



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

July 30, 2024

MEMORANDUM

TO: The Commission

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for Enforcement

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SUBJECT: Status of Enforcement
Third Quarter FY 2024 (04/01/2024 to 06/30/2024)

To assist the Commission and the Office of General Counsel in assessing the current productivity of the Commission's enforcement program, we submit the Status of Enforcement for the third quarter of fiscal year 2024 (04/01/2024-06/30/2024). The tables that follow provide information to assist agency management in its review of the enforcement program.

At the close of the quarter, the total enforcement caseload was 218 matters — 101 active and 117 inactive. During the third quarter, the Enforcement Division circulated First General Counsel's Reports ("FGCRs") in 39 matters in an average of 137 days, meeting the internal circulation goal 69% of the time. The Enforcement Division's Office of Complaints Examination & Legal Administration ("CELA") circulated EPS reports for 6 matters in an average of 42 days. Four new investigations commenced and a total of six matters were pending in the investigation stage at the close of the quarter. The Commission closed 40 matters in an average of 572 days, thereby meeting its goal of closing within 15 months in 45% of these matters. Finally, the Commission assessed \$231,900 in civil penalties during the third quarter.

Table 1. Caseload

<u>CASELOAD</u>	Inactive	Active	Total
Number of Cases	117	101	218
Number of Reports Pending w/Commission*	1	15	16
FGCR	N/A	74	74
Investigation	N/A	6	6
Pre-Probable Cause Conciliation	N/A	20	20
Probable Cause / PC Brief	N/A	1	1



*As of 07/29/2024

Table 2. CELA Statistics

<u>CELA INITIAL CASE PROCESSING</u>	Current Quarter	FY 2024	2023	2022	2021	2020	2019	2018
Number of Cases Received	46	93	122	154	128	176	149	258
Number of Cases Rated	39	91	129	83	152	135	144	172
Average Days from Last Response to Rating (Goal: 30 days)	1	4	16	14	15	11	11	10
Ratings Meeting Goal	100% [39/39]	90% [47/52]	81% [104/129]	79% [85/108]	77% [117/152]	84% [114/135]	75% [108/144]	87% [149/172]
Number of Cases Activated	21	67	75	74	101	109	112	128
Average Days from Last Response to Activation (Goal: 90 Days)	111	114	86	99	77	39	47	44
Activations Meeting Goal	57% [12/21]	86% [58/67]	64% [48/75]	70% [52/74]	65% [66/101]	92% [100/109]	72% [81/112]	90% [115/128]
Number of Cases Dismissed Via EPS	16	32	26	20	42	18	44	76
Number of Cases Circulated Via EPS	6	35	15	27	34	24	49	50
Average Days from Assignment to Circulation of EPS Report	42	84	27	118	116	58	50	36
Number of Cases Transferred to ADRO	0	3	0	0	6	11	7	9
Average Days from Rating to Transfer to ADRO (Goal: 60 Days)	N/A	97	N/A	N/A	60	32	36	26
ADRO Transfers Meeting Goal	N/A [0/0]	67% [2/3]	N/A [0/0]	N/A [0/0]	67% [4/6]	82% [9/11]	71% [5/7]	89% [8/9]

Table 3. Enforcement Statistics

<u>ENFORCEMENT PROCESS</u>	Current Quarter	FY 2024	2023	2022	2021	2020	2019	2018
First General Counsel’s Reports (“FGCRs”)								
Cases with FGCRs Circulated	39	68	69	88	128	103	143	95
Average Days from Activation to Circulation	137	158	169	231	165	153	177	142
FGCRs Meeting Established Time Goal	69% [27/39]	57% [39/68]	70% [48/69]	68% [60/88]	73% [93/128]	68% [70/103]	68% [97/143]	76% [72/95]
Pre-Probable Cause Conciliation (“PPCC”)								
Negotiations Commenced	13	65	35	114	103	2	79	80
Negotiations Concluded	10	43	89	92	49	12	84	49
Average Days in PPCC (Goal: 60 Days)	121	101	179	119	122	221	127	163
Number of Negotiations Meeting Goal	0%	34%	19%	22%	65%	0%	30%	31%
Investigations								
Investigations Commenced	4	4	2	7	12	1	31	16
Investigations Closed	0	1	6	9	22	8	10	8
Average Days in Investigation	N/A	932	437	862	660	549	634	387
Active Investigations at Close of Quarter	6							
Probable Cause								
Hearing Requests/Number Granted	0/0	0/0	1/1	2/2	1/1	0/0	1/1	1/1
Cases with Probable Cause Findings	1	1	1	2	2	0	0	0
Negotiated PC Settlements Approved	0	0	0	3	1	0	0	0
Average Days in PC Conciliation	N/A	N/A	N/A	841	29	N/A	N/A	N/A
Closed Cases								
Matters Closed	40	95	116	245	194	37	189	169
Matters Closed Within 15 Months	18 (45%)	36 (37%)	62 (53%)	55 (34%)	66 (34%)	23 (62%)	106 (56%)	104 (62%)
Average Days from Receipt to Closing	572	610	632	811	852	530	630	436
Civil Penalties	\$231,900	\$518,899	\$1,482,300	\$2,062,128	\$803,878	\$702,000	\$2,123,436	\$635,200

Table 4. Cases Pending Without a Commission Vote for 12 Months

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
1					07/26/23
2				04/10/24	11/08/23
3					04/15/24
4					04/19/23
5					04/19/23
6				(08/31/24)	06/04/24
7				(09/03/24)	06/27/24
8				(08/27/24)	08/01/23
9				(08/15/24)	10/25/23
10				(08/15/24)	10/25/23
11					11/13/23
12					10/26/23
13				(09/15/24)	10/30/23
14					01/09/24
15				(08/27/24)	11/01/23
16				04/10/24	11/08/23
17					N/A
18					N/A
19					04/10/24
20					01/17/24
21					01/17/24
22				(10/22/24)	01/23/24
23				06/05/24	02/06/24
24					02/01/24
25					04/10/24
26					02/13/24
27					02/13/24
28					N/A
29					02/16/24

Matter	Case Name	Opened	Days Received to Close of Quarter	Circulation Date	Status Letter Date
30				(08/14/24)	N/A
31					03/05/24
32				N/A	04/22/24
33				06/10/24	04/16/24
34				06/10/24	04/16/24
35				N/A	04/22/24
36				N/A	N/A
37					N/A
38				07/29/24	04/22/24
39					07/22/24
40				N/A	N/A
41				07/05/24	07/26/24
42				(10/08/24)	07/30/24
43				(09/16/24)	N/A
44				(07/31/24)	07/16/24
45					07/22/24
46				(08/22/24)	N/A
47					05/13/24
48				07/10/24	01/30/24
49					07/20/24
50				06/27/24	07/30/24
51					07/23/24
52				(10/08/24)	07/30/24
53					07/20/24

A date in parenthesis is the date FGCR is expected to circulate

Table 5. Statute of Limitations Sensitive Matters (18 Months)

	Matter	Case Name	Tolling	Opened	Earliest SOL	Latest SOL	Current Stage
1							
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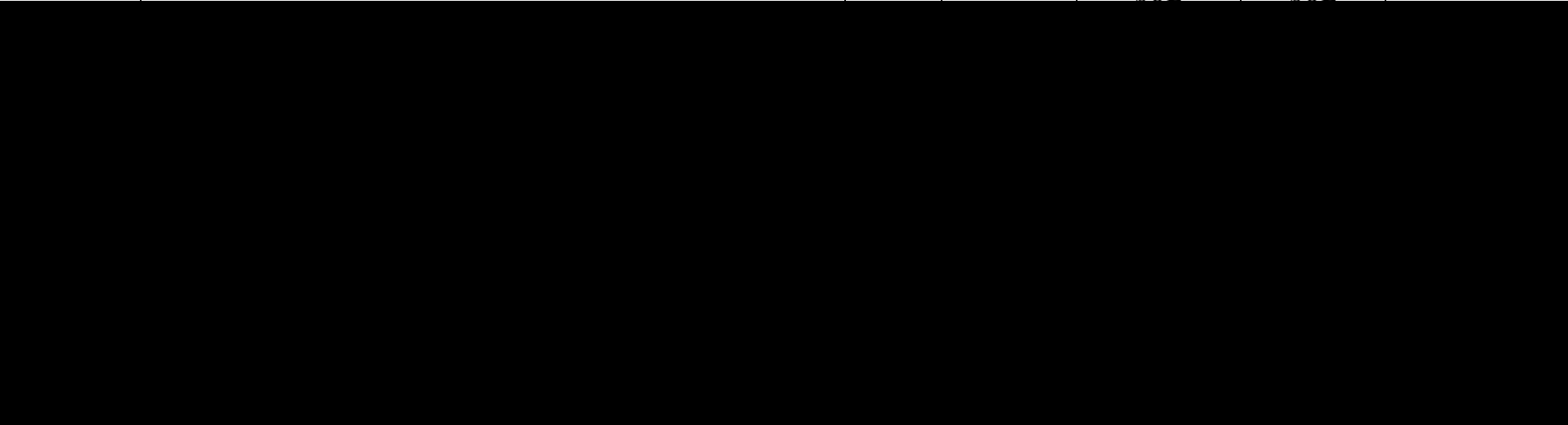
	Matter	Case Name	Tolling	Opened	Earliest SOL	Latest SOL	Current Stage
30							
31							
32							
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37							
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39							
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42							

Table 6. Matters Beyond the Reason to Believe Stage

Matters	Case Name	Current Stage
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Table 7. First General Counsel's Reports Pending with the Commission at the End of the Quarter

Matter	Case Name	Receipt	Assigned	Circ.	# of Days Receipt to Circ.	# of Days Assigned to Circ.	# of Days Receipt to Close of Quarter	# of Days Assigned to Close of Quarter	# of Days Circ. to Close of Quarter	Held Over
1		11/21/19	07/22/21	03/08/24		960	1683	1074	114	03/26/24; 03/27/24; 04/16/24; 04/18/24
2		02/13/20	09/25/23	04/10/24		198	1599	279	81	05/14/24; 05/16/24; 06/04/24; 06/06/24
3		10/31/22	09/25/23	04/10/24		198	608	279	81	05/14/24; 05/16/24; 06/04/24; 06/06/24
4		09/18/23	01/30/24	05/24/24		115	286	152	37	
5		01/13/23	08/21/23	06/05/24		289	534	314	25	
6		03/03/23	01/31/24	06/10/24		131	485	151	20	
7		03/03/23	01/31/24	06/10/24		131	485	151	20	
8		11/08/23	03/07/24	06/10/24		95	235	115	20	
9		06/21/23	04/19/24	06/27/24		69	375	72	3	07/23/24; 07/25/24

Table 8. Foreign National Matters

Matter #	Primary Respondent	Complainant	Receipt	Assigned	Last Response	Status	To DOJ	Country	Earliest SOL
1				01/28/19					
2				04/23/24					
3				12/15/23					