



FEDERAL ELECTION COMMISSION
Washington, DC

VIA ELECTRONIC AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

August 6, 2021

Jamie Montgomery
18 Schoolhouse Drive
Medford, NJ 08055

RE: MUR 7855

Dear Ms. Montgomery:

The Federal Election Commission reviewed the allegations in your complaint received on November 6, 2020. On August 2, 2021, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Becchi for Congress and David Steiner, in his official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on August 2, 2021. 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).

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

Roy Q. Lockett

BY: Roy Q. Lockett
Acting Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7855

Respondent: Becchi for Congress
and David Steiner, as Treasurer¹
("the Committee")

Complaint Receipt Date: November 6, 2020

Response Date: February 10, 2021

Alleged Statutory

52 U.S.C. § 30104(a), (b)(8);

Regulatory Violations:

11 C.F.R. §§ 104.3(d); 104.11(a)-(b);

116.10(a)

The Complaint alleges that Becchi for Congress (the "Committee") should have reported \$6,185 in outstanding debt owed to Jamie Montgomery Consulting LLC ("JMC") on the committee's quarterly report filed October 15, 2020.² The Complaint claims the Committee hired JMC for fundraising purposes from July 2019 through May 31, 2020, and that the amount owed has not been paid despite attempts to "rectify" the outstanding invoice.³

The Committee responds that it paid JMC \$54,018 for fundraising consulting services provided from July 2019 through May 2020, and terminated the services of JMC in May 2020.⁴

The Committee contends that it owes no further payments to JMC but, to avoid any question about the sufficiency of its filings, the Committee has amended its reports to show the full amount claimed as disputed debt.⁵

¹ Becchi for Congress is the principal campaign committee of Rosemary Becchi, a candidate for the U.S. House of Representatives in New Jersey's 11th Congressional District in 2020. .

² Compl. at 1 (Nov. 6, 2020).

³ *Id.*

⁴ Resp. at 1 (Feb. 10, 2021).

⁵ Resp. at 1-2. See Becchi for Congress Amended 2020 October Quarterly at 247 (Feb. 10, 2021). <https://docquery.fec.gov/pdf/558/202102109427653558/202102109427653558.pdf>.

1 Based on its experience and expertise, the Commission has established an Enforcement
2 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
3 assess whether particular matters warrant further administrative enforcement proceedings. These
4 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
5 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
6 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
7 potential violations and other developments in the law. This matter is rated as low priority for
8 Commission action after application of these pre-established criteria. Given that low rating, the fact
9 that the Committee has amended its reports to reflect the disputed debt, and the low dollar amount
10 at issue, we recommend that the Commission dismiss the Complaint consistent with the
11 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of
12 agency resources.⁶ We also recommend that the Commission close the file as to all Respondents
13 and send the appropriate letters.

14 Lisa J. Stevenson
15 Acting General Counsel

16 Charles Kitcher
17 Associate General Counsel

18 07.15.21

19 Date

20 BY: Stephen Gura
21 Stephen Gura
22 Deputy Associate General Counsel

23 Kristina Portner
24 Kristina M. Portner
25 Attorney

26 Donald E. Campbell
27 Donald E. Campbell
28 Attorney

29
30

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