

RAD Referral 22L-22

Forward Progress

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REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 25, 2022

ANALYST: Kevin McQueen

I. COMMITTEE:

Forward Progress
C00815423
Jessie Hunt, Treasurer
1228 15th Street
Suite 213
Denver, CO 80202

II. RELEVANT STATUTE:

52 U.S.C. § 30104(g)(2)
11 C.F.R. § 104.4(b)(2)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Timely File 48-Hour Reports)

Forward Progress (“the Committee”) failed to timely file one (1) 48-Hour Report totaling \$193,000.00 to support one (1) independent expenditure disclosed on the 2022 12-Day Pre-Primary Report, made up to and including the 20th day before the 2022 Primary election held in the state of Illinois (Attachment 1).

On June 22, 2022, the Committee filed one (1) [48-Hour Report](#) to support two (2) independent expenditures, totaling \$273,000.00, disseminated on May 17, 2022, and June 3, 2022.

On June 23, 2022, the Committee filed a [2022 12-Day Pre-Primary Report](#) covering the period from May 17, 2022, through June 8, 2022. The report included a [Schedule E \(Itemized Independent Expenditures\)](#) disclosing two (2) independent expenditures, totaling \$273,000.00, made in support of one (1) federal candidate.

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On August 2, 2022, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2022 12-Day Pre-Primary Report. Among other items, the RFAI noted that the Committee may have failed to timely file one (1) or more of the required 48-Hour Reports of independent expenditures. A chart was included with the RFAI identifying one (1) independent expenditure, totaling \$193,000.00, for which a 48-Hour Report had not been timely filed.

On September 6, 2022, the Committee filed an [FEC Form 99](#) (Miscellaneous Electronic Submission) in response to the RFAI referencing the 2022 12-Day Pre-Primary Report. The Committee stated, in part:

“...[T]he reason for the late filing of the 48 hour report was that we were unaware we needed to file since there was a miscommunication from us regarding the specific activity taking place, hence receiving a "no need to file" from the analyst.”

Since June 22, 2022, RAD logged eight (8) communications with representatives of the Committee which reflect efforts to help the Committee voluntarily comply with the Act. During these communications, the Committee confirmed filing an FEC Form 99 on September 6, 2022, which acknowledged the RFAI referencing the 2022 12-Day Pre-Primary Report. The Committee was also notified that the matter would be referred to another office at the Commission for further review (Attachment 2). To date, no further communications have been received from the Committee regarding this matter.

Filings and correspondence related to the Committee can be found here: [Forward Progress](#).

Forward Progress (C00815423)
[2022 12-Day Pre-Primary Report](#)

48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported	Election	48-Hour Report Filed
Struther Nuckles	5/17/2022	\$193,000.00 <i>48-Hour Report Required</i>	Karin M. Norington-Reaves	Illinois – 2022 Primary (6/28/22)	6/22/2022