



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

May 29, 2025

**VIA UPS DELIVERY AND ELECTRONIC MAIL**

[MEtwop@remnantlawgroup.com](mailto:MEtwop@remnantlawgroup.com)

Stephanie Holderfield

[REDACTED]

Montgomery, TX 77356

RE: MUR 8333  
ActBlue

Dear Ms. Holderfield:

This is in reference to the complaint filed with the Federal Election Commission on October 21, 2024, concerning ActBlue. Based on that complaint, and after considering the circumstances of this matter and information provided in response to the complaint, the Commission determined to dismiss this matter and close the file effective May 29, 2025.

The General Counsel's Report, which more fully explains the basis for the Commission's decision, is 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).

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 8333**

**Respondent:** ActBlue and George Gilmer in his  
official capacity as treasurer

**Complaint Receipt Date:** Oct. 21, 2024

**Response Receipt Date:** Dec. 6, 2024

**Alleged Statutory/  
Regulatory Violations:**

52 U.S.C. § 30104, 30116, 30122  
11 C.F.R. § 104.3, 110.3, 110.4

The Complaint alleges that ActBlue and George Gilmer in his official capacity as treasurer (“ActBlue”), a hybrid PAC with a non-contribution account that serves as a conduit for contributions to candidates and committees,<sup>1</sup> violated the Federal Election Campaign Act of 1971, as amended (the “Act”), by allowing its platform to be used to effect contributions in the name of another.<sup>2</sup> The Complainant states that someone used his alias, without his permission, to make a series of contributions. He received email receipts for 386 contributions that he states he did not make totaling \$890.61 made in the name of his alias, Bernie Cain,<sup>3</sup> listing a mailing address and credit card not associated with the Complainant.<sup>4</sup> The Complainant states that the mailing address was previously used by a company owned by Bernard L. Cain, Jr., with whom the Complainant has no relation.<sup>5</sup>

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<sup>1</sup> ActBlue, Amended Statement of Organization at 2 (July 29, 2024), <https://docquery.fec.gov/pdf/849/202407299665755849/202407299665755849.pdf>; see also 11 C.F.R. § 110.6(b)(2) (conduit or intermediary defined, in pertinent part, as “any person who receives and forwards an earmarked contribution to a candidate or a candidate’s authorized committee”).

<sup>2</sup> Compl. ¶ 2 (Oct. 21, 2024).

<sup>3</sup> *Id.* ¶ 10.

<sup>4</sup> *Id.* ¶¶ 14-16.

<sup>5</sup> *Id.* ¶ 17.

1           In Response, ActBlue argues, at the outset, that the Complainant does not allege that any  
2 contributions were made in his name, but rather an alias.<sup>6</sup> Next, the Response states that another  
3 individual whose actual name is Bernard Cain made the contributions in question and apparently  
4 provided the Complainant's email address which caused him to receive the receipts.<sup>7</sup> Aside from  
5 the Complainant's email address, according to the Response, the actual Bernard Cain used his own  
6 credit card, name, and mailing address to make the contributions at issue.<sup>8</sup>

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

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<sup>6</sup> Resp. at 2 (Dec. 6, 2024).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*


<sup>9</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

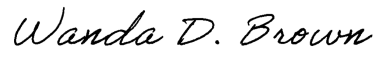
MUR 8333 (ActBlue)  
EPS Dismissal Report  
Page 3 of 3

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

3 Lisa J. Stevenson  
4 Acting General Counsel

5 April 15, 2025  
6 Date  
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BY:   
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Claudio J. Pavia  
Deputy Associate General Counsel

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9 \_\_\_\_\_  
10 Wanda D. Brown  
Assistant General Counsel

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12 \_\_\_\_\_  
13 Gordon King  
Attorney