



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JoAnn Doherty, Treasurer
Marie Newman for Congress
201 S. Stone
LaGrange, IL 60526

JUL 30 2018

RE: MUR 7342
Marie Newman for Congress
and JoAnn Doherty, as treasurer

Dear Ms. Doherty:

On March 7, 2018, the Federal Election Commission ("Commission") notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On July 26, 2018, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that Marie Newman for Congress and you in your official capacity as treasurer violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Donald Campbell, the attorney assigned to this matter, at (202) 694-1551.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

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

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7342

Respondents: Marie Newman for Congress,
and JoAnn Doherty, as treasurer
(collectively the "Committee")¹
Unknown Respondents

Complaint Receipt Date: March 6, 2018

Response Date: April 12, 2018

EPS Rating:

**Alleged Statutory
Regulatory Violations:**

**52 U.S.C. § 30120(a);
11 C.F.R. § 110.11**

The Complainant states that he received a postcard advocating Newman's election. The postcard is signed "Patricia" and appears to have been mailed from Virginia, but it lacks a disclaimer, return address, or any indication who paid for the communication.² The Committee responds that the postcard appears to be an independent expenditure made by an unknown party and was not coordinated with the campaign.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for

¹ Newman is a candidate in Illinois's 3rd Congressional District.

² The postcard was attached to the Complaint. It was addressed to "Valued Voter," and appears to be a handwritten endorsement of Marie Newman. It also bears a date stamp reading "12 FEB 2018" and a location stamp reading "NO VA 220." There is no further identifying information on the postcard.

Commission action after application of these pre-established criteria. Given that low rating, the lack of available information as to the source, cost, or distribution of the postcard, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

Kathleen M. Guith
Associate General Counsel

7.10.18
Date

BY: Stephen Gura
Stephen Gura
Deputy Associate General Counsel

Jeff S. Jordan
Jeff S. Jordan
Assistant General Counsel

Donald E. Campbell
Donald E. Campbell
Attorney