



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**JUL 25 2018**

Kirk deViere

Fayetteville, NC 28301

RE: MUR 7392

Dear Mr. deViere:

The Federal Election Commission reviewed the allegations in your complaint received on May 23, 2018. On July 24, 2018, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Ryan for Congress, Inc. and Paul Mair in his official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on July 24, 2018. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "J. Jordan", written over a horizontal line.

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7392**

**Respondents: Ryan for Congress, Inc.  
and Paul Mair, as Treasurer  
("the Committee")**

**Complaint Receipt Date: May 23, 2018**

**Response Date: June 13, 2018**

**EPS Rating:**

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. §§ 30102(c),(i), 30116(a), 30122  
11 C.F.R. §§ 104.7(b), 104.14(d), 110.1(b),  
110.4(b)**

Complainant alleges that he paid \$750 to a host in order to sponsor a business luncheon attended by Speaker of the House of Representatives Paul Ryan. The Complainant claims that he has never donated to the Committee, but that the \$750 he paid appears as a 2016 contribution on reports filed by Ryan for Congress, Inc. and Team Ryan.<sup>1</sup> Respondents admit that the check was inadvertently collected by Team Ryan, deposited into Team Ryan's bank account, and subsequently distributed to the Committee in accordance with the Team Ryan Joint Fundraising Agreement. Respondents note that after they were made aware of the issue, the Committee refunded the \$750 to the Complainant and amended its reports.

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

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<sup>1</sup> Team Ryan is a joint fundraising committee, which, at the time of the transaction, was comprised of Ryan for Congress, Inc., Prosperity Action, Inc., and the National Republican Congressional Committee. Resp. at 1 (June 13, 2018).

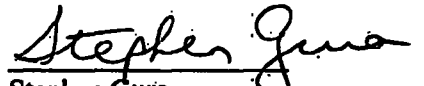
electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the small amount at issue, and the remedial actions by the Committee, 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. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.


Lisa J. Stevenson  
Acting General Counsel

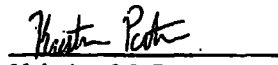
Kathleen M. Guith  
Associate General Counsel

June 29, 2018  
Date

BY:

  
Stephen Gura  
Deputy Associate General Counsel

  
Jeff S. Jordan  
Assistant General Counsel

  
Kristina M. Portner  
Attorney