



FEDERAL ELECTION COMMISSION
Washington, DC

VIA ELECTRONIC MAIL

David A. Warrington
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April 18, 2025

RE: MUR 8289

Dear Mr. Warrington:

On July 23, 2024, the Federal Election Commission notified your client, Never Surrender, Inc., f/k/a Donald J. Trump for President 2024, Inc., and Bradley T. 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 your client at that time.

Upon further review of the allegations contained in the complaint, and information supplied in response, the Commission, on March 19, 2025, voted to dismiss this matter and close the file effective April 18, 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). If you have any questions, please contact Dominique Dillenseger, the attorney assigned to the matter, at (202) 694-1650.

Sincerely,

Aaron Rabinowitz

Aaron Rabinowitz
Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 8289

Respondents: Unknown Respondents

Never Surrender, Inc., f/k/a Donald
 J. Trump for President 2024, Inc.,
 and Bradley T. Crate in his official
 capacity as treasurer

Complaint Receipt Date: July 16, 2024

Response Date: September 16, 2024



**Alleged Statutory and
 Regulatory Violations:**

52 U.S.C. § 30124(a)-(b)

11 C.F.R. § 110.16(a)-(b)

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

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EPS Dismissal Report

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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).

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

Lisa J. Stevenson
Acting General Counsel

March 6, 2025

Date

BY:



Claudio J. Pavia
Deputy Associate General Counsel

Aaron Rabinowitz

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Assistant General Counsel

Dominique Dillenseger

Dominique Dillenseger
Attorney