



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

November 15, 2024

Via Email Only

rjacobs@elias.law
dbusser@elias.law

Rachel L. Jacobs, Esq.
Dylon D. Busser, Esq.
Elias Law Group
250 Massachusetts Ave, NW, Suite 400
Washington, DC 20001

Re: MUR 8210

Dear Ms. Jacobs and Mr. Busser:

On February 12, 2024, the Federal Election Commission notified your clients, Andrea Salinas for Oregon and Sue Jackson in her official capacity as treasurer, Salinas Victory Fund and Sue Jackson in her official capacity as treasurer (terminated), and Salinas Victory Fund and Shayne Thoman in his official capacity as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the “Act”). A copy of the complaint was forwarded to your clients at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your clients, the Commission, on October 16, 2024, voted to dismiss this matter effective November 15, 2024. A copy of the General Counsel’s Report, which more fully explains the Commission’s decision, is enclosed for your information.

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). If you have any questions, please contact Christine C. Gallagher, the attorney assigned to this matter, at (202) 694-1505 or cgallagher@fec.gov.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure
General Counsel’s Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 8210

Respondents: Andrea Salinas for Oregon and Sue Jackson in her official capacity as treasurer
Salinas Victory Fund and Sue Jackson in her official capacity as treasurer (terminated)
Salinas Victory Fund and Shayne Thoman in his official capacity as treasurer
Andrea Salinas
La Mota, LLC

Complaint Receipt Date: Feb. 5, 2024

Response Dates: Apr. 11, 2024; Apr. 18, 2024

Alleged Statutory/ Regulatory Violations:

52 U.S.C. §§ 30104(b)(3)(A), 30116(a)(1),
30118(a), 30114
11 C.F.R. §§ 100.12, 104.3(a)(4), 110.1(g), 114.2,
113.2 (b)

The Complaint alleges that, during the 2022 election cycle, Andrea Salinas, U.S.

28 Representative for Oregon’s 6th Congressional District, her principal campaign committee,
29 Andrea Salinas for Oregon and Sue Jackson in her official capacity as treasurer (the
30 “Committee”),¹ and her joint fundraising committees, Salinas Victory Fund and Sue Jackson in
31 her official capacity as treasurer (“terminated JF Committee”) and Salinas Victory Fund and
32 Shayne Thoman in his official capacity as treasurer (“active JF Committee”),² received either a

¹ Andrea Salinas for Oregon, Amended Statement of Organization at 1 (Aug. 29, 2024), <https://docquery.fec.gov/pdf/236/202408299675293236/202408299675293236.pdf>.

² Salinas Victory Fund registered with the Commission in July 2022 and later terminated in March 2023. Salinas Victory Fund, Statement of Organization at 1 (July 19, 2022), <https://docquery.fec.gov/pdf/488/202207199522189488/202207199522189488.pdf>; Salinas Victory Fund, Termination Approval (Mar. 9, 2023), <https://docquery.fec.gov/pdf/622/202303090300175622/202303090300175622.pdf>. Salinas' current joint

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1 \$1,000 prohibited corporate contribution from La Mota, LLC if the entity is a corporate LLC or
 2 failed to properly attribute the contribution if the LLC is treated as a partnership, in violation of
 3 the Federal Election Campaign Act of 1971, as amended (the “Act”).³

4 The Response, filed on behalf of Salinas, the Committee, and both the terminated and
 5 active JF Committees (“Salinas Response”), requests that the matter be dismissed.⁴ The Salinas
 6 Response asserts that on August 25, 2022, the then-active and now terminated JF Committee
 7 received \$1,000 from La Mota, LLC.⁵ According to the Salinas Response, at the time it received
 8 the contribution, La Mota informed the terminated JF Committee that the contribution should be
 9 allocated among its partners with \$500 attributed to Rosa Cazares and \$500 to Aaron Mitchell.⁶
 10 Subsequently, the terminated JF Committee transferred the contribution to Committee.⁷ The
 11 Salinas Response further asserts that due to a data entry error, the terminated JF Committee, and
 12 subsequently the principal campaign committee, failed to properly disclose the attribution of the
 13 contribution among the LLC’s partners.⁸ The Salinas Response further asserts that upon
 14 receiving the Complaint in this matter, the Committee conducted an internal investigation and
 15 amended its reports to properly disclose that the La Mota contribution was attributable to

fundraising committee is Salinas Victory Fund. Salinas Victory Fund, Statement of Organization at 3 (Jan. 10, 2024), <https://docquery.fec.gov/pdf/433/202401109600022433/202401109600022433.pdf>.

³ Compl. at 1-2, 6-7 (Feb. 5, 2024).

⁴ Salinas Resp. at 1 (Apr. 11, 2024). Respondent, La Mota, acknowledged receipt of the Complaint but did not file a substantive Response. [REDACTED]

⁵ Salinas Resp. at 2.

⁶ *Id.* at 2.

⁷ *Id.* The Salinas Response does not specify the date of the transfer of the La Mota contribution from the terminated JF Committee to the principal campaign committee. However, a review of the terminated JF Committee’s disclosure reports shows that the transfer occurred in either October or November 2022. *See* Salinas Victory Fund (terminated), 2022 30-Day Post-General Rpt. at 25 (Dec. 8, 2022), <https://docquery.fec.gov/pdf/587/202212089557279587/202212089557279587.pdf> (showing disbursements to the Committee as follows: \$2,250 on October 7, 2022; \$3,000 on November 2, 2022; \$2,800 on November 7, 2022).

⁸ Salinas Resp. at 2.

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1 Cazares and Mitchell.⁹ In addition, the Salinas Response asserts that in May 2023, prior to
2 receiving the Complaint, the Committee had already disgorged the \$1,000 contribution from La
3 Mota to Marion Polk Food Share, a 501(c)(3) tax-exempt organization.¹⁰ A review of the
4 committees' FEC disclosure reports confirm the representations presented in the Response.

5 Based on its experience and expertise, the Commission has established an Enforcement
6 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
7 assess whether particular matters warrant further administrative enforcement proceedings. These
8 criteria include (1) the gravity of the alleged violation, taking into account both the type of
9 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
10 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
11 trends in potential violations and other developments in the law. This matter is rated a low
12 priority for Commission action after application of these pre-established criteria. Given that low
13 rating, low apparent dollar amount at issue, and that the Committee has amended its disclosure
14 reports, we recommend that the Commission dismiss the Complaint, consistent with the
15 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use
16 of agency resources.¹¹ We also recommend that the Commission close the file effective 30 days
17 after the date the certification of this vote is signed (or on the next business day after the 30th

⁹ *Id.* Given that the terminated JF Committee terminated prior to receipt of the Complaint, the Salinas Response asserts, its reports were not amended. Salinas Resp. at 3.

¹⁰ Salinas Resp. at 3; *id.*, Attach. 1.

¹¹ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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1 day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

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6 October 2, 2024

7 Date

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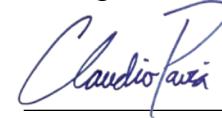
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Lisa J. Stevenson
Acting General Counsel



BY:

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Christine C. Gallagher
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