

23L-11

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: March 29, 2023

ANALYST: Nick Tarone

- I. COMMITTEE: Stand for NH PAC
C00799460
Chris Marston, Treasurer
PO BOX 26141
Alexandria, VA 22313
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(1)
11 C.F.R. § 104.4(c)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to File 24-Hour Reports)

Stand for NH PAC (“the Committee”) failed to file one (1) 24-Hour Report to support three (3) independent expenditures totaling \$66,950.00 disclosed on the 2022 October Quarterly Report, made after the 20th day but more than 24 hours before the day of the 2022 New Hampshire Primary Election held on September 13, 2022 (Attachment 1).

On October 10, 2022, the Committee filed its [2022 October Quarterly Report](#), covering the period from July 1, 2022, through September 30, 2022. The report included a [Schedule E \(Itemized Independent Expenditures\)](#) disclosing ten (10) independent expenditures totaling \$477,181.25 made in support of or opposition to three (3) federal candidates.

On December 4, 2022, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the 2022 October Quarterly Report. The RFAI noted that the Committee may have failed to file one (1) or more of the required 24-Hour Reports of independent expenditures. A chart was included with the RFAI identifying three (3) independent expenditures totaling \$66,950.00, for which a 24-Hour Report had not been filed (Attachment 1).

RAD Referral 23L-11
Stand for NH PAC
Page 2 of 2

Since February 22, 2022, the Reports Analysis Division (RAD) Analyst logged one (1) communication with a representative of the Committee which reflects efforts to help the Committee voluntarily comply with the Act regarding the matter referenced above. The RAD Analyst notified Chris Marston, Treasurer, that the Committee may be referred to another Commission office for further review. The RAD Analyst advised the Committee they could file an FEC Form 99 (Miscellaneous Electronic Submission) to provide any additional information on the public record involving this matter (Attachment 2).

On February 25, 2022, the Committee filed an [FEC Form 99](#) in response to the RFAI referencing the 2022 October Quarterly Report. The Committee stated:

“The Committee received a request for additional information (RFAI) dated December 4, 2022, regarding its October Quarterly Report (07/01/2022 - 09/30/2022). The Commission notes in the RFAI that the Committee may have failed to file 24-hour reports for three independent expenditures disseminated on September 6, 2022. The Committee has reviewed its records and the reports on file with the Commission. The Commission is correct that the three independent expenditures in question do not appear on the 24-Hour report filed on September 7, 2022. The Committee is at a loss to explain the omission. The FECFile database the Committee uses to file its reports has a report matching each of those filed with the Commission. However, in its database, the Committee's report filed on September 7, 2022, lists the three independent expenditures at issue. The Committee notes that the Calendar Year-To-Date Per Election for Office Sought amount on the report filed on September 9, 2022, reflects the amount of the three expenditures that do not appear on the September 7 report. The Committee is willing to make its FECFile database available to the Commission if that would assist in determining the inconsistencies between the report filed and the Committee's record. The Committee can not dismiss the possibility of an error on its part, but is unable to explain the discrepancy.”

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: [Stand for NH PAC](#).

Stand for NH PAC (C00799460)2022 October Quarterly Report24-Hour Report Not Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported or Opposed	State and Date of Election
Creative Strategic Solutions, LLC	9/6/2022	\$61,950.00 <i>24-Hour Report Required</i>	SMITH, KEVIN H.	2022 NH Primary (9/13/2022)
Creative Strategic Solutions, LLC	9/6/2022	\$2,500.00 <i>24-Hour Report Required</i>	BOLDUC, DONALD C.	2022 NH Primary (9/13/2022)
Creative Strategic Solutions, LLC	9/6/2022	\$2,500.00 <i>24-Hour Report Required</i>	MORSE, CHUCK	2022 NH Primary (9/13/2022)