

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 3, 2015

ANALYST: Nataliya Ioffe

- I. COMMITTEE: US Chamber of Commerce
C90013145
Abby Majlak, Sr. Manager of
PAC Operations
1615 H Street NW
Washington, DC 20062
- II. RELEVANT STATUTES: 52 U.S.C. § 30104(g)
11 CFR §109.10(c) and (e)
- III. BACKGROUND:

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

The U.S Chamber of Commerce ("the Chamber") failed to file a 48-Hour Report to support an independent expenditure totaling \$50,000.00 disclosed on the 2014 October Quarterly Report, made during the reporting period up to and including the 20th day before the 2014 General Election (Attachment 2).

On October 15, 2014, the Chamber filed its 2014 October Quarterly Report covering the period from July 1, 2014 through September 30, 2014. Schedule 5-E (Itemized Independent Expenditures) of the report disclosed sixty-seven (67) independent expenditures totaling \$11,984,262.53, made in support of or in opposition to thirty-four (34) federal candidates. The Chamber failed to file a 48-Hour Report to support an independent expenditure totaling \$50,000.00 for the 2014 General Election (Attachment 2, Images 14978329235-58).

On January 28, 2015, a Request for Additional Information (RFAI) was sent to the Chamber referencing the 2014 October Quarterly Report. Among other items, the RFAI noted that the Chamber may have failed to file a 48-Hour Report for an

independent expenditure disclosed on Schedule 5-E of the 2014 October Quarterly Report (Image 15330072961).

On March 4, 2015, the Chamber filed a Miscellaneous Electronic Submission ("FEC Form 99") which stated, in part:

"Your letter asks about an expenditure of \$50,000 made on 9/22/14 for internet advertising opposing Jeanne Shaheen. Your letter notes that there is not a corresponding entry on a 48-hour report for this expenditure. Around the time that this expenditure occurred, the employee who was responsible for initiating the payment and reporting of independent expenditures was in the process of winding down his employment with the Chamber. For reasons that are unknown to the Chamber, he initiated payment of this particular expenditure but may not have initiated a corresponding 48-hour report per the Chamber[']s protocol. The Chamber included the expenditure in its October quarterly report which was prepared and filed after the employee[']s departure. The Chamber has taken steps to ensure that the new employee responsible for FEC reporting understands that expenditures such as the one involving Jeanne Shaheen must be reported to the FEC within the designated time periods" (Images 15950839760-1).

On the same day, the Chamber filed an Amended 2014 October Quarterly Report that disclosed no changes from the original report with regard to the apparent missing 48-Hour Report (Image 15970292360).

On March 10 and 12, 2015, the Reports Analysis Division (RAD) Analyst left voice mail messages for Abby Majlak, the Chamber's Senior Manager of PAC Operations. The Analyst asked Ms. Majlak to return the calls so they could discuss an outstanding matter on the 2014 October Quarterly Report (Attachment 3).

On March 17, 2015, the RAD Analyst told Ms. Majlak that the missing 48-Hour Report cited in the RFAI will be referred for further Commission action. The Analyst informed Ms. Majlak that the explanation provided in the FEC Form 99 will be taken into consideration. The Analyst asked if the Chamber wanted to add anything to the public record before the matter is referred. Ms. Majlak said she would check with her colleague and get back to the Analyst (Attachment 3).

On March 24, 2015, the RAD Analyst followed up with Ms. Majlak asking if the Chamber wanted to provide further clarification about this matter. Ms. Majlak said she would make a decision within a day and get back to the Analyst (Attachment 3).

On March 25, 2015, Ms. Majlak called the RAD Analyst and said the Chamber would not be filing any further clarification about this issue (Attachment 3).

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O-Index (2015-2016)																
Cmte. ID: C90013145 Cmte. Name: US CHAMBER OF COMMERCE																
Treasurer Name: null Address: 1615 H STREET NW, WASHINGTON, DC 20062																
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	Recept Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans	
MS-T			3/4/2015	2	15950839760											
MS-T			4/8/2015	2	15970331063											
FSN	24	N	4/29/2015	3	15951233041					\$0	\$129,427					
Totals										\$0	\$129,427					

O-Index (2013-2014)																
Cmte. ID: C90013145 Cmte. Name: US CHAMBER OF COMMERCE																
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Form Tp	Rpt Tp	A/I	Recept Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans	
MS-T			4/4/2014	1	14960607674											
MS-T			7/9/2014	1	14941754452											
MS-T			10/31/2014	2	14952562360											
RQ2	O1	N	3/1/2014	2	14330047088	10/1/2013	12/31/2013	3/1/2014								
RQ2	O1	N	6/4/2014	2	14330053413	1/1/2014	3/31/2014	6/4/2014								
FSN	48	N	2/7/2014	2	14940331667					\$0	\$400,000					
FSN	48	N	2/8/2014	2	14940330118					\$0	\$400,000					
FSN	48	N	4/7/2014	2	14960813464					\$0	\$1,100,000					
FSN	24	N	6/13/2014	2	14961261807					\$0	\$500,000					
FSN	24	N	5/30/2014	2	14961232917					\$0	\$636,335					
FSN	24	N	5/30/2014	2	14961233128					\$0	\$23,082					
FSN	24	N	5/29/2014	2	14961230740					\$0	\$500,000					
FSN	24	N	6/19/2014	2	14941341759					\$0	\$200,000					
FSN	24	N	8/22/2014	2	14970728672					\$0	\$300,000					
FSN	48	N	8/22/2014	2	14970728975					\$0	\$450,000					
FSN	48	N	10/15/2014	2	14978328655					\$0	\$50,000					
FSN	24	N	10/18/2014	2	14980833622					\$0	\$88,429					
FSN	48	N	10/16/2014	2	14978310322					\$0	\$1,708,720					
FSA	48	A	10/17/2014	3	14978445689					\$0	\$1,070,834					
FSN	48	N	12/4/2013	2	13982672790					\$0	\$200,000					
FSN	48	N	12/6/2013	3	13984873401					\$0	\$550,000					
FSN	48	N	2/21/2014	2	14950480108					\$0	\$312,650					
FSN	24	N	2/28/2014	2	14940546821					\$0	\$400,000					
FSN	48	N	3/2/2014	2	14940547243					\$0	\$200,000					
FSN	48	N	5/2/2014	3	14941174174					\$0	\$1,995,000					
FSN	24	N	5/7/2014	2	14960071147					\$0	\$1,200,000					
FSN	48	N	5/9/2014	5	14960885172					\$0	\$4,400,000					
FSN	24	N	5/8/2014	2	14960881261					\$0	\$600,000					
FSN	24	N	7/9/2014	2	14961535142					\$0	\$779,116					
FSN	48	N	9/8/2014	2	14970804016					\$0	\$833,167					
FSN	48	N	9/11/2014	2	14970753209					\$0	\$457,576					

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FSN	48	N	9/5/2014	12	14970739920					\$0	\$5,314,829				
FSN	48	N	9/19/2014	3	14970867403					\$0	\$1,001,426				
FSN	48	N	10/3/2014	3	14978013830					\$0	\$1,352,386				
FSN	48	N	10/3/2014	3	14978061378					\$0	\$1,000,834				
FSN	48	N	10/8/2014	3	14978102407					\$0	\$800,300				
FSN	48	N	10/9/2014	2	14978111953					\$0	\$501,033				
FSN	48	N	10/1/2014	2	14978045975					\$0	\$1,437,842				
FSN	24	N	10/21/2014	2	14951885286					\$0	\$811,571				
FSN	24	N	10/23/2014	4	14952446341					\$0	\$1,520,900				
FSN	24	N	10/28/2014	2	14952554885					\$0	\$949,402				
FSN	24	N	10/30/2014	2	14952242850					\$0	\$1,851,122				
FSN	24	N	10/24/2014	2	14952547437					\$0	\$50,009				
FSN	24	N	10/30/2014	4	14952560721					\$0	\$840,489				
FSN	24	N	10/30/2014	5	14952581500					\$0	\$1,118,998				
FSN	24	N	10/31/2014	2	14952562840					\$0	\$1,150,952				
FSN	24	N	11/1/2013	2	13842247503					\$0	\$14,280				
FSN	YE	N	10/31/2014	6	14950208341	10/1/2013	12/31/2013			\$0	\$949,402				
FSN	Q1	N	4/15/2014	3	14960708679	1/1/2014	3/31/2014			\$0	\$1,712,650				
FSN	Q2	N	7/15/2014	11	14961587448	4/1/2014	6/30/2014			\$0	\$11,354,417				
FSN	Q2	A	10/31/2014	11	14952562348	4/1/2014	6/30/2014			\$0	\$11,354,417				
FSN	Q3	N	10/15/2014	24	14978429235	7/1/2014	9/30/2014			\$0	\$11,984,282				
FSN	Q3	A	3/4/2015	23	15970292360	7/1/2014	9/30/2014			\$0	\$11,984,112				
FSN	YE	N	10/30/2015	21	15950597727	10/1/2014	12/31/2014			\$0	\$9,827,440				
FSN	YE	A	4/8/2015	21	15951114176	10/1/2014	12/31/2014			\$0	\$9,471,440				
Totals										\$0	\$104,747,221				

O-Index (2011-2012)															
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MS-T			9/28/2012	1	12954242548										
RQ2	Q2	N	9/28/2012	2	12330015583	4/1/2012	6/30/2012								
RQ2	Q3	N	2/26/2013	2	13330026202	7/1/2012	9/30/2012								
RQ2	Q4	N	11/7/2012	2	12330015587	9/28/2012	10/8/2012								
RQ2	48	N	11/7/2012	2	12330015589	9/28/2012	10/8/2012								
FSN	24	N	7/13/2012	2	1295413460	4/1/2012	6/30/2012								
FSN	48	N	7/17/2012	2	12971670758	7/17/2012	7/26/2012								
FSN	48	N	7/17/2012	2	12971670928	7/17/2012	7/26/2012								
FSN	48	N	7/17/2012	2	12971670823	7/17/2012	7/27/2012								
FSN	24	N	8/3/2012	2	12971840314	8/2/2012	8/3/2012								
FSN	24	N	7/26/2012	2	12952597577	7/26/2012	8/4/2012								
FSN	48	N	7/26/2012	2	12952597564	7/26/2012	8/4/2012								
FSN	48	N	7/26/2012	2	12952597675	7/26/2012	8/4/2012								

FSN	24	N	10/19/2012	2	12960063188	10/1/2012	10/29/2012	\$0	\$700,022
FSN	24	N	10/19/2012	2	12960064801	10/1/2012	10/29/2012	\$0	\$650,022
FSN	24	N	10/19/2012	2	12960068058	10/1/2012	10/30/2012	\$0	\$250,022
FSN	48	N	10/4/2012	2	12954282015	10/1/2012	11/1/2012	\$0	\$100,022
FSN	24	N	11/2/2012	2	12961238580	10/1/2012	11/1/2012	\$0	\$1,125
FSN	24	N	10/19/2012	2	12960063498	10/1/2012	11/6/2012	\$0	\$900,022
FSN	24	N	10/19/2012	2	12960068060	10/1/2012	11/6/2012	\$0	\$36,219
FSN	24	N	11/5/2012	2	12940752541	11/5/2012	11/6/2012	\$0	\$77,287
FSN	24	N	11/5/2012	2	12940752586	10/18/2012	11/6/2012	\$0	\$57,900
FSN	24	N	11/5/2012	2	12940752582	10/18/2012	11/6/2012	\$0	\$65,884
FSN	24	N	11/5/2012	2	12940752586	10/15/2012	11/6/2012	\$0	\$100,020
FSN	24	N	10/26/2012	2	12961216142	10/1/2012	11/6/2012	\$0	\$1,250,022
FSN	24	N	10/26/2012	2	12961216152	10/26/2012	11/6/2012	\$0	\$1,750,000
FSN	24	N	11/2/2012	2	12961236012	10/1/2012	11/6/2012	\$0	\$500,022
FSN	24	N	11/30/2012	2	13940079600	10/1/2012	12/31/2012	\$0	\$13,886,919
Totals								\$0	\$85,344,166

US Chamber of Commerce (C90013145)
 2014 October Quarterly Report
 Missing 48-Hour Report

Name of Payer	Date of Expeditor (Schedule 501) (Date: 11/07/2014)	Expeditor Amount	Candidate Opposed	Election
Targeted Victory	9/23/2014	\$50,000.00 48-Hour Report Required	Jeanne Skiboco	2014 General
	TOTAL	\$50,000.00		

11-09-2014-10:00