



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 8, 2021

DONNA DOE TESTA, TREASURER
FEDUP POLITICAL ACTION COMMITTEE
AKA FEDUP PAC
9625 SURVEYOR COURT SUITE 400
MANASSAS, VA 20110

Response Due Date
04/12/2021

IDENTIFICATION NUMBER: C00455923

REFERENCE: 30 DAY POST-GENERAL REPORT (10/15/2020 - 11/23/2020)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Schedule E discloses Calendar Year-To-Date Per Election totals for Virginia House District 05 and President which appear to be incorrect. Please amend your report to provide the correct total(s) on Schedule E. (52 U.S.C. §30104(b)(4) and 11 CFR §104.4(f))
2. Schedule E for Line 24 of your report discloses MEMO entries for apparent independent expenditures made on behalf of "JOSEPH R BIDEN JR," "DONALD J. TRUMP," "DAVID PERDUE," "KELLY LOEFFLER," and "ROBERT G. GOOD" during this reporting period. However, a Schedule D supporting Line 10 has not been provided. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. Subsequently, when the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if applicable. Please amend your report to clarify this apparent discrepancy. (11 CFR §104.4)
3. Itemized independent expenditures must include a brief statement or description of why the expenditures were made. Please amend Schedule E of your report to clarify the following description: "Creative, Production (Estimate)." For further guidance regarding acceptable purposes, please refer to

FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC

Page 2 of 3

11 CFR §104.3(b)(3).

Additional information regarding inadequate purposes of disbursement published in the Federal Register can be found at <https://www.fec.gov/help-candidates-and-committees/purposes-disbursement>

4. Your committee filed 24-hour reports informing the Commission of independent expenditures made in support or opposition of federal candidates with "American Target Advertising" as the payee. However, the amounts and dates of public dissemination disclosed on these reports do not appear to correlate with the entries on Schedule E, supporting Line 24 for the reporting period. If your committee has filed 24- or 48-hour reports supporting independent expenditures not reflected on your reports, you must file Schedule E during the appropriate reporting period to disclose these payments. Please amend your report to clarify this discrepancy and provide further information concerning these reports. (11 CFR §104.4)

5. Schedule E supporting Line 24 of your report discloses independent expenditures on behalf of "DAVID PERDUE" and "KELLY LOEFFLER" which appear to have been publicly disseminated or distributed after the general election date. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR § 104.11. When the payment for the independent expenditure is made, the report should show a payment on Schedule E and the same payment on Schedule D, if applicable.

Please amend your report to provide further clarifying information regarding the independent expenditure(s) disclosed after the general election date.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just

FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC

Page 3 of 3

those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number(202) 694-1176.

Sincerely,



Michael Adamsky
Senior Campaign Finance Analyst