

21L-36

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 3, 2021

ANALYST: Nataliya Ioffe

I. COMMITTEE: Big Sky 55+  
C90018730  
Steven W. Mele, Representative<sup>1</sup>  
PO Box 1663  
Helena, MT 59624

II. RELEVANT STATUTES: 52 U.S.C. § 30104(c)  
52 U.S.C. § 30104(g)  
11 CFR § 109.10

III. BACKGROUND:

**A. Independent Expenditure Reporting Problems – Persons Other Than Political Committees (Form 5) (Failure to File 48-Hour Reports)**

Big Sky 55+ (“Big Sky”) failed to file one (1) 48-Hour Report to support four (4) independent expenditures totaling \$16,717.18, disclosed in the Amended 2018 Year-End Report, received May 22, 2021, that were made during the period up to and including the 20th day before the 2018 General Election (Attachment 2).

On July 28, 2019, Big Sky filed its 2018 Year-End Report covering the period from January 31, 2018 through December 31, 2018. Schedule 5-E (Itemized Independent Expenditures) of the report disclosed four (4) independent expenditures totaling

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<sup>1</sup> Molly Moody was the representative who filed the Original 2018 Year-End Report.

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\$16,717.18, made in support of one (1) federal candidate (Images 201907299151684309-10).

On August 21, 2019, a Request for Additional Information (RFAI) was sent to Big Sky referencing their 2018 Year-End Report. Among other items, the RFAI noted that Big Sky may have failed to file a 48-Hour Report for four (4) independent expenditures disclosed on Schedule 5-E of the report (Images 201908220300046824-28).

**B. Independent Expenditure Reporting Problems – Persons Other Than Political Committees (Form 5) (Failure to File 24-Hour Reports)**

Big Sky failed to file one (1) 24-Hour Report to support three (3) independent expenditures totaling \$33,336.42, disclosed in the 2018 Year-End Report, that were made after the 20th day but more than 24 hours before the 2018 General Election (Attachment 2).

On July 28, 2019, Big Sky filed its 2018 Year-End Report covering the period from January 31, 2018 through December 31, 2018. Schedule 5-E of the report disclosed three (3) independent expenditures totaling \$33,336.42, made in support of one (1) federal candidate (Images 201907299151684310-11).

On August 21, 2019, an RFAI was sent to Big Sky referencing their 2018 Year-End Report. Among other items, the RFAI noted that Big Sky may have failed to file 24-Hour Report(s) for three (3) independent expenditures disclosed on Schedule 5-E of the report (Images 201908220300046824-28).

Between September 26, 2019 and October 8, 2019, the Reports Analysis Division (RAD) Analyst spoke with Molly Moody, the entity's representative, concerning the RFAI sent on the 2018 Year-End Report. Among other items, the RAD Analyst advised Ms. Moody about the missing 48- and 24-Hour Reports for the independent expenditures noted in the RFAI and explained that this issue may be referred to another Commission office for further review if not corrected (Attachment 3).

On May 8, 2020, the RAD Analyst left a voicemail message for Ms. Moody reminding her about the outstanding response to the RFAI sent on the 2018 Year-End Report (Attachment 3).

On May 12, 2021, RAD Management left a voicemail message for Ms. Moody and emailed Christopher Koob, the entity's consultant, concerning the referable issues cited in the RFAI sent on the 2018 Year-End Report. On May 20, 2021, Steven Mele, the entity's consultant, called the RAD Analyst in response to these communications. Mr. Mele stated he would file a Miscellaneous Electronic Document (FEC Form 99) and amend the entity's 2018 Year-End Report to respond to the RFAI (Attachment 3).

On May 22, 2021, Big Sky filed an Amended 2018 Year-End Report. The report provided additional information concerning the contribution disclosed on Schedule 5-A (Itemized Receipts) but disclosed no changes regarding the seven (7) independent

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expenditures disclosed on Schedule 5-E of the report that were referenced in the August 21, 2019 RFAI (Images 202105229447380194-96).

On the same date, Big Sky filed an FEC Form 99, stating, in full

“As noted on the Request for Additional Information dated August 21, 2019, our organization failed to file one 48-Hour report on 10/14/2018 disclosing Independent Expenditures disseminated on 10/12/2018 and one 24-Hour report on 10/23/2018 disclosing Independent Expenditures disseminated on 10/22/2018” (Image 202105229447380199).

To date, no further communications have been received from Big Sky regarding these matters.

O-Index

6/3/2021 12:26 PM

O-Index (2021-2022)															
Cmte. ID: C90018730 Cmte. Name: BIG SKY 55+															
Treasurer Name: null Address: PO BOX 1663, HELENA, MT 59624															
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			5/22/2021	1	202105229447380199				-	-	-	-	-	-	-
Totals										\$0	\$0				

O-Index (2019-2020)															
Cmte. ID: C90018730 Cmte. Name: BIG SKY 55+															
Treasurer Name: null Address: PO BOX 1663, HELENA, MT 59624															
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
F5N	48	N	10/2/2020	2	202010029284993084	10/1/2020	10/1/2020		-	\$0	\$94,897	-	-	-	-
F5A	48	A	10/9/2020	3	202010099285068303	10/7/2020	10/7/2020		-	\$0	\$19,531	-	-	-	-
F5N	48	N	10/8/2020	1	202010089285065187	10/7/2020	10/7/2020		-	\$0	\$0	-	-	-	-
F5N	48	N	10/12/2020	3	202010129285465395	10/12/2020	10/12/2020		-	\$0	\$25,399	-	-	-	-
F5N	48	N	10/15/2020	2	202010159294437800	10/14/2020	10/14/2020		-	\$0	\$13,000	-	-	-	-
F5N	YE	N	1/26/2021	5	202101269413400461	10/1/2020	12/31/2020		-	\$0	\$152,828	-	-	-	-
Totals										\$0	\$305,656				

O-Index (2017-2018)															
Cmte. ID: C90018730 Cmte. Name: BIG SKY 55+															
Treasurer Name: null Address: PO BOX 1663, HELENA, MT 59624															
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
RQ2	YE	N	8/21/2019	5	201908220300046824	1/31/2018	12/31/2018	8/21/2019	-	-	-	-	-	-	-
F5A	YE	A	5/22/2021	6	202105229447380191	1/31/2018	12/31/2018		-	\$50,000	\$50,321	-	-	-	-
F5N	YE	N	7/28/2019	5	201907299151684307	1/31/2018	12/31/2018		-	\$50,000	\$50,321	-	-	-	-
Totals										\$100,000	\$100,642				

**Big Sky 55+ (C90018730)**

Amended 2018 Year-End Report, received May 22, 2021

48-Hour Report Not Filed

<b>Name of Payee</b>	<b>Date of Dissemination (Schedule 5-E)</b>	<b>Expenditure Amount</b>	<b>Candidate Supported/ Opposed</b>	<b>State and Date of Election</b>
The Billings Times	10/12/2018	\$186.54	Jon Tester	Montana – 2018 General (11/6/2018)
Element L Design	10/12/2018	\$650.00	Jon Tester	Montana – 2018 General (11/6/2018)
Thomas Printing	10/12/2018	\$1,977.00	Jon Tester	Montana – 2018 General (11/6/2018)
Mailing Technical Services Inc	10/12/2018	\$13,903.64 <i>48-Hour Report Required</i>	Jon Tester	Montana – 2018 General (11/6/2018)

**Big Sky 55+ (C90018730)**

Amended 2018 Year-End Report, received May 22, 2021

24-Hour Report Not Filed

<b>Name of Payee</b>	<b>Date of Dissemination (Schedule 5-E)</b>	<b>Expenditure Amount</b>	<b>Candidate Supported/ Opposed</b>	<b>State and Date of Election</b>
Thomas Printing	10/22/2018	\$4,252.00 <i>24-Hour Report Required</i>	Jon Tester	Montana – 2018 General (11/6/2018)
Mailing Technical Services Inc.	10/22/2018	\$26,877.00 <i>24-Hour Report Required</i>	Jon Tester	Montana – 2018 General (11/6/2018)
Big Sky 55+	10/22/2018	\$2,207.42 <i>24-Hour Report Required</i>	Jon Tester	Montana – 2018 General (11/6/2018)