



FEDERAL ELECTION COMMISSION
Washington, DC 20463

VIA ELECTRONIC AND CERTIFIED
MAIL RETURN RECEIPT REQUESTED

July 13, 2023

Susan E. McKenney

Guntersville, AL 35976

RE: MUR 7984

Dear Ms. McKenney:

On July 7, 2023, the Federal Election Commission reviewed the allegations in your complaint received April 21, 2022, and on the basis of the information provided in the complaint, and information provided by respondents, decided to exercise its prosecutorial discretion to dismiss the allegations as to Rhonda Gore and Rhonda Gore for District 4. Accordingly, on July 7, 2023, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016), effective September 1, 2016. A copy of the General Counsel's Report, which more fully explains the Commission's finding, is enclosed.

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). If you have any questions, please contact Rocelyn Halili, the attorney assigned to this matter, at (202) 694-1190.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure:
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR 7984

Respondents: Rhonda Gore
Rhonda Gore for District 4¹

Complaint Receipt Date: April 21, 2022

Response Date: May 26, 2022

Alleged Statutory/

Regulatory Violations: 52 U.S.C. § 30102(a), (b)(3), (e)(1), (g)
52 U.S.C. § 30103(c)
52 U.S.C. § 30104(a), (b)
52 U.S.C. § 30120(a)(1)
11 C.F.R. § 101.1(a)
11 C.F.R. § 100.26
11 C.F.R. § 102.15
11 C.F.R. § 102.2(a)(2)
11 C.F.R. § 102.7(a)-(b)
11 C.F.R. § 104.1(a)
11 C.F.R. § 110.11

The Complaint alleges several violations of the Federal Election Campaign Act of 1971, as amended (the “Act”), and Commission regulations by Rhonda Gore and her principal campaign committee, Rhonda Gore for District 4 (the “Committee”).² First, the Complaint alleges that the Committee failed to file disclosure reports, and that Gore failed to file a Statement of Candidacy after Gore exceeded the \$5,000 threshold for contributions received and expenditures made.³ Second, the Complaint asserts that the Committee failed to timely designate a new treasurer and

¹ On July 19, 2021, former committee treasurer James Michael Edmondson filed a Miscellaneous Form 99 resigning as treasurer. Rhonda Gore for District 4, Misc. Form 99 (July 19, 2021). The Committee has not filed an updated Statement of Organization designating a replacement. Rhonda Gore for District 4, Statement of Organization (June 7, 2021) (current Statement of Organization still listing Edmondson as treasurer). It is unclear whether the Committee is without a treasurer or if it has failed to timely update its Statement of Organization to reflect a new treasurer.

² Compl. at 1 (Apr. 21, 2022).

³ *Id.* The Complaint alleges, without citing any source, that Gore raised \$7,000 by February 11, 2022, thereby exceeding the \$5,000 threshold and triggering reporting obligations. *Id.*

1 update its official address with the Commission after its prior treasurer resigned in July 2021.⁴

2 Third, the Complaint contends that Gore received contributions into her personal accounts via

3 several payment platforms and therefore commingled campaign and personal funds.⁵ Lastly, the

4 Complaint alleges that the Committee failed to include disclaimers on unspecified campaign

5 materials.⁶

6 In response to the Complaint, Gore asserts that her campaign did not raise enough

7 contributions to obligate financial filings with the Commission.⁷ Specifically, she contends that her

8 campaign did not raise contributions in excess of \$5,000 during the election cycle and that the

9 Complaint was politically motivated.⁸ The Committee did not file a Response.

10 The Committee's total contributions and expenditures cannot be verified due to the lack of

11 reporting by the Committee, but Gore's personal Facebook page demonstrates some of her

12 fundraising efforts.⁹ Specifically, there are three postings on Gore's Facebook page, where she

13 requested \$10 donations from her supporters.¹⁰ As of December 5, 2022, Gore had 1,329

14 connections (a.k.a. "Friends") on Facebook.¹¹ Given the frequency of Gore's solicitations, the

15 number of her connections, and the low-dollar requests, any contributions raised through these

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* A review of publicly available communications by the Committee reveals only a few campaign posters on Gore's personal Facebook page that did not include complete disclaimers. Rhonda L. Gore, Facebook, <https://www.facebook.com/profile.php?id=100073208409842> (solicitations posted on Mar. 9, 2022, Mar. 12, 2022, May 14, 2022) (last visited Mar. 24, 2023).

⁷ Gore Resp. at 1-2 (May 26, 2022).

⁸ *Id.*

⁹ Rhonda L. Gore, Facebook, <https://www.facebook.com/profile.php?id=100073208409842> (solicitations posted on Mar. 9, 2022, Mar. 12, 2022, May 14, 2022) (last visited Mar. 24, 2023).

¹⁰ *Id.*

¹¹ *Id.*

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1 solicitations were likely modest. In addition, the Committee apparently received contributions
2 through ActBlue and from The PAC of International Brotherhood of Teamsters totaling \$2,658.¹²
3 As for expenditures, publicly available information on Gore’s personal Facebook page shows that
4 the Committee produced digital posters and an official website for the campaign (Gorefor4.com),
5 but it is unclear how much, if anything, they cost; again, the amounts at issue appear to be modest.¹³
6 Queries of the Facebook Ad Library, Google Political Ad Database, and YouTube show no
7 advertising by Respondents.¹⁴ Additionally, the campaign likely incurred a \$3,480 cost to run on
8 the Alabama ballot.¹⁵

9 Based on its experience and expertise, the Commission has established an Enforcement
10 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
11 assess whether particular matters warrant further administrative enforcement proceedings. These
12 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
13 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
14 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
15 potential violations and other developments in the law. This matter is rated as low priority for

¹² FEC Disbursement Filings, https://www.fec.gov/data/disbursements/?data_type=processed&recipient_name=C00781617

¹³ Rhonda L. Gore, Facebook, <https://www.facebook.com/profile.php?id=100073208409842> (Campaign solicitations and posters circulated on Mar. 9, 2022, Mar. 12, 2022, May 14, 2022, and May 15, 2022, bore the Committee’s logo. Other posters dated May 8, 2022, May 13, 2022, and May 23, 2022, identify Gore as the only authorizing and funding source.) (last visited Mar. 24, 2023). Gorefor4.com, the campaign website, which was printed on the campaign posters, no longer exists (last visited on Mar. 24, 2023).

¹⁴ Facebook Ad Library, [https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&q=Rhonda%20Gore%20for%20District%204&sort_data\[direction\]=desc&sort_data\[mode\]=relevancy_monthly_grouped&search_type=keyword_unordered&media_type=all](https://www.facebook.com/ads/library/?active_status=all&ad_type=all&country=US&q=Rhonda%20Gore%20for%20District%204&sort_data[direction]=desc&sort_data[mode]=relevancy_monthly_grouped&search_type=keyword_unordered&media_type=all) (query for “Rhonda Gore for District 4” reveals no results) (last visited Mar. 24, 2023); Google Political Ads Database, <https://adstransparency.google.com/political?political=®ion=US> (query for “Rhonda Gore for District 4” reveals no results) (last visited Mar. 24, 2023); YouTube, https://www.youtube.com/results?search_query=Rhonda+Gore (query for “Rhonda Gore for District 4” reveals no results) (last visited Mar. 24, 2023).

¹⁵ See 2022 Candidate Qualifying, Alabama Democrats, <https://aldemocrats.org/2022-candidate-qualifying> (last visited Mar. 24, 2023).

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1 Commission action after application of these pre-established criteria. Given that low rating, and the
 2 low dollar amount at issue, we recommend that the Commission dismiss the Complaints consistent
 3 with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and
 4 use of agency resources.¹⁶ We also recommend that the Commission close the file and send the
 5 appropriate letters.

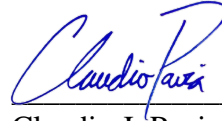
6 Lisa J. Stevenson
 7 Acting General Counsel

8 Charles Kitcher
 9 Associate General Counsel

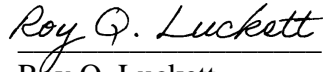
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 11
 12
 13
 14 April 5, 2023

15 Date

16 BY:



17 Claudio J. Pavia
 18 Deputy Associate General Counsel for
 19 Enforcement

20 

21 Roy Q. Luckett
 22 Acting Assistant General Counsel

23 

24 Rocelyn Halili
 25 Attorney
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¹⁶ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).