



FEDERAL ELECTION COMMISSION
Washington, DC

VIA ELECTRONIC MAIL AND UPS

Caitlin Sutherland, Executive Director
Americans for Public Trust
107 South West Street, Suite 442
Alexandria, VA 22314
info@americansforpublictrust.org

January 2, 2025

RE: MUR 8234 (Keith Gross for Florida)

Dear Ms. Sutherland:

This is in reference to the complaint you filed with the Federal Election Commission on March 26, 2024, concerning Keith Gross for Florida. Based on that complaint, on November 27, 2024, the Commission voted to dismiss and close the file, effective January 2, 2025. Any applicable Factual and Legal Analysis or Statements of Reasons available at the time of this letter's transmittal are enclosed.

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).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action within 60 days of the dismissal, which became effective today. *See* 52 U.S.C. § 30109(a)(8).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure:
Enforcement Priority System Dismissal Report

1 **BEFORE THE FEDERAL ELECTION COMMISSION**
2
3 **ENFORCEMENT PRIORITY SYSTEM**
4 **DISMISSAL REPORT**
5

6 **MUR 8234**

Respondents: Keith Gross
Keith Gross for Florida and
Jason D. Boles in his official
capacity as treasurer

10
11 **Complaint Receipt Date:** March 26, 2024
12

13 **Response Date:** May 28, 2024
14

15 **[REDACTED]**
16

17 **Alleged Statutory/
18 Regulatory Violations:** 52 U.S.C. § 30114(b)(1)
19 11 C.F.R. § 113.2(e)
20

21 The Complaint alleges that Keith Gross, a 2024 Senate candidate in Florida, and his
22 principal campaign committee, Keith Gross for Florida and Jason D. Boles in his official
23 capacity as treasurer (the “Committee”),¹ violated the Federal Election Campaign Act of 1971, as
24 amended (the “Act”), when Gross and the Committee converted campaign funds to personal use
25 by offering to send contributors a copy of a published book written by Gross in exchange for
26 contributing any amount to the Committee and posting links on Gross’s social media account to
27 platforms where the book could be purchased.² Respondents state that “Gross purchased the
28 books with his personal funds at cost and donated them to the campaign,” which is “consistent
29 with activity previously deemed by the FEC to be lawful.”³

¹ Keith Gross, Statement of Candidacy (Apr. 11, 2023); Keith Gross for Florida, Amended Statement of Organization (Apr. 26, 2024).

² Compl. at 1-3 (Mar. 26, 2024).

³ Resp. ¶ 4 (May 28, 2024); *id.* ¶ 7 (explaining that “Gross[] receives no royalties from the books he donated to the campaign that are given away at no charge to the recipient”).

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

⁴ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

MUR 8232 (Keith Gross, *et al.*)

EPS Dismissal Report

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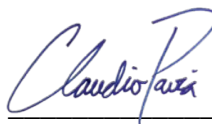
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November 18, 2024

Date

Lisa J. Stevenson
Acting General Counsel

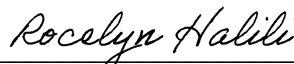
BY:



Claudio J. Pavia
Deputy Associate General Counsel for
Enforcement



Wanda D. Brown
Assistant General Counsel



Rocelyn Halili
Attorney