



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 18, 2023

BY EMAIL ONLY

bmorgan@capdale.com

Bryson B. Morgan, Esq.
Caplin & Drysdale, Chartered
One Thomas Circle, NW
Washington, DC 20005

RE: MUR 7995
Jamie McLeod-Skinner, *et al.*

Dear Mr. Morgan:

On May 5, 2022, the Federal Election Commission notified Jamie McLeod-Skinner and Jamie for Oregon and Sue Jackson, as treasurer, your clients, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was forwarded to your clients at that time.

On May 10, 2023, based on the allegations in the complaint, and information supplied by you, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to your clients. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the Commission's decision, is enclosed for your information.

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 Elena Paoli, the attorney assigned to this matter, at (202) 694-1548.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Acting Assistant General Counsel

Enclosure:
General Counsel's Report

1 known purchasers of the yard signs and asked them to place the stickers on the yard signs.⁴ The
2 Committee also emailed all recipients who had signed up to receive a free yard sign, offering to
3 mail them a corrective sticker if they responded with their mailing address or otherwise deliver a
4 sticker to them at a Committee event or pick-up location.⁵ The Committee then began to sell
5 corrected versions of the yard signs on its website and also distributed corrective stickers during
6 canvassing events throughout the district and at designated pick-up locations.⁶ The Response
7 attaches copies of the letter, email, corrective stickers, and new yard signs.⁷

8 Based on its experience and expertise, the Commission has established an Enforcement
9 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
10 assess whether particular matters warrant further administrative enforcement proceedings. These
11 criteria include (1) the gravity of the alleged violation, taking into account both the type of
12 activity and the amount in violation; (2) the apparent impact the alleged violation may have had
13 on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent
14 trends in potential violations and other developments in the law. This matter is rated as low
15 priority for Commission action after application of these pre-established criteria. Given that low
16 rating, and both Respondents' prompt remedial actions and the apparent minimal impact of the
17 potential violations, we recommend that the Commission dismiss the Complaint consistent with
18 the Commission's prosecutorial discretion to determine the proper ordering of its priorities and
19 use of agency resources.⁸ We also recommend that the Commission close the file as to all

⁴ *Id.* at 2 (“The letter urged recipients to ‘Please help us to be compliant by attaching this enclosed ‘paid for by Jamie For Oregon’ sticker to the street facing side of your Jamie sign on the bottom right.’”).

⁵ *Id.*

⁶ *Id.* at 3.

⁷ *Id.* at 4-7.

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

1 respondents and send the appropriate letters.

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Lisa J. Stevenson
Acting General Counsel

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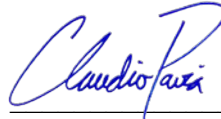
Charles Kitcher
Associate General Counsel

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4/27/2023



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Date

Claudio J. Pavia
Deputy Associate General Counsel

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Wanda D. Brown
Acting Assistant General Counsel

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Elena Paoli
Attorney

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