

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: MUR 7739

Respondents: Alaska Republican Party
and Lorne Bretz, as treasurer
(the “Committee”)
Glenn Clary

Complaint Receipt Date: May 20, 2020

Response Date: July 2, 2020

EPS Rating:

Alleged Statutory/Regulatory Violations: 52 U.S.C. §§ 30104(a)(1), (a)(11)(C);
11 C.F.R. §§ 104.1-104.2, 104.14, 104.18

The Complaint, filed by the former treasurer of the Alaska Republican Party, alleges that the Committee improperly used his electronic signature to file its April 2020 Monthly Report after he had resigned.¹ The Complainant alleges that Glenn Clary, the Committee's chairman, implicitly admitted the allegation when Clary told the Complainant he would “not be liable for anything on the April 20 FEC report.”²

The Response filed by Clary on behalf of the Committee and himself asserts that the inclusion of the Complainant’s name as treasurer on the April 2020 Monthly Report was unintentional and the result of Clary’s lack of understanding of the FEC filing process.³ The

¹ Compl. at 1-2 (May 20, 2020). See Alaska Republican Party April 2020 Monthly Report, available at <https://docquery.fec.gov/pdf/839/202004219232244839/202004219232244839.pdf>. The Committee is registered with the FEC as a state party committee. See Alaska Republican Party FEC Form 1 Statement of Organization (“Form 1”) (September 20, 2020), available at <https://docquery.fec.gov/pdf/518/202009209276064518/202009209276064518.pdf>. Glenn Clary is the Chairman of the Committee. Compl. at 1. See also Resp. at 1 (July 2, 2020).

² *Id.*

³ Resp. at 1-2. Clary attributes the circumstances leading to the Complaint to the Complainant’s dissatisfaction with the format and procedures at the Committee’s State Convention. *Id.* at 1. see also Committee Form 1 (May 15, 2020), available at <https://docquery.fec.gov/pdf/789/202005159232698789/202005159232698789.pdf>. The available information indicates that the Committee filed a handwritten copy of a Form 1 on April 20, 2020, with Clary’s name written in the Treasurer line, with a line struck through the word “Treasurer” and replaced with the written word “Chairman.” This filing was not accepted as a properly filed Form 1, and has been titled “Alaska Republican Party Miscellaneous Report to FEC 2020,” available at <https://docquery.fec.gov/pdf/597/202004210300317597/202004210300317597.pdf>.

Response alleges that after the Complainant resigned, he did not sufficiently communicate information regarding the Committee's accounts, including the Committee's online FEC account, which presented challenges in filing the April 2020 report timely.⁴ The Response further states that it has filed Amended Statements of Organization, correcting the name of the Committee's treasurer.⁵

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 subsequent forms filed by the Respondents, 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.⁶ We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

⁴ *Id.* Clary further states that he was unable to establish a new treasurer before the April 20, 2020 filing date for the monthly FEC report, and that the username and password provided by the Complainant was not valid. *Id.* at 1-2. Clary states that he was unaware that the Complainant was still listed as the Committee's treasurer when he filed the April 2020 Monthly Report, and was unaware that the Complainant's name would appear on the Committee's electronically filed report. *Id.*

⁵ *See* note 1,

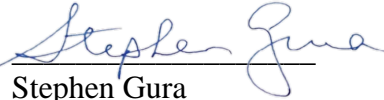
⁶ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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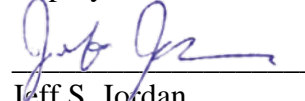
Date

Charles Kitcher
Acting Associate General Counsel

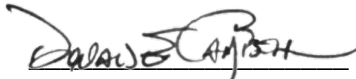
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