

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7529**

**Respondent: Molly C. Braswell**

**Complaint Receipt Date: October 29, 2018**

**Response Date: February 22, 2019**

**EPS Rating:**

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30114(b);  
11 C.F.R. § 113.1(g)**

The Complainant, Eliot Rabin, alleges that Braswell, his committee's former campaign manager, withdrew \$40 in cash from the campaign's account and used about \$10 more of campaign funds to buy lipstick for herself.<sup>1</sup> Respondent denies the allegations.<sup>2</sup>

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 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 the low dollar amount, 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

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<sup>1</sup> Compl. at 1 (August 27, 2018). Rabin was a candidate for U.S. House in New York's 12th Congressional District, and lost in the November 6, 2018, general election with 12.1% of the vote.

<sup>2</sup> Resp. at 1 (February 22, 2019).

agency resources.<sup>3</sup> We also recommend that the Commission close the file and send the appropriate letters.

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5/1/19  
Date

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<sup>3</sup> Heckler v. Chaney, 470 U.S. 821, 831-32 (1985).