



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

April 29, 2024

**VIA ELECTRONIC MAIL**

[info@campaign-compliance.com](mailto:info@campaign-compliance.com)

Jen Slater, Treasurer  
Harbick for US Senate  
9070 Irvine Center Drive, Suite 150  
Irvine, CA 92618

RE: MUR 7977  
Harbick for US Senate

Dear Ms. Slater:

On April 18, 2022, the Federal Election Commission notified Harbick for US Senate and you in your official capacity as treasurer (the "Committee") of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on March 28, 2024, voted to dismiss this matter and close the file effective April 29, 2024. The General Counsel's Report, which more fully explains the Commission's decision, is enclosed for your information.

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).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

*Wanda D. Brown*

BY: Wanda D. Brown  
Assistant General Counsel

Enclosure  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 7977

**Respondents:** Harbick for US Senate and Jen Slater  
in her official capacity as treasurer  
Jo Rae Perkins for US Senate and  
Jo Rae Perkins in her official  
capacity as treasurer  
Taher for US Senate and Marc Miller  
in his official capacity as treasurer  
Sam for Senate and Samuel Palmer  
in his official capacity as treasurer

**Complaint Receipt Dates:** April 13, 2022; May 16, 2022 (Supp. Compl.)

**Last Response Date:** June 27, 2022

**Alleged Statutory/  
Regulatory Violations:**

52 U.S.C. § 30120(a), (c)  
11 C.F.R. § 110.11(a)-(c)

Jo Rae Perkins, Samuel Palmer, Ibrahim Taher, and Darin Harbick were all 2022 candidates for U.S. Senate in Oregon.<sup>1</sup> Jo Rae Perkins for US Senate and Jo Rae Perkins in her official capacity as treasurer (the “Perkins Committee”), Sam for Senate and Samuel Palmer in his official capacity as treasurer (the “Palmer Committee”), Taher for Senate and Marc Miller in his official capacity as treasurer (the “Taher Committee”), and Harbick for US Senate and Jen Slater in her official capacity as treasurer (the “Harbick Committee”) are their respective principal campaign committees.<sup>2</sup>

<sup>1</sup> Jo Rae Perkins, Statement of Candidacy (Jan. 31, 2021), <https://docquery.fec.gov/pdf/984/202101319424719984/202101319424719984.pdf>; Samuel Palmer, Statement of Candidacy (Aug. 26, 2021), <https://docquery.fec.gov/pdf/569/202108269466564569/202108269466564569.pdf>; Ibrahim Taher, Amended Statement of Candidacy (May 9, 2022), <https://docquery.fec.gov/pdf/430/202205099502714430/202205099502714430.pdf>; Darin Harbick, Statement of Candidacy (Sept. 1, 2021), <https://docquery.fec.gov/pdf/749/202109019466581749/202109019466581749.pdf>.

<sup>2</sup> Jo Rae Perkins for US Senate, Amended Statement of Organization (Jan. 31, 2024), <https://docquery.fec.gov/pdf/137/202401319600709137/202401319600709137.pdf>; Sam for Senate, Amended Statement of Organization (July 11, 2023), <https://docquery.fec.gov/pdf/233/202307119582499233/202307119582499233.pdf>; Taher for US

The Complaint alleges that these four committees disseminated campaign yard signs without the proper disclaimers.<sup>3</sup> In addition, the Complaint alleges that the Taher and Harbick Committees made campaign communications on the Committees' websites and on social media accounts on platforms such as YouTube, without the proper disclaimers.<sup>4</sup>

Regarding the Perkins Committee, the Complaint alleges that the committee disseminated yard signs that did not include the proper disclaimers.<sup>5</sup> Attached to the Complaint is an example of the Perkins Committee's signs which includes a legible disclaimer reading "Paid for by Jo Rae Perkins for U.S. Senate" in black lettering with a white background, but the disclaimer is not contained in a printed box set apart from the other contents of the communication.<sup>6</sup> In its Response, the Perkins Committee denies any wrongdoing and states that its campaign yard signs did include the proper disclosures.<sup>7</sup>

Regarding the Palmer Committee, the Complaint similarly alleges that the committee disseminated yard signs that did not include the proper disclaimers.<sup>8</sup> Attached to the Complaint is an example of the Palmer Committee's signs which includes a disclaimer in relatively small font reading "Paid for by Sam for Senate" in white lettering with a dark blue background.<sup>9</sup> The sign

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Senate, Amended Statement of Organization (Sept. 21, 2023), <https://docquery.fec.gov/pdf/974/202309219597291974/202309219597291974.pdf>; Harbick for US Senate, Statement of Organization (Sept. 1, 2021), <https://docquery.fec.gov/pdf/744/202109019466581744/202109019466581744.pdf>.

<sup>3</sup> Compl. at 2-4, 8-11, 20 (Apr. 13, 2022); Supp. Compl. at 1-3 (May 16, 2022).

<sup>4</sup> Compl. at 3-4, 15, 23; Supp. Compl. at 4-5.

<sup>5</sup> Compl. at 4-5, 10, 20.

<sup>6</sup> *Id.* at 5, 10.

<sup>7</sup> Perkins Committee Resp. at 1 (May 17, 2022).

<sup>8</sup> Compl. at 4-5, 9.

<sup>9</sup> *Id.* at 9.

displays the committee’s official website, “sampalmerforsenate.com,”<sup>10</sup> in large font. The Palmer Committee’s disclosure reports indicate that, prior to the April 13, 2022 Complaint, it made \$10,275.38 in disbursements related to “lawn signs,” “media production,” and “general printing.”<sup>11</sup> The Palmer Committee admits that its signs lacked the proper disclaimers and states that it was “taking steps to remedy the error” and would ensure that future yard signs contained a proper disclaimer.<sup>12</sup>

Regarding the Taher Committee, the Complaint alleges that the committee disseminated campaign yard signs, and made campaign communications on its website and on social media platforms, such as YouTube, without the proper disclaimers.<sup>13</sup> Attached to the Complaint is an example of the Taher Committee’s yard signs which does not include a disclaimer, but displays “WWW.IBRAHIMTAHER.COM,” the Taher Committee’s official website, in large font.<sup>14</sup> The Complaint provides a link to an example video posted by the Taher Committee which is no longer available.<sup>15</sup> The Taher Committee’s disclosure reports indicate that, prior to the April 13, 2022 Complaint, it spent \$649.38 on “campaign literature,” and did not report any disbursements related to online communications, video production, or website costs.<sup>16</sup> In Response, the Taher Committee

<sup>10</sup> *Id.* at 5, 9; Sam for Senate, Amended Statement of Organization at 1 (Sept. 25, 2021), <https://docquery.fec.gov/pdf/013/202109259466981013/202109259466981013.pdf>.

<sup>11</sup> *FEC Disbursements: Filtered Results*, FEC.GOV, [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00788000&min\\_date=01%2F01%2F2021&max\\_date=04%2F13%2F2022&disbursement\\_description=lawn+signs&disbursement\\_description=media+production&disbursement\\_description=general+printing](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00788000&min_date=01%2F01%2F2021&max_date=04%2F13%2F2022&disbursement_description=lawn+signs&disbursement_description=media+production&disbursement_description=general+printing) (last visited Mar. 13, 2024) (reflecting Sam for Senate’s disbursements during the 2022 election cycle).

<sup>12</sup> Palmer Committee Resp. at 1 (June 27, 2022).

<sup>13</sup> Compl. at 3-5, 11, 23.

<sup>14</sup> *Id.* at 11; *see* Taher for US Senate, Amended Statement of Organization at 1 (Apr. 14, 2022), <https://docquery.fec.gov/pdf/949/202204149496256949/202204149496256949.pdf>.

<sup>15</sup> *See* Compl. at 4, 23.

<sup>16</sup> *FEC Disbursements: Filtered Results*, FEC.GOV, [https://www.fec.gov/data/disbursements/?committee\\_id=C00720094&two\\_year\\_transaction\\_period=2022&data\\_type=processed](https://www.fec.gov/data/disbursements/?committee_id=C00720094&two_year_transaction_period=2022&data_type=processed) (reflecting disbursements by Taher for US Senate during the 2022 election cycle).

does not address whether the allegations are true, and instead the treasurer explains that his duties were limited to filing reports with the Commission.<sup>17</sup>

Finally, regarding the Harbick Committee, the Complaint alleges that the committee disseminated campaign yard signs and made campaign communications on its own website and on social media platforms such as YouTube, without the proper disclaimers.<sup>18</sup> Attached to the Complaint and Supplemental Complaint are two examples of the Harbick Committee’s yard signs which do not include a disclaimer, and instead display “www.HarbickForUsSenate.com,” which was the Harbick Committee’s official website, in large font.<sup>19</sup> The Complaint links to a video posted by the Harbick Committee that it alleges is missing a disclaimer, but the link is no longer active.<sup>20</sup> The Harbick Committee’s disclosure reports indicate that, prior to the May 16, 2022 Supplemental Complaint, it disbursed \$28,676.69 related to “printing costs,” “outdoor signs,” “video production services,” “videography,” and “video editing costs.”<sup>21</sup> In Response, the Harbick Committee appears to admit that it failed to include the proper disclaimers on its various communications and states that it has since included proper disclaimers on its public

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<sup>17</sup> Taher Committee Resp. at 1 (June 6, 2022).

<sup>18</sup> Compl. at 3-5, 8, 15; Supp. Compl. at 1-5.

<sup>19</sup> Compl. at 5, 8; Supp. Compl. at 2-3; *see* Harbick for US Senate, Statement of Organization at 1 (Sept. 1, 2021), <https://docquery.fec.gov/pdf/744/202109019466581744/202109019466581744.pdf>. “HarbickforUSSenate.com” no longer appears to exist, but appears to redirect to a website for the candidate’s campaign for state representative.

<sup>20</sup> *See* Compl. at 3, 15; Supp. Compl. at 4-5.

<sup>21</sup> *FEC Disbursements: Filtered Results*, FEC.GOV, [https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00788463&two\\_year\\_transaction\\_period=2022&min\\_date=01%2F01%2F2021&max\\_date=05%2F16%2F2022&disbursement\\_description=video&disbursement\\_description=outdoor+signs&disbursement\\_description=printing+costs](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00788463&two_year_transaction_period=2022&min_date=01%2F01%2F2021&max_date=05%2F16%2F2022&disbursement_description=video&disbursement_description=outdoor+signs&disbursement_description=printing+costs) (last visited Mar. 13, 2024) (reflecting Harbick for US Senate’s disbursements in the 2022 election cycle).

1 communications; attached to its Response are sample communications with such disclaimers.<sup>22</sup>

2 These samples include a printed hand-out, a yard sign, and a video with the proper disclosures.<sup>23</sup>

3 Based on its experience and expertise, the Commission has established an Enforcement  
4 Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
5 assess whether particular matters warrant further administrative enforcement proceedings. These  
6 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity  
7 and the amount in violation; (2) the apparent impact the alleged violation may have had on the  
8 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in  
9 potential violations and other developments in the law. This matter is rated as low priority for  
10 Commission action after application of these pre-established criteria. Given that low rating,  
11 apparent low dollar amounts at issue, and the unlikelihood that the general public would have been  
12 confused as to whether Respondents paid for the communications at issue that contained partial  
13 disclaimers or other identifying information, we recommend that the Commission dismiss the  
14 Complaint, consistent with the Commission's prosecutorial discretion to determine the proper  
15 ordering of its priorities and use of agency resources.<sup>24</sup> We also recommend that the Commission  
16 close the file effective 30 days from the date of certification of this vote (or on the next business day  
17 after the 30th day, if the 30th day falls on a weekend or holiday) and send the appropriate letters.

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19 Lisa J. Stevenson  
20 Acting General Counsel  
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<sup>22</sup> Harbick Committee Resp. at 1-2 (May 4, 2022).

<sup>23</sup> *Id.*

<sup>24</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

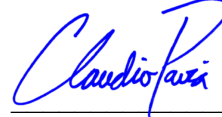
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Charles Kitcher  
Associate General Counsel

March 14, 2024

Date

BY:



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*Wanda D. Brown*

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Assistant General Counsel



Gordon King  
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