

23L-14

REPORTS ANALYSIS DIVISION REFERRAL
 TO
 ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 2, 2023

ANALYST: Michael Beckman

I. COMMITTEE:

BlackPAC
 C00609388
 Adrienne R. Shropshire, Treasurer
 1032 15th Street, NW
 Suite 247
 Washington, DC 20005

II. RELEVANT STATUTE:

52 U.S.C § 30104(g)(1)
 52 U.S.C. § 30104(g)(2)
 11 C.F.R. § 104.4(b)(2)
 11 C.F.R. § 104.4(c)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to File 24 and 48-Hour Reports)

BlackPAC (“the Committee”) failed to file one (1) 24-Hour Report totaling \$13,303.20 to support three (3) independent expenditures disclosed on the 2022 30-Day Post-General Report, made after the 20th day but more than 24 hours before the day of the 2022 General Election held on November 8, 2022, and one (1) 48-Hour Report totaling \$55,000.00 to support one (1) independent expenditure, disclosed on the 2022 30-Day Post-General Report, made up to and including the 20th day before the 2022 General Election held on November 8, 2022 (Attachment 1).

On December 8, 2022, the Committee filed its [2022 30-Day Post-General Report](#) covering the period from October 20, 2022, through November 28, 2022. The report included a [Schedule E \(Itemized Independent Expenditures\)](#) disclosing forty-three (43) independent expenditures disseminated during the period totaling \$4,642,180.10 made in support of seven (7) Federal candidates.

On January 24, 2023, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2022 30-Day Post-General Report. The RFAI noted that the

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Committee may have failed to file one (1) or more of the required 24-Hour Reports of independent expenditures and one (1) or more of the 48-Hour Reports of independent expenditures. A chart was included with the RFAI identifying three (3) independent expenditures, totaling \$13,303.20, for which a 24-Hour Report had not been filed, and one (1) independent expenditure, totaling \$55,000.00, for which a 48-Hour Report had not been filed (Attachment 1).

On February 28, 2023, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) in response to the RFAI referencing the 2022 30-Day Post-General Report. The Committee stated, in part:

“Due to miscommunication by a vendor, the Committee was unaware that the independent expenditures in question had disseminated until later, at which time it immediately worked with the vendor to disclose the activity. The Committee takes its filing obligations very seriously and has put in place procedures with the vendor to reduce the chance of future miscommunications that affect independent expenditure disclosure.”

Since March 15, 2023, the Reports Analysis Division (RAD) logged three (3) communications with the Committee which reflect an effort to help the Committee voluntarily comply with the Act. The Committee has not filed any 24-Hour or 48-Hour Reports to support the independent expenditures listed in the RFAI, and its only acknowledgement of the missing 24-Hour and 48-Hour Reports was the FEC Form 99 filed on February 28, 2023 (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: [BlackPAC](#).

BlackPAC (C00609388)[2022 30-Day Post-General Report](#)24-Hour Report Not Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election
Hustle Inc.	11/1/2022	\$6,091.04 <i>24-Hour Report Required</i>	Beasley, Cheri	2022 General
Hustle Inc.	11/1/2022	\$3,610.20 <i>24-Hour Report Required</i>	Fetterman, John K.	2022 General
Hustle Inc.	11/1/2022	\$3,601.96 <i>24-Hour Report Required</i>	Warnock, Raphael	2022 General

BlackPAC (C00609388)[2022 30-Day Post-General Report](#)48-Hour Report Not Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election
Hustle Inc.	11/8/2022	\$55,000.00 <i>48-Hour Report Required</i>	Warnock, Raphael	2022 GA Runoff (12/6/2022)