

OFFICE OF
GENERAL COUNSEL

July 23, 2018

2018 JUL 30 PM 1: 53

Federal Election Commission
1050 First Street, NE
Washington, D.C. 20463

MUR # 7446

Re: Complaint Against Dowling for Congress and Lysa Ray, in her capacity as Treasurer of Dowling for Congress

To Whom It May Concern:

I write to call your attention to apparent violations of the Federal Election Campaign Act's ("FECA") reporting requirements by Dowling for Congress (C00679993), the principal campaign committee of Sandra Dowling. Dowling is a candidate for the office of United States Representative for the Eighth District of Arizona in the August 28, 2018 primary election.

As you know, the FECA and Commission regulations provide that an individual must register as a federal candidate and designate a principal campaign committee within ten days after such time as she has received contributions or made expenditures of at least \$5,000 and has subjectively decided to seek office. See 52 U.S.C. §§ 30101(2), 30103, 11 C.F.R. §§ 100.3 100.72, 100.131; Adv. Op. 1981-32 (Askew). Principal campaign committees are required to disclose all receipts and disbursements to the Commission on a quarterly basis; an additional report is due immediately before the primary election in which the candidate is running. See 52 U.S.C. § 30104(a)(2)(A). A quarterly report "shall be filed no later than the 15th day after the last day of each calendar quarter, and . . . shall be complete as of the last day of each calendar quarter." *Id.* § 30104(a)(2)(A)(iii); see also 11 C.F.R. § 104.5(a)(1). Committees that fail to timely file reports are subject to civil penalties. See 11 C.F.R. § 111.43.

Importantly, every committee bears an unqualified obligation to file timely reports for the entire duration of its existence. Reporting requirements are not contingent upon a committee's level of financial activity; as the Commission has explained, "[a]ll authorized committees must file quarterly reports, even if the candidate decides to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. Committees must continue to file quarterly reports until the Commission notifies them in writing that their termination report has been accepted." Federal Election Commission, CONGRESSIONAL CANDIDATES AND COMMITTEES (rev. June 2014) at 80.

Dowling submitted a Statement of Candidacy on May 31, 2018 in which she designated Dowling for Congress as her principal campaign committee. Dowling for Congress filed its statement of organization with the Commission the next day. Accordingly, Dowling for Congress' first quarterly report itemizing all contributions received and disbursements made between June 1, 2018 and June 30, 2018—to include all receipts and expenses associated with any "testing the waters" activities by Dowling—was required to have been filed with the Commission no later than July 15, 2018. Upon information and belief, as of the date of this Complaint, Dowling for Congress still has not filed this mandatory report. Dowling for Congress' dereliction of its vital reporting obligations has deprived Arizona voters of important information to which they are legally entitled.

In sum, because there is reason to believe that Dowling for Congress has violated 52 U.S.C. § 30104(a)(2)(A) and 11 C.F.R. § 104.5(a)(1), the Commission should initiate enforcement proceedings and assess all appropriate fines and penalties.

I know the allegations of this Complaint to be true, except the matters stated therein on information and belief, which I believe to be true.

Signed under penalty of perjury this 23rd day of July, 2018.

Paul Mueller
Paul Mueller

Peoria, AZ 85381



Subscribed and sworn to before me this 23RD day of July, 2018.

April Buchanan
Notary Public

My Commission Expires:

06/05/2020

1800244420001