



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

May 13, 2024

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Rebecca Joy Faust

Tumwater, WA 98501

RE: MUR 8026

Dear Ms. Faust:

This is in reference to the Complaint you filed with the Federal Election Commission (the "Commission") on July 11, 2022, concerning alleged violations of the Federal Election Campaign Act of 1971, as amended (the "Act") by Republicans Against RINOs PAC, Inc ("Republicans Against RINOs"). On April 11, 2024, upon further review of the allegations contained in the Complaint, and information supplied by the Respondent, the Commission voted to dismiss this matter and close the file effective May 13, 2024.

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). A copy of the EPS Dismissal Report, which more fully explains the Commission's finding, is enclosed for your information.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action with respect to Republicans Against RINOs within 60 days of the dismissal, which became effective today. *See* 52 U.S.C. § 30109(a)(8). If you have any questions, please contact Allen H. Coon, the attorney assigned to this matter, at (202) 694-1211.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

A handwritten signature in black ink, appearing to read "A.B.R.", written over a white background.

BY: Anne B. Robinson
Assistant General Counsel

Enclosure:
EPS Dismissal Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR 8026

Respondent: Republicans Against RINOs
PAC, Inc.

Complaint Receipt Date: July 11, 2022

Response Date: August 8, 2022

Alleged Statutory and Regulatory Violations: 52 U.S.C. §§ 30101(4), (17), (22); 30102; 30103; 30104
11 C.F.R. §§ 100.5; 100.16; 100.22; 100.26; 102.1; 104.4;
109.10

The Complaint alleges that Republicans Against RINOs PAC, Inc. (“Republicans Against RINOs”), a Delaware corporation, engaged in federal election-related activity but failed to register as a political committee and also failed to disclose independent expenditures opposing Joe Kent, a candidate in the 2022 election for the 3rd Congressional District of Washington, in violation of the Federal Election Campaign Act of 1971, as amended.¹ The Complaint states that Republicans Against RINOs operates a website and social media account advocating against Kent.² The website stated, “COME AUGUST 2ND, SAY NO TO RINO JOE,” and the website and social media account describe Kent as “an agent of the Deep State, a carpetbagger, a lifelong Marxist Democrat

¹ Compl. at 1 (July 11, 2022); DEL. DEP’T OF STATE, DIV. OF CORPS., *General Information Name Search*, <https://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> (last visited Jan. 18, 2024) (search “Republicans Against RINOs PAC INC” in field “Entity Name”) (indicating that Republicans Against RINOs incorporated in Delaware on December 17, 2020).

² Compl. at 1; see JOE KENT IS CIA, <https://www.joekentiscia.com/> [<https://web.archive.org/web/20231008100028/https://www.joekentiscia.com/>] (website inoperable as of March 5, 2024); @JoeKentIsCIA, X, <https://twitter.com/JoeKentIsCIA> (last visited Feb. 12, 2024). The website provided an email contact (JoeKentIsCIA@gmail.com) and links to other associated social media accounts. See Joe Kent Is CIA, FACEBOOK, <https://www.facebook.com/people/Joe-Kent-Is-CIA/100081862440452/> (last visited Jan. 16, 2024); JoeKentIsCIA.com, TELEGRAM, <https://t.me/JoeKentIsCIA> (last visited Jan. 16, 2024); @JoeKentIsCIA, GAB, <https://gab.com/JoeKentIsCIA> (last visited Jan. 16, 2024). The bottom of the website stated “Paid for by the Republicans Against RINOs PAC (8 The Green STE A, Dover, Delaware 19901) and not authorized by any candidate or candidate’s committee.” JOE KENT IS CIA, <https://www.joekentiscia.com/> [<https://web.archive.org/web/20231008100028/https://www.joekentiscia.com/>] (website inoperable as of March 5, 2024).

1 RINO and a corrupt opportunist.”³ The Complaint asserts that Republicans Against RINOs is
2 “probably making independent expenditures” and cites the website as an example.⁴ There is no
3 entity with the name Republicans Against RINOs registered with the Commission nor has any
4 entity with that name reported making independent expenditures.

5 The Response asserts that Republicans Against RINOs has not registered as a political
6 committee because it has not made an expenditure or received a contribution in excess of \$1,000.⁵
7 The Response further asserts that Republicans Against RINOs has only spent \$66 to maintain the
8 website and does not currently contribute to or make expenditures against any federal candidate.⁶

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

³ JOE KENT IS CIA, <https://www.joekentiscia.com/> [<https://web.archive.org/web/20231008100028/https://www.joekentiscia.com/>] (website inoperable as of March 5, 2024); see @JoeKentIsCIA, X, (July 31, 2022, 9:05 PM), <https://twitter.com/JoeKentIsCIA/status/1553909835636232192> (“JOE KENT MEGA-THREAD: Deep state agent! Bernie bro! Marxist! Carpet bagger! Anti-Christian! See the scandals, learn the truth!”). August 2, 2022, was the date of the primary election. WASH. SEC’Y OF STATE, *Elections Calendar*, <https://www.sos.wa.gov/elections/calendar/month> (last visited Feb. 12, 2024).

⁴ Compl. at 2.

⁵ Resp. at 1 (Aug. 8, 2022).

⁶ *Id.*

1 consistent with the Commission's prosecutorial discretion to determine the proper ordering of its
2 priorities and use of agency resources.⁷ We also recommend that the Commission close the file and
3 send the appropriate letters.

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Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel

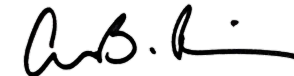


BY:

Claudio J. Pavia
Deputy Associate General Counsel
for Enforcement

10
11
12 March 11, 2024


Date



Anne Robinson
Assistant General Counsel



Wanda D. Brown
Assistant General Counsel



Allen Coon
Attorney

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