

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: 8048

Respondent: Fight for Connecticut and Bill
Cortese in his official capacity as
treasurer

Complaint Receipt Date: August 9, 2022

Response Date: May 25, 2023



**Alleged Statutory and
Regulatory Violations:**

52 U.S.C. § 30104(a)
11 C.F.R. §§ 104.1(a), 104.5(c)

The Complaint alleges that Fight for Connecticut and Bill Cortese in his official capacity as treasurer (the “Committee”) violated the Federal Election Campaign Act of 1971, as amended (the “Act”), by failing to file its 2021 Year-End and 2022 April Quarterly and July Quarterly Reports.¹ The Complaint further alleges that Cortese is a paid staff person “at the PAC, in possible violation of federal rules.”² The Complaint does not identify the PAC in question.

The Committee, in response, acknowledges that it did not file the reports and indicates that Cortese moved to a different address after he became treasurer and therefore did not receive notices from the Commission at his new home address (his previous address remained on the Committee’s Statement of Organization which was not amended).³ The Committee states that, because Cortese did not receive the notices, the reports were not filed when they were due.⁴ The Response further states that Cortese will prepare and file the 2021 Year-End Report and all 2022 Quarterly Reports, but that to the best of his knowledge, there were no receipts or disbursements

¹ Compl. at 1 (Aug. 9, 2022).

² *Id.*

³ Resp. at 1 (May 15, 2023).

⁴ *Id.*

1 made in 2022.⁵ Finally, to the extent that the PAC identified by the Complaint might be the
2 Committee, the Response states that Cortese denies receiving any payment from the Committee.⁶
3 The Committee has to date failed to file any of the missing disclosure reports.⁷ The only
4 disclosure report that the Committee filed during the 2022 election cycle, its 2021 Mid-Year
5 Report, showed \$25 in total receipts and \$5,153.47 in total disbursements.⁸

6 Based on its experience and expertise, the Commission has established an Enforcement
7 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
8 assess whether particular matters warrant further administrative enforcement proceedings. These
9 criteria include (1) the gravity of the alleged violation, taking into account both the type of
10 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
11 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
12 trends in potential violations and other developments in the law. This matter is rated as low
13 priority for Commission action after application of these pre-established criteria. Given that low
14 rating, Respondent's statements regarding Committee activity since the last filed report, the
15 vague nature of the second allegation, and the apparent minimal impact of the potential reporting
16 violations, we recommend that the Commission dismiss the Complaint consistent with the
17 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use

⁵ *Id.*

⁶ *Id.*; see Fight for Connecticut, 2021 Mid-Year Report (July 12, 2021), <https://docquery.fec.gov/pdf/173/202107129451017173/202107129451017173.pdf> (showing no disbursements from the Committee to Cortese).

⁷ See Filings, Campaign Finance Data, Browse Data for Fight for Connecticut (last visited Nov. 9, 2023), https://www.fec.gov/data/filings/?data_type=processed&q_filer=C00750711.

⁸ Fight for Connecticut, 2021 Mid-Year Report (July 12, 2021), <https://docquery.fec.gov/pdf/173/202107129451017173/202107129451017173.pdf>.

1 of agency resources.⁹ We also recommend that the Commission close the file as to all
2 respondents and send the appropriate letters.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel



Claudio Pavia
Deputy Associate General Counsel

May 1, 2024

Date



Wanda Brown
Assistant General Counsel



Rachel E. Coll
Staff Attorney

⁹ See *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).