



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

VIA EMAIL

tdatwyler@gmail.com
compliance@axcapteam.com

April 24, 2024

Thomas Datwyler, Treasurer
 Brandon Herrera Victory Committee
 P.O. Box 183
 Hudson, WI 54016

RE: MUR 8243

Dear Mr. Datwyler:

The Federal Election Commission (FEC) received a complaint that indicates Brandon Herrera Victory Committee and you in your official capacity as treasurer may have violated the Federal Election Campaign Act of 1971, as amended (the “Act”). A copy of the complaint is enclosed. We have numbered this matter MUR 8243. Please refer to this number in all future correspondence.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Brandon Herrera Victory Committee and you in your official capacity as treasurer in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission’s consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel’s Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and § 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share any information you provide with other law enforcement agencies, including the Department of Justice.¹ While the matter remains open, it will remain confidential as set forth above. After the matter is closed, certain documents from the file will be made available to the public on the Commission’s website. To learn more about the agency’s disclosure policy, please see 81 Fed. Reg. 51, 702 (Aug. 2, 2016).
<https://www.fec.gov/resources/cms-content/documents/notice2016-06.pdf>.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications

¹ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

from the Commission. Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the complaint until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

As indicated in the FEC's Notice found at <https://www.fec.gov/legal-resources/enforcement/complaints-process/how-to-file-complaint-with-fec/>, the FEC has largely resumed normal operations, but please be advised that processing paper correspondence may be delayed. Accordingly, we strongly encourage you to file responses and additional correspondence via email. Any correspondence sent to the Commission, such as a response, must be addressed to **one** of the following (note, if submitting via email this Office will provide an electronic receipt by email):

<u>U.S. Postal Service</u>	<u>Delivery Services</u> (<i>FedEx, UPS, DHL</i>)	<u>Email</u> cela@fec.gov
Federal Election Commission Office of Complaints Examination & Legal Administration Attn: Christal Dennis, Paralegal 1050 First Street, NE Washington, DC 20463	Federal Election Commission Office of Complaints Examination & Legal Administration Attn: Christal Dennis, Paralegal 1050 First Street, NE Washington, DC 20002	

If you have any questions, please contact Christal Dennis at (202) 694-1519. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Wanda D. Brown

Wanda D. Brown
Assistant General Counsel
Complaints Examination &
Legal Administration

