

OFFICE OF  
GENERAL COUNSEL

Office of the General Counsel  
Federal Election Commission  
1050 First Street, NE  
Washington, DC 20463

January 9, 2020

2020 JAN 31 AM 10:18

Gentlemen:

MUR # 7689

The purpose of this letter is to file a complaint regarding the actions of a candidate for Congress in the 3<sup>rd</sup> Congressional District of Kansas. I believe candidate Amanda Adkins has violated federal campaign election law on multiple counts based upon her Q3 FEC report. I will reference three.

**First, Amanda Adkins used the *testing the waters* provisions of the FEC regulations to actively engage in campaign activities.** Testing the waters refers to activities that assist a candidate in determining whether he or she *should become a candidate*. According to FEC regulations, such activities include polling, making phone calls, and traveling throughout the district. During the *testing the waters* period, a candidate is prohibited from campaign activity. Amanda Adkins didn't use funds raised during a *testing the waters* period to run a poll to determine her level of support, or the level of opposition to the incumbent Congresswoman Sharice Davids. Her only expenditures were to consultants offering campaign strategy and fundraising activities. Clearly, Adkins was not testing the waters, and had no intention of testing the waters. She used the *testing the waters* provisions to actively campaign – namely to present herself as a candidate and actively solicit campaign contributions.

**Second, Adkins solicited money a full 4 months before she was allowed to do so under the law.** Adkins' Aug. 30 filing of her committee formation papers allowed her to begin soliciting money on Aug. 15 (as candidates for federal office are required to file committee papers within 15 days of raising or spending \$5,000 on campaign activity). Adkins raised over \$115,000 from approx. 60 individuals prior to Aug. 15. Adkins began raising money on March 29 and exceeded \$5,000 on May 7, which required her to file her committee papers by May 22. By not filing for office until Aug 30, over 60 contributions prior to Aug 25 totaling more than \$115,000 were illegally solicited.

**Third, Adkins' campaign illegally held onto checks, intentionally holding them for months without depositing them.** Adkins formed her committee on Aug. 30, 2019. Federal law requires a campaign for Congress to deposit checks within 10 days of receiving them. She could not have opened a bank account until she formed a committee which means the checks received prior to Aug. 20 were held in direct violation of this law.

The number, variety and scope of these violations is troubling, and I urge you to investigate. Thank you for your attention to this matter. I look forward to your review and response.

Sincerely,  
*DR Losey*  
Complainant  
David Losey

*Subscribed and sworn before me  
on this 25th day of January, 2020.*

Olathe, KS 66061

*Allison Fabing*  
NOTARY PUBLIC -- State of Kansas  
ALLISON FABING  
My Appt. Exp. *4/13/22*