

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 7711

**Respondents:** Matt Innis for U.S. Senate, Inc.  
and Scott Rediger, as Treasurer  
("Committee")

**Complaint Receipt Date:** March 2, 2020

**Response Date:** April 14, 2020

**EPS Rating:**

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30104(b)(5)(A), (8)  
11 C.F.R. §§ 104.3(b)(4), 104.11**

The Complaint alleges that the Committee failed to report \$457 in disbursements for Facebook advertisements between August 2019 and December 2019.<sup>1</sup> The Response asserts that its vendor has charged the Committee for digital media services, including the Facebook ads, and that the debt is reported on its disclosure reports as printing because the majority of the invoice is for printing expenses.<sup>2</sup>

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 Commission action after application of these pre-established criteria. Given that low rating, and the

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<sup>1</sup> Compl. at 1-2 (Mar. 2, 2020).

<sup>2</sup> Resp. at 1 (Apr. 14, 2020). The Committee notes that the \$457 disbursement to Facebook for digital content represents 1.87% of its total costs (*i.e.*, \$24,381.16) incurred to its vendor, Transformation Marketing. *Id.* at 1-2

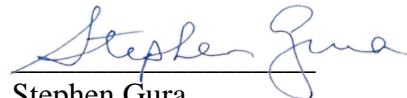
modest amount at issue, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

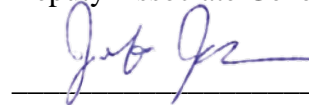
Lisa J. Stevenson  
Acting General Counsel


Charles Kitcher  
Acting Associate General Counsel

08.10.20  
Date

BY:

  
Stephen Gura  
Deputy Associate General Counsel

  
Jeff S. Jordan  
Assistant General Counsel

  
Kristina M. Portner  
Attorney