

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: November 18, 2021

ANALYST: Michael Adamsky

I. COMMITTEE: Black Voters Matter Action PAC
(C00753277)
Kamau Franklin, Treasurer
3645 Marketplace Blvd
Suite 130-232
Atlanta, GA 30344

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)

Black Voters Matter Action PAC (“the Committee”) failed to timely file eight (8) 24-Hour Reports to support thirty-seven (37) independent expenditures totaling \$538,197.71 disclosed in the 2021 30-Day Post-Runoff Report, made after the 20th day but more than 24 hours before the day of the 2021 Runoff and 2021 Special-Runoff Elections held in the state of Georgia (Attachment 2).

On February 4, 2021, the Committee filed its 2021 30-Day Post-Runoff Report covering the period from December 17, 2020 through January 25, 2021. The report included a Schedule E (Itemized Independent Expenditures) disclosing seventy-two (72) independent expenditures, totaling \$1,582,123.20, made in support or opposition of four (4) federal candidates (Images 202102049427030636-71).

On the same day, the Committee filed nine (9) 24-Hour Reports to support forty-eight (48) independent expenditures, totaling \$754,154.88, disseminated between December 23, 2020 and January 3, 2021. Six (6) of these reports were new 24-Hour

Reports, while three (3) were amended reports (Images 202102049425039865-68, 202102049425039885, 202102049425039899-902, 202102049425039909, 202102049425039918-20, and 202102049425073658-68).

On April 15, 2021, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2021 30-Day Post-Runoff Report, received February 4, 2021. 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 the thirty-seven (37) independent expenditures, totaling \$538,197.71, for which 24-Hour Reports had not been timely filed (Images 202104150300115798-803).²

On June 25, 2021, the Reports Analysis Division (RAD) Analyst called Victoria Perrone, the Committee's representative, to follow-up on the outstanding RFAI regarding the 2021 30-Day Post-Runoff Report, for which there had been no response, and Ms. Perrone indicated that the Committee would file the amendments (Attachment 3).

On July 1, 2021, the RAD Analyst followed-up with Ms. Perrone, but received no answer. The Analyst left a voicemail asking Ms. Perrone to call back (Attachment 3).

Later on the same day, Ms. Perrone returned the Analyst's call. The Analyst walked Ms. Perrone through some questions she had about the RFAI regarding the 30-Day Post-Runoff Report and explained how best to resolve the outstanding issues. The Analyst advised that the Committee provide a Form 99 or memo text that explains why the other 24-Hour Reports were filed late. Ms. Perrone asked about potential fines related to the late-filed 24-Hour Reports, but the Analyst indicated that they could not speak on that matter. The Analyst did explain that the Committee's outstanding matters may be referred to another Commission office for potential further action (Attachment 3).

On July 28, 2021, the Committee filed an Amended 2021 30-Day Post-Runoff Report (Images 202107289452143217-252). The report disclosed no changes to Schedule E, but did include memo text that stated:

"The Committee has filed all applicable 24-Hour Reports of Independent Expenditures (the Reports). Due to inadvertent lapses in the Committee's procedures for reporting independent expenditures, some Reports were filed more than 24 hours after the dissemination of the independent expenditures in question. However, the Committee filed all such Reports promptly upon discovering its error" (Image 202107289452143194).

On October 27, 2021, the Analyst called Ms. Perrone to remind her that the Committee's referable matter regarding the failure to timely file 24/48-Hour Reports

² The RFAI inadvertently questioned two (2) independent expenditures totaling \$12,000.00 that were timely reported on a 24-Hour Report. The RFAI should have only referenced the independent expenditures totaling \$538,197.71 made in support of T. Jonathan Ossoff and Raphael Warnock that were not timely reported.

would be referred to another Commission office for potential further action and explained the Committee did not need to take any further action at this time (Attachment 3).

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

O-Index (2021-2022)															
Cmte. ID: C00753277 Cmte. Name: BLACK VOTERS MATTER ACTION PAC															
Treasurer Name: FRANKLIN, KAMAU Address: 3645 MARKETPLACE BLVD SUITE 130-232, ATLANTA, GA 30344															
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
RQ2	30R	N	4/15/2021	6	202104150300115798	12/17/2020	1/25/2021	4/15/2021	-	-	-	-	-	-	-
RQ2	30R	A	11/9/2021	2	202111090300128820	12/17/2020	1/25/2021	11/9/2021	-	-	-	-	-	-	-
RQ2	MY	N	10/26/2021	2	202110260300127391	4/10/2021	6/30/2021	10/26/2021	-	-	-	-	-	-	-
F3XN	30R	N	2/4/2021	62	202102049427030610	12/17/2020	1/25/2021		\$482,742	\$1,600,455	\$1,248,937	\$834,260	-	-	\$0
F3XA	30R	A	7/28/2021	64	202107289452143189	12/17/2020	1/25/2021		\$482,742	\$1,600,455	\$1,248,937	\$834,260	\$347,127	-	\$347,127
F3XN	30S	N	4/19/2021	18	202104199443829011	1/26/2021	4/9/2021		\$834,260	\$32,935	\$171,463	\$695,732	-	-	\$0
F3XA	30S	A	7/29/2021	19	202107299452155424	1/26/2021	4/9/2021		\$834,260	\$32,935	\$171,463	\$695,732	\$239,127	-	\$239,127
F3XN	MY	N	7/30/2021	34	202107309452384165	4/10/2021	6/30/2021		\$695,732	\$2,275	\$315,042	\$382,964	\$0	-	\$0
F24N	24		1/13/2021	6	202101139398672440				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039865				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039866				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039867				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039868				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039885				-	-	-	-	-	-	-
F24A	24		2/4/2021	4	202102049425039899				-	-	-	-	-	-	-
F24N	24		2/4/2021	1	202102049425039909				-	-	-	-	-	-	-
F24A	24		2/4/2021	3	202102049425039918				-	-	-	-	-	-	-
F24A	24		2/4/2021	11	202102049425073658				-	-	-	-	-	-	-
F24N	24		3/19/2021	1	202103199441643740				-	-	-	-	-	-	-
F1A		A	7/28/2021	5	202107289452143025				-	-	-	-	-	-	-
F24A	24		7/28/2021	6	202107289452143265				-	-	-	-	-	-	-
Totals										\$1,635,665	\$1,735,443				

O-Index (2019-2020)															
Cmte. ID: C00753277 Cmte. Name: BLACK VOTERS MATTER ACTION PAC															
Treasurer Name: FRANKLIN, KAMAU Address: 3645 MARKETPLACE BLVD SUITE 130-232, ATLANTA, GA 30344															
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
RQ2	12R	N	4/6/2021	2	202104060300114553	11/24/2020	12/16/2020	4/6/2021	-	-	-	-	-	-	-
F3XN	Q3	N	10/15/2020	9	202010159294202281	7/29/2020	9/30/2020		\$0	\$800,694	\$8,927	\$791,767	-	-	\$0
F3XN	12G	N	10/22/2020	7	202010229332687777	10/1/2020	10/14/2020		\$791,767	\$1,399	\$5,093	\$788,073	-	-	\$0
F3XN	30G	N	12/3/2020	22	202012039339757452	10/15/2020	11/23/2020		\$788,073	\$301,826	\$310,922	\$778,977	-	-	\$0
F3XN	12R	N	12/23/2020	25	202012239393801595	11/24/2020	12/16/2020		\$778,977	\$87,122	\$383,357	\$482,742	-	-	\$0
F3XA	12R	A	7/28/2021	27	202107289452143142	11/24/2020	12/16/2020		\$778,977	\$87,122	\$383,357	\$482,742	-	-	\$0
F24N	24		12/31/2020	2	202012319394492524				-	-	-	-	-	-	-
F1N		N	7/29/2020	5	202007299261175459				-	-	-	-	-	-	-
F24N	24		11/3/2020	3	202011039336743674				-	-	-	-	-	-	-
F24N	48		11/27/2020	4	202011279337155742				-	-	-	-	-	-	-
F24N	24		12/18/2020	1	202012189393376443				-	-	-	-	-	-	-
F24N	24		12/22/2020	7	202012229393459346				-	-	-	-	-	-	-
F24N	24		12/29/2020	3	202012299394487828				-	-	-	-	-	-	-
Totals										\$1,191,043	\$708,300				

O-Index (2017-2018)

Cmte. ID: C00753277 Cmte. Name: BLACK VOTERS MATTER ACTION PAC															
Treasurer Name: FRANKLIN, KAMAU Address: 3645 MARKETPLACE BLVD SUITE 130-232, ATLANTA, GA 30344															
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.

Black Voters Matter Action PAC (C00753277)
 2021 30-Day Post-Runoff Report, received 2/4/2021

24-Hour Reports Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported	Election	24-Hour Report Filed
Black Voters Matter Action Fund	12/23/2020	\$16.44	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/24/2020	\$450.00	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/25/2020	\$450.00	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/26/2020	\$450.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/27/2020	\$450.00	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/28/2020	\$900.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/29/2020	\$2,700.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/30/2020	\$3,600.00	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/30/2020	\$7,200.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Plateau Event Productions, Inc.	12/31/2020	\$12,225.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	1/13/2021
Marketing on Wheels, LLC	1/1/2021	\$65,147.50	T. Jonathan Ossoff	Runoff 2021	1/13/2021

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 2021 30-Day Post-Runoff Report, received 2/4/2021

24-Hour Reports Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported	Election	24-Hour Report Filed
Sagipion Entertainment Group, LLC	1/1/2021	\$68,000.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	1/13/2021
Atlanta Printers Couriers	1/2/2021	\$24,400.00	T. Jonathan Ossoff	Runoff 2021	1/13/2021
Black Voters Matter Action Fund	1/2/2021	\$15,432.92	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Global Affiliate Solutions, LLP	1/2/2021	\$19,950.00	T. Jonathan Ossoff	Runoff 2021	1/13/2021
Global Affiliate Solutions, LLP	1/2/2021	\$13,300.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	1/13/2021
Black Voters Matter Action Fund	1/3/2021	\$12,150.29	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Resistance Labs, LLC	1/3/2021	\$18,000.00 <i>24-Hour Report Required</i>	T. Jonathan Ossoff	Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/23/2020	\$16.44	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/24/2020	\$450.00	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/25/2020	\$450.00	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/26/2020	\$450.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/27/2020	\$450.00	Raphael Warnock	Special Runoff 2021	2/4/2021

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24-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported/ Opposed	Election	24-Hour Report Filed
Black Voters Matter Action Fund	12/28/2020	\$900.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/29/2020	\$2,700.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/30/2020	\$3,600.00	Raphael Warnock	Special Runoff 2021	2/4/2021
Black Voters Matter Action Fund	12/30/2020	\$7,200.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	2/4/2021
Plateau Event Productions, Inc.	12/31/2020	\$12,225.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	1/13/2021
Black Voters Matter Action Fund	1/1/2021	\$8,553.41	Raphael Warnock	Special Runoff 2021	2/4/2021
Marketing on Wheels, LLC	1/1/2021	\$65,147.50	Raphael Warnock	Special Runoff 2021	1/13/2021
Sagipion Entertainment Group, LLC	1/1/2021	\$68,000.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	1/13/2021
Black Voters Matter Action Fund	1/2/2021	\$15,432.92	Raphael Warnock	Special Runoff 2021	2/4/2021
Global Affiliate Solutions, LLP	1/2/2021	\$19,950.00	Raphael Warnock	Special Runoff 2021	1/13/2021
Global Affiliate Solutions, LLP	1/2/2021	\$13,300.00	Raphael Warnock	Special Runoff 2021	1/13/2021
Atlanta Printers Couriers	1/2/2021	\$24,400.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	1/13/2021

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2021 30-Day Post-Runoff Report, received 2/4/2021

24-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported/ Opposed	Election	24-Hour Report Filed
Black Voters Matter Action Fund	1/3/2021	\$12,150.29	Raphael Warnock	Special Runoff 2021	2/4/2021
Resistance Labs, LLC	1/3/2021	\$18,000.00 <i>24-Hour Report Required</i>	Raphael Warnock	Special Runoff 2021	2/4/2021