



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Elena E. Bethea

New Port Beach, CA92660

RE: MUR 7662

Dear Ms. Bethea:

On November 19, 2019, 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 August 6, 2020, based upon the information contained in the complaint, the Commission decided to dismiss allegations that you 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 Disclosure of Certain Documents in Enforcement and Other Matters*, 81 Fed. Reg. 50,702 (Aug. 2, 2016). If you have any questions, please contact Kristina Portner, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff S. Jordan".

Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel’s Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 7662

Respondents: Dr. Lisa Sparks for Congress
and Lisa Sparks, as Treasurer
("Committee");
Elena Bethea

Complaint Receipt Date: November 12, 2019

Response Date: December 20, 2019

EPS Rating:

Alleged Statutory

52 U.S.C. § 30122

Regulatory Violations:

11 C.F.R. § 110.4(b)

The Complaint alleges that the Committee accepted a contribution in the name of another.¹ Specifically, the Complaint suggests Elena Bethea, Sparks's daughter, made a \$2,800 contribution to the Committee, but did not have had the resources to do so because she is a full-time student.² The Committee asserts that the Complaint is speculative, and it had no reason to suspect the contribution was improper.³ The Committee notes that Bethea is not a minor, she was capable of making her own decisions regarding money in her own bank account, and she did so with respect to the contribution.⁴

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

¹ Compl. at 1 (Nov. 12, 2019).

² *Id.* The Complaint relies on the Committee's disclosure report, which shows Bethea's occupation as "student."
Id. at Ex.

³ Resp. at 1 (Dec. 20, 2019).

⁴ *Id.*

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 Commission action after application of these pre-established criteria. Given that low rating, the modest amount at issue, and the speculative nature of the allegations contained in the Complaint, 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

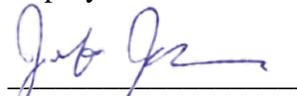
Charles Kitcher
Acting Associate General Counsel

02.27.20
Date

BY:



Stephen Gura
Deputy Associate General Counsel



Jeff S. Jordan
Assistant General Counsel



Kristina M. Portner
Attorney