

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

NOV 1 3 2018

Paul Mueller

Peoria, AZ 85381

RE: MUR 7446

Dear Mr. Mueller:

The Federal Election Commission reviewed the allegations in your complaint received on July 30, 2018. On November 7, 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 Dowling for Congress and Lysa Ray in her official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on November 7, 2018. A copy of the Factual and Legal Analysis, 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

Aeting General Counsel

BY:

Jeff S. Jordan

Assistant General Counsel

Enclosure

Factual and Legal Analysis

FEDERAL ELECTION COMMISSION

1 2	FACTUAL AND LEGAL ANALYSIS
2 3 4	RESPONDENTS: Dowling for Congress and MUR 7446 Lysa Ray in her official capacity as treasurer
5	This matter was generated by a Complaint alleging violations of the Federal Election
7	Campaign Act of 1971, as amended ("the Act") and Commission regulations by Dowling for
8	Congress and Lysa Ray in her official capacity as treasurer. It was scored as a low-rated matter
9	under the Enforcement Priority System, by which the Commission uses formal scoring criteria as
10	a basis to allocate its resources and decide which matters to pursue.
11	The Complainant alleges that the Committee failed to file its 2018 July Quarterly
12	Report. 1 The Committee asserts that it had not raised or spent more than \$5,000 by the end of
13	June 2018 and, therefore, was not required to file the report. ²
14	Within fifteen days of becoming a candidate, 3 the candidate must designate a principal
15	campaign committee by filing a Statement of Candidacy. ⁴ The principal campaign committee
16	must then file a Statement of Organization no later than ten days after designation by the
17	candidate. ⁵ If the individual seeking federal office has not attained candidate status, his or her
18	principal campaign committee may choose to, but is not required to, file disclosure reports.

Compl. at 1 (July 30, 2018).

Resp. at 1 (Aug. 13, 2018). The Committee's 2018 Pre-Primary Report is consistent with the Committee's Statement. Dowling for Congress 2018 Pre-Primary Report, available at http://docquery.fec.gov/pdf/396/201808169119650396.pdf.

³ 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3.

⁴ 52 U.S.C. § 30102(e)(1); 11 C.F.R. § 101.1(a).

^{5 52} U.S.C. § 30103(a); 11 C.F.R. § 102.1(a).

⁵² U.S.C. § 30104(a); 11 C.F.R. § 104.1(b).

Case Closure — MUR 7446 (Dowling for Congress, et al.) Factual and Legal Analysis Page 2

- 1 There are no available facts showing that the Committee was required to file a 2018 July
- 2 Quarterly Report, and the Committee denies passing the reporting threshold at that time.⁷
- 3 Therefore, the Commission finds no reason to believe that Dowling for Congress and Lysa Ray
- 4 in her official capacity as treasurer violated 52 U.S.C. § 30104(a) or 11 C.F.R. § 104.1.