



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Donald J. Trump, *et al.*) MUR 8168

**STATEMENT OF REASONS OF CHAIRMAN SEAN J. COOKSEY AND
COMMISSIONERS ALLEN J. DICKERSON AND JAMES E. "TREY" TRAINOR, III**

This matter arose from a complaint filed on September 18, 2023. However, the complaint’s allegations are not new to the Commission. In fact, the complaint in MUR 8168 is “a near verbatim copy” of a prior complaint in MUR 7968 (Donald J. Trump, *et al.*).¹ The present complaint also makes similar constitutional disqualification allegations as the complaint in MUR 7969 (Donald J. Trump, *et al.*).² In fact, the only material differences in the present complaint and the previous complaints are the complainants themselves.

Taken together, the two prior complaints and present complaint allege that (1) presidential candidate Donald J. Trump failed to timely file a Statement of Candidacy and designate a principal campaign committee; (2) Save America and its treasurer and Save America Joint Fundraising Committee and its treasurer made excessive contributions in violation of the Act and Commission regulations; (3) Trump knowingly accepted excessive contributions in violation of the Act and Commission regulations; and (4) Trump is constitutionally disqualified from holding federal office.³

On October 5, 2023, the Commission considered MURs 7968 and 7969 (Donald J. Trump, *et al.*) together.⁴ In both matters, the Office of General Counsel (“OGC”) recommended the Commission find reason to believe that (1) Donald J. Trump failed to timely file a Statement of Candidacy and designate a principal campaign committee; (2) the Save America Committees made

¹ First General Counsel's Report at 1 (May 24, 2024), MUR 8168 (Donald J. Trump, *et al.*).

² Compare Complaint (Mar. 23, 2022), MUR 7969 (Donald J. Trump, et al.), with Complaint (Sept. 18, 2023), MUR 8168 (Donald J. Trump, et al.).

³ Complaint (Mar. 17, 2022), MUR 7968 (Donald J. Trump, *et al.*) and Complaint (Mar. 23, 2022), MUR 7969 (Donald J. Trump, *et al.*).

⁴ Certification (Oct. 6, 2023), MURs 7968, 7969 (Donald J. Trump, *et al.*).

excessive contributions; and (3) Donald J. Trump knowingly accepted excessive contributions.⁵ We voted against OGC’s recommendations and instead voted to find no violation occurred.⁶ We issued a Statement of Reasons explaining our votes.⁷

Almost exactly one year later, in MUR 8168, the same allegations and the same OGC recommendations were before the Commission. This time, the Commission also unanimously declined the complainant’s invitation to opine upon former President Trump’s qualification for office under Section 3 of the Fourteenth Amendment, a question outside the Commission’s jurisdiction.⁸ And we once again disagreed with OGC’s recommendations⁹ and voted to dismiss the remainder of the complaint for the same reasons previously articulated.¹⁰

Because the complaint in this matter raises the same allegations against the same respondent as the complaints in MURs 7968 and 7969 (Donald J. Trump, *et al.*), we incorporate by reference our reasoning as set forth in our previously published Statement of Reasons.¹¹



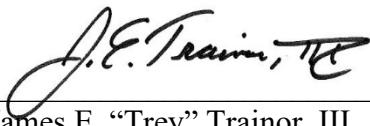
Sean J. Cooksey
Chairman

November 7, 2024
Date



Allen J. Dickerson
Commissioner

November 7, 2024
Date



James E. “Trey” Trainor, III
Commissioner

November 7, 2024
Date

⁵ First General Counsel’s Report at 48 (Oct. 13, 2022), MURs 7968, 7969 (Donald J. Trump, *et al.*).

⁶ Certification (Oct. 6, 2023), MURs 7968, 7969 (Donald J. Trump, *et al.*).

⁷ Statement of Reasons of Vice Chairman Sean J. Cooksey and Commissioners Allen J. Dickerson and James E. “Trey” Trainor, III (Oct. 6, 2023), MURs 7931/8059 and 7968/7969 (Donald J. Trump, *et al.*).

⁸ Certification (Oct. 15, 2024), MUR 8168 (Donald J. Trump, *et al.*).

⁹ First General Counsel’s Report at 6 (May 24, 2024), MUR 8168 (Donald J. Trump, *et al.*).

¹⁰ Certification (Oct. 15, 2024), MUR 8168 (Donald J. Trump, *et al.*).

¹¹ Statement of Reasons of Vice Chairman Sean J. Cooksey and Commissioners Allen J. Dickerson and James E. “Trey” Trainor, III (Oct. 6, 2023), MURs 7931/8059 and 7968/7969 (Donald J. Trump, *et al.*).