

## FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	\
Citizens for Responsibility and Ethics in Washington	) ) )	MUR 6795
	)	

## STATEMENT OF REASONS OF CHAIR ANN M. RAVEL, COMMISSIONER STEVEN T. WALTHER, AND COMMISSIONER ELLEN L. WEINTRAUB

The Commission unanimously dismissed the complaint in this matter, concluding that only a handful of low-dollar communications may have been subject to the Act's reporting requirements. Although the Commission could have investigated further, all Commissioners agreed that "it would not be an efficient use of Commission resources." The facts in this matter differ from the Commission's recent political committee status cases, several of which involved millions of dollars of political spending. Here, it was not clear that the costs associated with the communications at issue in the complaint would have even crossed the \$250 reporting threshold — let alone the \$1,000 threshold to trigger political committee status. Therefore, under the

<sup>&</sup>lt;sup>1</sup> See Certification in MUR 6795 (CREW), dated Dec. 9, 2014. Our colleagues, Commissioners Goodman, Hunter, and Petersen, initially voted to find no reason to believe that a violation had occurred. *Id.* However, in a subsequent vote, the Commission decided unanimously to dismiss the complaint in the exercise of its prosecutorial discretion. *Id.* 

<sup>&</sup>lt;sup>2</sup> See Factual and Legal Analysis in MUR 6795 (CREW), dated Dec. 17, 2014, at 4.

<sup>&</sup>lt;sup>3</sup> Factual and Legal Analysis at 5.

<sup>&</sup>lt;sup>4</sup> See, e.g., First General Counsel's Report in MUR 6402 (American Future Fund), dated Jan. 1, 2013, at 1 ("American Future Fund spent millions of dollars on federal campaign activity"); First General Counsel's Report in MUR 6538 (Americans for Job Security), dated May 2, 2013, at 21 ("AJS appears to have spent at least \$9,507,365 during 2010 on the type of communications that the Commission has considered to be federal campaign activity."); First General Counsel's Report in MUR 6589 (American Action Network), dated Jan. 17, 2013, at 25 ("American Action Network appears to have spent at least \$17,013,017 during 2010 on the type of communications that the Commission considered to be federal campaign activity."); First General Counsel's Report in MUR 6396 (Crossroads Grassroots Policy Strategies), dated Nov. 21, 2012, at 26 ("Crossroads GPS appears to have spent approximately \$20.8 million on the type of communications that the Commission considers to be federal campaign activity.") In each of those cases, the Office of the General Counsel recommended an investigation, unlike this case where they recommended a dismissal.

circumstances, the Commission unanimously agreed to exercise its prosecutorial discretion to dismiss this matter.

This is a sensible approach to this particular set of facts. The Commission has often disagreed about whether to enforce the political committee status policy, but we have not, nor do we here, depart from the views that we have articulated in prior matters.<sup>5</sup>

2-4-15 Date

Ann M. Ravel

Chair

2/4/15

Steven T. Walther Commissioner

2-4-15 Date

Ellen L. Weintraub Commissioner

<sup>&</sup>lt;sup>5</sup> See, e.g., Statement of Reasons of Vice Chair Ravel and Commissioner Weintraub in MUR 6402 (American Future Fund), dated Dec. 18, 2014, available at http://eqs.fec.gov/eqsdocsMUR/14044364905.pdf; Statement of Reasons of Vice Chair Ravel, Commissioner Walther, and Commissioner Weintraub in MURs 6538 (Americans for Job Security) & 6589 (American Action Network), dated July 30, 2014, available at http://eqs.fec.gov/eqsdocsMUR/14044362039.pdf; Statement of Reasons of Vice Chair Ravel, Commissioner Walther, and Commissioner Weintraub in MUR 6396 (Crossroads Grassroots Political Strategies), dated Jan. 10, 2014, available at http://eqs.fec.gov/eqsdocsMUR/14044350964.pdf.