



FEDERAL ELECTION COMMISSION  
Washington, DC

January 17, 2025

**VIA ELECTRONIC MAIL**



David Williams, Treasurer  
Dave Williams for Colorado  
P.O. Box 77021  
Colorado Springs, CO 80970

RE: MUR 8240  
Dave Williams

Dear Mr. Williams:

On April 16, 2024, the Federal Election Commission notified you 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 forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on December 18, 2024, voted to dismiss this matter effective January 17, 2025. 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). A copy of the General Counsel's Report, which more fully explains the Commission's finding, is enclosed.

If you have any questions, please contact Constantine Souplos, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

*Aaron Rabinowitz*

Aaron Rabinowitz  
Assistant General Counsel

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM**

**DISMISSAL REPORT**

**MUR:** 8240

**Respondents:** Dave Williams

Dave Williams for Colorado and  
Thomas Bjorklund in his official  
capacity as treasurer  
Colorado Republican Committee  
and Thomas Bjorklund in his  
official capacity as Treasurer

**Complaint Receipt Date:** April 11, 2024

**Response Date:** April 30, 2024



**Alleged Statutory and  
Regulatory Violations:**

52 U.S.C. §§ 30116, 30120, 30125  
11 C.F.R. §§ 100.5, 109.21, 110.11, 300.10

The Complaint alleges that Dave Williams, a 2024 candidate for Colorado's Fifth Congressional District, his principal campaign committee, Dave Williams for Colorado and Thomas Bjorklund in his official capacity as treasurer (the "Williams Campaign"), and the Colorado Republican Committee and Thomas Bjorklund in his official capacity as treasurer (the "State Party") violated the Federal Election Campaign Act of 1971, as amended, when the State Party made payments to benefit the Williams Campaign, resulting in the State Party making and Williams and the Williams Campaign knowingly accepting and failing to report, excessive in-kind contributions.<sup>1</sup>

<sup>1</sup> Compl. at 1 (April 11, 2024); Dave Williams, Am. Statement of Candidacy (Jan. 10, 2024); Dave Williams for Colorado, Am. Statement of Organization (April 15, 2024); Colorado Republican Committee, Am. Statement of Organization (Aug. 8, 2024).

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EPS Dismissal Report

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1           The Complaint points to emails and a mailer that it alleges Williams sent in his role as  
2   the chair of the State Party but that supported his candidacy or opposed his primary  
3   opponent.<sup>2</sup> The Complaint also alleges that the mailer did not provide an adequate  
4   disclaimer.<sup>3</sup> The Response disputes the allegations and attaches a purported copy of the  
5   mailer.<sup>4</sup> The State Party's disclosure reports list a disbursement of \$9,866.23 on February  
6   26, 2024, around when the mailer was allegedly sent, for "Fold out mailer – response to  
7   attack article," the description of which appears to match the content of the mailer attached  
8   to the Response.<sup>5</sup>

9   Based on its experience and expertise, the Commission has established an Enforcement Priority  
10   System using formal, pre-determined scoring criteria to allocate agency resources and assess  
11   whether particular matters warrant further administrative enforcement proceedings. These  
12   criteria include (1) the gravity of the alleged violation, taking into account both the type of  
13   activity and the amount in violation; (2) the apparent impact the alleged violation may have had  
14   on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent  
15   trends in potential violations and other developments in the law. This matter is rated as low  
16   priority for Commission action after applying these pre-established criteria. Given the low  
17   rating, the apparent low dollar amount at issue, and the unlikelihood that the general public would

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

<sup>3</sup> *Id.* at 3.

<sup>4</sup> Resp. at 1 & Ex. A (April 30, 2024).

<sup>5</sup> Colorado Republican Committee, 2024 March Monthly Report at 34 (Mar 20, 2024), <https://docquery.fec.gov/cgi-bin/fecimg/>. State disclosures for committees associated with the State Party do not disclose any disbursement clearly associated with the mailer, but the total spending for these committees for that period is less than \$5,000. Colorado Secretary of State, TRACER Committee Search, <https://tracer.sos.colorado.gov/PublicSite/SearchPages/CommitteeSearch.aspx> (last visited Nov. 21, 2024) (search for "COLORADO REPUBLICAN COMMITTEE" in the Committee Name field).

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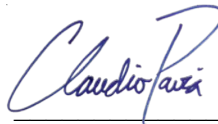
1 have been confused as to who paid for the mailers, we recommend that the Commission dismiss  
2 the Complaint consistent with the Commission's prosecutorial discretion to determine the proper  
3 ordering of its priorities and use of agency resources.<sup>6</sup> We also recommend that the Commission  
4 close the file as to all Respondents and send the appropriate letters.

5 Lisa J. Stevenson  
6 Acting General Counsel

7  
8  
9 December 10, 2024

10 Date

BY:



Claudio J. Pavia  
Deputy Associate General Counsel  
for Enforcement

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15 Aaron Rabinowitz

Aaron Rabinowitz  
Assistant General Counsel

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20 Constantine V. Souprios

Constantine Souprios  
Attorney

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