



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

February 21, 2024

VIA ELECTRONIC AND CERTIFIED MAIL

Jeff Fehar

Jackson, MI 49203

RE: MUR 8015
Dr. Sherry O'Donnell for Congress

Dear Mr. Fehar:

This is in reference to the complaint filed with the Federal Election Commission on June 17, 2022, concerning Dr. Sherry O'Donnell for Congress. Based on that complaint, after considering the circumstances of this matter, the Commission determined to dismiss this matter and closed the file on February 14, 2024.

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).

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

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure
General Counsel's Report

1 identification information, the Committee asserts that it reported all information in its possession
2 and used “best efforts” including phone calls, emails, and letters to gather the required missing
3 information.³

4 Subsequent to the RFAI, the Committee amended its 2022 April Quarterly Report on
5 August 16, 2022, and then again on August 19, 2022. Regarding the \$10,000 excessive
6 contribution, the amended report discloses the contribution as attributable to four individuals
7 with the last name Williams residing at the same address, each in the amount of \$2,500.⁴
8 Regarding the alleged anonymous cash contributions, the amended report asserts that
9 contributions were received at “Pass the Hat” events and that no individual contribution
10 exceeded \$50.⁵ Regarding the contributions with missing identification information, the
11 amended report discloses additional information for 64 contributions totaling \$43,752.26 and
12 removes two others totaling \$600.⁶ Also, the Committee filed a Miscellaneous Text (FEC Form
13 99) in response to the RFAI that details its standard operating procedures for obtaining missing
14 contributor information, which it contends meet or exceed the FEC requirements.⁷ Finally,
15 regarding the disbursement with a missing payee address, the amended report discloses the
16 address.⁸

³ Resp. at 1.

⁴ Dr. Sherry O'Donnell for Congress, 2022 April Quarterly Report at 33-34 (Aug. 19, 2022), <https://docquery.fec.gov/pdf/172/202208199525678172/202208199525678172.pdf> (reporting \$2,500 contributions by Tina Williams, Brandon Williams, Cynthia Williams, and Shelby Williams).

⁵ *Id.* at 8, 10.

⁶ *Id.* at 5-35. Four of the contributions listed in the Complaint for a total of \$3,500 continue to lack employer and occupation information, with “info requested” in each applicable field.

⁷ Dr. Sherry O'Donnell for Congress, Miscellaneous Text (FEC Form 99) (Mar. 6, 2023), <https://docquery.fec.gov/pdf/766/202303069578973766/202303069578973766.pdf>.

⁸ Dr. Sherry O'Donnell for Congress, 2022 April Quarterly Report at 38 (Aug. 19, 2022), <https://docquery.fec.gov/pdf/172/202208199525678172/202208199525678172.pdf>.

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

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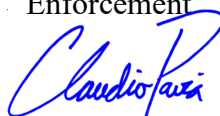
Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel for
Enforcement

February 5, 2024

Date

BY:



Claudio J. Pavia
Deputy Associate General Counsel
for Enforcement

Wanda D. Brown
Wanda Brown
Assistant General Counsel

⁹ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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EPS Dismissal Report
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Gordon King

Gordon King
Attorney