



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

June 14, 2021

John McPherson Young
Individually and on behalf of Make California Great Again PAC, John McPherson Young, and
Rachel Gunther



Rachel Gunther
Individually and on behalf of Make California Great Again PAC, John McPherson Young, and
Rachel Gunther
Via email: [REDACTED]

Advisory Letter

**FPPC No. 2019-01128, Make California Great Again PAC, John McPherson Young,
and Rachel Gunther**

Dear Mr. Young and Ms. Gunther,

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This case was opened pursuant to a referral from the Secretary of State, Political Reform Division, alleging that the committee, Make California Great Again PAC (“Committee”), had registered as a qualifying committee but had failed to pay the annual fee owed under Section 84101.5.

The Committee filed an initial Statement of Organization on September 7, 2017, indicating that the Committee had qualified as a committee on September 5, 2017. The Committee raised and spent funds to support a recall of Governor Brown. The Committee raised more than \$2,000 and served Governor Brown with a notice of intent to recall. However, according to the Secretary of State, Elections Division, the notice of intent to recall did not conform to the requirements under Elections Code Section 11021. A letter addressed to the recall group gave notice that the recall effort was required to start anew with a properly conforming notice of intent to recall. Per records from the Secretary of State, the recall failed. According to bank records and confirmed by Ms. Gunther, the Committee ceased activity as of October 31, 2019.

Committees primarily formed to support or oppose a recall will qualify as a committee when the group raises or spends \$2,000 or more and when the target officer is served with a notice of intent to recall pursuant to Elections Code section 11021.² As the Committee failed to serve a conforming notice of intent to recall, the notice sent by the Committee to Governor Brown did not trigger the

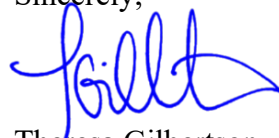
¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations.

² Regulation 18531.5, subdivision (c)(3).

qualification as a committee under Regulation 18531.5, subdivision (c)(3). There is insufficient evidence that the Committee otherwise qualified as a committee under the Act. Therefore, the Enforcement Division has elected to close this matter with an advisory letter.

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding future filing and report obligations under the Act, please call the FPPC's advice line at 866-ASK-FPPC (1-866-275-3772) or email at advice@fppc.ca.gov. Thank you for your time and attention to this matter. Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Theresa Gilbertson". The signature is fluid and cursive, with a large initial "T" and a long, sweeping underline.

Theresa Gilbertson
Senior Commission Counsel
Enforcement Division