



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matters of)	
)	
The Freedom Forward Fund, <i>et al.</i>)	MUR 7981
Make America Great Again, Again! Inc., <i>et al.</i>)	MUR 7994
Tread Standard, LLC, <i>et al.</i>)	MUR 8002
Ala. Conservatives Fund, <i>et al.</i>)	MUR 8008
Snow Goose, LLC, <i>et al.</i>)	MUR 8019
Passionforest, LLC, <i>et al.</i>)	MUR 8150

**SUPPLEMENTAL STATEMENT OF REASONS OF COMMISSIONERS
SHANA M. BROUSSARD, ALLEN J. DICKERSON, DARA LINDENBAUM, AND
JAMES E. “TREY” TRAINOR**

On February 27, 2024, the Commission considered several matters with complaints that generally alleged the making of conduit contributions to various committees through limited liability companies (“LLCs”), in violation of the Federal Election Campaign Act’s prohibition on the making of contributions in the name of another.¹ We rejected the premise that the contributions were made in the name of another and instead identified the issue as whether the respondents correctly attributed the contributions made by LLCs. Specifically, we voted to find reason to believe as to some of the LLCs for failing to provide, and as to some of the recipient committees for failing to report, the required attribution information, and directed the Office of

¹ Certification (“Cert.”) (Feb. 27, 2024), MUR 7981 (The Freedom Forward Fund, *et al.*); Cert. (Feb. 27, 2024), MUR 7994 (Make America Great Again, Again!, *et al.*); Amended Cert. (Feb. 27, 2024), MUR 8002 (Tread Standard, LLC, *et al.*); Second Amended Cert. (Feb. 27, 2024), MUR 8008 (Ala. Conservatives Fund, *et al.*); Amended Cert. (Feb. 27, 2024), MUR 8019 (Snow Goose, LLC, *et al.*).

General Counsel to draft appropriate Factual and Legal Analyses and Conciliation Agreements reflecting those findings.²

Additionally, in a September 14, 2024 Statement of Reasons by the four Commissioners that currently comprise the Commission, we outlined our approach to these matters and how we planned to proceed in similar matters going forward.³ On January 14, 2025, the Commission adopted Factual and Legal Analyses and Conciliation Agreements explaining how our approach applied to the facts of these matters.⁴ And finally, at the Commission’s January 30, 2025 Open Meeting, we adopted a sample donor response form as an example of how a recipient committee that receives contributions from LLC may exercise best efforts in collecting and correctly reporting LLC attribution information.⁵

² Cert. ¶¶ 3-4 (Feb. 27, 2024), MUR 7981 (The Freedom Forward Fund, *et al.*) (finding RTB against both the LLC and recipient committee); Cert. ¶ 2 (Feb. 27, 2024), MUR 7994 (Make America Great Again, Again!, *et al.*) (finding RTB against recipient committee); Amended Cert. ¶¶ 2-3 (Feb. 27, 2024), MUR 8002 (Tread Standard, LLC, *et al.*) (finding RTB against both recipient committees and the LLC); Second Amended Cert. ¶¶ 4-6 (Feb. 27, 2024), MUR 8008 (Ala. Conservatives Fund, *et al.*) (finding RTB against the recipient committee but dismissing the LLC); Amended Cert. ¶¶ 2-3 (Feb. 27, 2024), MUR 8019 (Snow Goose, LLC, *et al.*) (dismissing the LLC but finding RTB against the recipient committee). For one of the above-captioned matters, the Commission found reason to believe simultaneous with its adoption of Factual and Legal Analyses and Conciliation Agreement on January 14, 2025. Cert. ¶ 1, MUR 8150 (Passionforest, LLC, *et al.*) (finding RTB against the LLC); *infra* note 4 and accompanying text.

³ Statement of Reasons (“SOR”), Comm’rs Shana M. Broussard, Allen J. Dickerson, Dara Lindenbaum, and James E. “Trey” Trainor, III (Sept. 13, 2024), MURs 7981 (Freedom Forward Fund, *et al.*), 8002 (Tread Standard, LLC, *et al.*), 8008 (Ala. Conservatives Fund, *et al.*), and 8019 (Snow Goose, LLC, *et al.*) (stating that in these and future matters concerning single-member and partnership LLCs, the Commission will proceed against the LLC if it failed to provide correct attribution information; excuse the contributor if the LLC provided correct attribution information within 30 days; dismiss where a recipient committee demonstrates best efforts to obtain attribution information; or pursue a committee that neither exercises best efforts nor accurately reports LLC contributions).

⁴ Cert. ¶¶ 1-2 (Jan. 14, 2025), MUR 7981 (Freedom Forward Fund, *et al.*); Cert. ¶¶ 1-2, MUR 7994 (Make America Great Again, Again!, *et al.*); Cert. ¶¶ 1-2 (Jan. 14, 2025), MUR 8002 (Tread Standard, LLC, *et al.*); Amended Cert. ¶¶ 1-2 (Jan. 14, 2025), MUR 8008 (Ala. Conservatives Fund, *et al.*); Amended Cert. ¶¶ 1-2 (Jan. 14, 2025), MUR 8019 (Snow Goose, LLC, *et al.*); Cert. ¶¶ 1.i, 2, MUR 8150 (Passionforest, LLC, *et al.*).

⁵ Memorandum to the Commission Regarding Sample Donor Response Form for Contributions by LLCs, Agenda Doc.24-53-A (Nov. 21, 2024), <https://www.fec.gov/resources/cms-content/documents/mtgdoc-24-53-A.pdf> (describing the attached sample donor response form to be “used as an example for committees that seek and accept contributions from LLCs,” which “will satisfy the recipient committee’s ‘best efforts’ obligations”).

However, we declined to assess a civil penalty in these matters out of concern that the public lacked sufficient notice regarding this approach and in the interest of fairness by treating matters that the Commission was considering simultaneously in a consistent manner.⁶ With the conclusion of these matters, we no longer consider there to be a risk of insufficient notice or inconsistent treatment. Accordingly, we intend to pursue civil penalties in future matters presented where single-member or partnership LLCs fail to provide attribution information when making contributions, and where those recipient committees fail to exercise best efforts and inaccurately attribute an LLC contribution.

March 12, 2025

Date



Shana M. Broussard
 Commissioner

March 12, 2025

Date



Allen J. Dickerson
 Commissioner

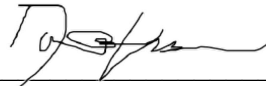
⁶ Cert. ¶ 2 (Jan. 14, 2025), MUR 7981 (Freedom Forward Fund, *et al.*); Cert. ¶ 2, MUR 7994 (Make America Great Again, Again!, *et al.*); Cert. ¶ 2 (Jan. 14, 2025), MUR 8002 (Tread Standard, LLC, *et al.*); Amended Cert. ¶ 2 (Jan. 14, 2025), MUR 8008 (Ala. Conservatives Fund, *et al.*); Amended Cert. ¶ 2 (Jan. 14, 2025), MUR 8019 (Snow Goose LLC, *et al.*); Cert. ¶ 2, MUR 8150 (Passionforest, LLC, *et al.*). Arguably, the regulated community was on sufficient notice that the Commission would pursue civil penalties for these types of violations, at latest, as of April 2022 when the four-Commissioner Statement of Reasons in MUR 7454 (Blue Magnolia Investments, LLC, *et al.*) was released. See SOR at 2-3, Chairman Allen Dickerson, Vice Chair Steven T. Walther, Comm'r Shana M. Broussard, and Comm'r Ellen L. Weintraub (Apr. 15, 2022), MUR 7454 (Blue Magnolia Investments, LLC, *et al.*) (clarifying that "there is no longer a lack of clarity concerning the application of LLC reporting rules and conduit contribution rules in these circumstances" and that "going forward" the Commission would apply its understanding that "contributions from LLCs to committees must be attributed pursuant to Commission regulations, and those regulations apply to all committees, including IEOPCs" and "seek civil penalties in appropriate future cases"). However, these matters almost exclusively involved contributions made prior to April 2022, which informed our concerns about sufficient notice and consistent treatment. Factual & Legal Analysis ("F&LA") at 2, MUR 7981 (Teeter Jay, LLC, *et al.*) (May 2021 contributions); F&LA at 2, MUR 7994 (Make America Great Again, Again! Inc.) (November 2021 contribution); F&LA at 2, MUR 8002 (Tread Standard, LLC) (November 2022 and March 2022 contributions); F&LA at 2, MUR 8008 (Ala. Conservatives Fund) (January 2022 contribution); F&LA at 2, MUR 8019 (Wyoming Values) (February 2022 contribution). But see F&LA at 3, MUR 8150 (Passionforest, LLC) (October 2022 contribution).

MURs 7981, 7994, 8002, 8008, 8019, 8150
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March 12, 2025

Date



Dara Lindenbaum

Commissioner

March 12, 2025

Date



James E. "Trey" Trainor, III

Commissioner