$\frac{1}{2}$	BEFORE 1	THE FEDERAL ELECT	ION COMMISSION	
3 4	ENFORCEMENT PRIORITY SYSTEM DISMISSAL REPORT			
5 6 7 8	MUR: 7665	Respondent:	McSally for Senate, Inc. and Paul Kilgore, as treasurer (the "Committee")	
9 10 11 12	Complaint Receipt Date: Nov Response Date: December 19,			
13	EPS Rating:			
14 15 16	Alleged Statutory/ Regulatory Violations:		52 U.S.C. §§ 30102(i), 30104(b)(3)(A) 11 C.F.R. §§ 104.3(a)(3), 104.7(b)	
17 18	The Complaint alleges the	nat Respondents violated th	he Act's reporting requirements by failing	
19	to disclose employer and occupation information for at least 627 contributors on the Committee's			
20	2019 October Quarterly Report. ¹ The Response asserts that the Committee included appropriate			
21	"best efforts" notices and provides space for contributors to write in occupation and employer name			
22	information in its solicitations. ² Furthermore, Respondents state that when the Committee receives			
23	a contribution and the contributor has not provided employer and occupation information, the			
24	Committee sends a letter to the contributor within 30 days asking for that information. ³			
25	Based on its experience and expertise, the Commission has established an Enforcement			
26	Priority System using formal, pre-determined scoring criteria to allocate agency resources and			
27	assess whether particular matters warrant further administrative enforcement proceedings. These			
28	criteria include (1) the gravity of the alleged violation, taking into account both the type of activity			
29	and the amount in violation; (2) the apparent impact the alleged violation may have had on the			

³ *Id.* at 2-3.

¹ Compl. at 1-2 (Nov. 26, 2019). The Complaint alleges that a total of \$284,488 in contributions lack required contributor information. *Id.*, Ex A.

² Resp. at 2 (Dec. 19, 2019).

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1	electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in			
2	potential violations and other developments in the law. This matter is rated as low priority for			
3	Commission action after application of these pre-established criteria. ⁴ Given that low rating and the			
4	steps taken by the Respondents to obtain information, we recommend that the Commission dismiss			
5	the Complaint consistent with the Commission's prosecutorial discretion to determine the proper			
6	ordering of its priorities and use of agency resources. ⁵ We also recommend that the Commission			
7	close the file as to all respondents and send the appropriate letters.			
8				
9			Lisa J. Stevenson	
10			Acting General Counsel	
11			Theming Solition Counsel	
12			Charles Kitcher	
13			Acting Associate General Counsel	
14				
15	03.27.20	BY:	Stephen Juna	
16	Date		Stephen Gura	
17			Deputy Associate General Counsel	
18			Jup fr	
19				
20 21			Jeff S. Jordán Assistant General Counsel	
∠1 22				
22 23			Chan Standart	
24			Donald E. Campbell	

Attorney

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⁴ These allegations do not meet Standard 8 of the Report Analysis Division's Review and Referral Procedures for the 2019-2020 Election Cycle for referral to the Office of General Counsel or Alternative Dispute Resolution Office

⁵ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).