



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA EMAIL

June 2, 2021

E. Stewart Crosland
51 Louisiana Ave. NW
Washington DC 20001
scrosland@jonesday.com

RE: MUR 7787
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

Dear Mr. Crosland:

On September 8, 2021, the Federal Election Commission (“Commission”) notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the “Act”). On May 26, 2021, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that Republican National Committee and Ronald Kaufman in his official capacity as treasurer, Donald J. Trump for President, Inc. and Bradley Crate in his official capacity as treasurer, and Trump Make America Great Again Committee and Bradley Crate in his official capacity as treasurer violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel’s Report, 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 Disclosure of Certain Documents in Enforcement and Other Matters*, 81 Fed. Reg. 50,702 (Aug. 2, 2016). If you have any questions, please contact Kristina Portner, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Jeff S. Jordan".

Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel’s Report

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.¹ 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.² 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.³

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

¹ Compl. at 1, Ex. 1 (Aug. 31, 2020).

² Resp. at 1 (Oct. 19, 2020).

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

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.

Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Acting Associate General Counsel

05.12.21
Date

BY: Stephen Gura
Stephen Gura
Deputy Associate General Counsel

Jeff Jordan / KP
Jeff S. Jordan
Assistant General Counsel

Kristina Portner
Kristina M. Portner
Attorney