



Federal Election Commission  
Washington, DC 20463

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**SENSITIVE**

**MEMORANDUM**

December 6, 2016

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Lynn M. Fraser *LMF*  
Director, ADR Office

BY: Krista J. Roche *KJR*  
Assistant Director, ADR Office

SUBJECT: ADR 815 Pete for Congress and Paul Kilgore, Treasurer  
Recommendation to Dismiss

The Office of General Counsel (OGC) transferred MUR 7120 on November 15, 2016, and the ADR Office designated the matter as ADR 815. The ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985). We include a summary and discussion of the matter for your information.

**Summary and Analysis of Case:** On August 4, 2016, Esther Carrera filed a Complaint alleging that Pete for Congress and Paul Kilgore, Treasurer, (Respondents or the Committee) accepted \$10,234 in prohibited contributions during June 2016 from twenty-one apparent corporations, as disclosed on the Committee's 2016 July Quarterly Report.

Of the twenty-one contributions at issue, one was refunded within the permissible timeframe and three were from partnerships, thus permissible contributions. The remaining contributions were refunded on August 31, 2016, with the exception of one \$150 contribution. In response to the Complaint, the Committee contends that it did not act knowingly and willfully and has taken steps to ensure it does not accept contributions of this nature in the future.

Due to the remedial actions taken by the Committee, including dispensing refunds, and the relatively low amount and dollar value of the contributions at issue, the ADR Office

recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985).

**RECOMMENDATION:**

1. Dismiss ADR 815 (MUR 7120), and close the file.
2. Approve the appropriate letters.