

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MURs 7207, 7268, 7274 and 7623  
 Russian Federation; Donald J. Trump for )  
 President, Inc. and Bradley T. Crate in )  
 his official capacity as treasurer; Donald )  
 J. Trump; Unknown Congressional )  
 Candidate; Cambridge Analytica, LLC; )  
 Paul Manafort; Internet Research Agency )

CERTIFICATION

I, Vicktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on April 22, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-4 to:

Instruct the Office of General Counsel to deliver the letter to the Secretary of State as last circulated by Vice Chair Dickerson's Office on Friday, April 9, 2021 at 5:34 p.m.

Commissioners Dickerson and Trainor voted affirmatively for the motion.

Commissioners Broussard, Cooksey, Walther, and Weintraub dissented.

2. Failed by a vote of 2-2 to:

Direct the staff to send the letter to the State Department as circulated by Commissioner Weintraub's Office on April 12, 2021 at 10:27 p.m. and amend the letter where "Matters Under Review" would be spelled out.

Commissioners Broussard and Weintraub voted affirmatively for the motion.

Commissioners Trainor and Cooksey dissented. Commissioners Dickerson and Walther abstained.

3. Failed by a vote of 3-3 to:

- a. Find reason to believe that the Russian Federation and the Internet Research Agency violated 52 U.S.C. § 30121(a)(1)(C) and 11 C.F.R. § 110.20(f) by making prohibited foreign national expenditures and independent expenditures in connection with the influence campaign targeting the 2016 presidential election.
- b. Find reason to believe that the Russian Federation and the Internet Research Agency violated 52 U.S.C. § 30104(c) and 11 C.F.R. § 109.10(b) by failing to report independent expenditures in connection with the influence campaign.
- c. Find reason to believe that Donald J. Trump and Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by knowingly soliciting, accepting or receiving an in-kind contribution from the Russian Federation in connection with Trump's press conference statement.
- d. Find reason to believe that the Russian Federation violated 52 U.S.C. § 30121(a)(1)(A) and 11 C.F.R. § 110.20(b) by making a prohibited in-kind contribution to Donald J. Trump for President, Inc. by expending resources to hack Clinton-related servers in response to Trump's press conference statement.
- e. Find reason to believe that Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by knowingly soliciting a prohibited in-kind contribution from WikiLeaks.
- f. Find reason to believe that the Russian Federation made a prohibited in-kind foreign national contribution in violation of 52 U.S.C. § 30121(a)(1)(A) and 11 C.F.R. § 110.20(b).
- g. Find reason to believe that an Unknown Congressional Candidate knowingly solicited, accepted or received a prohibited in-kind foreign national contribution in violation of 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g).

- h. Find reason to believe that Paul Manafort and Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30114(b) and 11 C.F.R. § 113.1(g)(3) by transferring a campaign committee asset without charge.
- i. Find reason to believe that Paul Manafort and Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer violated 52 U.S.C. § 30121(a)(2) and 11 C.F.R. § 110.20(g) by knowingly soliciting a prohibited in-kind foreign national contribution.
- j. Dismiss the allegation that Cambridge Analytica, LLC violated the Act by providing information to the Russian Federation.
- k. Take no further action as to the Russian Federation and the Internet Research Agency.
- l. Approve the Factual and Legal Analyses, as recommended in the First General Counsel's Report dated February 23, 2021, subject to the edits circulated by Commissioner Weintraub's Office on April 19, 2021 at 6:37 p.m.
- m. Authorize pre-probable cause conciliation with Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer, Donald J. Trump, and Paul Manafort.
- n. Approve the Conciliation Agreements, as recommended in the First General Counsel's Report dated February 23, 2021.
- o. Approve the appropriate letters.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented.

4. Decided by a vote of 4-2 to:
  - a. Find reason to believe that the Unknown Congressional Candidate violated 52 U.S.C. § 30121(a) and 11 C.F.R. § 110.20(g).
  - b.

- c. Dismiss the Russian Federation and Internet Research Agency pursuant to *Heckler v. Chaney*.
- d. Send the appropriate letters.
- e. Direct the Office of General Counsel to draft the appropriate Factual and Legal Analyses.

Commissioners Broussard, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioners Cooksey and Trainor dissented.

5. Failed by a vote of 3-3 to:
  - a. Dismiss Donald J. Trump for President, Inc. and Bradley T. Crate in his official capacity as treasurer, Donald J. Trump, Cambridge Analytica, LLC, and Paul Manafort pursuant to the Commission's prosecutorial discretion under *Heckler v. Chaney*.
  - b. Send the appropriate letters.
  - c. Revise the appropriate Factual and Legal Analyses.

Commissioners Cooksey, Dickerson, and Trainor voted affirmatively for the motion.

Commissioners Broussard, Walther, and Weintraub dissented.

6. Decided by a vote of 6-0 to:
  - a. Dismiss the allegation that Cambridge Analytica, LLC violated the Act by providing information to the Russian Federation.
  - b. Approve the Factual and Legal Analysis that supported Item 6(a).

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

7. Decided by a vote of 6-0 to:
  - a. Close the file as to all respondents, except the unknown Congressional candidate.
  - b. Issue appropriate letters.

Federal Election Commission  
Certification for MURs 7207, 7268, 7274, and 7623  
April 22, 2021

Page 5

Commissioners Broussard, Cooksey, Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 26, 2021

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Date

**Vicktoria Allen** Digitally signed by Vicktoria Allen  
Date: 2021.04.26 19:57:43 -04'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission