



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

January 6, 2025

VIA ELECTRONIC MAIL

justin.clark@electionlawllc.com

Justin Clark, Esq.
Election Law LLC
1050 Connecticut Avenue, NW, Suite 500
Washington, DC 20036

RE: MUR 8239
Republican National Committee, *et al.*

Dear Mr. Clark:

On April 15, 2024, the Federal Election Commission notified your client Save America (the “Committee,”) and Bradley Crate 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 the Committee at that time.

Upon further review of the allegations contained in the complaint, and information supplied in response, the Commission, on December 4, 2024, voted to dismiss this matter and close the file effective January 6, 2025. 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).

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: 8239

Respondents: Republican National Committee and Kristin Crosbie in her official capacity as treasurer
Save America and Bradley Crate in his official capacity as treasurer

Complaint Receipt Date: April 10, 2024

Response Receipt Dates: April 16, 2024; May 30, 2024

Alleged Statutory/ Regulatory Violations

52 U.S.C. § 30122
11 C.F.R. § 110.4(b)

20 The Complaint alleges that an unknown individual or individuals made, and the Republican
21 National Committee and Kristin Crosbie in her official capacity as treasurer, the national party
22 committee of the Republican Party (the “RNC”),¹ and Save America and Bradley Crate in his
23 official capacity as treasurer, a nonconnected committee which is a leadership PAC sponsored by
24 Donald J. Trump, candidate for President in the 2024 election cycle (“Save America”),² knowingly
25 accepted contributions in the name of another, in violation of the Federal Election Campaign Act of
26 1971, as amended (the “Act”).³

27 Complainant states that he examined the committees' disclosure reports and identified
28 contributions in his name that he did not make.⁴ The Complaint contains a chart detailing 11 such

¹ Republican National Committee, Amended Statement of Organization at 2 (Apr. 24, 2024), <https://docquery.fec.gov/pdf/395/202404249636723395/202404249636723395.pdf>.

² Save America, Amended Statement of Organization at 2, 9 (Apr. 22, 2024), <https://docquery.fec.gov/pdf/423/202404229636706423/202404229636706423.pdf>.

³ Compl. at 1-2 (Apr. 10, 2024).

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Id. at 1.

MUR 8239 (Republican National Committee, *et al.*)

EPS Dismissal Report

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1 contributions totaling \$723 disclosed by the RNC (\$315) and Save America (\$408) during the 2014,
 2 2020, and 2022 election cycles,⁵ as well as a chart with Complainant’s “valid” contributions made
 3 to other political committees.⁶

4 In Response, the RNC states that it has received contributions from numerous individuals
 5 named Stephen Nelson, the name of the Complainant, and that the “discrepancies” alleged in the
 6 Complaint are “inadvertent database errors.”⁷ The RNC states that the contributions at issue were
 7 made by other individuals with the name Stephen Nelson but that its database mistakenly appended
 8 Complainant’s identifying information to those contributions.⁸ The RNC states that it will file a
 9 Form 99 with the Commission to correct the public record and requests that the Commission
 10 dismiss the Complaint.⁹ As of the date of this report, the RNC has not filed a Form 99 regarding the
 11 contributions in question.¹⁰

12 In Response, Save America states that the contributions disclosed by it were not fraudulent,
 13 but instead were made by other individuals named Stephen Nelson, as evidenced by the distinct
 14 employer names listed for the contributions identified in the Complaint as fraudulent compared to
 15 those identified as valid.¹¹ Save America requests that the Commission dismiss the Complaint.¹²

16 Based on its experience and expertise, the Commission has established an Enforcement
 17 Priority System using formal, pre-determined scoring criteria to allocate agency resources and

⁵ *Id.*

⁶ *Id.* at 2.

⁷ RNC Resp. at 1 (May 30, 2024).

⁸ *Id.* at 2.

⁹ *Id.* at 1, 3.

¹⁰ Republican National Committee, Filtered Filings, FEC.GOV, https://www.fec.gov/data/filings/?data_type=processed&q_filer=C00003418&cycle=2024&form_type=F99 (last visited Nov. 19, 2024).

¹¹ Save America Resp. at 1 (Apr. 16, 2024).

¹² *Id.* at 1-2.

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

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17 Lisa J. Stevenson
18 Acting General Counsel
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Gordon King
Gordon King
Attorney

¹³ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).