



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 11, 2021

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

Response Due Date
12/16/2021

IDENTIFICATION NUMBER: C00455923

REFERENCE: MID-YEAR REPORT (01/26/2021 - 06/30/2021)

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 8 item(s):

1. The beginning cash balance of this report does not equal the ending balance of your Amended 30 Day Post-Runoff Report (12/17/20 - 1/25/21), received 5/20/21. Please correct this discrepancy and amend all subsequent report(s) that may be affected by the correction. (52 U.S.C. §30104(b))
2. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The following employer name and occupation entries appear on your report and are not considered acceptable: "US Gov/Engineer," "Information Requested/Information Requested," "Self/Self Employed," and "KHC/P.T."

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC

Page 2 of 4

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution,
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

3. Commission Regulations require the continuous reporting of all outstanding debts. This report omits debts itemized on your previous report(s). Please file an amendment to your report to disclose the current status of these omitted debts: \$102.41 owed to Data Management Inc., \$4,917.17 owed to Morgan Meredith & Associates, \$4,869.82 owed to Morgan Meredith & Associates, \$6,411.09 owed to MVP Press, \$4,906.71 owed to MVP Press, and \$2,905.44 owed to MVP Press. (11 CFR §§ 104.3(d) and 104.11)

4. Schedule D of your report itemizes debts owed to "Shirley & McVicker Public Affairs" and "American Target Advertising" with outstanding beginning balances not included on your previous report. Please file an amendment to your report(s) to correct this discrepancy. (11 CFR § 104.11(b))

5. Schedule E of your report indicates that your committee may have failed to

FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC

Page 3 of 4

file one or more of the required 24 hour report(s) regarding "last minute" independent expenditures (see attached). A political committee must file a 24 hour report with the Federal Election Commission as specified in 11 CFR §104.4(c), within 24 hours of any independent expenditures of \$1,000 or more with respect to a given election, made between two and twenty days before an election. The report must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures that aggregate \$1,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

6. Your committee has filed a 24 hour report for independent expenditures supporting "Mark Moores" (see attached) which has not been itemized on Schedule E supporting Line 24 of the Detailed Summary Page. Please be advised that independent expenditures disclosed on 24 hour reports must also be itemized on a corresponding Schedule E or MEMO Schedule E and Schedule D (if applicable), in the appropriate reporting period. Further, if the actual payment(s) for the independent expenditure(s) occurs after the date of dissemination, the appropriate report(s) should continue to show payment on Schedule E and Schedule D, until the debt is fully extinguished. Please amend your report and any subsequent reports that may be affected by this correction. (11 CFR §104.4)

7. Your committee filed 24 hour reports informing the Commission of independent expenditures made in support or opposition of federal candidates with "Cision PR Newswire" 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)

8. Schedule E supporting Line 24 of your report discloses independent expenditures on behalf of "Donald J. Trump" 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

FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC

Page 4 of 4

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 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 (RAI), 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

Missing 24 Hour Report (Schedule E)**FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC (C00455923)**

Name of Payee	Dissemination Date	Amount	Candidate	Election
American Target Advertising	5/27/21	\$600.00	MOORES, MARK	SG2021
American Target Advertising	5/29/21	\$994.69	MOORES, MARK	SG2021
American Target Advertising	5/29/21	\$500.00	MOORES, MARK	SG2021
American Target Advertising	5/29/21	\$500.00	MOORES, MARK	SG2021

Missing Schedule E (24 Hour Report)**FEDUP POLITICAL ACTION COMMITTEE AKA FEDUP PAC (C00455923)**

Name of Payee	Dissemination Date	Amount	Candidate	Election
American Target Advertising	5/29/21	\$250.00	Moores, Mark	SG2021
Facebook	5/30/21	\$125.00	Moores, Mark	SG2021
Facebook	5/31/21	\$125.00	Moores, Mark	SG2021
Facebook	6/1/21	\$125.00	Moores, Mark	SG2021
Facebook	5/29/21	\$125.00	Moores, Mark	SG2021