



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

APR 11 2019

Brad Deutsch
Garvey Schubert Barer, P.C.
1000 Potomac Street N.W., Suite 200
Washington, D.C. 20007-3501

RE: MUR 7498
The AntiCorruption League
and Jennifer May, as treasurer

Dear Mr. Deutsch:

On September 20, 2018, the Federal Election Commission ("Commission") notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On April 8, 2019, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that The AntiCorruption League, and Jennifer May in her official capacity as treasurer, violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, 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). If you have any questions, please contact Justine di Giovanni, the attorney assigned to this matter, at (202) 694-1574.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel's Report

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BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7498

Respondents: The AntiCorruption League and
Jennifer May, as Treasurer
("the Committee")¹

Complaint Receipt Date: September 17, 2018

Response Date: November 21, 2018

EPS Rating:

Alleged Statutory

**52 U.S.C. §§ 30104(b)(4), (8);
30114(b)**

Regulatory Violations:

**11 C.F.R. §§ 104.3(b)(1); 104.11;
113.2(d)**

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The Complaint alleges that a debt of \$7,000 to Thies & Grenell, LLC was not properly disclosed in the Committee's 2017 Year End Report and its 2018 Monthly Reports between March and August of that year.² The Response states that the payments made to Thies & Grenell, LLC were reported on the Committee's 2018 August Monthly Report when the Committee states it received and paid the invoices.

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

¹ Zephyr Teachout was a 2016 candidate for the U.S. House of Representatives from the 19th Congressional District of New York. The AntiCorruption League, formerly Zephyr Teachout for Congress, is Teachout's Leadership PAC.

² Based on the timing of the \$7,000 payment, the Complaint speculates that the Committee may have paid debts incurred by Zephyr Teachout's campaign for New York Attorney General. Respondents deny this allegation.

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, the modest reporting amount at issue, and the fact that the Committee subsequently reported its disbursements to Thies & Grenell, LLC, 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 agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Acting Associate General Counsel for
Enforcement

2.27.19

Date

BY: Stephen Gura
Stephen Gura
Deputy Associate General Counsel

Jeff S. Jordan
Jeff S. Jordan
Assistant General Counsel

Justine A. di Giovanni
Justine A. di Giovanni
Attorney

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