



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

February 13, 2025

VIA UPS DELIVERY AND ELECTRONIC MAIL

Jill Gerwing

De Pere, WI 54115

RE: MUR 8324
Tony Wied for Congress

Dear Ms. Gerwing:

This is in reference to the complaint filed with the Federal Election Commission on September 4, 2024, concerning Tony Wied for Congress. Based on that complaint, and after considering the circumstances of this matter and information provided in response to the complaint, the Commission determined to dismiss this matter and close the file effective February 13, 2025.

The General Counsel's Report, which more fully explains the basis for the Commission's decision, 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).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action within 60 days of the dismissal, which became effective today. *See* 52 U.S.C. § 30109(a)(8).

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

MUR 8324

Respondent: Tony Wied for Congress and Bradley Crate in his official capacity as treasurer

Complaint Receipt Date: Sept. 4, 2024

Response Date: Nov. 20, 2024

Alleged Statutory/ Regulatory Violations:

52 U.S.C. § 30120(a)
11 C.F.R. § 110.11(c)

The Complaint alleges that Tony Wied for Congress and Bradley Crate in his official capacity as treasurer (the “Committee”),¹ the principal campaign committee of Tony Wied, a candidate for Wisconsin’s 8th Congressional District in the 2024 election cycle,² distributed signs throughout northeastern Wisconsin” without adequate disclaimers, providing the locations of five campaign signs, in violation of the Federal Election Campaign Act of 1971, as amended (the “Act”).³ The complaint includes an image of one such sign which states that “Trump Endorsed Tony Wied for Congress” without any disclaimers.⁴

25 In Response, the Committee states that the signs at issue were distributed with proper
26 disclaimers and later modified by “a small number of supporters”; after the primary election, those
27 supporters removed the bottom portion of the sign which referenced the date of the primary election

¹ Tony Wied for Congress, Amended Statement of Organization at 2 (Apr. 11, 2024), <https://docquery.fec.gov/pdf/273/202404119627525273/202404119627525273.pdf>.

² Tony Wied, Amended Statement of Candidacy at 1 (May 15, 2024), <https://docquery.fec.gov/pdf/672/202405159646003672/202405159646003672.pdf>.

³ Compl. at 1 (Sept. 4, 2024).

4 *Id.*

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EPS Dismissal Report

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1 but also included the disclaimer.⁵ The Committee states that when it became aware of the modified
2 signs it took steps to affix a proper disclaimer to the modified signs, but that the “limited number of
3 signs identified by the Complaint certainly were signs that the Committee did not observe, which
4 were likely located in areas with a low population.”⁶ The Committee requests that the Commission
5 dismiss the Complaint.⁷

6 Based on its experience and expertise, the Commission has established an Enforcement
7 Priority System using formal, pre-determined scoring criteria to allocate agency resources and
8 assess whether particular matters warrant further administrative enforcement proceedings. These
9 criteria include (1) the gravity of the alleged violation, taking into account both the type of activity
10 and the amount in violation; (2) the apparent impact the alleged violation may have had on the
11 electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in
12 potential violations and other developments in the law. This matter is rated as low priority for
13 Commission action after application of these pre-established criteria. Given that low rating and the
14 unlikelihood that the general public would have been confused as to whether the Committee paid for
15 the communications at issue that contained identifying information, as well as the apparent low
16 amount at issue, we recommend that the Commission dismiss the Complaint, consistent with the
17 Commission’s prosecutorial discretion to determine the proper ordering of its priorities and use of
18 agency resources.⁸ We also recommend that the Commission close the file effective 30 days from
19 the date the certification of this vote is signed (or on the next business day after the 30th day, if the
20 30th day falls on a weekend or holiday) and send the appropriate letters.

⁵ Resp. at 2 (Nov. 20, 2024).

⁶ *Id.*

⁷ *Id.*

⁸ *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

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12/12/2024

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Date

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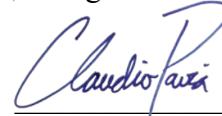
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Lisa J. Stevenson

Acting General Counsel



BY:

Claudio J. Pavia

Deputy Associate General Counsel



Wanda D. Brown

Assistant General Counsel



Gordon King

Attorney