

19L-09

REPORTS ANALYSIS DIVISION REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: April 29, 2019

ANALYST: Michael Adamsky

I. COMMITTEE: Rebuilding America Now
C00618876
Ryan R. Call, Treasurer
PO Box 26141
Alexandria, VA 22313

II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(2)
11 CFR § 104.3(a)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Rebuilding America Now (“the Committee”) amended its 2016 30 Day Post-General Report to disclose additional receipts totaling \$1,000,000.00, which were not disclosed on the original report (Attachment 2).

On December 8, 2016, the Committee filed the original 2016 30 Day Post-General Report covering the period from October 20, 2016 through November 28, 2016. The report disclosed \$2,272,681.95 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) and \$1,842.99 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) of the Detailed Summary Page (Image 201612089039950742).

On November 2, 2018, the Committee filed an Amended 2016 30 Day Post-General Report. The report disclosed \$3,272,558.95 in receipts on Line 11(a)(i) and \$1,965.99 in receipts on Line 11(a)(ii) of the Detailed Summary Page, a total increase in receipts of \$1,000,000.00 from the original report (Image 201811029133578025).

On February 12, 2019, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 30 Day Post-General Report, received November 2, 2018. The RFAI requested clarification regarding the substantial increase in receipts disclosed on the Amended 2016 30 Day Post-General Report (Image 201902120300030675).

On March 19, 2019, the Committee filed an FEC Form 99 (Miscellaneous Electronic Submission) in response to the RFAI referencing the Amended 2016 30 Day Post-General Report, received November 2, 2018. The Committee stated, in part:

“1.The Amended 30-Day Post-General Report filed on 11/02/2018 disclosed additional detail regarding a single contribution received by the committee immediately prior to the November 2016 general election. A contribution in the amount of \$1,000,000 had been received from a particular donor on 10/20/2016, and properly disclosed on line 11AI the original 30-Day Post-General Report filed 12/8/2016. A second contribution - from the same donor for the same amount - was also received by the Committee eleven days later, on 10/31/2016, but was not initially included in the original 30-Day Post-General Report filed 12/8/2016 because it appeared at the time by the Treasurer to be a duplicate entry from the prior identical 10/20/2016 contribution.

2. In preparing the Year-End 2016 Report, and reviewing and reconciling the December 31, 2016 year-end bank statements and the bank statements and activity of the Committee the period since the October 2016 Quarterly Report, the Treasurer determined that there were in fact two contributions from the same donor for the same amount both received by the Committee in late October 2016. The additional 10/31/2016 contribution for \$1,000,000 was entered by the Treasurer into the FEC filing software system (Crimson Filer) utilized by the Committee for internal accounting and FEC reporting, and the Year-End 2016 report was timely filed on 2/01/2017 with year-end balances that reconciled with the year-end bank records of the Committee. The Treasurer believed at the time that by adding the additional 10/31/2016 in connection with the preparation and filing of the Year-End 2016 Report and selecting previously unreported transactions covering the period since the October 2016 Quarterly Report, that the additional detail for the 10/31/2016 contribution would be included and disclosed in the Year-End 2016 Report, particularly since the beginning and ending year-end reported cash on hand in the disclosure report reconciled with the 2016 bank records of the Committee.

3. While conducting a routine review of all the prior filings and an internal audit of the financial records of the Committee in late September of 2018 in advance of the 2018 General Election (during which the Committee was not

active in conducting electioneering activities), the Treasurer re-reviewed the prior 2016 Pre-General and 2016 Post-General filings, as well as the Year-End 2016 Report, and determined that while the year-end cash on hand balances for the Year-End 2016 Report and the starting balances for the Mid-Year 2017 reports appeared to be correctly reported, and the value of the contribution was included within the Committee's reported cash-on-hand balances, the additional 10/31/2016 contribution was not itemized and did not appear properly in the previously filed Year-End 2016 Report. Quickly after the inadvertent omission of itemized detail regarding the single 10/31/2016 contribution from the prior election cycle was identified, the Treasurer filed a sua sponte amendment to the 30-Day Post-General Report to correct the inadvertent omission and to provide clarity for the public record. In response to the filing of this amendment to the 30-Day Post-General Report filed on 11/02/2018, the Committee received a RFAI letter dated February 12, 2019, three months later" (Image 201903199145842122).

On April 16, 2019, the Reports Analysis Division (RAD) Analyst called Ryan R. Call, the Committee's Treasurer. The Analyst explained to Mr. Call the increase in activity in the Committee's 2016 Amended 30 Day Post-General Report could be referred to another office for potential further action. The Analyst asked if there was any additional context that Mr. Call wished to provide on this issue, and he indicated that he believed the Committee's written response was sufficient (Attachment 3).

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

O-Index (2019-2020)															
Cmte. ID: C00618876								Cmte. Name: REBUILDING AMERICA NOW							
Treasurer Name: CALL, RYAN R								Address: PO BOX 26141, ALEXANDRIA, VA 22313							
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)								Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER							
Form Tp	Rpt Tp	A/I	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			3/19/2019	2	201903199145842122				-	-	-	-	-	-	-
Totals										\$0	\$0				

O-Index (2017-2018)															
Cmte. ID: C00618876								Cmte. Name: REBUILDING AMERICA NOW							
Treasurer Name: CALL, RYAN R								Address: PO BOX 26141, ALEXANDRIA, VA 22313							
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)								Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER							
Form Tp	Rpt Tp	A/I	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			2/16/2017	1	201702169049700229				-	-	-	-	-	-	-
MS-T			2/22/2017	3	201702220300142152	7/1/2016	9/30/2016		-	-	-	-	-	-	-
RQ2	MY	N	11/14/2017	2	201711140300094971	1/1/2017	6/30/2017	11/14/2017	-	-	-	-	-	-	-
RQ2	YE	N	2/25/2018	2	201802250300101483	7/1/2017	12/31/2017	2/25/2018	-	-	-	-	-	-	-
RQ2	Q1	N	6/28/2018	2	201806280300012800	1/1/2018	3/31/2018	6/28/2018	-	-	-	-	-	-	-
F3XN	MY	N	7/31/2017	114	201707319069917406	1/1/2017	6/30/2017		\$851,771	\$1,152,508	\$953,582	\$1,050,696	-	-	\$0
F3XN	YE	N	1/31/2018	41	201801319091222083	7/1/2017	12/31/2017		\$1,050,696	\$30	\$445,365	\$605,360	-	-	\$0
F3XN	Q1	N	4/16/2018	27	201804169108257196	1/1/2018	3/31/2018		\$605,360	\$2	\$336,408	\$268,954	-	-	\$0
F3XN	Q2	N	7/15/2018	15	201807159115655817	4/1/2018	6/30/2018		\$268,954	\$166	\$237,287	\$31,833	-	-	\$0
F3XN	Q3	N	10/16/2018	8	201810169125555705	7/1/2018	9/30/2018		\$31,833	\$0	\$11,738	\$20,095	-	-	\$0
F3XN	30G	N	12/6/2018	8	201812069134553760	10/1/2018	11/26/2018		\$20,095	\$25,000	\$14,678	\$30,417	-	-	\$0
F3XN	YE	N	1/31/2019	6	201901319144463387	11/27/2018	12/31/2018		\$30,417	\$0	\$500	\$29,917	-	-	\$0
Totals										\$1,177,706	\$1,999,560				

O-Index (2015-2016)															
Cmte. ID: C00618876								Cmte. Name: REBUILDING AMERICA NOW							
Treasurer Name: CALL, RYAN R								Address: PO BOX 26141, ALEXANDRIA, VA 22313							
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE)								Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER							
Form Tp	Rpt Tp	A/I	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			10/18/2016	2	201610189033039851				-	-	-	-	-	-	-
RQ2	24		7/11/2016	3	201607110300052289			7/11/2016	-	-	-	-	-	-	-
RQ2	24		7/4/2016	3	201607040300049602			7/4/2016	-	-	-	-	-	-	-
RQ2	Q2	N	9/11/2016	3	201609110300058472	4/1/2016	6/30/2016	9/11/2016	-	-	-	-	-	-	-
RQ2	Q3	N	1/11/2017	3	201701110300075357	7/1/2016	9/30/2016	1/11/2017	-	-	-	-	-	-	-
RQ2	12G	N	2/1/2017	3	201702010300076659	10/1/2016	10/19/2016	2/1/2017	-	-	-	-	-	-	-
RQ2	30G	A	2/12/2019	2	201902120300030675	10/20/2016	11/28/2016	2/12/2019	-	-	-	-	-	-	-
RQ2	30G	N	3/23/2017	3	201703230300083110	10/20/2016	11/28/2016	3/23/2017	-	-	-	-	-	-	-
RQ2	YE	N	3/23/2017	2	201703230300083108	11/29/2016	12/31/2016	3/23/2017	-	-	-	-	-	-	-
F3XN	Q2	N	7/16/2016	22	201607169020674186	4/1/2016	6/30/2016		\$0	\$2,160,450	\$1,589,240	\$571,209	\$5,613	-	\$5,613
F3XA	Q2	A	10/15/2016	22	201610159032863723	4/1/2016	6/30/2016		\$0	\$2,160,450	\$1,589,240	\$571,209	\$5,613	-	\$5,613
F3X	Q2	A	10/21/2016	26	201610210300111487	4/1/2016	6/30/2016		\$0	\$2,160,450	\$1,589,240	\$571,209	\$11,226	-	\$5,613
F3XN	Q3	N	10/15/2016	169	201610159032869661	7/1/2016	9/30/2016		\$571,209	\$17,959,917	\$15,493,868	\$3,037,258	-	-	\$0
F3XN	12G	N	10/27/2016	58	201610279036942648	10/1/2016	10/19/2016		\$3,037,258	\$214,825	\$2,094,402	\$1,157,680	-	-	\$0
F3XN	30G	N	12/8/2016	36	201612089039950740	10/20/2016	11/28/2016		\$1,157,680	\$2,274,524	\$3,385,068	\$47,136	-	-	\$0
F3XA	30G	A	11/2/2018	29	201811029133578023	10/20/2016	11/28/2016		\$1,157,680	\$3,274,524	\$3,385,068	\$1,047,136	-	-	\$0
F3XN	YE	N	2/1/2017	44	201702019042400151	11/29/2016	12/31/2016		\$1,042,106	\$1,000	\$201,334	\$841,771	-	-	\$0
F24N	24		6/8/2016	1	201606089017488806				-	-	-	-	-	-	-
F24N	24		6/6/2016	1	201606069017474061				-	-	-	-	-	-	-

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Attachment 1

Rebuilding America Now (C00618876)

2016 30 Day Post-General Report /Amended 2016 30 Day Post-General Report

Overview of Additional Receipts

Report Line	Original 2016 30 Day Post-General Report (Image 201612089039950742)	Amended 2016 30 Day Post-General Report, Received 11/2/2018 (Image 201811029133578025)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$2,272,681.95	\$3,272,558.95	\$999,877.00
Line 11(a)(ii): Unitemized Contributions from Individuals	\$1,842.99	\$1,965.99	\$123.00
		Total:	\$1,000,000.00