



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C.

November 12, 2024

**VIA EMAIL ONLY**

John E. Chapman

[REDACTED]

Cuyahoga Falls, OH 44223

[REDACTED]

RE: MUR 8224  
Republicans of Northeast Ohio

Dear Mr. Chapman:

On March 7, 2024, the Federal Election Commission (the "Commission") notified your client, Edward Davidian, of a Complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the Complaint was included in that notification. On May 23, 2024, we received your client's Response to the Complaint.

Upon review of the allegations in the Complaint and information provided by your client, on October 9, 2024, the Commission voted to dismiss this matter effective November 12, 2024. The EPS Dismissal 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).

If you have any questions, please contact Jacob McCall, the attorney assigned to this matter, at (202) 694-1650 or jmccall@fec.gov.

Sincerely,

*Wanda D. Brown*

Wanda Brown  
Assistant General Counsel

Enclosure  
EPS Dismissal Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR 8224**

**Respondent:** Republicans of Northeast Ohio

**Complaint Receipt Date:** Mar. 1, 2024

**Response Dates:** May 23, 2024

**Alleged Statutory and  
Regulatory Violations:**

52 U.S.C. § 30103(a)  
52 U.S.C. § 30104(c)(1)  
52 U.S.C. § 30120(a)(3)  
11 C.F.R. § 102.1(a)  
11 C.F.R. § 100.22  
11 C.F.R. § 109.10  
11 C.F.R. § 110.11(a)(2), (b)

The Complaint alleges that Republicans of Northeast Ohio (the “Committee”), a state committee registered in Ohio, violated the Federal Election Campaign Act of 1971, as amended (the “Act”), when the Committee sent a mailer that endorsed three candidates for federal office and 21 candidates for state office without providing an adequate disclaimer.<sup>1</sup> The mailer states that it was paid for by the Committee but does not include the Committee’s contact information or state that it was not authorized by any candidate or candidate’s committee, and the disclaimer is not contained in a printed box. Further, the Complaint appears to argue that the Committee should have registered with the Commission as a political committee, as it allegedly engaged in express advocacy.<sup>2</sup>

The Committee filed a Response denying the allegations and arguing that the Committee does not need to register with the Commission because it has not exceeded the \$1,000 threshold to register.<sup>3</sup> According to the Response, the Committee spent \$7,328.80 on the mailer and that only approximately 12 percent of the mailer was related to federal candidates or approximately \$879.46

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<sup>1</sup> Compl. at 1-2 (Mar. 1, 2024).

<sup>2</sup> *Id.* at 1.

<sup>3</sup> Resp. at 2 (May 23, 2024).

1 which is below the \$1,000 threshold.<sup>4</sup> Finally, the Committee acknowledges that the disclaimer on  
2 the mailer does not meet the Act's requirements but argues that it does not need to comply with the  
3 Act because the Committee is not a federal political committee.<sup>5</sup>

4         Based on its experience and expertise, the Commission has established an Enforcement  
5 Priority System using formal, pre-determined scoring criteria to allocate agency resources and  
6 assess whether particular matters warrant further administrative enforcement proceedings. These  
7 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity  
8 and the amount in violation; (2) the apparent impact the alleged violation may have had on the  
9 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in  
10 potential violations and other developments in the law. This matter is rated as low priority for  
11 Commission action after application of these pre-established criteria. Given that low rating, the  
12 apparent low dollar amount at issue, and the unlikelihood that recipients of the mailer would have  
13 been confused as to whether the Committee paid for the communications at issue that contained  
14 partial disclaimers or other identifying information, we recommend that the Commission dismiss  
15 the Complaint, consistent with the Commission's prosecutorial discretion to determine the proper  
16 ordering of its priorities and use of agency resources.<sup>6</sup> We also recommend that the Commission  
17 close the file as to all Respondents effective 30 days after the date the certification of this vote is

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

MUR 8224 (Republicans of Northeast Ohio)

EPS Dismissal Report

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1 signed (or on the next business day after the 30th day, if the 30th day falls on a weekend or holiday)

2 and send the appropriate letters.

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October 1, 2024

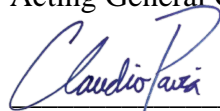
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Date

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Lisa J. Stevenson  
Acting General Counsel

BY:



Claudio J. Pavia  
Deputy Associate General Counsel

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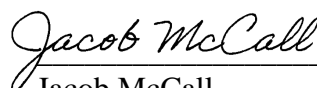
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Wanda Brown  
Assistant General Counsel



Jacob McCall  
Attorney