



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

July 3, 2024

VIA ELECTRONIC MAIL AND UPS DELIVERY

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Jeffrey T. Eager, Esq.
Eager Law, PC
PO Box 2264
Bend, OR 97709

RE: MUR 8159
Val Hoyle for Congress, *et al.*

Dear Mr. Eager:

This is in reference to the complaint filed with the Federal Election Commission on August 24, 2023, concerning Val Hoyle for Congress, *et al.* Based on that complaint, and after considering the circumstances of this matter and information in the responses, the Commission determined to dismiss this matter and close the file effective July 3, 2024.

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 today. *See Disclosure of Certain Documents in Enforcement and Other Matters*, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action within 60 days of the dismissal, which became effective today. *See 52 U.S.C. § 30109(a)(8)*.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure
General Counsel's Report

1 **BEFORE THE FEDERAL ELECTION COMMISSION**2
3 **ENFORCEMENT PRIORITY SYSTEM**
4 **DISMISSAL REPORT**
56 **MUR:** 81597 **Respondents:** Val Hoyle for Congress and Holly
8 Giarraputo in her official capacity
9 as treasurer
10 Valerie Hoyle
11 Rosa Cazares
12 Aaron Mitchell13 **Complaint Receipt Date:** August 24, 202314 **Response Dates:** September 12, 2023; September 15, 2023
1517
18 **Alleged Statutory/
19 Regulatory Violations:**20 52 U.S.C. § 30123
11 C.F.R. § 110.4(c)21 The Complaint alleges that Valerie Hoyle, a 2022 candidate in Oregon's 4th Congressional
22 District,¹ and her principal campaign committee, Val Hoyle for Congress and Holly Giarraputo in
23 her official capacity as treasurer (the "Committee"),² received cash contributions totaling \$5,800
24 from Rosa Cazares and Aaron Mitchell without promptly returning the amount over \$100 to each
25 contributor, in violation of the Federal Election Campaign Act of 1971, as amended (the "Act"), and
26 Commission regulations.³ The Complaint includes two press articles. One article, authored by the
27 Complainant, states that Cazares and Mitchell previously made state political contributions in cash
28 and that, according to a November 2022 court filing, Mitchell does not possess bank or credit card

1 Valerie Hoyle, Amended Statement of Candidacy (Dec. 13, 2021), <https://docquery.fec.gov/pdf/605/202112139469841605/202112139469841605.pdf>. Hoyle is also a 2024 election cycle candidate in Oregon's 4th Congressional District. Valerie Hoyle, Amended Statement of Candidacy (Nov. 23, 2022), <https://docquery.fec.gov/pdf/087/202211259547037087/202211259547037087.pdf>.2 Val Hoyle for Congress, Amended Statement of Organization at 2 (Nov. 23, 2022), <https://docquery.fec.gov/pdf/088/202211259547037088/202211259547037088.pdf>.

3 Compl. at 1 (Aug. 24, 2023).

1 accounts in his name.⁴ The article further states that the multiple contributions reported as coming
2 from Cazares and Mitchell to the Committee on the same day is unusual.⁵ Nonetheless, the article
3 clarifies that the assertion that the contributions were made in cash is ultimately based on
4 speculation.⁶ The second article states that Cazares and Mitchell have previously made political
5 contributions to state committees in cash,⁷ but also states that other contributions made by Mitchell
6 and a Cazares-controlled committee were made by written instruments.⁸

7 In Response, Cazares and Mitchell provide signed declarations attesting that they
8 contributed to the Committee via money order, and both provide images of the money orders.⁹ In
9 particular, Cazares states that she contributed \$3,000 with three money orders (\$2,800 for the 2022
10 primary election and \$200 for the 2022 general election),¹⁰ and Mitchell states that he contributed
11 \$2,800 with three money orders (all for the 2022 primary election).¹¹

12 In Response, the Committee and Hoyle state that the contributions in question were made
13 via money order and provide images of the money orders.¹²

14 Based on its experience and expertise, the Commission has established an Enforcement
15 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
16 assess whether particular matters warrant further administrative enforcement proceedings. These

4 *Id.* at 4.

5 *Id.*

6 *Id.* at 5.

7 *Id.* at 7.

8 *Id.* at 8.

9 Cazares and Mitchell Response Attach. at 6-9, 10-13 (Sept. 13, 2023).

10 *Id.* at 6.

11 *Id.* at 10.

12 Committee and Val Hoyle Response at 1, Exhibit A at 5-10 (Sept. 18, 2023).

MUR 8159 (Val Hoyle for Congress, *et al.*)

EPS Dismissal Report

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1 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
 2 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
 3 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
 4 potential violations and other developments in the law. This matter is rated as low priority for
 5 Commission action after application of these pre-established criteria. Given that low rating,
 6 apparent low dollar amount at issue, and speculative nature of the Complaint, we recommend that
 7 the Commission dismiss the Complaint, consistent with the Commission's prosecutorial discretion
 8 to determine the proper ordering of its priorities and use of agency resources.¹³ We also
 9 recommend that the Commission close the file effective 30 days from the date of certification of
 10 this vote (or on the next business day after the 30th day, if the 30th day falls on a weekend or
 11 holiday) and send the appropriate letters.

12 Lisa J. Stevenson
 13 Acting General Counsel

14 Charles Kitcher
 15 Associate General Counsel

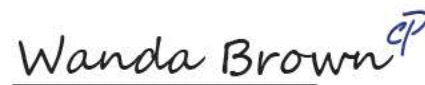
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 20 April 24, 2024

21 BY:



22 Claudio J. Pavia
 23 Deputy Associate General Counsel

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 Wanda D. Brown
 Assistant General Counsel


 Gordon King
 Attorney

¹³ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).