

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7540

Respondents: Lara Trump,
Donald J. Trump for President, Inc.
Bradley Crate, as Treasurer
("Committee")

Complaint Receipt Date: Nov. 8, 2018

Supplement Complaint Receipt Date: Nov. 29, 2018

Response Date: Dec. 11, 2018¹

EPS Rating:

Alleged Statutory Violations:

52 U.S.C. § 30114(a)(3)

The Complaint alleges that Lara Trump and the Committee violated the Federal Election Campaign Act ("the Act") when Lara Trump personally delivered a \$10,000 donation of Committee funds to Paws Place, a 26 U.S.C. § 501(c)(3) non-profit organization.² Complainant asserts that Lara Trump should have made the contribution from her own funds, not the Committee's funds.³ The Committee responds that the Act permits campaigns to use their funds for charitable giving such as the donation in this particular case.⁴

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

¹ No response received from Lara Trump.

² Compl. at 1 (Nov. 8, 2018); Suppl. Compl. at 1 (Nov. 29, 2018).

³ *Id.* at 2.

⁴ Resp. at 1 (Dec. 11, 2018).

potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the apparent lack of a violation of the Act, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file and send the appropriate letters.

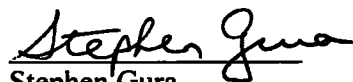
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Date

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