

1 **BEFORE THE FEDERAL ELECTION COMMISSION**  
2  
3 **ENFORCEMENT PRIORITY SYSTEM**  
4 **DISMISSAL REPORT**  
5

6 **MUR:** 7983

**Respondent:** GrassTroops for Frank Lopez, Jr.,  
and Francisco Lopez, Jr., in his  
official capacity as treasurer

10  
11 **Complaint Receipt Date:** April 20, 2022

12 **Response Date:** April 28, 2022

13 **EPS Rating:**

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15  
16 **Alleged Statutory/**

52 U.S.C. § 30104(a)-(b);

17 **Regulatory Violations:**

11 C.F.R. § 104.5(a)

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20 The Complaint alleges that GrassTroops for Frank Lopez, Jr., and Francisco Lopez, Jr., in  
21 his official capacity as treasurer (the “Committee”), the principal campaign committee of Francisco  
22 Lopez, Jr., neglected to file a quarterly report due April 15, 2022, which would have been the first  
23 disclosure report filed after Lopez registered with the Commission as a candidate.<sup>1</sup> In response to  
24 the Complaint, the Committee states that neither its contributions nor its expenditures exceeded the  
25 \$5,000 reporting threshold, and that, as a result, the 2022 April Quarterly Report was not due.<sup>2</sup> The  
26 Response states that Lopez spoke with the Committee’s assigned FEC Analyst who confirmed that  
27 the reporting requirement is triggered at the \$5,000 threshold and therefore no report was required  
28 until that point.<sup>3</sup> On April 27, 2022, the Committee filed FEC Form 99, stating that the Committee  
29 did not exceed the \$5,000 reporting threshold for contributions or expenditures during the reporting

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<sup>1</sup> Compl. at 1 (Apr. 20, 2022); *see* Francisco Lopez, Jr., Statement of Candidacy (Jan. 6, 2022); GrassTroops for Frank Lopez, Jr., Statement of Org. (Jan. 6, 2022).

<sup>2</sup> Frank Lopez Resp. at 1 (Apr. 28, 2022).

<sup>3</sup> *Id.*

1 period ending March 31, 2022.<sup>4</sup> The Committee has since filed regular reports, starting with the  
2 2022 July Quarterly Report for the reporting period ending June 30, 2022.<sup>5</sup>

3           Based on its experience and expertise, the Commission has established an Enforcement  
4 Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
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 and the  
11 low dollar amount involved, we recommend that the Commission dismiss the Complaint consistent  
12 with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and

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<sup>4</sup> GrassTroops for Frank Lopez, Jr., FEC Form 99 (Apr. 27, 2022).

<sup>5</sup> GrassTroops for Frank Lopez, Jr., 2022 July Quarterly Report (July 14, 2022); GrassTroops for Frank Lopez, Jr., 2022 October Quarterly Report (Oct. 15, 2022); GrassTroops for Frank Lopez, Jr., 2022 Pre-General Report (Oct. 27, 2022); GrassTroops for Frank Lopez, Jr., 2022 Post-General Report (Dec. 8, 2022).

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EPS Dismissal Report  
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1 use of agency resources.<sup>6</sup> We also recommend that the Commission close the file and send the  
2 appropriate letters.

3  
4 Lisa J. Stevenson  
5 Acting General Counsel  
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9 Charles Kitcher  
10 Associate General Counsel

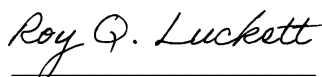
11  
12 January 11, 2023

13 \_\_\_\_\_  
14 Date

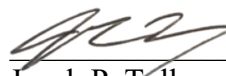
BY:



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15 Claudio J. Pavia  
16 Deputy Associate General Counsel



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17 Roy Q. Lockett  
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20 Jacob P. Tully  
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<sup>6</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).