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21L-56

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: August 13, 2021

ANALYST: Michael Dobi

I. COMMITTEE: Action For A Progressive Future

C90020066

Norman Solomon, National Director 1500 W. El Camino Avenue #370

Sacramento, CA 95833

II. RELEVANT STATUTE: 52 U.S.C. § 30104(c)

52 U.S.C. § 30104(g)(1) 52 U.S.C. § 30104(g)(2)

11 CFR § 109.10

III. BACKGROUND:

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

Action For A Progressive Future ("Progressive Future") failed to file one (1) 48-Hour Report to support two (2) independent expenditures totaling \$101,701.46 disclosed in the 2020 October Quarterly Report and five (5) 48-Hour Reports to support thirty two (32) independent expenditures totaling \$56,706.43 disclosed in the 2020 Year-End Report, made during the reporting period up to and including the 20th day before the 2020 General Election (Attachment 2).

2020 October Quarterly Report

On October 15, 2020, Progressive Future filed its 2020 October Quarterly Report covering the period from July 1, 2020 through September 30, 2020 (Image 202010159295077843). Schedule 5-E (Itemized Independent Expenditures) of the report disclosed two (2) independent expenditures totaling \$101,701.46, made in opposition to one (1) federal candidate (Image 202010159295077851).

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On February 9, 2021, a Request for Additional Information (RFAI) was sent to Progressive Future referencing the 2020 October Quarterly Report. Among other items, the RFAI noted Progressive Future may have failed to file 48-Hour Reports for the two (2) independent expenditures disclosed on Schedule 5-E (Images 202102100300105215-18).

On March 19, 2021, the Reports Analysis Division (RAD) Analyst called Lori Leonard, reports filer for Progressive Future, to discuss the outstanding issues from the RFAI. She stated that she would notify Progressive Future of the issue and then provided a contact, Norman Solomon, from Progressive Future to contact directly (Attachment 3).

On March 20, 2021, Progressive Future filed a Miscellaneous Electronic Submission ("FEC Form 99") which stated in part,

"This was the first time that we ran an independent expenditure campaign. At the time we were unaware about the 48-hour reporting requirements. Once we found out about the reporting requirements, it was time to start filing 24-hour reports, so we did that starting the period covering 10/14/21. Again, we apologize not knowing about the 48-hour reports" (Image 202103209441822302).

On March 22, 2021, the RAD Analyst called Norman Solomon, National Director, to discuss the outstanding issues from the RFAI. The Analyst explained Progressive Future had not disclosed the two (2) independent expenditures on a 48-Hour Report prior to disclosing them on the 2020 October Quarterly Report. The Analyst stated the matter may be referred to another Commission office for potential further action. The Analyst acknowledged the receipt of the FEC Form 99 with their explanation (Attachment 3).

2020 Year-End Report

On February 1, 2021, Progressive Future filed its 2020 Year-End Report covering the period from October 1, 2020 through December 31, 2020 (Image 202102019424746206). Schedule 5-E of the report disclosed one hundred and one (101) independent expenditures totaling \$160,266.47, made in opposition to one (1) federal candidate (Images 202102019424746208-41).

On May 5, 2021, a Request for Additional Information (RFAI) was sent to Progressive Future referencing the 2020 Year-End Report. Among other items, the RFAI noted Progressive Future may have failed to file five (5) 48-Hour Reports for the thirty-two (32) independent expenditures disclosed on Schedule 5-E (Images 202105060300117862-67).

On June 9, 2021, Progressive Future filed an FEC Form 99 which stated, in part,

"At the time that the 48-hour reporting was due, we were unaware of the requirement (since it was our first time doing an IE). We apologize for the gap in reporting. Once we found out about the reporting requirements, it was already time to start filing 24-hour reports, so we did those 24-hour

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reports starting the period covering 10/14/21" (Image 202106099448892741).

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

Progressive Future failed to timely file seventeen (17) 24-Hour Reports totaling \$28,083.42 to support nineteen (19) independent expenditures disclosed in the 2020 Year-End Report, made during the reporting period after the 20th day but more than 24 hours before day of the 2020 General Election (Attachment 2).

On February 1, 2021, Progressive Future filed its 2020 Year-End Report covering the period from October 1, 2020 through December 31, 2020 (Image 202102019424746206). Schedule 5-E of the report disclosed one hundred and one (101) independent expenditures totaling \$160,266.47, made in opposition to one (1) federal candidate (Images 202102019424746208-41).

On January 31, 2021, Progressive Future filed amended 24-Hour Reports to disclose an additional (19) independent expenditures totaling \$28,083.42 disseminated on October 15, 2020 through November 1, 2020 (Images 202101319418641239, 202101319418645567, 202101319418653500, 202101319418654064, 202101319418656071, 202101319418658175, 202101319418659061. 202101319418702823. 202101319418704791, 202101319423670246, 202101319423688556, 202101319423900443, 202101319423900689, 202101319424067974, and 202101319424073126).

On May 5, 2021, an RFAI was sent to Progressive Future referencing the 2020 Year-End Report. Among other items, the RFAI noted Progressive Future may have failed to timely file seventeen (17) 24-Hour Reports for the nineteen (19) independent expenditures disclosed on Schedule 5-E (Images 202105060300117862-67).

On June 9, 2021, Progressive Future filed a FEC Form 99 which stated in part,

"As mentioned in our previous correspondence, this was the first time we ran an independent expenditure campaign. We had originally thought the expenditures should be reported not until we were invoiced or we paid the invoice. The ads we paid for each day were included in the original 24-hour reports. But the texting that we had not been invoiced for (Scale to Win) was not included because we had not received an invoice for them. There was unfortunately some organizational confusion about the other expenditures, and we unintentionally failed to report these in a timely manner. Once we discovered that we should have reported them, we went back and did so" (Image 202106099448892741).

On July 8, 2021 the RAD Analyst called Mr. Solomon to notify him that based on the missing 48-Hour Reports and late filed 24-Hour Reports cited in the 2020 Year-

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End Report RFAI, Progressive Future may be referred to another Commission office for potential further action (Attachment 3).

To date, no further communications have been received from Progressive Future regarding these matters.

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	O-Index (2021-2022)													
	Cmte. ID: C90020066 Cmte. Name: ACTION FOR A PROGRESSIVE FUTURE													
	Treasurer Name: null Address: 1500 W. EL CAMINO AVENUE #370, SACRAMENTO, CA 95833													
Cmte	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	Lttr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T		3/20/2021	1	202103209441822302				-	-	-	-	-	-	-
MS-T		3/29/2021	1	202103299442307794				-	-	-	-	-	-	-
MS-T		6/9/2021	1	202106099448892741				-	-	-	-	-	-	-
Totals									\$0	\$0				

	O-Index (2019-2020) Cmte. ID: C90020066														
					Cmte. ID: C90 Treasurer Name: null			IION FOR A PRO IINO AVENUE #			5022				
,	Cmto	Type: I	(INDEDENDEN	T EYDEN	IDITURE - PERSON OR G				nation: U (UNA			g Frequency	. OHAD	TEDI V E	II ED
Form Tp		A/I	Recpt Dt	Pgs	Begin Img#		End Cvg Dt	Lttr Mail Dt	Begin Cash	T.	Disb	End Cash		Loans	Debts & Loans
RQ2	Q3	N	2/9/2021	4	202102100300105215	7/1/2020	9/30/2020	2/9/2021		- Iteopis	-	Ena Gasir	DODIO -	Louris -	- Debts a Louis
RQ2	YE	N	5/5/2021	6	202105060300117862	10/1/2020		5/5/2021		_	_	_	_	_	
F5N	24	N	10/29/2020	2	202010299336668097	. 6/ 1/2020	12/01/2020	0/0/2021	_	\$0	\$2,050	-	_	-	_
F5N	Q3	N	10/15/2020	9	202010159295077843	7/1/2020	9/30/2020		-	000= 11=	\$101,701	-	-	-	-
F5A	24	Α	1/30/2021	2	202101309418350699	10/14/2020	10/14/2020		-	\$0	\$4,825	-	-	-	_
F5N	24	N	10/15/2020	2	202010159295427424	10/14/2020	10/14/2020		-	\$0	\$3,850		-	-	-
F5A	24	Α	1/30/2021	2	202101309418404988	10/15/2020	10/15/2020		-	\$0	\$5,725		-	-	-
F5A	24	Α	1/31/2021	2	202101319418641239	10/15/2020	10/15/2020		-	\$0	\$5,725		-	-	-
F5N	24	N	10/16/2020	2	202010199297192267	10/15/2020	10/15/2020		-	\$0	\$4,750		-	-	-
F5A	24	Α	1/31/2021	2	202101319418477261	10/16/2020	10/16/2020		-	\$0	\$5,725	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418645567	10/16/2020	10/16/2020		-	\$0	\$5,725	-	-	-	-
F5N	24	N	10/17/2020	2	202010199297192513	10/16/2020	10/16/2020		-	\$0	\$4,750	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418478377	10/17/2020	10/17/2020		-	\$0	\$5,725	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418653500	10/17/2020	10/17/2020		-	\$0	\$5,725	-	-	-	-
F5N	24	N	10/18/2020	2	202010199297192515	10/17/2020	10/17/2020		-	\$0	\$4,750	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418478385	10/18/2020	10/18/2020		-	\$0	\$2,125	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418654064	10/18/2020	10/18/2020		-	\$0	\$2,125	-	-	-	-
F5N	24	Ν	10/19/2020	2	202010199297282923	10/18/2020	10/18/2020		-	\$0	\$2,050	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418656071	10/19/2020	10/19/2020		-	\$0	\$2,125	-	-	-	-
F5N	24	Ν	10/20/2020	2	202010209297543211	10/19/2020	10/19/2020		-	\$0	\$2,050	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418658175	10/20/2020	10/20/2020		-	\$0	\$3,925	-	-	-	-
F5N	24	N	10/21/2020	2	202010219326758017	10/20/2020	10/20/2020		-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	3	202101319418659061	10/21/2020	10/21/2020		-	\$0	\$5,425	-	-	-	-
F5N	24	N	10/22/2020	2	202010229336452660	10/21/2020	10/21/2020		-	\$0	\$4,450	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418702823	10/22/2020	10/22/2020		-	\$0	\$3,025	-	-	-	-
F5N	24	N	10/23/2020	2	202010239336506202	10/22/2020	10/22/2020		-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319418704791	10/23/2020	10/23/2020		-	\$0	\$3,025	-	-	-	-
F5N	24	N	10/24/2020	2	202010249336527968	10/23/2020	10/23/2020		-	\$0	\$2,050	-	-	-	-
F5A	24	Α	1/31/2021	3	202101319423670246	10/24/2020	10/24/2020		-	\$0	\$11,428	-	-	-	-
F5N	24	N	10/25/2020	2	202010259336530615	10/24/2020	10/24/2020		-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	3	202101319423672468	10/25/2020	10/25/2020		-	\$0	\$3,379	-	-	-	-
F5N	24	N	10/26/2020	3	202010269336571612	10/25/2020	10/25/2020		-	\$0	\$3,379	-	-	-	-
F5A	24	Α	1/31/2021	3	202101319423680866	10/26/2020	10/26/2020		-	\$0	\$6,070	-	-	-	-

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F5N	24	N	10/27/2020	3	202010279336627625	10/26/2020	10/26/2020	-	\$0	\$3,356	-	-	-	-
F5A	24	Α	1/31/2021	3	202101319423688556	10/27/2020	10/27/2020	-	\$0	\$5,997	-	-	-	-
F5N	24	N	10/28/2020	3	202010289336632888	10/27/2020	10/27/2020	-	\$0	\$3,283	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319423900443	10/29/2020	10/29/2020	-	\$0	\$5,664	-	-	-	-
F5N	24	N	10/30/2020	2	202010309336673556	10/29/2020	10/29/2020	-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319423900689	10/30/2020	10/30/2020	-	\$0	\$5,664	-	-	-	-
F5N	24	N	10/31/2020	2	202010319336678050	10/30/2020	10/30/2020	-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319424067974	10/31/2020	10/31/2020	-	\$0	\$5,664	-	-	-	-
F5N	24	N	11/1/2020	2	202011019336679549	10/31/2020	10/31/2020	-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319424073126	11/1/2020	11/1/2020	-	\$0	\$5,664	-	-	-	-
F5N	24	N	11/2/2020	2	202011029336739180	11/1/2020	11/1/2020	-	\$0	\$2,950	-	-	-	-
F5A	24	Α	1/31/2021	2	202101319424289974	11/2/2020	11/2/2020	-	\$0	\$4,764	-	-	-	-
F5N	24	N	11/3/2020	2	202011039336743367	11/2/2020	11/2/2020	-	\$0	\$3,050	-	-	-	-
F5N	ΥE	N	2/1/2021	36	202102019424746206	10/1/2020	12/31/2020	-	\$2,261	\$160,266	-	-	-	-
Totals									\$267,376	\$441,685				

	O-Index (2017-2018)												
Cmte. ID: C90020066 Cmte. Name: ACTION FOR A PROGRESSIVE FUTURE													
	Treasurer Name: null Address: 1500 W. EL CAMINO AVENUE #370, SACRAMENTO, CA 95833												
Cmte. Type:	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	Lttr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans

No records were found for this cycle.

Action For A Progressive Future (C90020066) 2020 October Quarterly Report, received 10/15/2020

48-Hour Report Not Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Opposed	Election
Facebook	8/3/2020	\$79,701.46 48-Hour Report Required	Donald Trump	2020 General
Facebook	8/3/2020	\$22,000.00 48-Hour Report Required	Donald Trump	2020 General

Action For A Progressive Future (C90020066)

2020 Year-End Report, received 2/1/2021

48-Hour Reports Not Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Opposed	Election	
Adriel Hampton	10/1/2020	\$192.31	Donald Trump	2020 General	
Group Facebook	10/1/2020	\$2,700.00	Donald Trump	2020 General	
Adriel Hampton Group	10/2/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/2/2020	\$1,800.00	Donald Trump	2020 General	
Adriel Hampton Group	10/3/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/3/2020	\$2,700.00	Donald Trump	2020 General	
Adriel Hampton Group	10/4/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/4/2020	\$2,700.00 48-Hour Report Required	Donald Trump	2020 General	
Adriel Hampton Group	10/5/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/5/2020	\$4,500.00	Donald Trump	2020 General	
Adriel Hampton Group	10/6/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/6/2020	\$3,600.00	Donald Trump	2020 General	
Adriel Hampton Group	10/7/2020	\$192.31	Donald Trump	2020 General	
Facebook	10/7/2020	\$4,660.00	Donald Trump	2020 General	
Good Messaging Collaborations	10/7/2020	\$525.00 48-Hour Report Required	Donald Trump	2020 General	

Adriel	10/8/2020	\$192.31	Donald Trump	2020
Hampton				General
Group				
Facebook	10/8/2020	\$3,600.00	Donald Trump	2020
				General
Adriel	10/9/2020	\$192.31	Donald Trump	2020
Hampton				General
Group				
Facebook	10/9/2020	\$5,200.01	Donald Trump	2020
				General
Good	10/9/2020	\$150.00	Donald Trump	2020
Messaging				General
Collaborations				
Adriel	10/10/2020	\$192.31	Donald Trump	2020
Hampton				General
Group	10/10/2020			
Facebook	10/10/2020	\$5,571.42	Donald Trump	2020
~ .	10/10/2020	4== 00	5 115	General
Good	10/10/2020	\$75.00	Donald Trump	2020
Messaging		48-Hour Report Required		General
Collaborations		-		
Adriel	10/11/2020	\$192.30	Donald Trump	2020
Hampton				General
Group				
Facebook	10/11/2020	\$5,400.00	Donald Trump	2020
	10//1/2000	+		General
Good	10/11/2020	\$75.00	Donald Trump	2020
Messaging				General
Collaborations	10/12/2020	\$102.20	D 11m	2020
Adriel	10/12/2020	\$192.30	Donald Trump	2020
Hampton				General
Group	10/12/2020	Φ7. 400.00	D 1177	2020
Facebook	10/12/2020	\$5,400.00	Donald Trump	2020
C 1	10/12/2020	φ π π 00	D 117	General
Good	10/12/2020	\$75.00	Donald Trump	2020
Messaging		48-Hour Report Required		General
Collaborations	10/10/2020	1	D 115	2020
Adriel	10/13/2020	\$192.30	Donald Trump	2020
Hampton				General
Group	10/10/2000	Φ.Ε. 400.00	D 117	2020
Facebook	10/13/2020	\$5,400.00	Donald Trump	2020
G 1	10/10/2020	Φ #F 00	D 117	General
Good	10/13/2020	\$75.00	Donald Trump	2020
Messaging		48-Hour Report Required		General
Collaborations		кециней		

Action For A Progressive Future (C90020066) 2020 Year-End Report, received 2/1/2021

24-Hour Reports Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Opposed	Date of Election	24-Hour Report Filed
Good Messaging Collaboration	10/15/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/30/2021
Good Messaging Collaboration	10/16/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/17/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/18/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/19/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/20/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/21/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/22/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/23/2020	\$75.00 24-Hour Report Required*	Donald Trump	2020 General	1/31/2021
Good Messaging Collaboration	10/24/2020	\$75.00	Donald Trump	2020 General	1/31/2021
Scale to Win	10/24/2020	\$8,035.42 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	10/26/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021

Good Messaging Collaboration	10/27/2020	\$300	Donald Trump	2020 General	1/31/2021
Scale to Win	10/27/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	10/28/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	10/29/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	10/30/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	10/31/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021
Scale to Win	11/01/2020	\$2,714.00 24-Hour Report Required	Donald Trump	2020 General	1/31/2021

^{* 24-}Hour Report required when added to originally reported independent expenditure amounts disseminated on this date.