



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Evan Power
Chairman, Republican Party of Florida
420 E. Jefferson Street
Tallahassee, FL 32301

February 28, 2025

RE: MUR 8301

Dear Mr. Power:

On January 29, 2025, the Federal Election Commission reviewed the allegations in your Complaint received August 30, 2024, and on the basis of the information provided therein and information provided by the respondent, determined to exercise its prosecutorial discretion to dismiss the allegations contained in the Complaint. Accordingly, the Commission closed the file in this matter.

The Commission will place documents related to the case on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Enclosed is a copy of the General Counsel's Report, which more fully explains the Commission's decision.

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). If you have any questions, please contact Justine A. di Giovanni, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

Wanda D. Brown

BY: Wanda D. Brown
Assistant General Counsel

Enclosure: General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

ENFORCEMENT PRIORITY SYSTEM

DISMISSAL REPORT

4 MUR 8310 **Respondent:** One Tallahassee

5 **Complaint Receipt Date:** Aug. 30, 2024
6 **Response Date:** Sept. 30, 2024

7 EPS Rating:

12 The Complaint alleges that One Tallahassee, a Florida state political committee, failed to
13 properly register as a political committee with the Commission, in violation of the Federal Election
14 Campaign Act of 1971, as amended.¹ According to the Complaint, on or around August 12, 2024,
15 One Tallahassee circulated a mailer promoting 2024 presidential candidate Kamala Harris that cost
16 approximately \$19,750.² On its front, the mailer, attached to the Complaint, depicts three
17 candidates: Jack Porter and Dot Inman-Johnson, two state candidates, and Kamala Harris.³ The
18 three pictures are equal in size and prominence.⁴ On the back, the mailer states “[t]ogether, we can!”
19 and describes Inman-Johnson as “the first Black woman to serve as Mayor of Tallahassee,” and
20 Porter as “the youngest woman ever elected to the City Commission” before stating “[t]his year, we

¹ Compl. at 1 (Aug. 30, 2024).

2 *Id.*

3 *Id.*, Ex. A at 1.

4 *Id.*

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EPS Dismissal Report

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1 can make History, again.”⁵ The mailer bears a disclaimer reading “Electioneering communication
2 paid for by One Tallahassee[,] E. 6th Avenue Tallahassee, Florida 32303.”⁶

3 One Tallahassee submitted a Response denying the allegations and stating:

4 One Tallahassee is a registered political committee in the State of
5 Florida with a primary purpose of electioneering for local and
6 regional candidates. We do not have a major purpose of electing
7 federal candidates and the inclusions cited are incidental and will
8 be reported as an Independent Expenditure based on the dollar
9 amount on the Form 5 due October 15th.⁷

10 One Tallahassee has not filed any independent expenditure reports with the Commission.⁸

11 Based on its experience and expertise, the Commission has established an Enforcement

12 Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess
13 whether matters warrant further administrative enforcement proceedings. These criteria include
14 (1) the gravity of the alleged violation, taking into account both the type of activity and the amount
15 in violation; (2) the apparent impact the alleged violation may have had on the electoral process;
16 (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations
17 and other developments in the law. This matter is rated as low priority for Commission action after
18 application of these pre-established criteria. Given that low rating and the apparent low dollar
19 amount involved, we recommend that the Commission dismiss the Complaint consistent with the

⁵ *Id.* at 2. The Complaint states that a third of the disbursements for the mailer (or \$6,585.94) should be allocated to federal-election activity, the amount of which exceeds the \$1,000 threshold for political committee status. Compl. at 1.

⁶ *Id.*, Ex. A at 2.

⁷ Resp. at 1 (Sept. 30, 2024).

⁸ *FEC Independent Expenditures: Filtered Results*, FEC.GOV, https://www.fec.gov/data/independent-expenditures/?data_type=processed&most_recent=true&q_spender=one+tallahassee&is_notice=true (last visited Jan. 14, 2025) (reflecting no 24- or 48-Hour Reports filed by One Tallahassee); *FEC Independent Expenditures: Filtered Results*, FEC.GOV, https://www.fec.gov/data/independent-expenditures/?data_type=processed&most_recent=true&q_spender=one+tallahassee&is_notice=false (last visited Jan. 14, 2025) (reflecting no regularly scheduled independent expenditure reports filed by One Tallahassee).

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1 Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of
2 agency resources.⁹ We also recommend that the Commission close the file effective 30 days from
3 the date the certification of this vote is signed (or on the next business day after the 30th day, if the
4 30th day falls on a weekend or holiday) as to all Respondents and send the appropriate letters.

5 Lisa J. Stevenson
6 Acting General Counsel

7 January 16, 2025
8 Date

BY: Claudio J. Pavia
Claudio J. Pavia

Claudio J. Pavia

Claudio J. Tavaia
Deputy Associate Com

Deputy Associate General Counsel

Wanda D. Brown

Wanda Brown

Assistant General Counsel

Justine A. di Giovanni
Justine A. di Giovanni
Attorney

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