



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 16, 2022

VIA ELECTRONIC MAIL AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Margaret Christ
Campaign Legal Center
1101 14th Street NW, Suite 400
Washington, DC 20005
MChrist@campaignlegalcenter.org

RE: MUR 7867

Dear Ms. Christ:

This is in reference to the complaint you filed with the Federal Election Commission on December 18, 2020, concerning allegations that Our American Century and Cabell Hobbs in his official capacity as treasurer violated 52 U.S.C. §§ 30104(b), 30116(a), (f), and 30120(a), provisions of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. §§ 104.3(b), 110.1(b), 110.9, and 110.11 and that Make America Great Again PAC and Bradley T. Crate in his official capacity as treasurer, violated 52 U.S.C. §§ 30104(b) and 30116(f) and 11 C.F.R. §§ 104.3(a) and 110.9 in connection with Our American Century republishing a campaign ad originally published by Make America Great Again PAC.

Based on that complaint, on April 26, 2022, the Commission found that there was reason to believe that Our American Century and Cabell Hobbs in his official capacity as treasurer violated 52 U.S.C. § 30120(a) and 11 C.F.R. § 110.11. Subsequently, the Commission on August 10, 2022, entered into a conciliation agreement with Our American Century and Cabell Hobbs in his official capacity as treasurer and determined to close the file. The Commission considered the remaining allegations in the Complaint, but no motion regarding those allegations received the requisite four votes of the Commission.

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). A statement of reasons is not required in this matter, but if one is issued it will be provided to you.

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A copy of the conciliation agreement is enclosed. If you have any questions, please contact Aaron Rabinowitz, the attorney assigned to this matter, at (202) 694-1476 or arabinowitz@fec.gov.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Peter J. Blumberg

By: Peter Blumberg
Assistant General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
)	
Our American Century PAC)	MUR 7867
and Cabell Hobbs in his)	
official capacity as treasurer)	
)	
)	

CONCILIATION AGREEMENT

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission"). The Commission found reason to believe that Our American Century PAC and Cabell Hobbs in his official capacity as treasurer ("Respondent") violated 52 U.S.C. § 30120(a) and 11 C.F.R. § 110.11.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation prior to a finding of probable cause to believe, agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Our American Century PAC is an independent expenditure-only political committee that registered with the Commission on October 17, 2012. Cabell Hobbs is its treasurer.

2. On October 23, 2020, Respondent made six ad buys from Google to display an advertisement titled "As per your request, Joe ..." The advertisement was visible to Google users in Arizona, Ohio, Pennsylvania, and Michigan between October 23 and 30, 2020, and cost between \$5,100 and \$251,000.

3. The "As per your request, Joe ..." advertisement was originally posted on YouTube by Make America Great Again PAC f/k/a Donald J. Trump for President, Inc. (the "Trump Committee"), and contained a disclaimer stating that the video was "[p]aid for by Donald J. Trump for President, Inc." Respondents republished in full the same Trump Committee advertisement, including the original disclaimer and did not include a disclaimer by Our American Century.

4. The Act requires that all public communications made by a political committee include a disclaimer. 52 U.S.C. § 30120(a); 11 C.F.R. § 110.11(a)(1). "Public communications" include "communications placed for a fee on another person's Web site." 11 C.F.R. § 100.26. Where required, disclaimers must be "presented in a clear and conspicuous manner, to give the reader, observer, or listener adequate notice of the identity of the person or political committee that paid for, and where required, that authorized the communication." 11 C.F.R. § 110.11(c). If a communication is not authorized by a candidate or candidate's authorized committee, it must clearly state the name and permanent street address, telephone number, or website address of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee. 11 C.F.R. § 110.11(b)(3).

V. Respondent distributed the "As per your request, Joe ..." advertisement without providing, in a clear and conspicuous manner, a disclaimer that: identified Respondent as the

political committee that paid for the advertisement; stated that the advertisement was not authorized by any candidate or candidate's authorized committee; and clearly stated the name and permanent street address, telephone number, or website address of Respondent. As a result, Respondent violated 52 U.S.C § 30120(a) and 11 C.F.R. § 110.11.

VI. Respondent will take the following actions:

1. Respondent will pay a civil penalty to the Commission in the amount of fourteen thousand dollars (\$14,000), pursuant to 52 U.S.C. § 30109(a)(5)(A).
2. Respondent will cease and desist from committing further violations of 52 U.S.C § 30120(a) and 11 C.F.R. § 110.11.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the Commission and Respondent and constitutes a final settlement as to Respondent. No other

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statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lisa J. Stevenson
Acting General Counsel

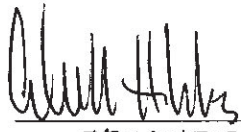
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Kitcher**  Digitally signed by
Charles Kitcher
Date: 2022.08.10
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8/10/22

Charles Kitcher
Associate General Counsel
for Enforcement

Date

FOR THE RESPONDENT:

 CABELL HOBBS
TREASURER

(Name)
(Position)

6/27/22

Date