

21L-33

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 25, 2021

ANALYST: Terez Ray

- I. **COMMITTEE:** Just the Truth Political Action Committee
C00747097
Jodi Schwartz, Treasurer
P.O. Box 1302
Washington Grove, MD 20880
- 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 Timely File 48-Hour Reports)

Just the Truth Political Action Committee (“the Committee”) failed to timely file eight (8) 48-Hour Reports totaling \$455,309.94 to support ten (10) independent expenditures disclosed on the Amended 2020 October Quarterly Report, made up to and including the 20th day before the 2020 General election and failed to timely file one (1) 48-Hour Report totaling \$76,858.83 to support two (2) independent expenditures disclosed on the 2020 12-Day Pre-General Report, made up to and including the 20th day before the 2020 General election (Attachments 2,3).

2020 October Quarterly Report

On October 15, 2020, the Committee filed its 2020 October Quarterly Report covering the period from July 1, 2020 through September 30, 2020. The Report included a Schedule E (Itemized Independent Expenditures) disclosing ten (10) independent expenditures, totaling \$455,309.94, made in opposition to one (1) Federal candidate (Images 202010159294132826-35, Attachment 2).

On October 21, 2020, the Committee filed an Amended 2020 October Quarterly Report. The Report disclosed no changes to Schedule E from the original report (Images 202010219326761540-49, Attachment 2).

On December 20, 2020, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2020 October Quarterly Report, received October 21, 2020. The RFAI noted that the Committee may have failed to file one (1) or more of the required 48-Hour Reports for independent expenditures disclosed in the report. A chart was included with the RFAI identifying the ten (10) independent expenditures totaling \$455,309.94, for which a 48-Hour Report had not been filed (Images 202012200300099234-36, Attachment 2).

On December 23, 2020, Jodi Schwartz, the Committee Treasurer, called for guidance on how to respond to the RFAI sent on their Amended October Quarterly Report, received October 21, 2020. The Reports Analysis Division (RAD) Analyst returned the call with a voicemail to explain that the Committee should have filed 48-Hour Reports for the independent expenditures reported on the Committee's Amended October Quarterly Report. The RAD Analyst advised the Committee to file the 48-Hour Reports and asked that they return the Analyst's call to discuss further steps to respond to the RFAI (Attachment 4).

Later that same day, Ms. Schwartz called back to say that the Committee was unaware of the 48-Hour reporting requirement. The RAD Analyst explained the issue may be referred to another Commission office for potential further action. The Analyst advised the Committee they could file an FEC Form 99 (Miscellaneous Electronic Submission) providing any additional context for the public record (Attachment 4).

On the same date, the Committee filed an FEC Form 99 which stated:

"In response to the Request for Additional Information to Just the Truth PAC dated 12/20/20, the Committee would like to state, for the record, that we were unaware prior to the receipt of the correspondence of the obligation regarding 48 hour reporting for each independent expenditure over \$10,000 (aggregate).

To amend for the oversight, we have immediately submitted the appropriate filings for all IE's on the cited report as well as subsequent reports. Additionally, procedures have been modified to ensure compliance accordingly in the future.

Sincerest apologies for this oversight and unintended negligence. Please do not hesitate to contact me if I may provide further information regarding this matter" (Image 202012239393683315).

Also, on December 23, 2020, the Committee filed one (1) 48-Hour Report to support ten (10) independent expenditures, totaling \$455,309.94, disseminated between July 9, 2020 and September 25, 2020 (Images 202012239393683166-75).

2020 12-Day Pre-General Report

On October 21, 2020, the Committee filed its 2020 12-Day Pre-General Report

covering the period from October 1, 2020 through October 14, 2020. The Report included a Schedule E disclosing two (2) independent expenditures, totaling \$76,858.83, made in opposition to one (1) Federal candidate (Images 202010219326764192-93, Attachment 3).

On December 23, 2020, the Committee filed one (1) 48-Hour Report to support two (2) independent expenditures, totaling \$76,858.83, disseminated October 1, 2020 and October 2, 2020 (Images 202012239393683179-80).

On February 11, 2021, an RFAI was sent to the Committee referencing the 2020 12-Day Pre-General Report. The RFAI noted that the Committee may have failed to file one (1) or more of the required 48-Hour Reports for independent expenditures disclosed on the report. A chart was included with the RFAI identifying the two (2) independent expenditures totaling \$76,858.83, for which a 48-Hour Report had not been filed (Images 202102110300105522-24, Attachment 3).²

On March 10, 2021 the Committee filed an FEC Form 99 in response to the RFAI referencing the 2020 12-Day Pre-General Report. The Committee stated:

“In response to the Request for Additional Information to Just the Truth PAC dated 2/11/21, the Committee would like to acknowledge that prior to receiving an RFAI in December 2020, we were unaware of the obligation regarding 48 hour reporting for each independent expenditure over \$10,000 (aggregate). To amend for the oversight, we immediately submitted the appropriate filings for all IE's on that cited report as well as subsequent reports. That includes reporting for the period covered by this most recent correspondence.

Procedures have been modified to ensure compliance accordingly in the future.

Sincerest apologies for this oversight and unintended negligence. Please do not hesitate to contact me if I may provide further information regarding this matter” (Image 202103109440363237).

On April 22, 2021, the Analyst called Ms. Schwartz regarding the Committee's 2020 12-Day Pre-General Report. The Analyst explained that the late 48-Hour Reports could be referred to another Commission office for potential further action and that the Committee could provide an FEC Form 99 with clarifying information, if they wished. Ms. Schwartz said they filed the report when they became aware of the 48-Hour filing requirements (Attachment 4).

On April 26, 2021, the Analyst returned a phone call from Ms. Schwartz, who had left a message on April 22, 2021 to confirm receipt of a Form 99 on March 10, 2021

² The RFAI noted that the Committee failed to file the required 48-Hour Report for independent expenditures disclosed on the 2020 12-Day Pre-General Report; however, it was later determined that the required 48-Hour Report was filed late on December 23, 2020.

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Just the Truth Political Action Committee
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regarding the 2020 12-Day Pre-General Report. The Analyst confirmed the FEC Form 99 was received (Attachment 4).

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

O-Index (2021-2022)															
Cmte. ID: C00747097 Cmte. Name: JUST THE TRUTH POLITICAL ACTION COMMITTEE															
Treasurer Name: SCHWARTZ, JODI Address: P.O. BOX 1302, WASHINGTON GROVE, MD 20880															
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	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			3/10/2021	1	202103109440363237				-	-	-	-	-	-	-
MS-T			5/17/2021	1	2.02105E+17				-	-	-	-	-	-	-
MS-T			5/17/2021	1	202105179446821697				-	-	-	-	-	-	-
F3XN	30R	N	1/28/2021	7	202101289413832724	1/1/2021	1/25/2021		\$7,160	\$2,750	\$3,703	\$6,206	-	-	\$0
Totals										\$2,750	\$3,703				

O-Index (2019-2020)															
Cmte. ID: C00747097 Cmte. Name: JUST THE TRUTH POLITICAL ACTION COMMITTEE															
Treasurer Name: SCHWARTZ, JODI Address: P.O. BOX 1302, WASHINGTON GROVE, MD 20880															
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	Ltrr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			12/23/2020	1	202012239393683315				-	-	-	-	-	-	-
RQ2	Q3	A	12/20/2020	3	202012200300099234	7/1/2020	9/30/2020	12/20/2020	-	-	-	-	-	-	-
RQ2	12G	N	2/11/2021	3	202102110300105522	10/1/2020	10/14/2020	2/11/2021	-	-	-	-	-	-	-
RQ2	30G	N	4/15/2021	3	202104150300115895	10/15/2020	11/23/2020	4/15/2021	-	-	-	-	-	-	-
RQ2	12R	N	4/15/2021	3	202104150300115892	11/24/2020	12/16/2020	4/15/2021	-	-	-	-	-	-	-
F3XN	Q2	N	7/7/2020	11	202007079244352503	4/1/2020	6/30/2020		\$0	\$54,255	\$21,521	\$32,733	-	-	\$0
F3XN	Q3	N	10/15/2020	69	202010159294132767	7/1/2020	9/30/2020		\$32,733	\$463,274	\$471,120	\$24,888	-	-	\$0
F3XA	Q3	A	10/21/2020	70	202010219326761480	7/1/2020	9/30/2020		\$32,733	\$473,274	\$471,120	\$34,888	-	-	\$0
F3XN	12G	N	10/21/2020	10	202010219326764184	10/1/2020	10/14/2020		\$34,888	\$56,325	\$77,275	\$13,938	-	-	\$0
F3XN	30G	N	12/2/2020	15	202012029337416664	10/15/2020	11/23/2020		\$13,938	\$32,230	\$13,743	\$32,424	-	-	\$0
F3XN	12R	N	12/22/2020	12	202012229393478704	11/24/2020	12/16/2020		\$32,424	\$6,125	\$31,187	\$7,362	-	-	\$0
F3XN	YE	N	1/21/2021	8	202101219405263047	12/17/2020	12/31/2020		\$7,362	\$5,000	\$5,202	\$7,160	-	-	\$0
F1N		N	5/26/2020	5	202005269239499289				-	-	-	-	-	-	-
F1A		A	5/28/2020	5	202005289239503471				-	-	-	-	-	-	-
F1A		A	6/3/2020	5	202006039239609268				-	-	-	-	-	-	-
F24N	48		10/27/2020	1	202010279336591577				-	-	-	-	-	-	-
F24N	48		12/2/2020	1	202012029337416022				-	-	-	-	-	-	-
F24N	48		12/23/2020	10	202012239393683166				-	-	-	-	-	-	-
F24N	48		12/23/2020	2	202012239393683179				-	-	-	-	-	-	-
F24N	48		12/23/2020	1	202012239393683181				-	-	-	-	-	-	-
F24N	48		12/23/2020	1	202012239393683182				-	-	-	-	-	-	-
F24N	48		12/24/2020	1	202012249393803405				-	-	-	-	-	-	-
Totals										\$627,210	\$620,049				

O-Index (2017-2018)															
Cmte. ID: C00747097 Cmte. Name: JUST THE TRUTH POLITICAL ACTION COMMITTEE															
Treasurer Name: SCHWARTZ, JODI Address: P.O. BOX 1302, WASHINGTON GROVE, MD 20880															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
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No records were found for this cycle.

Just the Truth Political Action Committee (C00747097)

Amended 2020 October Quarterly Report, received October 21, 2020

48-Hour Reports Not Timely Filed

Name of Payee	Date of Dissemination(Schedule E)	Expenditure Amount	Candidate Opposed	Election	48-Hour Report Filed
Waldron Strategies	7/9/2020	\$8,053.23	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	7/21/2020	\$11,200.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	7/28/2020	\$15,000.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	8/3/2020	\$13,309.38 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	8/7/2020	\$27,500.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	8/14/2020	\$80,500.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J..	2020 General	12/23/2020
Waldron Strategies	9/3/2020	\$134,375.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	9/3/2020	\$10,372.33 <i>48-Hour Report Required</i>	TRUMP, DONALD J..	2020 General	12/23/2020
Waldron Strategies	9/18/2020	\$90,000.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	9/25/2020	\$65,000.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020

Just the Truth Political Action Committee (C00747097)

2020 12-Day Pre-General Report, received October 21, 2020

48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Opposed	Election	48-Hour Report Filed
Waldron Strategies	10/1/2020	\$7,858.83	TRUMP, DONALD J.	2020 General	12/23/2020
Waldron Strategies	10/2/2020	\$69,000.00 <i>48-Hour Report Required</i>	TRUMP, DONALD J.	2020 General	12/23/2020