



August 11, 2023

VIA E-MAIL

Wanda Brown, Acting Assistant General Counsel
Christal Dennis, Paralegal
Federal Election Commission
Office of Complaints Examination and Legal Administration
1050 First Street, NE
Washington, DC 20463
Email: CELA@fec.gov

Re: MUR 8105 (Katie Porter for Congress)

Dear Ms. Brown:

We write as counsel to Katie Porter for Congress (the “Committee”) in response to the Complaint submitted by the Committee to Defeat the President in Matter Under Review 8105. The Complaint claims that Representative Katherine Porter is receiving a prohibited contribution from the University of California, Irvine by continuing to live in her own home and pay her own mortgage under terms she entered into years before first running for Congress.

As an initial matter, the Office of General Counsel’s decision to identify the Committee as a respondent is contrary to the Commission’s regulations. The regulations require, among other things, that a complaint “clearly identify each person or entity who is alleged to have committed a violation.”¹ Upon receipt of such complaint, the Office of General Counsel must “notify each respondent that the complaint has been filed.”² Here, the Complaint did not name the Committee as a respondent. Nor are there any allegations in the Complaint directed at the Committee. Because the Complaint in this matter does not allege any violations against the Committee, the Commission should have never named the Committee as a respondent in this MUR. Accordingly, the Commission must immediately rescind sending the Complaint and should take no further action as to the Committee.

In any event, the Committee also incorporates by reference Rep. Porter’s response filed on May 1, 2023 and the exhibits attached thereto as the Committee’s response in this matter. That response demonstrates that the Complaint’s allegations are speculative and lacks any basis in law or fact. Accordingly, for the reasons outlined in Rep. Porter’s May 1, 2023 response, the Commission should find no reason that the Committee has committed any violation of the Act or Commission regulations and promptly close the file in this matter.

¹ 11 C.F.R. § 111.4(d).

² *Id.* § 111.5(a).

Sincerely,

A handwritten signature in blue ink, appearing to be 'Graham M. Wilson', written in a cursive style.

Graham M. Wilson
Jonathan A. Peterson
Counsel to Katie Porter for Congress