

1 other on Venmo through their personal accounts that the Complaint asserts “appear to be
2 campaign related” based again on the captions and the identities of the recipients.⁴ The
3 explanatory captions in the public Venmo feed for these transactions include: “Work,” “Maryott
4 for Congress,” “tips,” “Pizzaz,” “rental,” Reimbursement,” the American flag emoji, the gas tank
5 emoji, and a chicken head emoji.⁵

6 In Response, the Committee states that “a handful of [the] allegations may have some
7 merit particularly as it regards some petty cash reporting that may have been overlooked at the
8 time.”⁶ On the other hand, the Response asserts that the “vast majority” of the allegedly
9 unreported expenses listed in the Venmo transaction log were “not at all related to the
10 campaign.”⁷ Further, the Response states that it is “working to resolve the exact figures and will
11 amend quarterly reports as needed.”⁸ The Committee subsequently amended three of its 2021
12 quarterly reports to indicate a total of \$4,223.66 in additional in-kind contributions from the
13 candidate and corresponding expenditures.⁹

14 Based on its experience and expertise, the Commission has established an Enforcement
15 Priority System using formal, pre-determined scoring criteria to allocate agency resources and

⁴ *Id.* at 6.

⁵ *See id.* at 6, Ex. B.

⁶ Resp. (Aug. 25, 2022).

⁷ *Id.*

⁸ *Id.*

⁹ *Compare* Maryott for Congress, 2021 July Quarterly Report at 3-4 (July 15, 2021), *with* Maryott for Congress, Amended 2021 July Quarterly Report at 3-4 (Dec. 6, 2022) (reflecting an increase of \$3,075 in in-kind contributions from the candidate and corresponding expenditures); Maryott for Congress, 2021 October Quarterly Report at 3-4 (Oct. 15, 2021), *with* Maryott for Congress, Amended 2021 October Quarterly Report at 3-4 (Dec. 6, 2022) (reflecting an increase of \$720.66 in in-kind contributions from the candidate and corresponding expenditures); Maryott for Congress, First Amended 2021 Year-End Report at 3-4 (Apr. 12, 2022), *with* Maryott for Congress, Second Amended 2021 Year-End Report at 3-4 (Dec. 6, 2022) (reflecting an increase of \$428 in in-kind contributions from the candidate and corresponding expenditures).

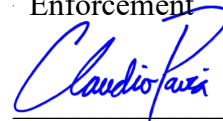
1 assess whether matters warrant further administrative enforcement proceedings. These criteria
 2 include (1) the gravity of the alleged violation, taking into account both the type of activity and
 3 the amount in violation; (2) the apparent impact the alleged violation may have had on the
 4 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends
 5 in potential violations and other developments in the law. This matter is rated as low priority for
 6 Commission action after application of these pre-established criteria. Given that low rating, the
 7 apparent low dollar amount at issue, as well as the remedial steps which the Committee has
 8 taken, we recommend that the Commission dismiss the Complaint consistent with the
 9 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use
 10 of agency resources.¹⁰ We also recommend that the Commission close the file and send the
 11 appropriate letters.

12 Lisa J. Stevenson
 13 Acting General Counsel

14 Charles Kitcher
 15 Associate General Counsel for
 16 Enforcement

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 20
 21 03/05/2024
 22 Date

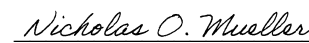
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¹⁰ Heckler v. Chaney, 470 U.S. 821, 831-32 (1985).