

23L-04

REPORTS ANALYSIS DIVISION REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: February 23, 2023

ANALYST: Nick Tarone

- I. COMMITTEE: OkieWay
C00799866
Steven Martin, Treasurer
P.O. Box 12642
Oklahoma City, OK 73112
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(2)
11 C.F.R. § 104.4(b)(2)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Timely File 48-Hour Reports)

OkieWay (“the Committee”) failed to timely file one (1) 48-Hour Report to support one (1) independent expenditure totaling \$344,875.00 disclosed on the 2022 July Quarterly Report, made up to and including the 20th day before the 2022 Special Primary Election in Oklahoma held on June 28, 2022.

On July 15, 2022, the Committee filed the [2022 July Quarterly Report](#) covering the period from April 1, 2022, through June 30, 2022. The report included a [Schedule E \(Itemized Independent Expenditures\)](#) disclosing four (4) independent expenditures totaling \$916,950.00 made in support of one (1) Federal candidate.

Also, on July 15, 2022, the Committee filed one (1) [48-Hour Report](#) to support one (1) independent expenditure totaling \$344,875.00 disseminated on May 7, 2022.

On August 7, 2022, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2022 July Quarterly Report. The RFAI noted that the Committee may have failed to timely file one (1) or more of the required 48-Hour Reports

of independent expenditures. A chart was included with the RFAI identifying one (1) independent expenditure, totaling \$344,875.00, for which a 48-Hour Report had not been timely filed (Attachment 1).

On August 15, 2022, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) in response to the RFAI referencing the 2022 July Quarterly Report. The Committee stated, in part:

“Okieway inadvertently failed to timely file one 48hr Independent Expenditure Notifications later disclosed in the 2022 July Quarterly report. In this instance, the information and notifications of the expenditures were not conveyed in a timely manner from the accounting manager who disbursed the payments to the compliance team filing the reports. The accounting manager subsequently transitioned to another position outside of the firm shortly thereafter, thus contributing to the delay in information transmittal and notification of the issue. As soon as the compliance team realized the omission, the report was filed immediately to ensure that it was placed on the public record.

Okieway takes the Federal Election Campaign Act seriously, and has always acted in good faith to follow all applicable regulations and deadlines. The Committee has reviewed its process thoroughly, has strengthened the procedures in place for these 24 and 48hr filings, and taken internal remedial actions to ensure that these issues are prevented in the future.”

Since September 21, 2022, the Reports Analysis Division (RAD) logged two (2) communications with a representative of the Committee which reflect efforts to help the Committee voluntarily comply with the Act. The Committee confirmed that they had responded to the RFAI via an FEC Form 99, received August 15, 2022. RAD advised the Committee that it may file an FEC Form 99 with any additional clarifying information for the public record and that the matter may be referred to another office at the Commission for further review (Attachment 2). To date, no further communications have been received from the Committee regarding this matter.

Filings and correspondence related to the Committee can be found here: [OkieWay](#).

OkieWay (C00799866)
[2022 July Quarterly Report](#)

48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election	48-Hour Report Received
Del Cielo Media LLC	5/7/22	\$344,875.00 <i>48-Hour Report Required</i>	HOLLAND, LUCAS	2022 OK Special Primary (6/28/22)	7/15/22