

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 7787

**Complaint Receipt Date:** August 31, 2020

**Response Date:** October 19, 2020

**EPS Rating:**

**Respondents:** Republican National Committee and Ronald Kaufman, as Treasurer; Donald J. Trump for President, Inc. and Bradley Crate, as Treasurer; Trump Make America Great Again Committee and Bradley Crate, as Treasurer

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30104(b)(3)(A)**  
**11 C.F.R. §§ 104.3(a)(4)(i), 104.8(a)**

The Complaint alleges that Respondents reported receiving contributions from the Complainant that she had not made, including listing her business name with the contribution information in Trump Make America Great Again Committee's reports.<sup>1</sup> The Response asserts that the contributions were received from another individual with the same name as the Complainant who resides within the same zip code, but who did not provide their employer or occupation information at the time of the contribution.<sup>2</sup> Respondents assert that when Trump Make America Great Again Committee reported the contributions, using its best efforts to locate employment information, it erroneously listed the Complainant's employer and occupation information in its reports.<sup>3</sup>

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and

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<sup>1</sup> Compl. at 1, Ex. 1 (Aug. 31, 2020).

<sup>2</sup> Resp. at 1 (Oct. 19, 2020).

<sup>3</sup> *Id.* Trump Make America Great Again Committee has subsequently filed an amended report to correct the error.

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assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the amended report filed by Trump Make America Great Again Committee, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

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05.12.21  
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Date

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