$\frac{1}{2}$	BEFORE TH	IE FEDERAL ELECTI	ON COMMISSION
1 2 3 4	ENFORCEMENT PRIORITY SYSTEM DISMISSAL REPORT		
5 6 7 8 9	MUR: 7935	Respondents:	Citizen Facts PAC and Clinton Edminster in his official capacity as treasurer
10 11	Complaint Receipt Date: Octob Response Date: November 8, 20	-	
12 13	EPS Rating:		
14 15 16	Alleged Statutory Regulatory Violations:		52 U.S.C. § 30104(a), (b); 11 C.F.R. §§ 104.1, 104.3
17 18	The Complaint alleges that	t Citizen Facts PAC (the	"PAC") failed to file its 2021 Mid-Year
19	Report. ¹ The Complaint further a	lleges that the PAC paid	for two billboards targeting Buddy Carter
20	in 2021 at a cost ranging from \$800 to \$3,500, and a newspaper ad targeting Carter at a cost		
21	between \$200-\$3,000, but failed to disclose its expenditures. ² In addition, the Complaint alleges		
22	that the PAC solicits contributions through ActBlue, but has not disclosed any contributions		
23	received. ³		
24	The Response acknowledg	ges that the Committee fa	iled to timely file its 2021 Mid-Year
25	Report, which was due July 31, 2021, and states that the lack of filing was an oversight on the part		
26	of the treasurer. ⁴ The Committee filed its 2021 Mid-Year Report on November 8, 2021, which		

¹ Compl. at 2 (Oct. 21, 2021).

² *Id.* at 1.

³ *Id.*

⁴ Response of Citizen Facts PAC and Clinton Edminster, as treasurer (Nov. 8, 2021).

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disclosed \$10,515 in receipts and \$7,597.31 in disbursements.⁵ The 2021 Mid-Year Report 1 disclosed \$7,530 in disbursements related to billboards and newspaper advertisements.⁶ 2 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 4 5 assess whether particular matters warrant further administrative enforcement proceedings. These 6 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity 7 and the amount in violation; (2) the apparent impact the alleged violation may have had on the 8 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in 9 potential violations and other developments in the law. This matter is rated as low priority for 10 Commission action after application of these pre-established criteria. Given that low rating, the 11 remedial actions of the Respondent, and the low dollar amount involved, we recommend that the 12 Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.⁷ We also recommend 13

⁵ Citizen Facts PAC 2021 Mid-Year Report at 2 (Nov. 8, 2021), https://docquery fec.gov/pdf/207/202111089468444207/202111089468444207.pdf.

⁶ *Id.* at 12.

⁷ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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1 that the Commission close the file as to the Respondent and send the appropriate letters.

2		Lisa J. Stevenson
3		Acting General Counsel
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6		Charles Kitcher
7		Associate General Counsel
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11	December 20, 2022	BY:
12	Date	Claudio J. Pavia
13		Deputy Associate General Counsel
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16		Roy Q / uckatt
17		Roy Q. Luckstt
18		Roy Q. Luckett
19		Acting Assistant General Counsel
20		C
21		
22		Calars & CAMBOH
23		Donald E. Campbell
24		Attorney