

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

MUR: MUR 7721

Respondents: Jim 2020

and Shari Martin, as treasurer
(the “Committee”)
Jim Oberweis

Complaint Receipt Date: March 16, 2020

Response Date: N/A

Alleged Statutory/ Regulatory Violations:

**52 U.S.C. §§ 30101(2), 30102(e)(1)
11 C.F.R. §§ 100.3, 101.1**

The Complaint alleges that Jim Oberweis failed to timely file his Statement of Candidacy.¹

19 The Complaint states that on February 17, 2019, the Committee filed its Statement of Organization,
20 and on February 23, 2019, Oberweis made a \$10,000 contribution to the committee, but Oberweis
21 did not file his Statement of Candidacy until September 20, 2019.²

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

¹ Compl. at 1-2 (March 16, 2020). Oberweis is a Republican candidate in the 2020 Election for U.S. Representative in the 14th Congressional District of Illinois. Jim 2020 is Oberweis's principal campaign committee. The Complaint also suggests that Jim 2020 may not have been authorized to raise funds on behalf of a candidate who was not registered with the Commission. Compl. at 2. Neither Oberweis nor the Committee responded to the Complaint.

² *Id.* at 1-2. See also Jim 2020 Statement of Organization (February 17, 2019), available at <https://docquery.fec.gov/pdf/513/201902179145520513/201902179145520513.pdf>, Jim 2020 — 2019 April Quarterly Report at 29 (April 15, 2019) available at <https://docquery.fec.gov/pdf/660/201904159146346660/201904159146346660.pdf>, and Jim Oberweis Statement of Candidacy (September 20, 2019) available at <https://docquery.fec.gov/pdf/191/201909209163545191/201909209163545191.pdf>. The Commission’s Reports Analysis Division sent a Disavowal Notice to Oberweis on June 24, 2019, because the Committee reported contributions and expenditures in support of his 2020 candidacy in excess of \$5,000. See Jim Oberweis Disavowal Notice (June 24, 2020), available at <https://docquery.fec.gov/pdf/065/201906240300042065/201906240300042065.pdf>. The notification directed Oberweis to either disavow the Committee’s fundraising activities or file a Statement of Candidacy by July 29, 2019. *Id.* Oberweis did not respond to the Notice, but did file his Statement of Candidacy on September 20, 2019. The Committee has filed its required disclosure reports during the 2020 election cycle.

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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 and the
 6 candidate's filing of a Statement of Candidacy in September 2019, we recommend that the
 7 Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to
 8 determine the proper ordering of its priorities and use of agency resources.³ We also recommend
 9 that the Commission close the file as to all respondents and send the appropriate letters.

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 17 Lisa J. Stevenson
 18 Acting General Counsel

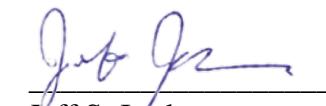
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 29 Charles Kitcher
 Acting Associate General Counsel

10.23.20
 Date

BY:


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Attorney

³ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).