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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
MUR 6180	)	CASE CLOSURE UNDER THE
CHRIS JOHN	)	ENFORCEMENT PRIORITY SYSTEM
CHRIS JOHN FOR US SENATE AND	)	
JOSEPH A. JOHN, AS TREASURER	)	
LOUISIANA MID-CONTINENT OIL	)	
& GAS ASSOCIATION	)	

**GENERAL COUNSEL'S REPORT**

Under the Enforcement Priority System, matters that are low-rated

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\_\_\_\_\_ are forwarded to the Commission with a recommendation for dismissal. The Commission has determined that pursuing low-rated matters compared to other higher rated matters on the Enforcement docket warrants the exercise of its prosecutorial discretion to dismiss these cases. The Office of General Counsel scored MUR 6180 as a low-rated matter.

The complainant in this matter, Jeanne Broussard, alleges that Louisiana Mid-Continent Oil & Gas Association ("LMOGA"), a non-profit corporation, made illegal corporate contributions to Chris John for US Senate and Joseph A. John, in his official capacity as treasurer ("the Committee"), which Chris John and the Committee knowingly accepted, in violation of 2 U.S.C. § 441b(a). Specifically, the complainant asserts that Mr. John, LMOGA's president and an unsuccessful candidate for the U.S. Senate in 2004, used LMOGA's corporate Federal Express ("FedEx") account to pay for overnight delivery of the Committee's 2008 July and October quarterly reports and the Committee's 2008 Year-End Report to the Secretary of the U.S. Senate in Washington, DC.

1 In response, Mr. John acknowledges that his assistant had used LMOGA's corporate  
2 FedEx account to overnight three Committee financial disclosure reports to the Secretary of  
3 the U.S. Senate, but states that she was unfamiliar with the Federal Election Campaign Act of  
4 1971, as amended ("the Act"), including the Act's prohibition on corporate contributions.  
5 According to Mr. John, his assistant had overnighcted the three reports by FedEx, for a total  
6 cost of \$95.06, in order to ensure that they arrived timely and could be tracked. Mr. John  
7 states that it was routine for LMOGA employees to use the corporate FedEx account for  
8 personal shipments and to subsequently reimburse LMOGA, and that LMOGA had been  
9 reimbursed for the cost of overnighting the Committee's reports to the Secretary of the U.S.  
10 Senate.

11 Given the small amount at issue, along with the Commission's priorities and  
12 resources, and relative to other matters pending on the Enforcement docket, the Office of  
13 General Counsel believes that the Commission should exercise its prosecutorial discretion  
14 and dismiss this matter. *See Heckler v. Chaney*, 470 U.S. 821 (1985).

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**RECOMMENDATION**

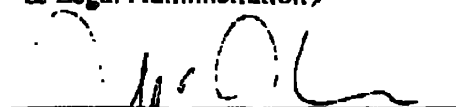
The Office of General Counsel recommends that the Commission dismiss  
MUR 6180 \_\_\_\_\_  
\_\_\_\_\_ close the file, and approve the  
appropriate letters.

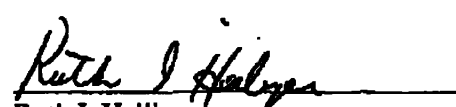
Thomasenia P. Duncan  
General Counsel

6/11/09  
Date

BY:

  
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