

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

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3 **ENFORCEMENT PRIORITY SYSTEM**
4 **DISMISSAL REPORT**

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6 **MUR 8324**

Respondent: Tony Wied for Congress and Bradley
Crate in his official capacity as
treasurer

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10 **Complaint Receipt Date:** Sept. 4, 2024

11 **Response Date:** Nov. 20, 2024

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15 **Alleged Statutory/
16 Regulatory Violations:**

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

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18 The Complaint alleges that Tony Wied for Congress and Bradley Crate in his official
19 capacity as treasurer (the “Committee”),¹ the principal campaign committee of Tony Wied, a
20 candidate for Wisconsin’s 8th Congressional District in the 2024 election cycle,² distributed signs
21 “throughout northeastern Wisconsin” without adequate disclaimers, providing the locations of five
22 specific signs, in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).³
23 The Complaint includes an image of one such sign which states that “Trump Endorsed Tony Wied
24 U.S. Congress” without any disclaimers.⁴

25 In Response, the Committee states that the signs at issue were distributed with proper
26 disclaimers and later modified by “a small number of supporters”; after the primary election, those
27 supporters removed the bottom portion of the sign which referenced the date of the primary election

¹ Tony Wied for Congress, Amended Statement of Organization at 2 (Apr. 11, 2024), <https://docquery.fec.gov/pdf/273/202404119627525273/202404119627525273.pdf>.

² Tony Wied, Amended Statement of Candidacy at 1 (May 15, 2024), <https://docquery.fec.gov/pdf/672/202405159646003672/202405159646003672.pdf>.

³ Compl. at 1 (Sept. 4, 2024).

⁴ *Id.*

1 but also included the disclaimer.⁵ The Committee states that when it became aware of the modified
2 signs it took steps to affix a proper disclaimer to the modified signs, but that the “limited number of
3 signs identified by the Complaint certainly were signs that the Committee did not observe, which
4 were likely located in areas with a low population.”⁶ The Committee requests that the Commission
5 dismiss the Complaint.⁷

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 activity
10 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
11 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
12 potential violations and other developments in the law. This matter is rated as low priority for
13 Commission action after application of these pre-established criteria. Given that low rating and the
14 unlikelihood that the general public would have been confused as to whether the Committee paid for
15 the communications at issue that contained identifying information, as well as the apparent low
16 amount at issue, 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 of
18 agency resources.⁸ We also recommend that the Commission close the file effective 30 days from
19 the date the certification of this vote is signed (or on the next business day after the 30th day, if the
20 30th day falls on a weekend or holiday) and send the appropriate letters.

⁵ Resp. at 2 (Nov. 20, 2024).

⁶ *Id.*

⁷ *Id.*

⁸ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

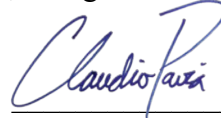
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12/12/2024

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