

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

6 **MUR:** 8289

7 **Respondents:** Unknown Respondents
8 Never Surrender, Inc., f/k/a Donald
9 J. Trump for President 2024, Inc.,
10 and Bradley T. Crate in his official
11 capacity as treasurer

12 **Complaint Receipt Date:** July 16, 2024

13 **Response Date:** September 16, 2024



17 **Alleged Statutory and**
18 **Regulatory Violations:**

52 U.S.C. § 30124(a)-(b)
11 C.F.R. § 110.16(a)-(b)

19
20 This matter arises from a Complaint filed by Dr. Cornel West, who was a 2024 candidate
21 for president of the United States and Cornel West for President, West’s principal campaign
22 committee,¹ alleging that unknown persons fraudulently misrepresented themselves as acting on
23 behalf of West’s campaign — which they assert caused reputational harm, potential confusion,
24 and misdirection of donors and volunteers — for the purpose of soliciting contributions to his
25 opponent, Donald J. Trump, in violation of the Federal Election Campaign Act of 1971, as
26 amended (the “Act”).² Specifically, the Complaint alleges that unknown persons registered three
27 domain names — “westabdullah.com”, “westabdullah.org”, and “westabdullah2024.com” — that
28 are nearly identical to the domain name “westabdullah2024.org” owned by West’s campaign.³

¹ Cornel West, Statement of Candidacy (Feb. 6, 2024), <https://docquery.fec.gov/pdf/277/2202402069619678277/202402069619678277.pdf>; Cornel West for President, Amended Statement of Organization (Feb. 6, 2024), <https://docquery.fec.gov/pdf/273/202402069619678273/202402069619678273.pdf>.

² Compl. ¶¶ 6, 11 (July 16, 2024).

³ *Id.*

1 The Complaint further alleges that the three websites directed visitors to the Trump campaign's
2 official website which solicited contributions.⁴

3 In response, Never Surrender, Inc., f/k/a Donald J. Trump for President 2024, Inc., and
4 Bradley T. Crate in his official capacity as treasurer, (the "Committee"), Trump's principal
5 campaign committee during the 2024 election, contends that there is no indication that it owns or
6 controls the domain names at issue, asserting that its web hosting vendor did not purchase these
7 domains or access them on its behalf.⁵ Finally, the Committee argues that "[a]ny person of
8 'ordinary prudence and comprehension' would understand that the [Trump campaign's] website
9 speaks on behalf of the Campaign, not the Complainant."⁶

10 Based on its experience and expertise, the Commission has established an Enforcement
11 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
12 assess whether particular matters warrant further administrative enforcement proceedings. These
13 criteria include (1) the gravity of the alleged violation, taking into account both the type of
14 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
15 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
16 trends in potential violations and other developments in the law. This matter is rated as a low
17 priority for Commission action after application of these pre-established criteria. Given that low
18 rating and the speculative nature of the allegations contained in the Complaint, we recommend
19 that the Commission dismiss the Complaint consistent with the Commission's prosecutorial
20 discretion to determine the proper ordering of its priorities and use of agency resources.⁷ We

⁴ *Id.*, Ex. 5.

⁵ Resp. at 1-2 (Sept. 6, 2024).

⁶ *Id.*

⁷ *See Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

1 also recommend that the Commission close the file effective 30 days from the date the
2 certification of this vote is signed (or on the next business day after the 30th day, if the 30th day
3 falls on a weekend or holiday), and send the appropriate letters.

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March 6, 2025

Date

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