

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR 8345

Respondent: Elder for America and Steve Baric in
his official capacity as treasurer

Complaint Receipt Date: Nov. 6, 2024



**Alleged Statutory/
Regulatory Violations:**

52 U.S.C. § 30104(b)(8)
11 C.F.R. § 104.3(d)

The Complaint alleges that Elder for America and Steve Baric in his official capacity as treasurer (the “Committee”), a hybrid PAC with both contribution and non-contribution accounts,¹ failed to disclose debt totaling \$27,627.26, in violation of the Federal Election Campaign Act of 1971, as amended.² The Complainant alleges that it entered into a contract with the Committee to send text messages and sent three invoices for the work it performed but that the Committee did not remit payment or disclose the unpaid amount as an outstanding debt on its FEC disclosure reports.³ The Committee has not submitted a response.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the

¹ Elder for America, Statement of Organization at 2 (Jan. 4, 2022), <https://docquery.fec.gov/pdf/742/202201049474867742/202201049474867742.pdf>.

² Compl. at 1 (Nov. 6, 2024).

³ *Id.* at 1-2.

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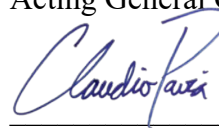
electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and low apparent dollar amount at issue we recommend that the Commission dismiss the Complaint, consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.⁴ We also recommend that the Commission close the file effective 30 days from the date the certification of this vote is signed (or on the next business day after the 30th day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

March 5, 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

⁴ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).