



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

May 20, 2024

**VIA ELECTRONIC AND CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Jeffrey R. Kluber  
6855 NE Arnold Avenue  
Adair Village, OR 97330  
Jeff@actionsolutions.net

RE: MUR 8181  
Friends of Jason Atkinson

Dear Jeffrey R. Kluber,

This is in reference to the Complaint you filed with the Federal Election Commission (the "Commission") on October 11, 2023, concerning Friends of Jason Atkinson and Jason Atkinson in his official capacity as treasurer (the "Committee"). After considering the circumstances of this matter, the Commission determined to dismiss this matter and voted to close the file on April 16, 2024, effective May 20, 2024.

The General Counsel's Report, which more fully explains the Commission's findings is enclosed. Documents related to the case will be placed on the public record today. *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 within 60 days of the dismissal, which became effective today. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel  
Wanda D. Brown *WDB*

BY: Wanda D. Brown  
Assistant General Counsel

Enclosure  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 8181

**Respondent:** Friends of Jason Atkinson and Jason Atkinson in his official capacity as treasurer

**Complaint Receipt Date:** October 11, 2023

**Response Date:** December 11, 2023

**Alleged Statutory and Regulatory Violations:** 52 U.S.C. § 30104(b); 11 C.F.R. §§ 104.3(b), (d) and 104.11

The Complaint alleges that Friends of Jason Atkinson and Jason Atkinson in his official capacity as treasurer (the “Committee”), the principal campaign committee<sup>1</sup> for Jason Atkinson, a 2020 candidate for Oregon’s 2nd Congressional District,<sup>2</sup> violated the Federal Election Campaign Act of 1971, as amended (the “Act”), by failing to report a \$1,500 disbursement and \$6,863.18 debt to Action Solutions for contracted services.<sup>3</sup> According to the Complaint, the Committee entered into a contract with Action Solutions, a political consulting company,<sup>4</sup> on January 15, 2020, for its services.<sup>5</sup> The Complaint states that the Committee paid Action Solutions an initial \$2,500 on January 30, 2020, and reported the disbursement on its disclosure

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<sup>1</sup> Friends of Jason Atkinson, Amended Statement of Organization (June 6, 2020), <https://docquery.fec.gov/pdf/838/202006069239633838/202006069239633838.pdf>.

<sup>2</sup> Jason Atkinson, Statement of Candidacy (Nov. 19, 2019), <https://docquery.fec.gov/pdf/061/201911129165356061/201911129165356061.pdf>.

<sup>3</sup> Compl. at 1-2 (Oct. 11, 2023).

<sup>4</sup> *Action Solutions: Interactive Communication Experts*, <http://actionsolutions.net/> (last visited Mar. 25, 2024).

<sup>5</sup> Compl. at 1-2.

reports.<sup>6</sup> The Complaint alleges that the Committee paid Action Solutions another \$1,500 that does not appear on its disclosure reports.<sup>7</sup> Finally, the Complaint alleges that although Action Solutions continued work on the contract until approximately April 17, 2020, the Committee failed to pay Action Solutions \$6,863.18 for its services, and that the Committee did not report this debt on its disclosure reports.<sup>8</sup>

The Response by the Committee asserts that Action Solutions never performed the work promised under the contract.<sup>9</sup> The Response states that the Committee “wrote off the account” after not being provided proof of work.<sup>10</sup> Further, the Response states that the Committee is no longer active and that it has not been active since May 2020.<sup>11</sup> A review of the Committee’s reports shows that it disclosed the \$1,500 disbursement to Action Solutions, which the Complaint alleges was not reported.<sup>12</sup> Additionally, the Committee disclosed a \$8,363.18 debt to Action Solutions on its last filed report with a clarification that it is a disputed debt, which, again, the Complaint alleges was not reported.<sup>13</sup>

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<sup>6</sup> *Id.*; see also Friends of Jason Atkinson, 2020 April Quarterly Report at 23 (Apr. 15, 2020), <https://docquery.fec.gov/cgi-bin/fecimg/?202004159219301536>. The Complaint provides different dates for when the \$2,500 disbursement was made, but the Committee reports the disbursement on January 23, 2020.

<sup>7</sup> Compl. at 3. The Complaint does not provide a specific date for the \$1,500 payment but suggests that it was after the initial \$2,500 payment by the Committee.

<sup>8</sup> *Id.* The Complaint alleges that the Committee began accruing debt after the initial agreement until April 17, 2020, when Action Solutions ceased work for the Committee. *Id.* at 1-3.

<sup>9</sup> Resp. at 1 (Dec. 11, 2023).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* The Committee is still listed as an active filer, but has not filed a report since the 2020 October Quarterly Report. FEC Committee Profiles: *Friends of Jason Atkinson*, FEC.GOV, <https://www.fec.gov/data/committee/C00726786/?tab=summary> (last visited Mar. 21, 2024) (reflecting that the Committee has not received termination approval and is listed as an active quarterly filer).

<sup>12</sup> Friends of Jason Atkinson, 2020 July Quarterly Report at 20 (July 15, 2020), <https://docquery.fec.gov/cgi-bin/fecimg/?202007159244664665>.

<sup>13</sup> Friends of Jason Atkinson, 2020 October Quarterly Report at 5 (Oct. 16, 2020), <https://docquery.fec.gov/cgi-bin/fecimg/?202010169297135053>. The final debt amount disclosed by the Committee does not factor in the \$1,500 disbursement made to Action Solutions on its 2020 July Quarterly Report and thus the

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 potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the apparent low amount in violation, and disclosure of the alleged unreported disbursement and debt, though with an apparent small discrepancy as to the debt, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.<sup>14</sup> We also recommend that the Commission close the file and send the appropriate letters.

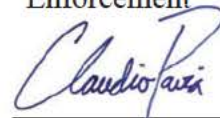
Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Associate General Counsel for  
Enforcement

March 26, 2024

Date

BY:




Claudio J. Pavia  
Deputy Associate General Counsel  
for Enforcement


debt is listed as \$8,363.18 instead of \$6,863.18. It is not clear if the Committee made a reporting error not factoring this amount into the debt calculation or if it did not consider this payment as part of the outstanding debt amount.

<sup>14</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

MUR 8181 (Friends of Jason Atkinson)  
EPS Dismissal Report  
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Wanda Brown  
Assistant General Counsel

  
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Kevin Fortkiewicz  
Attorney