



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

December 30, 2024

VIA EMAIL ONLY

Stephen Houlahan
P.O. Box 710175
Santee, CA 92072
info@rogerthatcompliance.com

RE: MUR 8005
Stephen Houlahan for Congress, *et al.*

Dear Mr. Houlahan:

On June 3, 2022, and October 4, 2023, the Federal Election Commission (the “Commission”) notified you of a Complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the “Act”). A copy of the Complaint was included in that notification. On October 23, 2023, we received your Response to the Complaint.

Upon review of the allegations in the Complaint and information provided by you, on November 27, 2024, the Commission voted to dismiss this matter effective December 30, 2024. The EPS Dismissal Report, which more fully explains the Commission’s findings is enclosed.

Documents related to the case will be placed on the public record today. See Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

If you have any questions, please contact Jacob McCall, the attorney assigned to this matter, at (202) 694-1650 or jmccall@fec.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne B. Robinson".

Anne B. Robinson
Assistant General Counsel

Enclosure
EPS Dismissal Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 8005

Respondents: Stephen Houlahan for Congress and
Steven J. Stelman in his official
capacity as treasurer
Stephen W. Houlahan
Stephen Houlahan for Santee Mayor
2020

Complaint Receipt Date: May 31, 2022

Supplement Receipt Date: Oct. 2, 2023

Response Dates: June 21, 2022, Sept. 21, 2023, Oct. 2, 2023, Oct. 23, 2023

Alleged Statutory and Regulatory Violations:

52 U.S.C. §§ 30102(e)(1), 30103(b), (c), 30104(b),
30114(b), 30120(a)(1), 30125(e)(1)(A)
11 C.F.R. §§ 101.1(a), 102.1(a), 102.2(a), 102.12(a),
104.3(a), 110.3(d), 110.11(a), (b), 113.1(g), 300.60,
300.61

The Complaint alleges that Stephen W. Houlahan, a 2022 and 2024 congressional

22 candidate and 2020 state candidate, and his political committees — Stephen Houlahan for
23 Congress and Steven J. Stelman in his official capacity as treasurer (the “Federal Committee”)
24 and Stephen Houlahan for Santee Mayor 2020 (the “Mayoral Committee”) — violated the
25 Federal Election Campaign Act of 1971, as amended (the “Act”), by failing to include proper
26 disclaimers in public communications and websites (the Federal Committee’s disclosure reports
27 indicate that it spent approximately \$13,073.41 on these items), failing to timely amend
28 Houlahan’s 2022 Statement of Candidacy and Statement of Organization to reflect a change in
29 congressional districts, failing to timely file his 2024 Statement of Candidacy, listing the wrong
30 district on disclosure reports, providing inaccurate information on a Statement of Organization by
31 listing the email address of a third-party compliance company under contact information, failing

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1 to report contributions and expenditures relating to a fundraiser for a legal defense fund that
 2 raised \$5,995 and in-kind contribution totaling approximately \$10,000 for legal fees, diverting
 3 \$972.55 from the Mayoral Committee to the Federal Committee, and converting campaign funds
 4 to personal use in connection with \$1,676.14 in hotel accommodations outside of Houlahan's
 5 district.¹

6 The Federal Committee admits in its Response that it failed to include disclaimers on its
 7 public communications but asserts that it updated its Linktree page and campaign website to
 8 include disclaimers and removed and recalled printed communications to add stickers with the
 9 required disclaimer.² In addition, the Response also acknowledges that it failed to timely amend
 10 its Statement of Organization for the 2022 election cycle "due to an oversight," and failed to
 11 correct the district number on its disclosure reports also due to an oversight caused by not
 12 updating this information in its FEC File software which the Federal Committee corrected in
 13 later disclosure reports.³

14 The Federal Committee denies that it accepted improper contributions, or that it failed to
 15 report certain contributions.⁴ The Federal Committee also denies the allegation that it accepted

¹ Compl. at 1-3 (May 31, 2022); Supp. Compl. at 3-4 (Oct. 2, 2023); *FEC Disbursements: Filtered Results*, FEC.GOV, https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00764027 (last visited Oct. 15, 2024) (reflecting the Committee's disbursements prior to the May 31, 2022 Complaint). Houlahan was a first-time federal candidate during the 2022 election cycle and lost the general election for California's 48th Congressional District. Stephen W. Houlahan, Amended Statement of Candidacy at 1 (June 18, 2022), <https://docquery.fec.gov/pdf/055/202206189515030055/202206189515030055.pdf>; CAL. SEC'Y OF STATE, STATEMENT OF THE VOTE NOVEMBER 8, 2022 GENERAL ELECTION 58 (Dec. 16, 2022), <https://elections.cdn.sos.ca.gov/sov/2022-general/sov/complete.pdf>.

² Stephen Houlahan for Congress Resp. at 1, 3-6 (June 21, 2022) ("Federal Committee Resp.") (stating that Houlahan paid for the stickers with his personal funds); Stephen Houlahan for Congress Supp. Resp. at 1 (Oct. 23, 2023) ("Federal Committee Supp. Resp.").

³ Federal Committee Resp. at 1; Federal Committee Supp. Resp. at 1; Stephen Houlahan for Congress, Amended 2023 October Quarterly Report at 1 (Oct. 19, 2023), <https://docquery.fec.gov/pdf/218/202310199598521218/202310199598521218.pdf>.

⁴ Federal Committee Resp. at 1.

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1 impermissible funds from Houlahan's mayoral campaign and argues that the \$972.55 transfer
2 was "made up of entirely permissible funds."⁵ Finally, the Federal Committee denies the
3 allegation that the Committee converted campaign funds to personal use, arguing that the hotel
4 accommodations related to a candidate event held by the state party.⁶

5 Based on its experience and expertise, the Commission has established an Enforcement
6 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
7 assess whether particular matters warrant further administrative enforcement proceedings. These
8 criteria include (1) the gravity of the alleged violation, taking into account both the type of
9 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
10 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
11 trends in potential violations and other developments in the law. This matter is rated as low
12 priority for Commission action after application of these pre-established criteria. Given that low
13 rating, the apparent low dollar amount at issue, and the unlikelihood that voters would have been
14 confused as to whether the Committee paid for the communications at issue that contained partial
15 disclaimers or other identifying information, we recommend that the Commission dismiss the
16 Complaint, consistent with the Commission's prosecutorial discretion to determine the proper
17 ordering of its priorities and use of agency resources.⁷ We also recommend that the Commission
18 close the file as to all Respondents effective 30 days after the date the certification of this vote is

⁵ Federal Committee Resp. at 2.

⁶ *Id.* at 1; Federal Committee Supp. Resp. at 2.

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

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- 1 signed (or on the next business day after the 30th day, if the 30th day falls on a weekend or
- 2 holiday) and send the appropriate letters.

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November 15, 2024

9 Date

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Lisa J. Stevenson
Acting General Counsel

Claudio Pavia

Claudio J. Pavia
Deputy Associate General Counsel

Ans. R.

Anne Robinson
Assistant General Counsel

Jacob McCall

Jacob McCall
Attorney