



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

May 29, 2025

**VIA ELECTRONIC MAIL**

[amackin@gobergroup.com](mailto:amackin@gobergroup.com)

Anne Marie Mackin, Esq.  
The Gober Group  
P.O. Box 341016  
Austin, TX 78734

RE: MUR 8320  
Zinke for Congress, *et al.*

Dear Ms. Mackin:

On October 8, 2024, the Federal Election Commission notified your client, Zinke for Congress (the "Committee"), and Paul Kilgore in his official capacity as treasurer, 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 forwarded to the Committee at that time.

Upon further review of the allegations contained in the complaint, and information supplied in response, the Commission, on April 29, 2025, voted to dismiss this matter and close the file effective May 29, 2025. The General Counsel's Report, which more fully explains the Commission's decision, is enclosed for your information.

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).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

*Wanda D. Brown*

BY: Wanda D. Brown  
Assistant General Counsel

Enclosure  
General Counsel's Report

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2  
3 **ENFORCEMENT PRIORITY SYSTEM**  
4 **DISMISSAL REPORT**

5  
6 **MUR 8320**

**Respondents:** Zinke for Congress and Paul Kilgore  
in his official capacity as treasurer  
Ryan K. Zinke

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10 **Complaint Receipt Date:** Oct. 1, 2024

11 **Response Date:** Nov. 22, 2024

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15 **Alleged Statutory/**

16 **Regulatory Violations:**

52 U.S.C. § 30120(a)

11 C.F.R. § 110.11(c)

17  
18 The Complaint alleges that Ryan K. Zinke, a 2024 candidate for Montana's 1st  
19 Congressional District,<sup>1</sup> and his principal campaign committee, Zinke for Congress and Paul  
20 Kilgore in his official capacity as treasurer (the "Committee"),<sup>2</sup> distributed a television  
21 advertisement without an adequate disclaimer, in violation of the Federal Election Campaign Act of  
22 1971, as amended.<sup>3</sup> The Complaint alleges that the television advertisement, entitled "Public  
23 Lands," included a written disclaimer displaying "Paid for by Zinke for Congress" and "Authorized  
24 by Ryan Zinke," and a verbal approval by Zinke stating "I'm Ryan Zinke and I approve this  
25 message," but did not display an adequate video or other image of Zinke during the verbal  
26 approval.<sup>4</sup>

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<sup>1</sup> Ryan K. Zinke, Amended Statement of Candidacy at 1 (Mar. 21, 2024), <https://docquery.fec.gov/pdf/731/202403219627385731/202403219627385731.pdf>.

<sup>2</sup> Zinke for Congress, Amended Statement of Organization at 2 (Mar. 21, 2024), <https://docquery.fec.gov/pdf/734/202403219627385734/202403219627385734.pdf>.

<sup>3</sup> Compl. at 1 (Oct. 1, 2024).

<sup>4</sup> *Id.* at 2. The Complaint includes a URL for the advertisement in question which does not appear to be active.

1 In Response, Zinke and the Committee argue that the advertisement in question displayed an  
2 adequate disclaimer and verbal approval,<sup>5</sup> that the advertisement does display an identifiable video  
3 or image of Zinke during the verbal approval,<sup>6</sup> and that the advertisement, even if there was a  
4 technical violation, “contains sufficient identifying information . . . to prevent the public from being  
5 misled as to who paid for it.”<sup>7</sup> Respondents request that the Commission dismiss the Complaint.<sup>8</sup>

6 Based on its experience and expertise, the Commission has established an Enforcement  
7 Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
8 assess whether particular matters warrant further administrative enforcement proceedings. These  
9 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity  
10 and the amount in violation; (2) the apparent impact the alleged violation may have had on the  
11 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in  
12 potential violations and other developments in the law. This matter is rated as low priority for  
13 Commission action after application of these pre-established criteria. Given that low rating and the  
14 unlikelihood that the general public would have been confused as to whether the Committee paid for  
15 and Zinke authorized the communication at issue, 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.<sup>9</sup> We also recommend that the Commission  
18 close the file effective 30 days from the date the certification of this vote is signed (or on the next

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<sup>5</sup> Resp. at 7 (Nov. 22, 2024).

<sup>6</sup> *Id.* at 5-6. The Response includes four screenshots displaying still images from the communication in question, two of Zinke’s face, one in profile, and a still image from the portion of the communication during the verbal approval. *Id.* at 3-5.

<sup>7</sup> *Id.* at 7.

<sup>8</sup> *Id.* at 6-7.

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

MUR 8320 (Zinke for Congress, *et al.*)  
EPS Dismissal Report  
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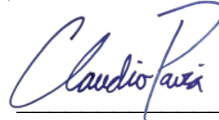
business day after the 30th day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

Lisa J. Stevenson  
Acting General Counsel

April 15, 2025

Date

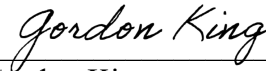
BY:



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