



FEDERAL ELECTION COMMISSION  
Washington, DC

February 26, 2021

**VIA ELECTRONIC MAIL**

Heidi K. Abegg  
Webster, Chamberlain & Bean, LLP  
1747 Pennsylvania Avenue, N.W.  
Washington, DC 20006  
[habegg@wc-b.com](mailto:habegg@wc-b.com)

RE: MUR 7706  
Jeanne for Congress  
and Michael Radencich, as treasurer

Dear Ms. Abegg:

On February 26, 2020, the Federal Election Commission ("Commission") notified your clients, Jeanne for Congress and Michael Radencich, in his official capacity as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On February 17, 2021, based upon the information contained in the complaint and information provided by you and your clients, the Commission decided to dismiss allegations that Jeanne for Congress and Michael Radencich, in his official capacity as treasurer, violated provisions of the Act. The Commission then closed its file in this matter. A copy of 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 within 30 days. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). If you have any questions, please contact Don Campbell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff S. Jordan".

Jeff S. Jordan  
Assistant General Counsel

Enclosure:  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**  
**ENFORCEMENT PRIORITY SYSTEM**  
**DISMISSAL REPORT**

**MUR:** MUR 7706

**Respondent:** Jeanne for Congress  
and Michael Radencich, as treasurer  
(the “Committee”)

**Complaint Receipt Date:** February 20, 2020

**Response Date:** April 8, 2020

**Alleged Statutory/  
Regulatory Violations:** **52 U.S.C. §§ 30116(a)(1), (f); 30125(e)(1)**  
**11 C.F.R. §§ 110.1(b); 110.9; 300.61**

The Complaint alleges that the Committee distributed a mailer during the 2019-2020 election cycle that solicited contributions in amounts up to \$80,000, far in excess of the limitations of the Federal Election Campaign Act of 1971, as amended (the “Act”).<sup>1</sup> According to the Complaint, a Committee spokesperson admitted that the excessive solicitation had been made and acknowledged that the Committee received excessive contributions, but explained that the solicitation was the result of a vendor “typo,” and all excessive amounts were refunded.<sup>2</sup> The Response asserts that the improper solicitation occurred once, on the campaign’s first mail piece, and it was distributed to a small number of individuals.<sup>3</sup> The Response acknowledges that the Committee received apparently excessive contributions, but only one was the direct result of the

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<sup>1</sup> Compl. at 1-4 (Feb. 20, 2020). Jeanne for Congress is the principal campaign committee for Jeanne Ives, a candidate for Illinois’ 6th Congressional District in the 2020 general election. Ives is a first-time federal candidate, and former member of the Illinois House of Representatives.

<sup>2</sup> *Id.* We do not know when the solicitations were mailed, although the Complaint cites a newspaper article dated January 17, 2020, which referred to the solicitation at issue. *Id.* at 2. For the 2019-2020 election cycle, the contribution limit is \$2,800 per election for an individual to a candidate committee. *See* 52 U.S.C. § 30116(a)(1); 11 C.F.R. § 110.1(b); Price Index Adjustments for Contribution and Expenditure Limitations and Lobbyist Bundling Disclosure Threshold, 84 Fed. Reg. 2504, 2506 (Feb. 7, 2019).

<sup>3</sup> Resp. at 1 (Apr. 08, 2020). Respondent maintains that of the approximately 8,686 solicitations the vendor prepared, only 55 people received a solicitation with two suggested amounts that each exceeded the combined primary and general contribution limits of \$5,600, and only 15 people received a solicitation where each of the three suggested contributions exceeded \$5,600. *Id.*

1 solicitation at issue, and it refunded all excessive contributions it received.<sup>4</sup> Specifically, the  
2 Committee states it refunded the contribution received following the solicitation within six business  
3 days, and thus did not knowingly accept excessive contributions.<sup>5</sup> Finally, the Response asserts that  
4 the Committee has taken steps to prevent future improper solicitations.<sup>6</sup>

5         Based on its experience and expertise, the Commission has established an Enforcement  
6 Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
7 assess whether particular matters warrant further administrative enforcement proceedings. These  
8 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity  
9 and the amount in violation; (2) the apparent impact the alleged violation may have had on the  
10 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in  
11 potential violations and other developments in the law. This matter is rated as low priority for  
12 Commission action after application of these pre-established criteria. Given that low rating, the  
13 relatively small number of mailers sent, the Respondent's swift remedial steps, including issuing  
14 prompt refunds and terminating the vendor, we recommend that the Commission dismiss the

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<sup>4</sup> *Id.* at 1-2. The Response explains that the excessive contribution received after the solicitation was from a donor who had given more than \$50,000 to Ives's state campaign and mistakenly believed that there were no federal contribution limits. *Id.* at 1, 3. The Committee's reports largely corroborate this explanation and show that the Committee refunded excessive contributions from that donor and his wife six business days after receipt, and over four months before the complaint was filed. *See* Jeanne for Congress 2019 October Quarterly Report of Receipts and Disbursements at 68-69 (October 15, 2019) and Jeanne for Congress 2019 Year-End Report of Receipts and Disbursements at 238 (January 31, 2020); Jeanne for Congress 2020 12-Day Pre-Primary Report of Receipts and Disbursements at 259 (March 5, 2020). The Committee's reports also show timely refunds of other improper contributions. *See* Jeanne for Congress 2019 October Quarterly Report of Receipts and Disbursements at 114, Jeanne for Congress 2019 Year-End Report of Receipts and Disbursements at 238-39, Jeanne for Congress 2020 Pre-Primary Report of Receipts and Disbursements at 259-60, Jeanne for Congress Amended 2020 April Quarterly Report of Receipts and Disbursements at 5, 19, 70, 91 (June 8, 2020), Jeanne for Congress 2020 July Quarterly Report of Receipts and Disbursements at 285, 349, 514-16 (July 15, 2020), Jeanne for Congress 2020 October Quarterly Report of Receipts and Disbursements at 5, 344, 545, 710, 770, 788, 960, 976, 980, 981, 1234-1239 (October 15, 2020).

<sup>5</sup> Resp. at 1-4.

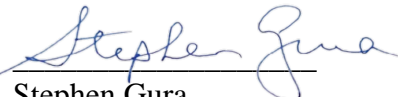
<sup>6</sup> *Id.* at 2-3. The Committee states it immediately stopped using the vendor, and that it reviews all new solicitations to ensure they are in compliance with the Act.


1 Complaint consistent with the Commission’s prosecutorial discretion to determine the proper  
2 ordering of its priorities and use of agency resources.<sup>7</sup> We also recommend that the Commission  
3 close the file as to all respondents.

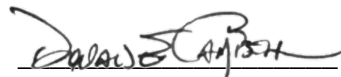
4 Lisa J. Stevenson  
5 Acting General Counsel

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7 Charles Kitcher  
8 Acting Associate General Counsel

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10  
11 10.23.20  
12 Date

13 BY:   
14 Stephen Gura  
15 Deputy Associate General Counsel

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17 Jeff S. Jordan  
18 Assistant General Counsel

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21 Donald E. Campbell  
22 Attorney  
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<sup>7</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). Cf. MUR 7048 (Cruz for President) (Conciliating soft money violation involving solicitation by candidate’s agent during candidate’s fundraiser for unlimited contributions to an independent-expenditure-only political committee that had representative and a table set up at the fundraiser). Here, only 55 of the Committee’s mailers sought excessive contributions to the candidate, the Committee timely refunded the excessive contributions, and it took prompt remedial steps to avoid recurrence.