



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

May 25, 2021

**Certified Mail – Return Receipt Requested**  
**Via Email:** [info@americansforpublictrust.org](mailto:info@americansforpublictrust.org)

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

RE: MUR 7720

Dear Ms. Sutherland:

The Federal Election Commission reviewed the allegations in your complaint received on March 16, 2020. On April 9, 2021, based upon the information contained in the complaint and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Friends of Madeleine Dean, Madeleine Dean, and MAD 4 PA PAC and John Egner in his official capacity as treasurer, and close 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), effective September 1, 2016.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in cursive script that reads "Jeff Jordan".

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure:  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 7720

**Respondents:** Friends of Madeleine Dean;  
Madeleine Dean; and  
MAD 4 PA PAC and John  
Egner in his official  
capacity as treasurer

**Complaint Receipt Date:** March 16, 2020

**Response Date:** July 2, 2020

**EPS Rating:** ■

**Alleged Statutory**                      **52 U.S.C. § 30125(e)(1)**  
**Regulatory Violations:**        **11 C.F.R. §§ 110.3(d); 300.62**

The Complaint alleges that Friends of Madeleine Dean, (the “State Committee”) made approximately \$17,000 of expenditures on behalf of her federal committee, MAD 4 PA PAC (the “Federal Committee”), after Dean ended her campaign for Lieutenant Governor and around the time that Dean was announcing her intention to run for Congress.<sup>1</sup> Specifically, the Complaint identifies \$4,359.10 in expenditures for campaign literature and buttons that were reportedly made at the time when Dean was announcing her intention to run for Congress.<sup>2</sup> The Complaint further disputes the State Committee’s payments for access to a Pennsylvania voter database (\$195), accounting services (\$4,800), technology services (\$3,000), staff reimbursements

---

<sup>1</sup> Madeleine Dean was a state representative in the Pennsylvania House of Representatives from 2012 until November 2018. While running unopposed for re-election to the 153rd District of the Pennsylvania House of Representatives in 2018, she also ran for Lieutenant Governor (from November 2017 until February 2018). In February 2018, she ended her campaign for Lieutenant Governor and announced her federal campaign for Pennsylvania’s 4th Congressional District. On May 15, 2018, Dean won the primary elections in both the 153rd state district and the 4th Congressional District. In July 2018, Dean formally withdrew from the state race and ran exclusively for election to Congress.

<sup>2</sup> Compl. at 1-2 (Mar. 16, 2020).

(\$797.69), postal and office supplies (\$672.68), mailbox expenses (\$115), website hosting (\$201.79), and political consulting (\$2,750).<sup>3</sup>

Respondents address the expenditures identified in the Complaint by stating that Dean ran in the primary elections for both state representative and congressional representative and also had expenses associated with ending her campaign for lieutenant governor.<sup>4</sup> Respondents also provide specific information and documentation confirming that most of the expenditures were for state campaign purposes.<sup>5</sup> Lastly, Respondents concede that the State Committee paid for web hosting services that should have been paid for by the Federal Committee and that the State Committee paid the entire cost of a mailbox rental when the expense should have been split between the committees.<sup>6</sup> As a result, Respondents state that the Federal Committee disgorged the amount in question, \$254.79, to the U.S. Treasury.<sup>7</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

---

<sup>3</sup> Compl. at 2.

<sup>4</sup> Resp. at 1, 3 (July 2, 2020).

<sup>5</sup> Resp. at 4-6, Exs. A-D.

<sup>6</sup> Resp. at 6, n. 28.


<sup>7</sup> *Id.*


priority for Commission action after application of these pre-established criteria. Given that low rating, the information and documents provided by Respondents, the low dollar amount attributed to the admitted violations, and the remedial efforts taken by the Federal Committee, 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.<sup>8</sup> 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

10.05.20  
\_\_\_\_\_  
Date

BY:   
Stephen Gura  
Deputy Associate General Counsel

  
Jeff S. Jordan  
Assistant General Counsel

  
Adrienne C. Baranowicz  
Attorney

---

<sup>8</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).