



FEDERAL ELECTION COMMISSION
Washington, DC

VIA ELECTRONIC AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

kmartin@dfel.org

eboller@dfel.org

Ken Martin

May 28, 2021

Eagan, MN 55122

RE: MUR 7779

Dear Mr. Martin:

The Federal Election Commission reviewed the allegations in your complaint received on August 14, 2020. On May 26, 2021, based upon the information provided in the complaint, and additional information provided by respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Weeks2020 and Mary Weeks, in her official capacity as treasurer, and Adam Charles Weeks, and close its file in this matter. Accordingly, the Commission closed its file in this matter on January 14, 2021. 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* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson
Acting General Counsel

A handwritten signature in cursive script that reads "Jeff S. Jordan".

BY: Jeff S. Jordan
Assistant General Counsel

Enclosure
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: MUR 7779

Respondents: Weeks2020

and Mary Weeks, as treasurer
 (the “Committee”)
 Adam Charles Weeks

Complaint Receipt Date: August 14, 2020

Response Date: September 1, 2020

Alleged Statutory/

52 U.S.C. § 30104;

Regulatory Violations:

11 C.F.R. §§ 104.1, 104.3, 104.5

The Complaint states that Adam Charles Weeks filed a Statement of Candidacy and the Committee filed a Statement of Organization in May 2020, but the Committee has failed to file multiple disclosure reports, including its July Quarterly and Pre-Primary Reports.¹ The Committee asserts that it has not raised or spent the minimum amount necessary to meet the threshold for candidate status, and thus was not required to file reports.²

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

¹ Compl. at 1 (August 14, 2020). The Complaint further alleges that postings on the Committee’s website demonstrates that Weeks “more than likely” crossed the \$5,000 threshold for becoming a candidate under the Act and Commission regulations, and therefore was required to file campaign finance reports. *Id.* at 3-4. Commission records show that the Committee has not filed any campaign finance reports to date.

² Response at 1 (September 1, 2020). The Response states that the Committee has “not come close” to the \$5,000 threshold, and in support of that assertion, it attaches screenshots of bank account records of receipts and disbursements that it contends are from the Committee’s campaign bank account. *Id.* at 1-10. Available information indicates that candidate died on September 21, 2020.

1 potential violations and other developments in the law. This matter is rated as low priority for
2 Commission action after application of these pre-established criteria. Given that low rating and the
3 Respondents' assertion and supporting information that suggests a low level of fundraising and
4 spending, we recommend that the Commission dismiss the Complaint consistent with the
5 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of
6 agency resources.³ We also recommend that the Commission close the file as to all Respondents
7 and send the appropriate letters.

8 Lisa J. Stevenson
9 Acting General Counsel

12 Charles Kitcher
13 Acting Associate General Counsel

15 05.18.21
16 _____

17 Date

BY:

Stephen Gura

Stephen Gura
Deputy Associate General Counsel

Jeff Jordan

Jeff S. Jordan
Assistant General Counsel

Donald E. Campbell

Donald E. Campbell
Attorney

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