

REPORTS ANALYSIS DIVISION REFERRAL

TO
OFFICE OF GENERAL COUNSEL

DATE: November 12, 2015

ANALYST: Nataliya Ioffe

I. COMMITTEE: VoteVets.org Action Fund
C90010620
Peter Mellman, CFO
2201 Wisconsin Avenue NW #320
Washington, DC 20007

II. RELEVANT STATUTES: 52 U.S.C. §30104(c) and (g)
11 CFR §109.10(b) and (e)

III. BACKGROUND:

Failure to File Reports and Late Filing (Failure to Timely File the 2014 July Quarterly and Year-End Reports)

2014 July Quarterly Report

VoteVets.org Action Fund ("VoteVets.org") failed to timely file the 2014 July Quarterly Report to support the independent expenditures totaling \$295,086.46, disclosed on its 24-Hour Report.

On June 6, 2014, VoteVets.org filed a 24-Hour Report disclosing two (2) independent expenditures totaling \$295,086.46, made in opposition to one (1) federal candidate, on Schedule 5-E (Itemized Independent Expenditures) (Image 14961236404-05).

On August 5, 2014, a Notice of Failure to File was sent to VoteVets.org referencing the 2014 July Quarterly Report. The Notice of Failure to File stated that VoteVets.org may have failed to file the July Quarterly Report for the independent expenditures made during the quarterly report coverage period of April 1, 2014 through June 30, 2014 (Image 14330058905).

On August 8, 2014, VoteVets.org filed a 2014 July Quarterly Report disclosing the independent expenditures totaling \$295,086.46, which were previously reported on the 24-Hour Report, filed on June 6, 2014 (Image 14950003253).¹

2014 Year-End Report

VoteVets.org failed to timely file the 2014 Year-End Report to support the independent expenditures totaling \$786,219.19, disclosed on its 24-Hour Reports.

On October 8, 2014, VoteVets.org filed a 24-Hour Report disclosing two (2) independent expenditures totaling \$309,422.10, made in opposition to one (1) federal candidate, on Schedule 5-E (Images 14978102323-24).

On the same date, VoteVets.org filed another 24-Hour Report disclosing two (2) independent expenditures totaling \$291,797.09, made in support of one (1) federal candidate, on Schedule 5-E (Images 14978102387-88).

Also on the same date, VoteVets.org filed a third 24-Hour Report disclosing one (1) independent expenditure totaling \$185,000.00, made in support of one (1) federal candidate, on Schedule 5-E (Images 14978102426 -27).

On February 19, 2015, a Notice of Failure to File was sent to VoteVets.org referencing the 2014 Year-End Report. The Notice of Failure to File stated that VoteVets.org may have failed to file the Year-End Report for the independent expenditures made during the quarterly report coverage period of October 1, 2014 through December 31, 2014 (Image 15330075856).

On September 10, 2015, a RAD Manager contacted Peter Mellman, the CFO of VoteVets.org, to inform him about the failure to file the 2014 Year-End Report. The RAD Manager indicated that the report was still outstanding and encouraged VoteVets.org to file it with the Commission. The RAD Manager explained the matter was referable and that VoteVets.org had the option to provide an additional explanation for the public record (Attachment 2).

On September 21, 2015, a RAD Manager called Mr. Mellman to follow up on the issue of the 2014 Year-End Report. Mr. Mellman indicated it would be filed in the next few days. The RAD Manager also mentioned the late filing of the 2014 July Quarterly Report, and explained that these matters would be referable for further review by another Commission office. The RAD Manager reiterated that VoteVets.org had the option to provide an additional explanation for the public record (Attachment 2).

¹ On August 25, 2014, a Request for Additional Information (RFAI) was sent to VoteVets.org referencing the 2014 July Quarterly Report. The RFAI requested clarification concerning donations received to support the disclosed independent expenditures (Image 14330059972). On September 26, 2014, VoteVets.org filed a Miscellaneous Electronic Submission ("FEC Form 99") indicating that no donations were received for the purpose of furthering the reported independent expenditures (Image 14031294207).

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND		
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#
MS-T	RPT		2/24/2015	3	150314008711
Totals					

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND			
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#	
MS-T	RPT		9/26/2014	3	14031294207	
RQ1	Q2		8/5/2014	1	14330058805	
RQ2	Q2	N	8/25/2014	2	14330059972	
RQ2	Q3	N	1/13/2015	3	15330071928	
RQ7	YE		2/9/2015	1	15330075856	
F5N	24	N	4/24/2013	2	13940617798	
F5N	Q2	N	7/30/2013	2	13941286094	
F5N	24	N	6/6/2014	2	14961286404	
F5N	Q2	N	8/8/2014	2	14950003253	
F5N	24	N	7/23/2014	2	1496157355	
F5N	1	24	N	8/7/2014	2	14950000136
F5N	24	N	8/2/2014	2	14970564991	
F5N	1	24	N	9/3/2014	2	14950095873
F5N	24	N	9/3/2014	2	14950085959	
F5N	24	N	9/3/2014	2	14950085959	
F5N	24	N	9/4/2014	2	1497037483	
F5N	Q3	N	10/15/2014	4	1497035493	
F5N	1	24	N	10/8/2014	2	14978102323
F5N	24	N	10/8/2014	2	14978102387	
F5N	24	N	10/8/2014	2	14978102426	
F5N	24	N	10/8/2014	2	14978102426	
F5N	2	YE	9/23/2015	3	20150923002774986	
Totals						

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND		
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#
MS-T	RPT		10/1/2012	1	12330011316
RQ2	24	N	8/22/2012	2	12330011320
RQ2	24	N	8/22/2012	2	12330011314
RQ7	Q2	N	7/30/2012	2	12030864906
RQ2	Q2	N	8/22/2012	2	12330011318
RQ2	24	N	8/22/2012	2	12330011322
RQ2	24	N	8/22/2012	2	12330011324

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND		
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#
MS-T	RPT		4/1/2014	1	12030891438
RQ2	24	N	6/16/2012	2	6/29/2012
RQ2	24	N	5/30/2012	1	6/11/2012
RQ7	Q2	N	4/7/2012	2	6/30/2012
RQ2	Q2	N	4/1/2012	2	7/30/2012
RQ2	24	N	8/22/2012	2	8/22/2012
RQ2	24	N	8/22/2012	2	8/24/2012
RQ2	24	N	7/24/2012	2	8/26/2012

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND		
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#
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RQ2	24	N	8/22/2012	2	8/22/2012
RQ2	24	N	8/22/2012	2	8/22/2012
RQ7	Q2	N	7/30/2012	2	8/23/2012
RQ2	Q2	N	8/22/2012	2	8/24/2012
RQ2	24	N	8/22/2012	2	8/26/2012
RQ2	24	N	7/24/2012	2	8/27/2012

Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE)			Cmte. Name: VOTEVETS.ORG ACTION FUND		
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#
MS-T	RPT		4/1/2014	1	12330011316
RQ2	24	N	6/16/2012	2	6/29/2012
RQ2	24	N	5/30/2012	1	6/11/2012
RQ7	Q2	N	4/7/2012	2	6/30/2012
RQ2	Q2	N	4/1/2012	2	7/30/2012
RQ2	24	N	8/22/2012	2	8/22/2012
RQ2	24	N	8/22/2012	2	8/24/2012
RQ2	24	N	7/24/2012	2	8/26/2012

RC2	1	24	N	8/22/2012	2	12330011326	7/30/2012	8/1/2012	4/22/2012
RC2	-	24	N	11/6/2012	2	12330011325	7/30/2012	8/1/2012	7/10/2012
RC2	-	24	N	11/6/2012	2	12330015341	8/7/2012	8/9/2012	11/6/2012
RC2	-	24	N	11/6/2012	2	1200542990	7/11/2012	9/30/2012	10/3/2012
RC2	-	24	N	11/6/2012	2	13330025201	10/1/2012	12/3/2012	2/19/2013
RC2	-	24	YE	2/19/2013	1	13330025201	10/1/2012	12/3/2012	2/19/2013
F5A	-	24	N	8/1/2012	2	12971418847	1/1/2012	3/29/2012	4/15/2012
F5A	-	24	A	8/26/2012	2	12972445321	5/16/2012	5/29/2012	5/1/2012
F5A	-	24	N	8/30/2012	2	12971256114	5/30/2012	5/31/2012	5/6/2012
F5A	-	24	A	8/28/2012	2	12972445324	5/30/2012	6/1/2012	5/6/2012
F5A	-	24	N	8/1/2012	3	12971857192	4/17/2012	4/26/2012	5/9/2012
F5A	-	24	N	8/28/2012	2	12952232444	6/26/2012	7/1/2012	7/1/2012
F5A	-	24	N	8/24/2012	2	12971425826	6/16/2012	7/1/2012	7/1/2012
F5A	-	24	N	7/24/2012	2	12971482675	7/13/2012	7/24/2012	7/24/2012
F5A	-	24	A	8/25/2012	2	12972445326	7/25/2012	7/25/2012	7/25/2012
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F5A	-	24	N	9/26/2012	2	12972445320	7/24/2012	7/26/2012	8/1/2012
F5A	-	24	N	7/31/2012	2	12971858823	7/30/2012	8/1/2012	8/1/2012
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F5A	-	24	N	6/7/2012	2	12971843532	8/5/2012	8/6/2012	8/1/2012
F5A	-	24	A	7/29/2012	2	12961768861	8/6/2012	8/6/2012	8/1/2012
F5A	-	24	N	8/8/2012	2	129718441991	8/7/2012	8/9/2012	8/1/2012
F5A	-	24	N	12/10/2012	2	129618709635	8/5/2012	8/5/2012	8/1/2012
F5A	-	24	N	9/27/2012	2	12954241008	9/27/2012	9/30/2012	9/1/2012
F5A	-	24	N	7/15/2012	5	1295125518	7/12/2012	9/26/2012	9/1/2012
F5A	-	24	N	10/5/2012	2	129724604621	10/4/2012	10/10/2012	10/10/2012
F5A	-	24	N	6/1/2012	2	12972707718	1/6/2012	1/6/2012	1/6/2012
F5A	-	24	N	10/19/2012	2	12990088080	10/18/2012	10/21/2012	10/21/2012
F5A	-	24	N	10/27/2012	2	12961065914	1/25/2012	1/25/2012	1/25/2012
F5A	-	24	N	10/23/2012	2	129600888972	1/28/2012	1/28/2012	1/28/2012
F5A	-	24	N	10/3/2012	2	1296105442	1/29/2012	1/29/2012	1/29/2012
F5A	-	24	N	11/2/2012	2	1294079313	1/14/2012	1/14/2012	1/14/2012
F5A	-	24	N	10/31/2012	2	1296177502	1/15/2012	1/15/2012	1/15/2012
F5A	-	24	N	10/4/2012	2	12972481911	1/13/2012	1/16/2012	1/16/2012
F5A	-	24	N	6/1/2012	2	12961658867	1/12/2012	1/15/2012	1/15/2012
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