

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 8233

Respondent: Surry County Republican Executive
 Committee

Complaint Receipt Date: March 25, 2024

Response Date: April 17, 2024



Alleged Statutory and Regulatory Violations: 52 U.S.C. §§ 30101(4)(C); 30103; 30104; 30120(a)
 11 C.F.R. §§ 100.5(c); 102.1(d); 104.1; 104.3; 110.11(a)

The Complaint alleges that Surry County Republican Executive Committee (the “Committee”), a party committee registered with the North Carolina State Board of Elections, violated the Federal Election Campaign Act of 1971, as amended, by failing to register as a political committee and failing to include disclaimers on a mailer and palm cards.¹ The Complaint includes a copy of the mailer which contains the results of a straw poll conducted by the Committee regarding two federal offices and 29 state and local offices.² The mailer states that it was paid for by the “Surry Republican Party” but the partial disclaimer is not contained in a printed box and does not include the Committee’s full name.³ Additionally, the Complaint includes a copy of the palm card which contained the same information as the mailer and the

¹ Compl. at 1-3 (Mar. 25, 2024); Surry Republican Executive Committee, Statement of Organization (Aug. 9, 2021), <https://cf.ncsbe.gov/CFOrgLkup/ViewDocumentImage/?DID=262417> (registering with the North Carolina State Board of Elections).

² Compl. at 3-4, Attach. 4.

³ *Id.*, Attach. 4.

1 same partial disclaimer.⁴ Finally, the Complaint states the Committee should have registered
2 with the Commission based on this activity.⁵

3 The Response states that the mailer and palm card were created by volunteers and
4 acknowledges that they lacked proper disclaimers.⁶ The Response states that it spent \$4,418.53
5 on these communications.⁷ Finally, the Response states that the Committee “pledge[s] not to
6 make these erroneous mistakes again” and requests that the Commission dismiss the Complaint.⁸

7 Based on its experience and expertise, the Commission has established an Enforcement
8 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
9 assess whether particular matters warrant further administrative enforcement proceedings. These
10 criteria include (1) the gravity of the alleged violation, taking into account both the type of
11 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
12 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
13 trends in potential violations and other developments in the law. This matter is rated as low
14 priority for Commission action after application of these pre-established criteria. Given that low
15 rating, the low apparent dollar amount at issue, and the low likelihood that recipients of the
16 mailer would have been confused as to who had sent it, we recommend that the Commission
17 dismiss the Complaint consistent with the Commission’s prosecutorial discretion to determine
18 the proper ordering of its priorities and use of agency resources.⁹ We also recommend that the

⁴ *Id.* at 4-5, Attach. 2.

⁵ *Id.* at 7.

⁶ Resp. at 1-2 (Apr. 17, 2024).

⁷ *Id.* at 1.

⁸ *Id.* at 2.

⁹ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

1 Commission close the file as to all Respondents effective 30 days from the date the certification
2 of this vote is signed (or on the next business day after the 30th day, if the 30th day falls on a
3 weekend or holiday) and send the appropriate letters.

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Lisa J. Stevenson
Acting General Counsel

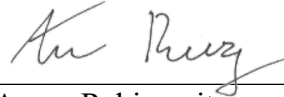
10/24/2024

Date

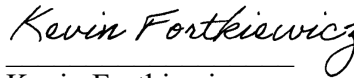
BY:



Claudio J. Pavia
Deputy Associate General Counsel
for Enforcement



Aaron Rabinowitz
Assistant General Counsel



Kevin Fortkiewicz
Attorney