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November 18, 2024

VIA E-MAIL (CELA@FEC.GOV)

Wanda D. Brown
Acting Assistant General Counsel
Office of Complaints Examination & Legal Administration
Federal Election Commission
1050 First Street NE
Washington, DC 20463

Re: MUR 8324 (Tony Wied for Congress)

Dear Ms. Brown:

I represent Tony Wied for Congress (the “Committee”) and Bradley Crate in his official capacity as its treasurer (collectively, “Respondents”) and write in response to the complaint in MUR 8324 (the “Complaint”).

On October 7th, 2024, Respondents received the Complaint alleging that five or more yard signs lacked a proper disclaimer. In support of this allegation, the Complaint merely points to one picture of one side of one altered yard sign. The Complaint is speculative, serves as a waste of Commission resources, and should be dismissed.

This matter should be dismissed under the Commission’s prosecutorial discretion. Indeed, the Commission consistently dismisses complaints that merely allege inadvertent disclaimer issues. *See* MUR 4559 (Bill Baker for Congress), MUR 5156 (Mark Morton), MUR 7307 (Costello), MUR 7245 (Shiva Ayyadurai), and MUR 7419 (Bill Nelson for Senate). In MUR 4559 (Bill Baker for Congress), the Commission dismissed a complaint after a committee printed and distributed “approximately 200” billboard-sized signs that lacked a disclaimer. In MUR 7419 (Bill Nelson for Senate), the Commission dismissed a matter factually similar to the Complaint because the issue was “isolated” to a small number of signs, involved a low dollar amount, and was caused by factors outside the committee’s control. The same is true here.

The Committee paid for a number of yard signs to encourage support for Tony Wied in the primary election on August 13, 2024. The August 13th primary date was printed at the bottom of each sign along with an exhortation for supporters to vote for Tony Wied in the primary. Each sign included a disclaimer next to this exhortation at the bottom. After the August primary election concluded, a limited number of supporters removed the bottom of their yard signs to remove the reference to the August election, and in doing so, inadvertently removed the proper disclaimer.

Once the Committee learned of this, it took efforts to apply a taped disclaimer to the yard signs that it observed lacked disclaimers, namely the yard signs located in busy areas. The limited number of signs identified by the Complaint certainly were signs that the Committee did not observe, which were likely located in areas with a low population. The only picture submitted by complainant shows a sign with a jagged bottom edge, making clear that the sign at issue had been modified.

Put simply, the Committee paid for and distributed signs with proper disclaimers, but a small number of supporters modified their signs without campaign approval, and inadvertently removed the proper disclaimer. Nevertheless, the lack of a disclaimer on a limited number of modified signs is harmless error. No reasonable observer could conclude that the sign was paid for by someone other than the Committee or an affiliate.

The Committee printed and distributed signs that included a disclaimer and took all necessary steps to ameliorate a harmless error caused by factors outside of its own control. The Complaint against Respondents should therefore be dismissed.

Very truly yours,



Ryan G. Dollar
Counsel to Respondents