

REPORTS ANALYSIS DIVISION REFERRAL  
 TO  
 ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: September 18, 2019

ANALYST: Brian Jones

- I. COMMITTEE: Taking Action for Suffolk County  
 C00637645  
 Cindy Morris, Treasurer (1/18/19 – Present)  
 Robert Ervin, Treasurer (7/28/17 – 1/17/19)  
 P.O. Box 798  
 Mattituck, NY 11952
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(2)  
 11 CFR § 104.4(b)(2)

III. BACKGROUND:

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

Taking Action for Suffolk County (“the Committee”) failed to file two (2) 48-Hour Reports totaling \$57,772.84 to support ten (10) independent expenditures disclosed on the Amended 2018 12-Day Pre-General Report, received November 1, 2018, made up to and including the 20<sup>th</sup> day before the 2018 General Election (Attachment 2).

On October 31, 2018, the Committee filed the 2018 12-Day Pre-General Report, covering the period from October 1, 2018 through October 17, 2018. The report included a Schedule E (Itemized Independent Expenditures) disclosing sixteen (16) independent expenditures totaling \$58,842.75 made in support of and opposition to three (3) Federal candidates (Images 201810319133566962-69).

On November 1, 2018, the Committee filed an Amended 2018 12-Day Pre-General Report. The report disclosed no change in financial activity. The Committee failed to file two (2) 48- Hour Reports to support ten (10) independent expenditures totaling \$57,772.84 for the New York First Congressional District General Election (Images 201811019133576091-98; Attachment 2).

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Taking Action for Suffolk County  
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On May 5, 2019, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2018 12-Day Pre-General Report, received November 1, 2018. The RFAI noted that the Committee may have failed to file one or more required 48-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying ten (10) independent expenditures, totaling \$57,772.84, for which 48-Hour Reports had not been filed (Images 201905050300039420-22).

On June 25, 2019, the Reports Analysis Division (RAD) Analyst emailed Cindy Morris, the Committee's Treasurer, regarding the RFAI referencing the Amended 2018 12-Day Pre-General Report, received November 1, 2018. The Analyst explained that the purpose of the email was to inform the Committee of an outstanding compliance matter and requested a return phone call to discuss the matter (Attachment 3).

On June 26, 2019, Brian Svoboda, the Committee's Counsel, called to discuss the outstanding compliance issue noted in the RFAI referencing the Committee's Amended 2018 12-Day Pre-General Report, received November 1, 2018. The Analyst stated that the RFAI noted the Committee's failure to file one or more 48-Hour Reports for ten (10) independent expenditures made in support of and in opposition to two (2) Federal candidates. The Analyst also stated that this outstanding compliance matter may be referred for potential further action to another office within the Commission. The Analyst advised that the Committee has the opportunity to respond to the RFAI and may file an FEC Form 99 (Miscellaneous Electronic Submission) to provide additional information on the public record. Mr. Svoboda stated that he would inform his client about our conversation (Attachment 3).

On June 27, 2019, Mr. Svoboda called to inform the Analyst that the Committee intends to respond to the RFAI. The Analyst and Mr. Svoboda discussed the timeframe for the Committee's response. The Analyst and Mr. Svoboda agreed that the Committee would submit its response by July 9, 2019 (Attachment 3).

On July 15, 2019, the Committee filed an FEC Form 99 referencing the RFAI sent on the Committee's Amended 2018 12-Day Pre-General Report, received November 1, 2018. The FEC Form 99 stated, in part:

“You ask about independent expenditures on Schedule E that appear to be missing from 48 hour reports. The eight independent expenditures you list dated September 30, 2018 did not meet the \$10,000 threshold to trigger disclosure on a 48 hour report. Regarding the expenditures to Millennial Strategies, the Committee, which made independent expenditures for the first time in the 2018 election cycle, continues to revise its procedures for tracking and timely reporting independent expenditures. We hope that this information adequately addresses your question. If you need further information, please do not hesitate to contact the Committee” (Image# 201907159151049784).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2019-2020)															
Cmte. ID: C00637645 Cmte. Name: TAKING ACTION FOR SUFFOLK COUNTY															
Treasurer Name: MORRIS, CINDY Address: P.O. BOX 798, MATTITUCK, NY 11952															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	AI	Recpt 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			7/15/2019	1	201907159151003065				-	-	-	-	-	-	-
MS-T			7/15/2019	1	201907159151049784				-	-	-	-	-	-	-
MS-T			7/15/2019	1	201907159151050886				-	-	-	-	-	-	-
F3XN	MY	N	7/31/2019	27	201907319161261367	1/1/2019	6/30/2019		\$164,334	\$18,181	\$137,464	\$45,051	-	-	\$0
F1A		A	1/18/2019	4	201901189143871898				-	-	-	-	-	-	-
F1A		A	1/18/2019	4	201901189143873553				-	-	-	-	-	-	-
<b>Totals</b>										<b>\$18,181</b>	<b>\$137,464</b>				

O-Index (2017-2018)															
Cmte. ID: C00637645 Cmte. Name: TAKING ACTION FOR SUFFOLK COUNTY															
Treasurer Name: MORRIS, CINDY Address: P.O. BOX 798, MATTITUCK, NY 11952															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	AI	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
RQ2	Q3	A	5/5/2019	7	201905050300039411	7/1/2018	9/30/2018	5/5/2019	-	-	-	-	-	-	-
RQ2	12G	A	5/5/2019	3	201905050300039420	10/1/2018	10/17/2018	5/5/2019	-	-	-	-	-	-	-
RQ2	30G	N	5/5/2019	4	201905050300039423	10/18/2018	11/26/2018	5/5/2019	-	-	-	-	-	-	-
F3XN	MY	N	7/28/2017	8	201707289069849395	1/1/2017	6/30/2017		\$0	\$6,350	\$290	\$6,059	-	-	\$0
F3XN	YE	N	1/10/2018	42	201801109090391094	7/1/2017	12/31/2017		\$6,059	\$57,297	\$58,481	\$4,875	-	-	\$0
F3XA	YE	A	1/31/2018	43	201801319091270038	7/1/2017	12/31/2017		\$6,059	\$58,459	\$58,533	\$5,985	-	-	\$0
F3XN	Q1	N	4/4/2018	22	201804049101017293	1/1/2018	3/31/2018		\$5,985	\$36,755	\$19,056	\$23,684	-	-	\$0
F3XA	Q1	A	5/7/2018	22	201805079111991832	1/1/2018	3/31/2018		\$5,985	\$37,072	\$19,074	\$23,983	-	-	\$0
F3XN	Q2	N	7/14/2018	28	201807149115476760	4/1/2018	6/30/2018		\$23,983	\$74,129	\$31,341	\$66,772	-	-	\$0
F3XN	Q3	N	10/30/2018	70	201810309133557856	7/1/2018	9/30/2018		\$66,772	\$413,963	\$120,072	\$360,662	-	-	\$0
F3XA	Q3	A	11/1/2018	70	201811019133576003	7/1/2018	9/30/2018		\$66,772	\$413,963	\$120,072	\$360,662	-	-	\$0
F3XN	12G	N	10/31/2018	22	201810319133566948	10/1/2018	10/17/2018		\$360,662	\$7,376	\$80,188	\$287,850	-	-	\$0
F3XA	12G	A	11/1/2018	22	201811019133576077	10/1/2018	10/17/2018		\$360,662	\$7,376	\$80,188	\$287,850	-	-	\$0
F3XN	30G	N	11/30/2018	36	201811309133888833	10/18/2018	11/26/2018		\$287,850	\$995	\$103,856	\$184,989	-	\$1,187	\$0
F3XN	YE	N	1/11/2019	17	201901119143793289	11/27/2018	12/31/2018		\$184,989	\$1,483	\$22,138	\$164,334	-	\$0	\$0
F1A		A	4/18/2017	4	201704189052312529				-	-	-	-	-	-	-
F24N	48		9/7/2018	27	201809079121658559				-	-	-	-	-	-	-
F24A	48		9/10/2018	27	201809109121660501				-	-	-	-	-	-	-
F24N	24		11/2/2018	3	201811029133578107				-	-	-	-	-	-	-
F24N	24		11/2/2018	2	201811029133578115				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133578119				-	-	-	-	-	-	-
F24N	24		11/2/2018	4	201811029133578133				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133578145				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133578146				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133578796				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133578798				-	-	-	-	-	-	-
F24N	24		11/2/2018	1	201811029133585224				-	-	-	-	-	-	-
F24N	24		11/6/2018	4	201811069133636720				-	-	-	-	-	-	-
F24A	24		11/6/2018	1	201811069133636876				-	-	-	-	-	-	-
F24A	24		11/6/2018	1	201811069133636911				-	-	-	-	-	-	-



**Taking Action for Suffolk County (C00637645)**

Amended 2018 12-Day Pre-General Report, received November 1, 2018

48-Hour Reports Not Filed

<b>Name of Payee</b>	<b>Date of Dissemination (Schedule E)</b>	<b>Date of Payment (Schedule E)</b>	<b>Expenditure Amount</b>	<b>Candidate Supported/ Opposed</b>	<b>Election</b>
New York State Department of Taxation and Finance	9/30/18	10/2/18	\$38.04	Perry Gershon	G2018
Montauban, Judith	9/30/18	10/2/18	\$45.00	Perry Gershon	G2018
Sinkler, Kenneth	9/30/18	10/2/18	\$52.50	Perry Gershon	G2018
Ferraro, William	9/30/18	10/2/18	\$60.00	Perry Gershon	G2018
Internal Revenue Service	9/30/18	10/2/18	\$77.05	Perry Gershon	G2018
Snider, Terry-Linn	9/30/18	10/2/18	\$187.50	Perry Gershon	G2018
Finer, Samuel	9/30/18	10/2/18	\$251.25	Perry Gershon	G2018
DeVine, Kelly	9/30/18	10/2/18	\$337.50	Perry Gershon	G2018
Millennial Strategies	10/11/18	10/10/18	<b>\$50,000.00</b> <i>48-Hour Report Required</i>	Lee M. Zeldin	G2018
Millennial Strategies	10/16/18	10/10/18	<b>\$6,724.00<sup>1</sup></b> <i>48-Hour Report Required</i>	Perry Gershon	G2018
		<b>Total</b>	<b>\$57,772.84</b>		

<sup>1</sup> The Committee disclosed independent expenditures totaling \$8,085.30 on 10/14/2018 and 10/17/2018 on their 2018 30-Day Post-General Report. The Committee failed to include this amount on a 48-Hour Report.