

**20L-24**

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: November 17, 2020

ANALYST: Clyde Hinton

I. COMMITTEE:

PROTECTING OUR VOTE PAC  
C00509463  
Kimberly A. Woodard, Treasurer  
(10/15/2020 – Present)  
Marcus S. Mason, Treasurer  
(1/13/2012 – 10/14/2020)  
499 S. Capitol Street, SW  
Suite 422  
Washington, DC 20003

II. RELEVANT STATUTE:

52 U.S.C. § 30104 (g)(1)  
11 CFR § 104.4(c)

III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to Timely File 24-Hour Reports)**

PROTECTING OUR VOTE PAC (“the Committee”) failed to timely file five (5) 24-Hour Reports totaling \$48,623.21 supporting ten (10) independent expenditures disclosed on the 2020 July Quarterly Report, made after the 20th day but more than 24 hours before the day of the 2020 Primary Election held in the state of New York (Attachment 2).

On July 15, 2020, the Committee filed the original 2020 July Quarterly Report, covering the period from April 1, 2020 through June 30, 2020. The report included a Schedule E (Itemized Independent Expenditures) disclosing fourteen (14) independent expenditures totaling \$62,240.69 made in support of and opposition to two (2) federal candidates (Images 202007159249876984-90).

On the same date, the Committee filed one (1) 24-Hour Report to support fourteen (14) independent expenditures totaling \$62,240.69 disseminated on June 15, 2020, June 17, 2020, June 18, 2020, June 19, 2020, June 20, 2020, June 22, 2020, June 23, 2020, and June 24, 2020 (Images 202007159249876966-72).

On August 12, 2020, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2020 July Quarterly Report. Among other items, the RFAI noted that the Committee may have failed to timely file one (1) or more of the required 24-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying ten (10) independent expenditures, totaling \$48,623.21, for which 24-Hour Reports had not been timely filed (Images 202008120300082368-71, Attachment 2).

On September 14, 2020, Sara Weinhold, the Committee's Compliance Director, called the Reports Analysis Division (RAD) Analyst in response to the RFAI. Ms. Weinhold asked how the Committee may adequately respond to the RFAI. The RAD Analyst explained that typically the failure to timely file 24-Hour Reports cannot be corrected unless the information was incorrectly disclosed on one or more of the original reports; however, the Committee may provide additional information on the public record via an FEC Form 99 (Miscellaneous Electronic Submission). The RAD Analyst also stated that the matter referenced in the RFAI may be referred to another Commission office for potential further action (Attachment 3).

On September 16, 2020, the Committee filed an Amended 2020 July Quarterly Report in response to the RFAI. The report disclosed a change in dissemination date for one (1) independent expenditure from the original report which did not affect the number or amount of independent expenditures, or number of 24-Hour Reports which had not been timely filed (Images 202009169267216567-73). A memo text was included with the report stating, in part:

"...the committee apologizes for the late filing of the 24 hour report. The member of the committee who relays the information had an emergency medical procedure on the day that the independent expenditures were disseminated, and the information was unable to be provided in a timely fashion. The committee has since put certain safeguards in place including adding more staff to better ensure to not miss any further independent expenditures" (Image 202009169267216560).

On September 21, 2020, Ms. Weinhold and the RAD Analyst spoke and the Analyst explained that the matter may be referred for potential further action to another Commission office. The Analyst reiterated the Committee could provide additional clarification on the public record via an FEC Form 99. Ms. Weinhold stated that on September 16, 2020, the Committee filed an Amended 2020 July Quarterly Report, which included memo text acknowledging the late filing and detailing corrective action implemented to prevent any future occurrence of the apparent violation (Attachment 3).

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

**PROTECTING OUR VOTE PAC (C00509463)****2020 July Quarterly Report****24-Hour Reports Not Timely Filed**

<b>Name of Payee</b>	<b>Date of Dissemination (Schedule E)</b>	<b>Expenditure Amount</b>	<b>Candidate Supported</b>	<b>Election</b>	<b>24-Hour Report Filed</b>
Winning Connections	6/15/2020	\$2,919.67 <i>24-Hour Report Required</i>	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
RC Communications	6/17/2020	\$4,900.00 <i>24-Hour Report Required</i>	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
Facebook	6/18/2020	\$155.00	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
SB Strategies, LLC	6/18/2020	\$1,040.65	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
The Balduzzi Group	6/18/2020	\$9,200.00 <i>24-Hour Report Required</i>	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
Facebook	6/19/2020	\$2,615.00	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
Winning Connections	6/19/2020	\$6,984.89 <i>24-Hour Report Required</i>	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
SB Strategies, LLC	6/20/2020	\$2,408.00	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
The Balduzzi Group	6/20/2020	\$9,200.00	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020
The Balduzzi Group	6/20/2020 <sup>1</sup>	\$9,200.00 <i>24-Hour Report Required</i>	Michael Alexander Blake	New York – 2020 Primary (6/23/2020)	7/15/2020

<sup>1</sup> On September 16, 2020, the Committee filed an Amended 2020 July Quarterly Report to disclose a change in dissemination date on Schedule E from June 19, 2020 to June 20, 2020 for one (1) independent expenditure, totaling \$9,200.00, which had not been timely filed on a 24-Hour Report. Please note, with this change in dissemination date the amendment discloses another independent expenditure which appears to be identical on Schedule E. The change in date of dissemination affected neither the number nor amount of independent expenditures, nor the number of 24-Hour Reports which had not been timely filed.