

21L-39

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 22, 2021

ANALYST: Abigail Capps

- I. COMMITTEE: Change Campaign Super PAC
C00567396
Adam Green, Treasurer
1629 K Street, NW
Suite 300
Washington, DC 20006
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(1)
11 CFR § 104.4(c)
- III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Timely File 24-Hour Reports)

Change Campaign Super PAC (“the Committee”) failed to timely file one (1) 24-Hour Report totaling \$104,995.30 to support four (4) independent expenditures disclosed on the 2020 30-Day Post-General Report, made after the 20th day but more than 24 hours before the day of the 2020 General Election (Attachment 2).

On December 4, 2020, the Committee filed its 2020 30-Day Post-General Report covering the period from October 1, 2020 through November 23, 2020. The report included a Schedule E (Itemized Independent Expenditures) disclosing five (5) independent expenditures, totaling \$204,995.30, made in support of one (1) Federal candidate (Images 202012049366411146-48).

On March 31, 2021, a Request for Additional Information (RAI) was sent to the Committee referencing the 2020 30-Day Post-General Report. The RAI noted that the Committee may have failed to file one (1) or more of the required 24-Hour Reports for independent expenditures disclosed in the report. A chart was included with the RAI identifying the four (4) independent expenditures, totaling \$104,995.30, for which a 24-Hour Report had not been filed (Images 202103310300114087-89).

On May 5, 2021, the Committee filed an FEC Form 99 (Miscellaneous Electronic Submission) which stated, in part:

“Our independent expenditure began on October 28, 2020. A 24-hour report was due by October 29, 2020. On October 29, the committee finalized a 24-hour report and believed it had been filed on schedule. The committee directed its outside consultant, Administrative Business Services, LLC, to file the report on October 29 at 3:34 pm EST via email from its Chief Operating Officer with the message “Good to File.” The consultant responded shortly thereafter at 3:43 pm EST with “Great, thanks!” and then marked the report as filed in our compliance software at 4:12 pm EST. We have confirmed with our compliance software company, NGP, that this report was marked as filed by our outside consultant. For an unexplained reason, it was not logistically transmitted to the Federal Election Commission. The committee was unaware of this failure to file until it received this notice from the Commission and believed in good faith that it had transmitted and filed the report on time. A subsequent 24-hour report filed the following day (October 30) for a second expenditure reflected that the first expenditure was included in the Calendar Year-To-Date per Election for Office Sought calculation for this particular candidate, office, and election. The committee believes in transparency and went above and beyond to make the October 28 expenditure public. Three days before the expenditure, and four days before a report was due, a national media outlet reported on our “six-figure independent expenditure specifically for Eastman in the coming week.” (<https://theintercept.com/2020/10/25/kara-eastman-omaha-justice-democrats-pccc/>) On the day the expenditure began, and a day before a report was due, another national media outlet reported that we would “spend \$100,000 initially on an ad running across a range of Nebraska television stations.” (<https://thehill.com/homenews/campaign/523167-dem-groups-announce-six-figure-ad-buy-in-nebraska-swing-district>) The Change Campaign Super PAC is an affiliated PAC of the PCCC. We thank you for alerting us to this matter. We hope after reviewing the above, you'll agree our good-faith commitment to public transparency was strong and there is nothing more that would have alerted us to the finalized report not logistically being entered into the FEC's system” (Image 202105059446294823).

On June 1, 2021, the Reports Analysis Division (RAD) Analyst left a voicemail for Adam Green, the Committee Treasurer, regarding the Committee’s 2020 30-Day Post-General Report. The Analyst explained that the Committee may be referred to another Commission office for potential further action for failing to file the required 24-Hour Report. The Analyst requested a return call as soon as possible (Attachment 3).

Also, on June 1, 2021, the RAD Analyst called Mr. Green again to discuss the outstanding issues that were questioned on the RFAI sent referencing the Committee’s 2020 30-Day Post-General Report. The Analyst explained that the Commission had yet to receive an adequate response to the RFAI and the Committee may be referred to another

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Commission office for potential further action. Mr. Green noted that the Committee had filed an FEC Form 99 response and asked why this response was not considered adequate. The Analyst explained that the issue remained that the 24-Hour Report had not been filed. The Analyst encouraged Mr. Green to file the missing 24-Hour Report and to provide any additional information on the public record as soon as possible. Mr. Green requested that the Analyst email a referral notification to the Committee so that Mr. Green may forward it to the Committee's Compliance Consultant (Attachment 3).

Later that same day, the RAD Analyst emailed Mr. Green regarding the outstanding compliance matter noted on the Committee's 2020 30-Day Post-General Report. The email explained that the outstanding matter may be referred to another Commission office for potential further action, requested that the Committee file the missing 24-Hour Report, and provide any additional clarification regarding this matter on the public record (Attachment 3).

On June 2, 2021, the Committee filed one (1) 24-Hour Report to support four (4) independent expenditures, totaling \$104,995.30, disseminated on October 28, 2020 (Images 202106029448456851-52).

To date, no further communications have been received from the Committee regarding this matter.

O-Index

6/22/2021 9:19 AM

O-Index (2021-2022)															
Cmte. ID: C00567396 Cmte. Name: CHANGE CAMPAIGN SUPER PAC															
Treasurer Name: GREEN, ADAM Address: 1629 K STREET, NW STE 300, WASHINGTON, DC 20006															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY 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			5/5/2021	1	202105059446294823				-	-	-	-	-	-	-
F1A		A	4/5/2021	4	202104059443065024				-	-	-	-	-	-	-
F24N	24		6/2/2021	2	202106029448456851				-	-	-	-	-	-	-
Totals										\$0	\$0				

O-Index (2019-2020)															
Cmte. ID: C00567396 Cmte. Name: CHANGE CAMPAIGN SUPER PAC															
Treasurer Name: GREEN, ADAM Address: 1629 K STREET, NW STE 300, WASHINGTON, DC 20006															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY 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	30G	N	3/31/2021	3	202103310300114087	10/1/2020	11/23/2020	3/31/2021	-	-	-	-	-	-	-
F3XN	MY	N	7/31/2019	25	201907319161255734	1/1/2019	6/30/2019		\$97,314	\$5,740	\$3,290	\$99,763	-	-	\$0
F3XN	YE	N	1/31/2020	41	202001319184091711	7/1/2019	12/31/2019		\$99,763	\$3,812	\$80,529	\$23,046	-	-	\$0
F3XN	Q1	N	4/15/2020	7	202004159219224732	1/1/2020	3/31/2020		\$23,046	\$1,544	\$419	\$24,171	-	-	\$0
F3XN	Q2	N	7/15/2020	9	202007159250101871	4/1/2020	6/30/2020		\$24,171	\$2,295	\$391	\$26,076	-	-	\$0
F3XN	Q3	N	10/15/2020	15	202010159295534805	7/1/2020	9/30/2020		\$26,076	\$3,219	\$445	\$28,849	-	-	\$0
F3XN	30G	N	12/4/2020	16	202012049366411133	10/1/2020	11/23/2020		\$28,849	\$255,767	\$205,109	\$79,507	-	-	\$0
F3XN	YE	N	1/31/2021	11	202101319423690675	11/24/2020	12/31/2020		\$79,507	\$13,182	\$65,699	\$26,990	-	-	\$0
F1A		A	1/17/2019	4	201901179143854017				-	-	-	-	-	-	-
F24A	24		1/17/2019	1	201901179143853899				-	-	-	-	-	-	-
F24N	24		10/30/2020	1	202010309336671212				-	-	-	-	-	-	-
Totals										\$285,562	\$355,885				

O-Index (2017-2018)															
Cmte. ID: C00567396 Cmte. Name: CHANGE CAMPAIGN SUPER PAC															
Treasurer Name: GREEN, ADAM Address: 1629 K STREET, NW STE 300, WASHINGTON, DC 20006															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY 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	Q3	N	11/25/2018	4	201811250300025713	7/1/2018	9/30/2018	11/25/2018	-	-	-	-	-	-	-
F3XN	MY	N	7/31/2017	6	201707319069911225	1/1/2017	6/30/2017		\$14,349	\$59	\$659	\$13,749	-	-	\$0
F3XN	YE	N	1/31/2018	6	201801319091324424	7/1/2017	12/31/2017		\$13,749	\$0	\$300	\$13,449	-	-	\$0
F3XN	Q1	N	4/15/2018	7	201804159108243014	1/1/2018	3/31/2018		\$13,449	\$0	\$1,290	\$12,158	-	-	\$0
F3XA	Q1	A	10/15/2018	6	201810159125406477	1/1/2018	3/31/2018		\$13,449	\$0	\$690	\$12,758	-	-	\$0
F3XN	Q2	N	7/15/2018	6	201807159115690572	4/1/2018	6/30/2018		\$12,158	\$0	\$300	\$11,858	-	-	\$0
F3XA	Q2	A	10/15/2018	6	201810159125407292	4/1/2018	6/30/2018		\$12,758	\$0	\$300	\$12,458	-	-	\$0
F3XN	Q3	N	10/15/2018	13	201810159125409328	7/1/2018	9/30/2018		\$12,458	\$75,987	\$61,951	\$26,494	-	-	\$0
F3XN	12G	N	10/25/2018	11	201810259133495284	10/1/2018	10/17/2018		\$26,494	\$56,451	\$737	\$82,209	-	-	\$0
F3XN	30G	N	12/6/2018	30	201812069135367890	10/18/2018	11/26/2018		\$82,209	\$274,013	\$232,018	\$124,204	-	-	\$0
F3XA	30G	A	1/28/2019	31	201901289144024183	10/18/2018	11/26/2018		\$82,209	\$274,013	\$232,018	\$124,204	-	-	\$0
F3XN	YE	N	1/28/2019	13	201901289144029778	11/27/2018	12/31/2018		\$124,204	\$28,908	\$55,798	\$97,314	-	-	\$0
F24N	24		8/3/2018	1	201808039119352121				-	-	-	-	-	-	-
F24N	24		11/1/2018	1	201811019133576589				-	-	-	-	-	-	-
F24N	24		10/31/2018	1	201810319133570821				-	-	-	-	-	-	-

F24N	24		11/3/2018	1	201811039133586314					-	-	-	-	-	-	-
F24N	24		11/3/2018	1	201811039133586334					-	-	-	-	-	-	-
Totals										\$435,420	\$352,455					

Change Campaign Super PAC (C00567396)

2020 30-Day Post-General Report, received December 4, 2020

24-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election	24-Hour Report Filed
Gaijin Productions	10/28/2020	\$375.00	KARA EASTMAN	2020 General	6/2/2021
Interface Media Group, Inc.	10/28/2020	\$535.30	KARA EASTMAN	2020 General	6/2/2021
Studio Fackler, LLC	10/28/2020	\$4,085.00 <i>24-Hour Report Required</i>	KARA EASTMAN	2020 General	6/2/2021
Targeted Platform Media LLC	10/28/2020	\$100,000.00 <i>24-Hour Report Required</i>	KARA EASTMAN	2020 General	6/2/2021