

BEFORE THE FEDERAL ELECTION COMMISSION OF THE UNITED STATES OF AMERICA

In the Matter of:  
Keith Gross  
Keith Gross for Florida  
Jason D. Boles, Treasurer

MUR No. \_\_\_\_\_

**COMPLAINT**

1. Complainant brings this complaint before the Federal Election Commission (“FEC” or “Commission”) seeking an immediate investigation and enforcement action against Keith Gross and Jason D. Boles as Treasurer (“Committee”) for violations of the Federal Election Campaign Act (“FECA” or “Act”).
2. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information providing reason to believe that:
3. Respondents have converted campaign funds for personal use in violation of 52 U.S.C. § 30114(b)(1) and 11 C.F.R. § 113.2(e).

**STATEMENT OF THE LAW**

4. 52 U.S.C. § 30114(b)(1) prohibits the conversion of contributions given to a campaign committee for personal use.<sup>1</sup>
5. Campaign funds are deemed to have been converted to personal use “if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate’s election campaign[.]”<sup>2</sup>
6. As a general matter, “[t]he expenses associated with marketing a book that a commercial publisher has published and for which it pays royalties to the author are expenses that exist irrespective of the candidate’s election campaign[.]”<sup>3</sup>
7. The Commission has assessed “on a case-by-case basis” whether the use of campaign funds to purchase a candidate’s book is an impermissible “personal use” based on the facts of each individual case.<sup>4</sup>
8. The Commission has only approved the use of campaign funds to purchase a candidate’s book when certain guardrails are applied to ensure that the candidate does not personally benefit. Specifically:
  - Campaign funds must be used to make book purchases solely for distribution to contributors and supporters, and the quantity purchased would not exceed the number needed for such distribution.<sup>5</sup>
  - The candidate cannot personally receive any royalties from sales facilitated by his campaign committee. The Commission has approved committee purchases of candidate-authored books only “if the publisher: (1) donates the candidate’s royalties for his campaign’s book purchases to a charitable organization that is not associated with the candidate and (2) excludes such sales from the calculation of royalties that accrue to the candidate.”<sup>6</sup>

---

<sup>1</sup> See also 11 C.F.R. § 113.2(e).

<sup>2</sup> 52 U.S.C. § 30114(b)(2); 11 C.F.R. § 113.1(g).

<sup>3</sup> Advisory Opinion [2006-7](#).

<sup>4</sup> See Advisory Opinion [2014-10](#); Advisory Opinion [2014-06](#).

<sup>5</sup> Advisory Opinion [2014-06](#).

<sup>6</sup> *Id.* (citing Advisory Opinion [2001-08](#) and Advisory Opinion [2011-02](#)).

- The amount of promotional material posted on the campaign’s website or social media pages must be *de minimis*, which has been defined by the Commission to mean “a single sentence, or, at most, two sentences of promotional material about a candidate’s book.”<sup>7</sup>

### **STATEMENT OF FACTS**

9. Keith Gross is a candidate for Florida’s U.S. Senate race and has the principal campaign committee Keith Gross for Florida.<sup>8</sup>
10. Mr. Gross’ book, *Dirt Roads to Runways* was published on February 6, 2024, by Big Red Publishing.<sup>9</sup>
11. On February 26, 2024, Mr. Gross’ verified campaign X account (@KeithGrossFL) tweeted the following public announcement: “Folks I’m happy to announce my book has been released. Thanks to @RogerJStoneJr for writing a very kind forward [sic] to this book about my life, growing up in rural Florida and my vision for how we get America back to the Constitutional vision of its founding[.]”<sup>10</sup>
12. A series of follow-up tweets linked to other websites where individuals could purchase Mr. Gross’ book, including Amazon, Apple Books, and Barnes & Noble.<sup>11</sup>
13. The original tweet also included a hyperlink to <https://www.keithgross.com/book>. The linked page is a subset of the Gross campaign’s website. The page includes the book’s title, an image of the book’s cover, and the following message directed to site visitors: “Donate ANY amount to get a signed copy of Keith Gross’s new book! *Dirt Roads to Runways* tells the story of Keith Gross’s life, tracking his journey from growing up in poverty to becoming a successful businessman. He wants YOU to have an autographed copy. Donate ANYTHING, even as little as \$1, and Keith will send you a signed copy of the book.” The page also includes a link that enables visitors to make an online contribution to the Gross campaign.

### **CAUSE OF ACTION**

#### **AGAINST RESPONDENTS KEITH GROSS, KEITH GROSS FOR FLORIDA, AND JASON D. BOLES AS TREASURER**

##### **Converting Campaign Funds for Personal Use in Violation of 52 U.S.C. § 30114(b)(1) and 11 C.F.R. § 113.2(e)**

14. The Commission has been clear about the facts and circumstances that need to be present for a candidate’s book deal to be compliant with FECA. Public information regarding details, such as the number of books purchased, and what, if any, royalty arrangement Mr. Gross might have because of authoring this book, remain undisclosed. (Mr. Gross did not disclose any agreement with the book’s publisher, Big Red Publishing, in Part 9 of his most recent U.S. Senate personal financial disclosure filing.) However, what is clear is that Mr. Gross and his campaign committee have flagrantly breached the *de minimis* limitation on promoting his book on his campaign website. Rather than the “single sentence, or, at most, two sentences of promotional material about a candidate’s book” that the Commission has previously approved, the campaign has created a separate webpage on the campaign

---

<sup>7</sup> Advisory Opinion [2011-02](#).

<sup>8</sup> Keith Gross for Florida, [Statement of Organization](#) (Filed on July 1, 2023).

<sup>9</sup> Barnes & Noble, *Dirt Roads to Runways: Defending the American Dream for the Next Generation*, [Barnesandnoble.com](https://www.barnesandnoble.com) (Accessed Mar. 25, 2024); *See also* Keith Gross, *Dirt Roads to Runways: Defending the American Dream for the Next Generation* (2024).

<sup>10</sup> Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024).

<sup>11</sup> Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024); Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024); Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024).

website to promote Mr. Gross' book.<sup>12</sup> The campaign has also promoted the book on its official X account and used campaign resources to promote sales of the book on various retail platforms.<sup>13</sup>

### **PRAYER FOR RELIEF**

15. Wherefore, the Commission should find reason to believe that Keith Gross, Keith Gross for Florida, and Jason D. Boles as Treasurer have violated prohibitions against converting campaign funds for personal use in violation of 52 U.S.C. § 30114(b)(1) and 11 C.F.R. § 113.2(e). The Commission should conduct an immediate investigation under 52 U.S.C. § 30109(a)(2) and determine and impose appropriate sanctions for any and all violations. Furthermore, the Commission should enjoin respondent from any future violations, and impose any necessary and appropriate remedies to ensure respondent future compliance with FECA.

March 25, 2024

Respectfully Submitted,

---

Caitlin Sutherland, Executive Director  
Americans for Public Trust  
107 South West Street, Suite 442  
Alexandria, VA 22314

---

<sup>12</sup> Advisory Opinion [2011-02](#); Keith Gross for Florida, *Dirt Roads to Runways: Defending the American Dream for the Next Generation*, [Keith Gross.com](#) (Accessed Mar. 25, 2024).

<sup>13</sup> *Supra* note 11; *Supra* note 12.

VERIFICATION

16. The complainants listed below hereby verify that the statements made in the attached Complaint are, upon their information and belief, true.

For Complainant "Americans for Public Trust"

\_\_\_\_\_  
Caitlin Sutherland

City of Alexandria  
Commonwealth of Virginia

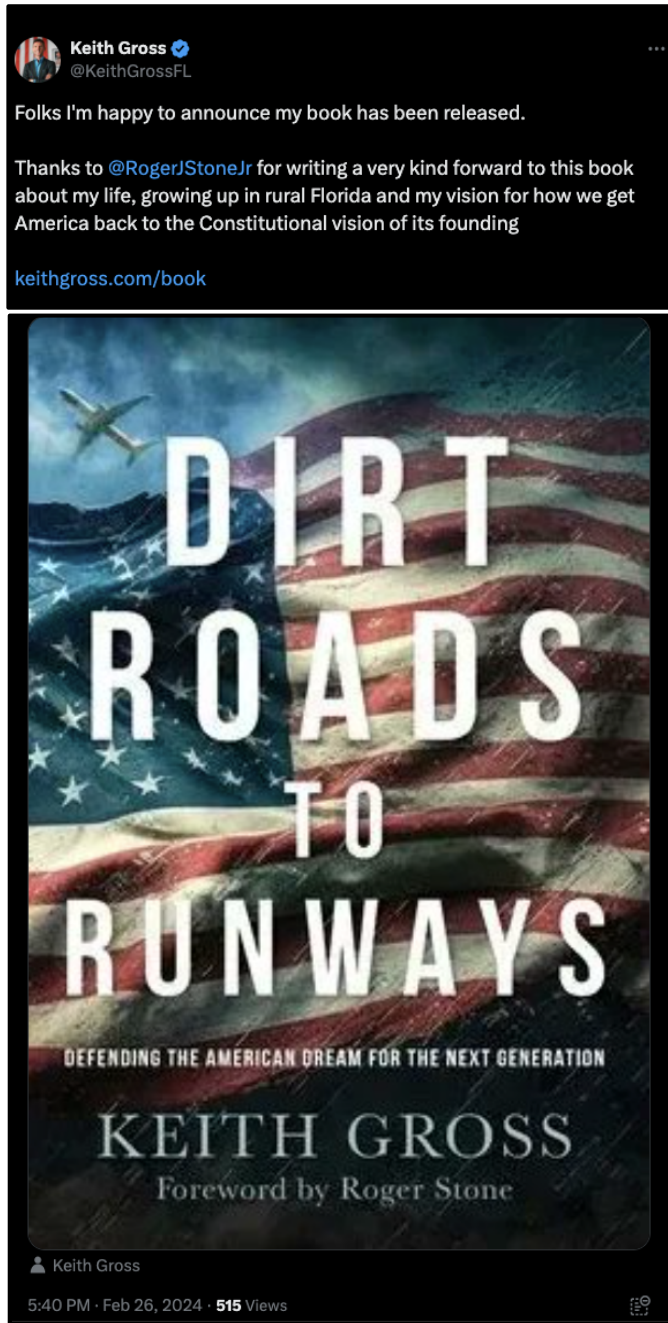
The foregoing instrument was subscribed and sworn to before me this 25th day of March 2024 by Caitlin Sutherland.

\_\_\_\_\_  
Notary Public

Notary registration number: \_\_\_\_\_

My commission expires: \_\_\_\_\_

EXHIBIT A



Keith Gross (@KeithGrossFL), X, (Feb. 26, 2024)

**EXHIBIT B**



Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024)



Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024)



Keith Gross (@KeithGrossFL), [X](#), (Feb. 26, 2024).

# EXHIBIT C

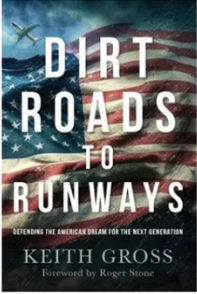
DONATE \$20.24 TO KEEP FLORIDA FREE

**KEITH GROSS**  
— SENATE —

Home About Issues Join nikki [Donate](#)

## DIRT ROADS TO RUNWAYS

DEFENDING THE AMERICAN DREAM FOR THE NEXT GENERATION  
FOREWORD BY ROGER STONE



Donate ANY amount to get a signed copy of Keith Gross's new book!

**KEITH GROSS**  
— SENATE —

Home About Issues Join nikki [Donate](#)

Dirt Roads to Runways tells the story of Keith Gross's life, tracking his journey from growing up in poverty to becoming a successful businessman. He wants YOU to have an autographed copy. Donate ANYTHING, even as little as \$1, and Keith will send you a signed copy of the book.

**DONATE ANY AMOUNT TO GET YOUR COPY TODAY:**

**KEITH GROSS**  
— SENATE —

Home About Issues Join nikki [Donate](#)

**KEITH GROSS**  
— SENATE —

Choose Amount

One-time Monthly

\$1 \$5 \$10 \$20.24

\$50 \$100 \$500 \$1,000

Other

Express Checkout

Anedot [Go Pay](#)

OR

Keith Gross for Florida, Dirt Roads to Runways: Defending the American Dream for the Next Generation, [KeithGross.com](https://www.KeithGross.com) (Accessed Mar. 25, 2024).