

MUR 7935

October 18, 2021

Sent via Email: EnfComplaint@fec.gov

Office of the General Counsel
Federal Election Commission
1050 First Street, NE
Washington, D.C. 20463

RE: Complaint against Citizen Facts PAC (FEC ID C00766550)

Dear Sir or Madam:

I am writing to file a formal complaint against Citizen Facts PAC (the "PAC"), a political committee registered with the Federal Election Commission ("FEC"), for violations of the Federal Election Campaign Finance Act.

According to the FEC website, the PAC filed its registration with the FEC on January 15, 2021 (**Exhibit A**) and designated Clinton Edminster as the PAC's treasurer. The registration states that the PAC supports/opposes more than one Federal candidate. To date, the PAC has not filed any disclosure report with the FEC despite having spent funds on advertising that references a U.S. Representative and receiving a notice from the FEC of its failure to file a Mid-Year Report (**Exhibit B**).

In January 2021, the PAC purchased at least two billboards advertisements in Savannah, Georgia targeting Representative Buddy Carter (**Exhibit C**). Based on general media sources, billboard prices in Savannah can range from \$800-\$3,500 (**Exhibit D**). The PAC also purchased a full-page newspaper advertisement in the Savannah Morning News on February 14, 2021, which included the face of Representative Carter and urged readers to "Remember the Capitol" (**Exhibit E**). Similarly, the cost of a newspaper article in the Savannah Morning News ranges but has been disclosed by other political committees on FEC reports in amounts from \$200-\$3,000.

These advertisements were chronicled by local journalists in the Savannah Morning News, which emphasized that "the newspaper ad isn't the only work the PAC has done." The article stated that "they've purchased billboards with similar messaging in the northern part of District 1, which covers the entirety of Georgia's coast" (**Exhibit F**). The advertisements were also highlighted by another journalist on the GaPundit website (**Exhibit G, page 2**). There is no question that the PAC ran both paid advertisements as the advertisements clearly included the PAC's disclaimer. The PAC was actively spending funds to target Representative Buddy Carter, yet the PAC has failed to disclose any political spending with the FEC. The PAC has also registered with and seems to be soliciting funds through ActBlue but has not reported any contributions. (Citizen Facts PAC ActBlue, <https://secure.actblue.com/entity/fundraisers/114003>).

While the PAC was referred to by journalists as a "local group," the PAC is not registered with the Georgia Government Transparency & Campaign Finance Commission nor is it registered with the Chatham County Board of Elections. Based on FEC records, the PAC is registered with and should be filing disclosure reports with the FEC, especially considering that it is spending funds to target federal officeholders.

The PAC also appears to have been formed by Wade Herring, who announced a run for Congress against Representative Carter in Georgia District 1 a few months after these advertisements were placed. A local article stated that "Herring was formerly part of a local political action committee, the Citizen Facts PAC, which ran a full-page advertisement critical of District 1 Congressman Buddy Carter. Herring has since left the PAC in order to run for office" (**Exhibit H**).

The Federal Election Campaign Act requires a political committee to file a Mid-Year Report covering the period of January 1 to June 30 no later than July 31 (52 U.S.C. § 30104). The Mid-Year Report for 2021 was due on July 31, 2021 (FEC website, <https://www.fec.gov/help-candidates-and-committees/dates-and-deadlines/2021-reporting-dates/mid-year-report-notice-quarterly-filing-pacs-and-parties-2021/>). PACs must report expenditures that exceed \$200 or aggregate to over \$200 when added to other disbursements (FEC Operating Expenditures, <https://www.fec.gov/help-candidates-and-committees/filing-pac-reports/operating-expenditures/>).

Based on the FEC website, the PAC has not filed its Mid-Year Report. The PAC's treasurer was notified of the PAC's failure to file this report on August 16, 2021 and informed about the risk of civil monetary penalties or other legal enforcement action (**Exhibit B**). As demonstrated by the attached documentation, the PAC hired vendors for paid advertising targeting Representative Buddy Carter in early 2021 that would have exceeded \$200 and should have been reported by the PAC. The PAC appears to have ignored the FEC's notice of noncompliance and has continued not to file its report with the FEC as required by the Federal Election Campaign Act.

I am a registered voter and resident of Georgia, and as a registered voter I am entitled to receive information that is contained in disclosure reports required by law. I am harmed by the actions of the PAC, which has run advertisements against my U.S. Representative, but has not disclosed any contributions or expenses so that both myself and other interested members of the public can understand the PAC's financial support.

Based upon the facts above and the documents that I have attached, the PAC has violated the Federal Election Campaign Finance Act by failing to submit its Mid-Year Report with the FEC. I request that the FEC investigate the conduct of this PAC and impose any penalties that it believes are warranted.

The foregoing information is correct and accurate to the best of my knowledge, information, and belief.

Sincerely,

[Full Name] Paul G. Ad
[Address] Savannah, Georgia 31411

Sworn before me and subscribed in my presence this 15 day of October, 2021.

Tina Pagliaro
NOTARY PUBLIC

Tina Pagliaro
NOTARY PUBLIC
CHATHAM COUNTY
State of Georgia
My Comm. Expires 12/30/2024

Exhibit A

FEC Statement of Organization

FEC FORM 1

STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

Citizen Facts PAC

ADDRESS (number and street)

2438 Bull St

(Check if address is changed)

Savannah

CITY ▲

GA

STATE ▲

31401

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address is changed)

clinton.edminster@gmail.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed)

2. DATE

01 / 15 / 2021

3. FEC IDENTIFICATION NUMBER ▶

C C00766550

4. IS THIS STATEMENT

NEW (N)

OR

AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Edminster, Clinton, , ,

Signature of Treasurer

Edminster, Clinton, , ,

[Electronically Filed]

Date

01 / 15 / 2021

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office Use Only

For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100

FEC FORM 1 (Revised 06/2012)

5. TYPE OF COMMITTEE

Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate _____

Candidate Party Affiliation: _____

Office Sought: House Senate President

State: _____

District: _____

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

Party Committee:

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
 - Corporation Corporation w/o Capital Stock Labor Organization
 - Membership Organization Trade Association Cooperative
 - In addition, this committee is a Lobbyist/Registrant PAC.
- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
 - In addition, this committee is a Lobbyist/Registrant PAC.
 - In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1. _____ FEC ID number C _____
2. _____ FEC ID number C _____
3. _____ FEC ID number C _____
4. _____ FEC ID number C _____

Write or Type Committee Name

Citizen Facts PAC

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Mailing Address

CITY

STATE

ZIP CODE

Relationship: Connected Organization Affiliated Committee Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name Edminster, Clinton, , ,

Mailing Address 2438 Bull St

Savannah GA 31401

Title or Position CITY STATE ZIP CODE

Telephone number 912 492 4992

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Edminster, Clinton, , ,

Mailing Address 2438 Bull St

Savannah GA 31401

Title or Position CITY STATE ZIP CODE

Telephone number 912 492 4992

Full Name of Designated Agent

[Grid for Full Name of Designated Agent]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3]

CITY

STATE

ZIP CODE

Title or Position

[Grid for Title or Position]

Telephone number

[Grid for Telephone number]

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Suntrust Bank

[Grid for Name of Bank, Depository, etc.]

Mailing Address

2505 Abercorn St
[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

Savannah GA 31401
[Grid for Mailing Address Line 3]

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

[Grid for Name of Bank, Depository, etc.]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3]

CITY

STATE

ZIP CODE

Exhibit B

FEC Notice of Failure to File Report Sent to Treasurer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

August 16, 2021

EDMINSTER, CLINTON, TREASURER
CITIZEN FACTS PAC
2438 BULL ST
SAVANNAH, GA 31401

IDENTIFICATION NUMBER: C00766550

REFERENCE: MID-YEAR REPORT REPORT (01/15/2021 - 06/30/2021)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended. 52 U.S.C. §30104(a)

It is important that you file this report immediately with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note, the Federal Election Commission's office remains closed to visitors and most of its employees are continuing to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing campaign finance reports filed by mail, though processing will not occur on a daily basis until the agency resumes normal mail operations. As a result, paper filers may continue to receive non-filer letters. Nevertheless, filers should continue to file their reports on time. Reports sent by registered mail, overnight delivery, or certified mail, are considered filed with the FEC as of the date of the postmark. Reports submitted by first-class mail will be considered filed when actually received by Commission staff, subject to delays resulting from the agency's limited mail processing. The Commission will not be able to receive or process reports filed by courier service at this time. The FEC does not have statutory authority to extend filing deadlines, but it may choose not to pursue administrative fines against filers prevented from filing by reasonably unforeseen circumstances beyond their control. See 11 CFR 111.35.

Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file this report may result in civil money penalties, suspension of matching funds payments, an audit or legal enforcement action. The civil money penalty

CITIZEN FACTS PAC

Page 2 of 2

calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

Sincerely,

A handwritten signature in black ink that reads "Debbie Chacona". The signature is written in a cursive, flowing style.

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

Exhibit C

Billboard Photos – January 2021

Photo 1:



Photo 2:



Exhibit D**Billboard Pricing**

BlueLine Media: <https://www.bluelinemedia.com/billboard-advertising/savannah-ga>

Savannah, GA Billboard Advertising Rates

Estimated per location per 4 weeks.)

Bulletin (Large Billboard)	\$2,000
Digital Bulletin (Large Digital Billboard)	\$2,500
Poster (Medium Billboard)	\$950
Digital Poster (Medium Digital Billboard)	\$1,450

Billboards in Savannah: <https://www.billboardsin.com/georgia/savannah/>

Billboard Rates in Savannah		
Estimated price per location per month		
Bulletin (Larger Billboard)	\$3,500	48'W X 14'H
Digital Bulletin (Digital Billboard)	\$2,500	48'W X 14'H
Poster (Medium Billboard)	\$1,500	22'8"W X 10'5"H
Junior Poster (Small Billboard)	\$800	11'W X 5'H

Exhibit E

**Savannah Morning News
Paid Advertisement (February 14, 2021)**

PAID ADVERTISEMENT

STOP BUDDY CARTER

ONE OF THE
RICHEST MEN
IN CONGRESS

A TOP DONOR
OF MARJORIE
TAYLOR GREENE



REMEMBER THE CAPITOL

DON'T GIVE MONEY TO
BUDDY CARTER



PAID FOR BY CITIZENS FACTS PAC

Exhibit F

Savannah Morning News Article about PAC Advertising

NEWS

Local Savannah PAC publishes attack ad on Buddy Carter. But why do it after election season?

Will Peebles Savannah Morning News

Published 6:01 a.m. ET Feb. 23, 2021

In the Feb. 17 edition of the Savannah Morning News, a full-page advertisement bearing the face of District 1 Congressman Buddy Carter urged readers to "Remember the Capitol."

Typically, these ads come during campaign season, when high-interest races lead to hefty spending by political action committees. But this ad comes after the storm.

It's been more than three months since Carter won his re-election bid against Democratic challenger Joyce Marie Griggs by a considerable margin and a little over a month since the attack on the Capitol.

Election results: Rep. Buddy Carter wins re-election bid over Joyce Griggs for U.S. House

But for the members of the Citizens Facts PAC, a locally run group, it's never too early.

Savannah lawyer Wade Herring, one of the founding members, alongside self-described private citizen Tom Kohler, and Chatham Area Transit Authority Board Member Clinton Edminster said elected officials should always seek to act in the best interest of those they represent, not just when they're running for re-election.

Herring said he was "angry and disappointed" in Carter's behavior and objection to confirming the results of the 2020 Presidential Election. Herring penned an op-ed published Jan. 25 calling on Carter to resign.

More: Congressman Buddy Carter explains why he signed Texas lawsuit against his own state

"Even after that, insurrection, that riot, Congressman Carter stood on the floor of the House that night, to oppose the election results in Arizona and Pennsylvania. He also opposed the election results in the state of Georgia," Herring said. "And I was, again, angry and disappointed."

Herring and Kohler often take walks together in the morning. On one of these walks, the two were discussing a tough question: how do you keep people engaged politically when it's not election season?

"How do you turn anger and disappointment into action?" Herring asked.

More: Open letter to Rep. Carter: You have violated your oath... resign seat in Congress

He mentioned former President Richard Nixon's concept of a silent conservative majority and said he believes that concept now applies to a larger political spectrum.

"I think there's a silent majority now of people of all stripes, center, left-of-center, right-of-center, who are deeply concerned that elected officials are not representing the interests of the people, they're representing their own interests and their own political power," Herring said. "They're not representing us in the political process, and the governmental process is not working for us."

The newspaper ad isn't the only work the PAC has done. They've purchased billboards with similar messaging in the northern part of District 1, which covers the entirety of Georgia's coast.

"The election cycle for congress is pretty short. It's two years. And basically, they're always running," Herring said. "Our goal is to keep it present in the minds of the 1st District, that this congressman tried to take away our vote."

Carter did not respond to a telephone request for comment at press time.

Will Peebles is the enterprise reporter for Savannah Morning News. He can be reached at wpeebles@gannett.com and [@willpeeblessmn](https://twitter.com/willpeeblessmn) on Twitter.

Exhibit G

GaPundit Reference to PAC Advertising

23
FEB

Georgia Politics, Campaigns, and Elections for February 23, 2021

POSTED BY TODD REHM / GEORGIA POLITICS

President elect **Abraham Lincoln** arrived in **Washington, DC** on February 23, 1861.



On February 23, 1945, **United States Marines** raised the **American flag** on **Mount Suribachi**, the highest point on the Pacific island Iwo Jima.

This first flag-raising was photographed by Marine photographer Sgt. Louis R. Lowery. On Lowery's way down Mt. Suribachi, he ran into AP photographer Joe Rosenthal and two other Marine photographers, PFC Bob Campbell and PFC Bill Genaust, who was shooting movies, informing them that the flag-raising they were looking for had already occurred, but encouraging them to check out the view from the top of the hill. The three men continued up the volcano.

Once atop Mt. Suribachi, Rosenthal attempted but was unable to find the soldiers involved in the first flag-raising, deciding instead to photograph the second flag-raising, which featured a much bigger and more photogenic Stars and

The state Senate voted 34-20 Monday for both Senate Resolution 28 to limit the number of terms a federal lawmaker can serve and Senate Resolution 29 to require a balanced budget. The measures move to the House for more debate.

The sponsor of the resolutions, Republican Bill Cowsert of Athens, said the measures will “reel Congress back in so it will become a functioning body again.”

It would be at least the fourth time that Georgia has called for a convention to consider a balanced budget and at least the second time it’s called for a convention to consider term limits.

Georgia’s term limits resolution does not specify how many terms House members and senators should be limited to, and its balanced budget resolution does not specify what the rules should be.

Cowsert said Georgia could become the 34th state to call for a balanced budget, triggering a convention. But that number is in dispute, in part because some states have rescinded previous calls.

A local group calling themselves “Citizens Facts PAC” took out an ad against U.S. Rep. Buddy Carter (R-Pooler) in the Savannah Morning News, **who then wrote a news story about it.**

In the Feb. 17 edition of the Savannah Morning News, a full-page advertisement bearing the face of District 1 Congressman Buddy Carter urged readers to “Remember the Capitol.”

Savannah lawyer Wade Herring, one of the founding members, alongside self-described private citizen Tom Kohler, and Chatham Area Transit Authority Board Member Clinton Edminster said elected officials should always seek to act in the best interest of those they represent, not just when they’re running for re-election.

Herring said he was “angry and disappointed” in Carter’s behavior and objection to confirming the results of the 2020 Presidential Election. Herring penned an op-ed published Jan. 25 calling on Carter to resign.

Augusta City Commissioners will consider reopening public facilities following CDC guidelines, **according to the Augusta Chronicle.**

Allowing events on Augusta property – such as parks or other public spaces – could resume soon if organizers follow CDC guidelines. A blue ribbon panel to review the government’s structure as well as sending a vote of no-confidence to the Georgia General Assembly also go before the Augusta Commission or its committees Tuesday.

Resuming outside events – such as the Saturday Market held on Eighth Street – goes before the full commission at its 11 a.m. standing called meeting. Requested by Commissioner Sean Frantom, the plan requires event organizers to follow CDC guidelines.

[Commissioner Dennis] Williams said he favors sending a resolution to the state legislature in opposition to multiple pending bills that would limit access to voting. The measures include eliminating Sunday voting and no-excuse absentee voting, limiting the amount of time to return absentee ballots, requiring a driver’s license number or

Exhibit H

Wade Herring Congressional Announcement and Relationship with Citizens Facts PAC

NEWS

Savannah lawyer Wade Herring announces run for 1st Congressional District as Democrat

Will Peebles Savannah Morning News

Published 12:40 p.m. ET July 15, 2021

Democrat Wade Herring, of Savannah, has announced a run to represent Georgia's First Congressional District in the U.S. House.

Herring, a lawyer at HunterMaclean Law Firm, says he was inspired to run after seeing current 1st District Rep. Buddy Carter's reaction to the Jan. 6 riot in the U.S. Capitol and his vote to overturn the election results.

Open letter to Rep. Carter: You have violated your oath and should resign seat in Congress

"The insurrection showed in a profound way a sickness in the soul of America, and that's a problem," Herring said. "The only way to fix the problem is to get in there and work for a solution that puts our families first, our district first, our nation first — not politics. That's why I'm running for Congress."

Background:

Herring grew up in Macon, graduating from Central High School in 1976. After that, he attended Dartmouth College and the University of Georgia Law School. This is his first run for an elected position at any level.

In a press release announcing his candidacy, Herring said he raised \$113,775 in contributions during the first month of campaigning.

Herring was formerly part of a local political action committee, the Citizens Facts PAC, which ran a full-page advertisement critical of District 1 Congressman Buddy Carter. The ad urged readers to "Remember the Capitol," as did billboards with similar messaging posted in the northern part of District 1, which covers all of Georgia's coastal counties.

Herring also penned an op-ed published Jan. 25 in the Savannah Morning News calling on Carter to resign.

Herring has since left the PAC in order to run for office, he acknowledged in an interview on Thursday.

Platform:

Herring said if he is elected he'll pursue a platform that will provide broader access to health care, infrastructure, broadband access, early childhood education, affordable college, voting rights and protecting the coast from the effects of climate change.

More: UGA icon Herschel Walker could be planning a run for U.S. Senate. Here's what we know.

"We are going to be at the forefront of the adverse impacts of sea level rise," Herring said. "We've got to get ready for that and stop denying the reality of that."

Opponents:

In recent months, Carter has said he would run for Senate in 2022, but only if former President Donald Trump's pick, former UGA football standout Herschel Walker, doesn't run.

Will Peebles is the enterprise reporter for Savannah Morning News. He can be reached at wpeebles@gannett.com and [@willpeeblessmn](https://twitter.com/willpeeblessmn) on Twitter.