
14 official capacity as treasurer violated 52 U.S.C. § 30104(b)(5)(A) and 11 C.F.R.  
15 § 104.3(b)(4)(i) by failing to report the proper purpose of the funds HFA paid to Perkins  
16 Coie for opposition research performed by Fusion GPS.