

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: November 12, 2015

ANALYST: Nataliya Ioffe

- I. COMMITTEE: VoteVets.org Action Fund
C90010620
Peter Mellman, CFO
2201 Wisconsin Avenue NW #320
Washington, DC 20007
- II. RELEVANT STATUTES: 52 U.S.C. §30104(c) and (g)
11 CFR §109.10(b) and (e)

III. BACKGROUND:

Failure to File Reports and Late Filing (Failure to Timely File the 2014 July Quarterly and Year-End Reports)

2014 July Quarterly Report

VoteVets.org Action Fund ("VoteVets.org") failed to timely file the 2014 July Quarterly Report to support the independent expenditures totaling \$295,086.46, disclosed on its 24-Hour Report.

On June 6, 2014, VoteVets.org filed a 24-Hour Report disclosing two (2) independent expenditures totaling \$295,086.46, made in opposition to one (1) federal candidate, on Schedule 5-E (Itemized Independent Expenditures) (Images 14961236404-05).

On August 5, 2014, a Notice of Failure to File was sent to VoteVets.org referencing the 2014 July Quarterly Report. The Notice of Failure to File stated that VoteVets.org may have failed to file the July Quarterly Report for the independent expenditures made during the quarterly report coverage period of April 1, 2014 through June 30, 2014 (Image 14330058905).

On August 8, 2014, VoteVets.org filed a 2014 July Quarterly Report disclosing the independent expenditures totaling \$295,086.46, which were previously reported on the 24-Hour Report, filed on June 6, 2014 (Image 14950003253).¹

2014 Year-End Report

VoteVets.org failed to timely file the 2014 Year-End Report to support the independent expenditures totaling \$786,219.19, disclosed on its 24-Hour Reports.

On October 8, 2014, VoteVets.org filed a 24-Hour Report disclosing two (2) independent expenditures totaling \$309,422.10, made in opposition to one (1) federal candidate, on Schedule 5-E (Images 14978102323-24).

On the same date, VoteVets.org filed another 24-Hour Report disclosing two (2) independent expenditures totaling \$291,797.09, made in support of one (1) federal candidate, on Schedule 5-E (Images 14978102387-88).

Also on the same date, VoteVets.org filed a third 24-Hour Report disclosing one (1) independent expenditure totaling \$185,000.00, made in support of one (1) federal candidate, on Schedule 5-E (Images 14978102426 -27).

On February 19, 2015, a Notice of Failure to File was sent to VoteVets.org referencing the 2014 Year-End Report. The Notice of Failure to File stated that VoteVets.org may have failed to file the Year-End Report for the independent expenditures made during the quarterly report coverage period of October 1, 2014 through December 31, 2014 (Image 15330075856).

On September 10, 2015, a RAD Manager contacted Peter Mellman, the CFO of VoteVets.org, to inform him about the failure to file the 2014 Year-End Report. The RAD Manager indicated that the report was still outstanding and encouraged VoteVets.org to file it with the Commission. The RAD Manager explained the matter was referable and that VoteVets.org had the option to provide an additional explanation for the public record (Attachment 2).

On September 21, 2015, a RAD Manager called Mr. Mellman to follow up on the issue of the 2014 Year-End Report. Mr. Mellman indicated it would be filed in the next few days. The RAD Manager also mentioned the late filing of the 2014 July Quarterly Report, and explained that these matters would be referable for further review by another Commission office. The RAD Manager reiterated that VoteVets.org had the option to provide an additional explanation for the public record (Attachment 2).

¹ On August 25, 2014, a Request for Additional Information (RFAI) was sent to VoteVets.org referencing the 2014 July Quarterly Report. The RFAI requested clarification concerning donations received to support the disclosed independent expenditures (Image 14330059972). On September 26, 2014, VoteVets.org filed a Miscellaneous Electronic Submission ("FEC Form 99") indicating that no donations were received for the purpose of furthering the reported independent expenditures (Image 14031294207).

O-Index (2015-2016)													
Cmte. Name: VOTEVETS.ORG ACTION FUND													
Cmte. ID: C90010620 Address: 2201 WISCONSIN AVE NW #320, WASHINGTON, DC 20007													
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	AI	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits & Loans
MS-T			2/24/2015	3	150314008711	7/1/2014	9/30/2014			\$0		\$0	
Totals													

O-Index (2013-2014)													
Cmte. Name: VOTEVETS.ORG ACTION FUND													
Cmte. ID: C90010620 Address: 2201 WISCONSIN AVE NW #320, WASHINGTON, DC 20007													
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	AI	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits & Loans
MS-T			9/26/2014	3	14031294207	4/1/2014	6/30/2014						
RQ2	Q2	N	8/5/2014	1	14330058805	4/1/2014	6/30/2014	8/5/2014					
RQ2	Q2	N	8/25/2014	2	14330059972	4/1/2014	6/30/2014	8/25/2014					
RQ2	Q3	N	1/13/2015	3	15330071928	7/1/2014	9/30/2014	1/13/2015					
RQ2	YE		2/19/2015	1	15330075856	10/1/2014	12/31/2014	2/19/2015					
F5N	24	N	4/24/2013	2	13940617798	4/23/2013	4/25/2013		\$0	\$48,656		\$0	\$48,656
F5N	Q2	N	7/30/2013	2	13941286094	4/1/2013	6/30/2013		\$0	\$295,086		\$0	\$295,086
F5N	24	N	6/6/2014	2	14861236404	6/5/2014	6/18/2014		\$0	\$295,086		\$0	\$295,086
F5N	Q2	N	8/8/2014	2	14950003253	4/1/2014	6/30/2014		\$0	\$100,000		\$0	\$100,000
F5N	24	N	7/23/2014	2	14962157355	7/22/2014	7/28/2014		\$0	\$75,000		\$0	\$75,000
F5N	24	N	8/7/2014	2	14950000136	8/6/2014	8/9/2014		\$0	\$389,348		\$0	\$389,348
F5N	24	N	9/20/2014	2	14970654991	8/19/2014	8/29/2014		\$0	\$299,904		\$0	\$299,904
F5N	24	N	9/3/2014	2	14950085873	9/2/2014	9/6/2014		\$0	\$145,000		\$0	\$145,000
F5N	24	N	9/3/2014	2	14950085959	9/2/2014	9/9/2014		\$0	\$30,000		\$0	\$30,000
F5N	24	N	9/4/2014	2	14970737483	9/3/2014	9/9/2014		\$0	\$225,453		\$0	\$225,453
F5N	Q3	N	10/15/2014	4	14974328493	7/1/2014	9/30/2014		\$0	\$309,421		\$0	\$309,421
F5N	24	N	10/8/2014	2	14978102323	10/7/2014	10/13/2014		\$0	\$291,797		\$0	\$291,797
F5N	24	N	10/8/2014	2	14978102387	10/7/2014	10/13/2014		\$0	\$185,000		\$0	\$185,000
F5N	24	N	10/8/2014	2	14978102426	10/7/2014	10/13/2014		\$0	\$766,219		\$0	\$766,219
F5N	YE		9/23/2015	3	20150923800274886	10/1/2014	12/31/2014		\$0	\$4,334,628		\$0	\$4,334,628
Totals													

O-Index (2011-2012)													
Cmte. Name: VOTEVETS.ORG ACTION FUND													
Cmte. ID: C90010620 Address: 2201 WISCONSIN AVE NW #320, WASHINGTON, DC 20007													
Cmte. Type: I (INDEPENDENT EXPENDITURE - PERSON OR GROUP NOT A COMMITTEE) Filing Frequency: QUARTERLY FILER													
Form Tp	Rpt Tp	AI	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits & Loans
MS-T			10/1/2012	4	12030891438	4/1/2012	6/30/2012						
RQ2	24	N	8/22/2012	2	12330011316	5/1/2012	5/28/2012	8/22/2012					
RQ2	24	N	8/22/2012	2	12330011320	5/30/2012	6/11/2012	8/22/2012					
RQ2	Q2	N	7/30/2012	2	12030884906	4/1/2012	6/30/2012	7/30/2012					
RQ2	Q2	N	8/22/2012	2	12330011314	4/1/2012	6/30/2012	8/22/2012					
RQ2	24	N	8/22/2012	2	12330011318	8/26/2012	7/10/2012	8/22/2012					
RQ2	24	N	8/22/2012	2	12330011322	7/23/2012	7/24/2012	8/22/2012					
RQ2	24	N	8/22/2012	2	12330011324	7/24/2012	7/26/2012	8/22/2012					

RQ2	24	N	9/22/2012	2	12330011326	7/30/2012	8/1/2012	8/29/2012	
RQ2	24	N	11/6/2012	2	12330015385	10/2/2012	10/2/2012	11/6/2012	
RQ2	24	N	11/6/2012	2	12330015381	8/7/2012	8/9/2012	11/6/2012	
RQ7	24	N	10/31/2012	2	12040042990	10/1/2012	10/3/2012	10/31/2012	
RQ7	YE		2/19/2013	1	13330025201	10/1/2012	12/31/2012	2/19/2013	
F5N	24	N	9/16/2012	2	12972448947	5/16/2012	5/29/2012		\$59,304
F5N	24	A	8/26/2012	2	12972445321	5/16/2012	5/29/2012		\$98,364
F5N	24	N	8/30/2012	2	12972445321	5/16/2012	5/29/2012		\$50,000
F5A	24	A	9/26/2012	2	12972445324	5/30/2012	6/1/2012		\$50,000
F5N	Q2	N	8/1/2012	3	1281837192	7/2/2012	8/8/2012		\$237,253
F5N	24	N	8/28/2012	2	1292232441	8/26/2012	7/10/2012		\$57,900
F5A	24	A	9/28/2012	2	12872445326	8/26/2012	7/10/2012		\$87,800
F5N	24	N	7/24/2012	2	12971832675	7/23/2012	7/24/2012		\$32,012
F5A	24	A	9/28/2012	2	12872445326	7/24/2012	7/24/2012		\$52,512
F5N	24	N	7/25/2012	2	12971832961	7/24/2012	7/25/2012		\$71,143
F5A	24	A	9/26/2012	2	12872445330	7/24/2012	7/25/2012		\$11,143
F5N	24	N	7/31/2012	2	12971836823	7/30/2012	8/1/2012		\$48,896
F5A	24	A	9/28/2012	2	12872445333	7/30/2012	8/1/2012		\$48,896
F5N	24	N	6/7/2012	2	12971843532	8/6/2012	8/8/2012		\$42,261
F5A	24	A	12/10/2012	2	12961708661	8/6/2012	8/8/2012		\$42,261
F5N	24	N	8/8/2012	2	129718441991	8/7/2012	8/9/2012		\$5,428
F5A	24	A	12/10/2012	2	12961708663	8/7/2012	8/9/2012		\$5,428
F5N	24	N	9/27/2012	2	129542410081	9/27/2012	9/30/2012		\$16,850
F5N	23	N	7/15/2012	5	12861235518	7/12/2012	9/30/2012		\$399,710
F5N	24	N	10/5/2012	2	129724606621	10/4/2012	10/10/2012		\$314,485
F5N	24	N	10/16/2012	2	12872445321	10/15/2012	10/16/2012		\$117,012
F5N	24	N	10/19/2012	2	12990068080	10/18/2012	10/21/2012		\$73,768
F5N	23	N	10/27/2012	3	12861095824	10/25/2012	10/27/2012		\$55,603
F5N	24	N	10/23/2012	2	12860068672	10/22/2012	10/28/2012		\$194,059
F5N	24	N	10/23/2012	2	12861095824	10/23/2012	10/23/2012		\$155,000
F5N	24	N	11/2/2012	2	12940749313	11/1/2012	11/1/2012		\$14,719
F5N	24	N	10/31/2012	2	12861235518	10/30/2012	11/5/2012		\$500,000
F5N	24	N	10/4/2012	2	12872445321	10/3/2012	11/6/2012		\$48,055
F5N	24	N	10/22/2012	2	12861095824	10/22/2012	11/6/2012		\$100,000
F5N	YE	N	3/5/2013	8	13940335256	10/1/2012	12/31/2012		\$1,553,519
Totals									\$0 \$4,712,657