



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 7, 2021

Poder NC Action
PO Box 445
Raleigh, NC 27602

Response Due Date
June 28, 2021

Re: ADR 1025 (RAD 21L-29)
Poder NC Action

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division (RAD) was based on a review of reports filed by Poder NC Action, which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Poder NC Action (the Respondent). The ADR Program provides the Respondent with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

The Reports Analysis Division (RAD) referred Poder NC Action (the Respondent) for failing to timely file two (2) 48-Hour Reports totaling \$132,671.24 to support eight (8) independent expenditures disclosed on the Amended 2020 October Quarterly Report, received December 30, 2020.

On January 1, 2021, the Respondent filed a Form 99 (Miscellaneous Electronic Submission) stating that the error was caused by and future filings would be filed timely.

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
1050 FIRST STREET N.E., WASHINGTON, DC 20463
TELEPHONE: (202) 694-1152
EMAIL: RMARSHALL@FEC.GOV

In a Form 99 (Miscellaneous Electronic Submission) filed on January 1, 2021, the Respondent states that the failure to file the 48-Hour Reports was due to a misunderstanding of the reporting requirements and future filings will be filed on time.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days from the date of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 1025**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

A handwritten signature in black ink that reads "Rosa Marshall". The signature is written in a cursive, flowing style.

Rosa Marshall
Assistant Director
Alternative Dispute Resolution Office