BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7918 **Respondent:** WinRed

Complaint Receipt Date: July 22, 2021
Response Date: August 16, 2021

EPS Rating:

Alleged Statutory and Regulatory Violations: 52 U.S.C. § 30104(b)(3); 11 C.F.R. § 104.3(a)(4)(i)

The Complaint alleges that WinRed, an online fundraising platform, charged two unauthorized transactions totaling $140 using the Complainant's credit card, which she subsequently disputed with her credit card company.[1] WinRed responds that the Complaint does not allege any violation of the Act or Commission regulations.[2] The Response further states that WinRed received, processed, and properly reported the transactions at issue, and that both transactions were facially valid and included the required contributor information.[3]

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

[1] Compl. at 1 (July 22, 2021). Commission records indicate that WinRed reported contributions from the Complainant in the amount of $100 on Nov. 8, 2020, and in the amount of $40 on Dec. 28, 2020. *FEC Receipts: Filtered Results*, FEC.GOV, https://www.fec.gov/data/receipts/individual-contributions/?committee_id=C00694323&contributor_name=sarah+garraty (last visited June 29, 2022). The Complaint includes a letter from the Complainant's bank stating that the bank investigated the claim and determined that the Complainant was not responsible for the charges. Compl. at 5. The Complainant also requests that her contributor information be removed from the FEC's public data. *Id.* at 1.

[2] WinRed Resp. at 1 (Aug. 16, 2021).

[3] *Id*. at 2. The Response also states that WinRed refunded one of the contested contributions at the contributor's request, while the Complainant disputed the other contribution with her bank. *Id*. Commission records indicate that WinRed reported a refund of $40 to the Complainant on Mar. 3, 2021, in its Amended 2021 Mid-Year Report (Dec. 20, 2021). *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00694323&recipient_name=sarah+garraty (last visited June 29, 2022).

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 low dollar amount involved, 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.[4] 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
Associate General Counsel

6/30/2022
Date

BY: Claudio Pavia
Claudio J. Pavia
Deputy Associate General Counsel

Roy Q. Luckett
Roy Q. Luckett
Acting Assistant General Counsel

Donald E. Campbell
Attorney

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