



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

September 23, 2021

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR* *BH*  
Kristin D. Roser/Ben Holly  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2021 Mid-Year Report for the  
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2021 Mid-Year Report in accordance with 52 U.S.C. § 30104(a). The Mid-Year Report was due on July 31, 2021.

The committees listed on the attached RTB Circulation Report either failed to file the report or filed the report no more than thirty (30) days after the due date (considered a late filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

Federal Election Commission  
Reason to Believe Circulation Report  
2021 MID-YEAR REPORT Not Election Sensitive 07/31/2021 UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
4241	C00738237	PEOPLE'S ACTION POWER		BREE CARLSON	\$294,721	0	8/9/2021	9	\$294,721	\$4,927
4243	C00522458	TOGETHER WE THRIVE		CHRISTOPHER ZULLO	\$104,451	1		Not Filed	\$104,451 (est)	\$8,418
4244	C00616912	WOMEN VOTE SMART		AMY S. KREMER	\$145,616	3		Not Filed	\$145,616 (est)	\$11,786

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Reason To Believe Recommendation - 2021	)	
Mid-Year Report for the Administrative	)	
Fine Program:	)	
PEOPLE'S ACTION POWER, and	)	AF# 4241
CARLSON, BREE as treasurer;	)	
TOGETHER WE THRIVE, and	)	AF# 4243
CHRISTOPHER ZULLO as treasurer;	)	
WOMEN VOTE SMART, and KREMER,	)	AF# 4244
AMY S as treasurer;	)	

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 27, 2021 the Commission took the following actions on the Reason To Believe Recommendation - 2021 Mid-Year Report for the Administrative Fine Program, as recommended in the Reports Analysis Division's Memorandum dated September 23, 2021, on the following committees:

AF#4241 Decided by a vote of 4-0 to: (1) find reason to believe that PEOPLE'S ACTION POWER, and CARLSON, BREE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioners Broussard and Cooksey did not vote.

AF#4243 Decided by a vote of 4-0 to: (1) find reason to believe that TOGETHER WE THRIVE, and CHRISTOPHER ZULLO in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioners Broussard and Cooksey did not vote.

AF#4244 Decided by a vote of 4-0 to: (1) find reason to believe that WOMEN VOTE SMART, and KREMER, AMY S in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Dickerson, Trainor, Walther, and Weintraub voted affirmatively for the decision. Commissioners Broussard and Cooksey did not vote.



Attest:

**Laura e  
Sinram**

Laura E. Sinram  
 Acting Secretary and Clerk of the  
 Commission

Digitally signed by Laura  
 e Sinram  
 Date: 2021.09.29 16:00:10  
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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

September 30, 2021

Bree Carlson, in official capacity as Treasurer  
People's Action Power  
1285 Stratford Avenue  
Suite G, #239  
Dixon, CA 95620

C00738237

AF#: 4241

Dear Ms. Carlson,

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Mid-Year Report of Receipts and Disbursements in any calendar year other than one during which a regularly scheduled general election is held. This report, covering the period January 1, 2021 through June 30, 2021, shall be filed no later than July 31, 2021. 52 U.S.C. § 30104(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on August 9, 2021, 9 days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On September 27, 2021, the FEC found that there is reason to believe ("RTB") that People's Action Power and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before July 31, 2021. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,927. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/pay.shtml> 11 CFR § 111.34. Your payment of \$4,927 is due within forty (40) days of the finding, or by November 6, 2021, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$294,721  
Number of Days Late: 9  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

## PEOPLE'S ACTION POWER

Page 2 of 5

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or November 6, 2021. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

Please note, the Federal Election Commission's office remains closed to visitors and most of its employees are continuing to telework in an effort to limit the spread of coronavirus (COVID-19). The Commission is processing some documents submitted by mail, though processing will not occur daily until the agency resumes normal mail operations. Nevertheless, a challenge to an RTB finding and/or calculated civil money penalty must be received on time. Thus, all written responses and supporting documentation should be converted to PDF (Portable Document Format) and must be emailed to [administrativefines@fec.gov](mailto:administrativefines@fec.gov). The Commission encourages the use of electronic signatures on electronically submitted documents, but scanned copies of ink signatures will be accepted. Electronically submitted challenges will be deemed received on the date it is electronically received by staff.

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). For a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

## PEOPLE'S ACTION POWER

Page 3 of 5

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that People's Action Power and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute



## PEOPLE'S ACTION POWER

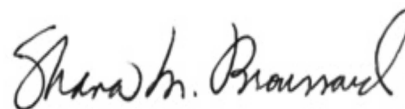
Page 4 of 5

acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Jamie Sikorsky in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Shana M. Broussard  
Chair

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ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$4,927 for the 2021 Mid-Year Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Jamie Sikorsky in the Reports



PEOPLE'S ACTION POWER

Page 5 of 5

Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: People's Action Power

FEC ID#: C00738237

AF#: 4241

PAYMENT DUE DATE: November 6, 2021

PAYMENT AMOUNT DUE: \$4,927

**RECEIVED**

By Office of the Commission Secretary at 10:26 am, Mar 22, 2022



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

March 22, 2022

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the 2021 Mid-Year Report

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2021 Mid-Year Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

**RAD Recommendation**

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

Federal Election Commission  
FD Circulation Report Fine Paid  
2021 MID-YEAR REPORT Not Election Sensitive 07/31/2021 UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
4241	PEOPLE'S ACTION POWER		C00738237	BREE CARLSON	08/09/2021	9	\$294,721	0	09/27/2021	\$4,927	\$4,927	02/03/2022	\$4,927

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2021 MID-YEAR REPORT Not Election Sensitive 07/31/2021 UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
4243	TOGETHER WE THRIVE		C00522458	CHRISTOPHER ZULLO		Not Filed	\$104,451 (est)	1	09/27/2021	\$8,418	176	\$8,418
4244	WOMEN VOTE SMART		C00616912	AMY S. KREMER		Not Filed	\$145,616 (est)	3	09/27/2021	\$11,786	176	\$11,786

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Administrative Fine Program - Final	)	
Determination Recommendation for the	)	
2021 Mid-Year Report:	)	
PEOPLE'S ACTION POWER, and	)	AF# 4241
CARLSON, BREE as treasurer;	)	
TOGETHER WE THRIVE, and	)	AF# 4243
CHRISTOPHER ZULLO as treasurer;	)	
WOMEN VOTE SMART, and KREMER,	)	AF# 4244
AMY S as treasurer;	)	

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on March 23, 2022 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2021 Mid-Year Report, as recommended in the Reports Analysis Division's Memorandum dated March 22, 2022, on the following committees:

AF#4241 Decided by a vote of 5-0 to: (1) make a final determination that PEOPLE'S ACTION POWER, and CARLSON, BREE in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

AF#4243 Decided by a vote of 5-0 to: (1) make a final determination that TOGETHER WE THRIVE, and CHRISTOPHER ZULLO in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Federal Election Commission  
Certification for Administrative Fine  
Program - Final Determination  
Recommendation for the 2021 Mid-Year  
Report  
March 23, 2022

Page 2

AF#4244 Decided by a vote of 5-0 to: (1) make a final determination that WOMEN VOTE SMART, and KREMER, AMY S in their official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Broussard, Cooksey, Dickerson, Walther, and Weintraub voted affirmatively for the decision. Commissioner Trainor did not vote.

Attest:



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March 25, 2022

Date

**Vicktoria J Allen** Digitally signed by Vicktoria J Allen  
Date: 2022.03.25 12:14:51 -04'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

March 25, 2022

Bree Carlson, in official capacity as Treasurer  
People's Action Power  
1285 Stratford Avenue  
Suite G, #239  
Dixon, CA 95620

C00738237  
AF#: 4241

Dear Ms. Carlson,

On September 27, 2021, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that People's Action Power and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2021 Mid-Year Report. By letter dated September 30, 2021, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$4,927, in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On February 3, 2022, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on March 23, 2022 that People's Action Power and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$4,927, in accordance with 11 C.F.R. § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on our toll-free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in blue ink, appearing to read "Allen J. Dickerson".

Allen J. Dickerson  
Chairman