

## BEFORE THE FEDERAL ELECTION COMMISSION

# ENFORCEMENT PRIORITY SYSTEM DISMISSAL REPORT

MUR 8234

## Respondents: Keith Gross

Keith Gross for Florida and  
Jason D. Boles in his official  
capacity as treasurer

**Complaint Receipt Date:** March 26, 2024

**Response Date:** May 28, 2024

**Alleged Statutory/  
Regulatory Violations:** 52 U.S.C. § 30114(b)(1)  
11 C.F.R. § 113.2(e)

21 The Complaint alleges that Keith Gross, a 2024 Senate candidate in Florida, and his  
22 principal campaign committee, Keith Gross for Florida and Jason D. Boles in his official  
23 capacity as treasurer (the “Committee”),<sup>1</sup> violated the Federal Election Campaign Act of 1971, as  
24 amended (the “Act”), when Gross and the Committee converted campaign funds to personal use  
25 by offering to send contributors a copy of a published book written by Gross in exchange for  
26 contributing any amount to the Committee and posting links on Gross’s social media account to  
27 platforms where the book could be purchased.<sup>2</sup> Respondents state that “Gross purchased the  
28 books with his personal funds at cost and donated them to the campaign,” which is “consistent  
29 with activity previously deemed by the FEC to be lawful.”<sup>3</sup>

<sup>1</sup> Keith Gross, Statement of Candidacy (Apr. 11, 2023); Keith Gross for Florida, Amended Statement of Organization (Apr. 26, 2024).

2 Compl. at 1-3 (Mar. 26, 2024).

<sup>3</sup> Resp. ¶ 4 (May 28, 2024); *id.* ¶ 7 (explaining that “Gross[] receives no royalties from the books he donated to the campaign that are given away at no charge to the recipient”).

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1       Based on its experience and expertise, the Commission has established an Enforcement  
2       Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
3       assess whether particular matters warrant further administrative enforcement proceedings. These  
4       criteria include (1) the gravity of the alleged violation, taking into account both the type of  
5       activity and the amount in violation; (2) the apparent impact the alleged violation may have had  
6       on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent  
7       trends in potential violations and other developments in the law. This matter is rated as low  
8       priority for Commission action after application of these pre-established criteria. Given that low  
9       rating, and the apparent low dollar amount at issue, we recommend that the Commission dismiss  
10      the Complaints consistent with the Commission's prosecutorial discretion to determine the  
11      proper ordering of its priorities and use of agency resources.<sup>4</sup> We also recommend that the  
12      Commission close the file effective 30 days from the date the certification of this vote is signed  
13      (or on the next business day after the 30th day, if the 30th day falls on a weekend or holiday),  
14      and send the appropriate letters.

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<sup>4</sup>

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

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