



FEDERAL ELECTION COMMISSION  
Washington, DC

March 17, 2025

**VIA ELECTRONIC MAIL**

Jonathon S. Berkon, Esq.  
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[SMahmood@elias.law](mailto:SMahmood@elias.law)

RE: MUR 8353  
Black Voters Matter Action PAC  
and Kamau Franklin in his official  
capacity as treasurer

Dear Mr. Berkon and Ms. Mahmood:

On February 13, 2025, the Federal Election Commission accepted the signed conciliation agreement submitted by your client, Black Voters Matter Action PAC and Kamau Franklin in his official capacity as treasurer, in settlement of a violation of 52 U.S.C. § 30104(g)(1), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 104.4(c), a provision of the Commission's regulations. Accordingly, the file has been closed in this matter, effective today.

Documents related to the case will be placed on the public record today. *See* Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files, along with any applicable Statements of Reasons available at the time of this letter's transmittal. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. Payment can be made online by debit, credit card, or automated clearing house (ACH) withdrawal, using this link to the government's secure portal for online collections: <https://www.pay.gov/public/form/start/316805379>. Payment can also be made by check or money order payable to the Federal Election Commission and sent via regular mail to the Federal Election Commission, 1050 First Street NE, Washington, DC 20463, or by courier or overnight

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Mr. Berkon and Ms. Mahmood

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delivery to the same address but with a different zip code (20002). Please write the matter number "MUR 8353 civil penalty" on the memo line of the check.

If you have any questions, I can be reached at (202) 694-1650 or [pkeller@fec.gov](mailto:pkeller@fec.gov).

Sincerely,

*Pam Keller*

Pam Keller  
Staff Attorney

Enclosure

Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
Black Voters Matter Action PAC and Kamau	)	MUR 8353
Franklin in his official capacity as treasurer	)	

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission (the “Commission”) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Black Voters Matter Action PAC and Kamau Franklin in his official capacity as treasurer (“Respondent” or the “Committee”) violated 52 U.S.C. § 30104(g)(1) of the Federal Election Campaign Act of 1971, as amended (the “Act”), and 11 C.F.R. § 104.4(c) of the Commission regulations by failing to timely report independent expenditures aggregating \$1,000 or more made after the 20th day, but more than 24 hours before an election.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this Agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this Agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:

1. Black Voters Matter Action PAC is an independent expenditure-only committee that registered with the Commission on July 29, 2020. It is a political committee within the meaning of 52 U.S.C. § 30101(4).

2. Kamau Franklin is the treasurer of Black Voters Matter Action PAC.

3. The Act and Commission regulations require political committees that make independent expenditures aggregating \$1,000 or more with respect to a given election after the 20th day, but more than 24 hours before the date of that election to file a 24-hour report to disclose such independent expenditures by 11:59 p.m. Eastern Standard/Daylight Time on the day following the date on which a communication is publicly distributed or otherwise publicly disseminated. 52 U.S.C. § 30104(g)(1); 11 C.F.R. § 104.4(c).

4. On December 8, 2022, the Committee filed the 30-Day Post-General Report, which included the disclosure of three independent expenditures totaling \$158,018 between November 24 and November 28, 2022, in support of one candidate, Raphael Warnock, in connection with the 2022 Senate Runoff Election held in the State of Georgia on December 6, 2022.

5. The independent expenditures were made after the 20th day, but more than 24 hours before the election, and the aggregate amounts with respect to the candidate were \$1,000 or more.

6. The Committee did not file 24-hour reports for these expenditures by 11:59 p.m. Eastern Standard/Daylight Time on the day following the date on which the communications were publicly distributed or otherwise publicly disseminated.

V. Respondent violated 52 U.S.C. § 30104(g)(1) and 11 C.F.R. § 104.4(c) by failing to file the required 24-hour reports for independent expenditures totaling \$158,018.

VI. Respondent will take the following actions:

1. Respondent will pay a civil penalty to the Commission in the amount of Sixteen Thousand Dollars (\$16,000), pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondent will cease and desist from violating 52 U.S.C. § 30104(g)(1) and 11 C.F.R. § 104.4(c).

3. The Committee will send compliance staff to Commission-sponsored compliance training for unauthorized committees within 12 months of the effective date of this Agreement.

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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Conciliation Agreement  
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oral, made by either party or by agents of either party, that is not contained in this written Agreement shall be enforceable.

FOR THE COMMISSION:

**Lisa Jane  
Stevenson**

Digitally signed by Lisa  
Jane Stevenson  
Date: 2025.03.05 11:18:59  
-05'00'

\_\_\_\_\_  
Lisa J. Stevenson  
Acting General Counsel

\_\_\_\_\_  
Date

FOR THE RESPONDENT:



\_\_\_\_\_  
Jonathan S. Berkon  
Counsel for Black Voters Matter Action PAC

\_\_\_\_\_  
1/30/2025  
Date