



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

VIA ELECTRONIC MAIL

April 28, 2025

Michael Columbo
Dhillon Law Group
177 Post Street, Suite 700
San Francisco, CA 94108
MColumbo@dhillonlaw.com

RE: MUR 7994

Dear Mr. Columbo:

On March 26, 2025, the Federal Election Commission accepted the signed Conciliation Agreement submitted by your client, Make America Great Again, Again! Inc. and Charles Gantt, in his official capacity as treasurer, in settlement of a violation of 52 U.S.C. § 30104(b), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 110.1(e), a provision of the Commission's regulations. Accordingly, the file has been closed in this matter, effective today.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B). Enclosed you will find a copy of the fully executed Conciliation Agreement for your files, along with any applicable Statements of Reasons available at the time of this letter's transmittal.

If you have any questions, please contact Jacob Tully, the attorney assigned to this matter, at (202) 694-1404.

Sincerely,

Mark Shonkwiler

Mark Shonkwiler
Assistant General Counsel

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)	
)	
Make America Great Again, Again!)	MUR 7994
Inc. and Charles Gantt in his)	
official capacity as treasurer)	
)	

CONCILIATION AGREEMENT

This matter was initiated by a Complaint filed with the Federal Election Commission.

The Commission found reason to believe that Make America Great Again, Again! Inc. and Charles Gantt in his official capacity as treasurer (“Respondent” or “MAGA Again!”) violated 52 U.S.C. § 30104(b) of the Federal Election Campaign Act of 1971, as amended (the “Act”), and 11 C.F.R. § 110.1(e) of the Commission’s regulations by failing to report attribution information.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby 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. MAGA Again! is an independent expenditure-only political committee (“IEOPC”) that registered with the Commission on October 1, 2021. Charles Gantt is its treasurer of record.

2. ML Organization, LLC (“ML Organization”), was formed as a limited liability company (“LLC”) under the laws of Delaware in April 2018. ML Organization has not elected to be taxed as a corporation.

3. On November 1, 2021, MAGA Again! received a \$500,000 contribution from ML Organization that was accompanied by a donor form. On the donor form, the contribution was listed as an LLC contribution, but the information provided on that form did not explicitly identify the LLC’s tax status. That form, however, listed the “contributor” as Diana Pulte, one of the members of the LLC and its then-vice president. MAGA Again! only reported this contribution as being from ML Organization and failed to properly attribute the contribution to Diana Pulte. After receiving notice of the Complaint in this matter, MAGA Again! amended its Year-End 2021 Report to add attribution information, attributing the full \$500,000 contribution to Diana Pulte.

4. The treasurer of an unauthorized political committee is responsible for reporting the identification of each person whose aggregate contributions exceed \$200 per calendar year, together with the date and amount of any such contribution. 52 U.S.C. § 30104(b)(3)(A); 11 C.F.R. § 104.3(a)(4). Commission regulations require committees to report certain attribution information for contributions from limited liability companies. *See* 11 C.F.R. § 110.1(g). Commission regulations state that “[a] contribution by an LLC that elects to be treated as a partnership by the Internal Revenue Service pursuant to [26 C.F.R. §]

301.7701-3, or does not elect treatment as either a partnership or a corporation, pursuant to that section, shall be considered a contribution from a partnership pursuant to [11 C.F.R. § 110.1(e).” *Id.* § 110.1(g)(2). Thus, contributions by an LLC that does not elect to be treated as a corporation by the Internal Revenue Service and does not have a single natural-person member are treated as partnership contributions, which must be attributed to both the LLC and its member or members. *Id.* § 110.1(e), (g). Furthermore, when an LLC makes a contribution, it must affirm to the recipient, at the time the LLC makes the contribution, that it is eligible to make a contribution and “provide information to the recipient committee as to how the contribution is to be attributed.” *Id.* § 110.1(g)(5).

5. When a treasurer of a political committee shows that the committee used “best efforts” to obtain, maintain, and submit the information required by the Act, the committee’s reports will be considered in compliance with the Act. 52 U.S.C. § 30102(i); 11 C.F.R. § 104.7(a). Best efforts require, among other things, that all written solicitations contain a clear request for the necessary information and that, “[f]or each contribution . . . which lacks required contributor information,” the recipient committee must make at least one effort to obtain the missing information within 30 days after the receipt of the contribution, in either a written request or a documented oral request. 11 C.F.R. § 104.7(b). If the treasurer receives missing contributor information after submitting a report, the treasurer either files an amendment to the report originally disclosing the contribution to provide the missing contributor information or includes the missing contributor information on an amended memo Schedule A with the next regularly scheduled report. *Id.* § 104.7(b)(4)(i). Best efforts require political committees and their treasurers to “show[] that best efforts have been used to obtain, maintain, and submit the information required” 52 U.S.C. § 30102(i); *see also* Statement of Policy Regarding

Treasurers' Best Efforts to Obtain, Maintain, and Submit Information as Required by the Federal Election Campaign Act, 72 Fed. Reg. 31,438, 31,440 (June 7, 2007).

V. For the sake of avoiding the costs of litigation, Respondent agrees not to contest the Commission's finding of a violation in this matter. Respondent contends, however, that its donor form solicited information about the contributor in order to comply with the "best efforts" rule at 11 C.F.R. § 104.7. Specifically, Respondent's donor form asks contributors to check a box indicating the "contribution type" and provides options for "Individual," "Corporation," "LLC," "Partnership," or "Trust." It also provides space for "Joint Contributor Information." Respondent further contends that the contributor supplied information that Respondent subjectively believed was complete and did not require further inquiry. Specifically, the contributor checked the box for "LLC," not an "individual" contribution, provided a check from the LLC, and did not provide information in the space provided on the donor form for a "joint contributor." Respondent contends that it interpreted this information to mean that the donor was solely the LLC and that Respondent was not obligated to solicit further information about attribution of the LLC's contribution.

VI. Respondent violated 52 U.S.C. § 30104(b) and 11 C.F.R. § 110.1(e) by failing to report attribution information.

VII. Respondent will take the following actions:

1. Under ordinary circumstances, the Commission would seek a civil penalty based on the violation outlined in this Agreement. While the Commission is not seeking a civil penalty in this matter, it reserves its right to seek a monetary penalty in future matters concerning this violation.

2. Respondent will cease and desist from committing violations of 52 U.S.C. § 30104(b) and 11 C.F.R. § 110.1(e).

VIII. 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.

IX. 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.

X. Respondent shall have no more than thirty (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.

MUR 7994 (Make America Great Again, Again!, *et al.*)

Conciliation Agreement

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XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written Agreement shall be enforceable.

FOR THE COMMISSION:

**Lisa Jane
Stevenson**

Digitally signed by Lisa
Jane Stevenson
Date: 2025.04.24
09:07:33 -04'00'

Lisa J. Stevenson
Acting General Counsel

Date

FOR THE RESPONDENT:

Michael Columbo
Michael A. Columbo
Counsel for Make America Great Again, Again! Inc.

March 6, 2025
Date



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



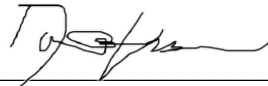
Allen J. Dickerson
 Commissioner

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
Supplemental Statement of Reasons
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March 12, 2025

Date



Dara Lindenbaum

Commissioner

March 12, 2025

Date



James E. "Trey" Trainor, III

Commissioner