



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

April 14, 2025

VIA ELECTRONIC MAIL

reiff@sandlerreiff.com

Neil P. Reiff, Esquire & Aaron Barden, Esquire
Sandler Reiff
1620 Eye Street NW, Suite 900
Washington, DC 20006

RE: MUR 8341
Alaska Democratic Party

Dear Mr. Reiff & Mr. Barden:

On November 7, 2024, the Federal Election Commission notified your client, the Alaska Democratic Party (the "Committee,"), and Monica Southworth in her 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 March 12, 2025, voted to dismiss this matter and close the file effective April 14, 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 8341**

Respondent: Alaska Democratic Party and Monica Southworth in her official capacity as treasurer

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10 **Complaint Receipt Date:** Oct. 31, 2024

11 **Response Date:** Nov. 26, 2024

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15 **Alleged Statutory/
16 Regulatory Violations:**

52 U.S.C. § 30120(a)
11 C.F.R. § 110.11(c)

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18 The Complaint alleges that the Alaska Democratic Party and Monica Southworth in her
19 official capacity as treasurer (the “Committee”), a state party committee of the Democratic Party,¹
20 distributed mailers displaying an adequate disclaimer and a phone number, which when called
21 played a prerecorded message containing express advocacy opposing a 2024 candidate for Alaska’s
22 At-Large Congressional District and lacking an adequate disclaimer, in violation of the Federal
23 Election Campaign Act of 1971, as amended.² The Complaint alleges that the Committee
24 distributed at least three mailers displaying the phone number to “most, if not all, registered voters
25 in Alaska,” and that therefore the prerecorded message was a telephone bank requiring a
26 disclaimer.³

27 In Response, the Committee argues that the phone number was not a telephone bank or other
28 form of general public political advertising requiring a disclaimer and states that the cost of the

¹ Alaska Democratic Party, Amended Statement of Organization at 2 (Aug. 9, 2024), <https://docquery.fec.gov/pdf/110/202408099666150110/202408099666150110.pdf>.

² Compl. at 1-2 (Oct. 31, 2024).

³ *Id.* at 2.

1 prerecorded message was \$27.14 and for both reasons requests that the Commission dismiss the
2 Complaint.⁴

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

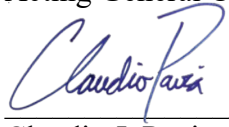
⁴ Committee Resp. at 1 (Nov. 26, 2024).

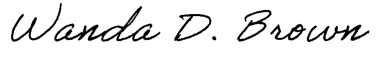
⁵ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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2/27/2025
Date

Lisa J. Stevenson
Acting General Counsel

BY: 
Claudio J. Pavia
Deputy Associate General Counsel


Wanda D. Brown
Assistant General Counsel


Gordon King
Attorney