

21L-31

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 21, 2021

ANALYST: Clyde Hinton

- I. COMMITTEE: Stronger Foundations, Inc.
C00760546
Andrew DiPalma, Treasurer
100 Charles Ewing Blvd., Suite 160
C/O Corporation Service Company
Ewing, NJ 08628
- II. RELEVANT STATUTE: 52 U.S.C § 30104(g)
11 CFR § 104.4(b)(2)
11 CFR § 104.4(c)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Timely File 24-Hour and 48-Hour Reports)

Stronger Foundations, Inc. (“the Committee”) failed to timely file one (1) 48-Hour Report supporting four (4) independent expenditures totaling \$121,074.00 disclosed on the 2020 July Quarterly Report, made up to and including the 20th day before the 2020 Primary Election held in the state of New Jersey and the 2020 General Election. Additionally, the Committee failed to timely file one (1) 24-Hour Report supporting one (1) independent expenditure totaling \$10,500.00 disclosed on the 2020 July Quarterly Report, made after the 20th day but no more than 24 hours before the day of the 2020 Primary Election held in the state of New Jersey (Attachment 2).

On October 14, 2020, the Committee filed its 2020 July Quarterly Report, covering the period from April 1, 2020 through June 30, 2020. The report included a Schedule E

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(Itemized Independent Expenditures) disclosing five (5) independent expenditures, totaling \$131,574.00, made in support of one (1) Federal candidate The Committee failed to file one (1) 48-Hour Report to support four (4) independent expenditures, totaling \$121,074.00, and failed to file one (1) 24-Hour Report to support one (1) independent expenditure, totaling \$10,500.00, for the 2020 Primary Election held in the state of New Jersey and 2020 General Election (Images 202010149285842376-78).

On January 25, 2021, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2020 July Quarterly Report. Among other items, the RFAI noted that the Committee may have failed to file one (1) or more of the required 24-Hour and 48-Hour Reports for independent expenditures disclosed in the report. A chart was included with the RFAI identifying four (4) independent expenditures, totaling \$121,074.00, for which one (1) or more of the required 48-Hour Reports had not been filed, and one (1) independent expenditure, totaling \$10,500.00, for which one (1) required 24-Hour Report had not been filed (Images 202101250300101814-19).

On March 1, 2021, Steve Kleinman, the Committee's attorney, called the Reports Analysis Division (RAD) Analyst in response to the RFAI sent January 25, 2021. He wanted to know if the 24- and 48-Hour Reports were still required and the Analyst confirmed they were (Attachment 3).

On the same date, the Committee filed an FEC Form 99 (Miscellaneous Electronic Submission), which stated, in part:

"With respect to the claimed failure to file the various 48 and 24 hour reports, it is important to understand that these events occurred at the height of the COVID-19 pandemic, which during the relevant time period was particularly devastating in New Jersey, where Stronger is based. In February 2020, Stronger filed its FEC Form 1, which was mailed to your offices via USPS on February 24, 2020. Stronger's representatives confirmed the FEC's receipt of this form on March 2, 2020³. Shortly thereafter, the FEC closed its offices to the public for health and safety reasons and transitioned to remote operations. As such, Stronger did not receive confirmation from the FEC accepting this filing and providing for electronic filing of reports. Stronger's representatives contacted the FEC multiple times by telephone for guidance on filing reports in the absence of this confirmation and was informed to simply maintain its records for submission once its committee number had been assigned and a PIN issued so that all required reports could be filed on-line. Finally, on October 2, 2020, Stronger's Treasurer, working with the FEC's technical support staff, was able to obtain the necessary information to be able to electronically file all outstanding reports, and did so very shortly thereafter. This is reflected on Stronger's FEC Form 1 filing, signed by Treasurer Andrew DiPalma on October 6, 2020, which contains the

³ The Statement of Organization and communication logs linked to the previously terminated Stronger Foundations Inc. (C00678623) are attached to this referral for reference.

following representation: As per conversations with FEC staff, we have been trying to receive our new committee # since it was received by the FEC by mail on 3/2/2020. Given the work from home issues caused by the COVID-19 pandemic we did not receive a new number but were advised by phone our paperwork was received. After several calls, tech support has opened the old committee and advised us to refile - which we are doing. Of course, at that point, the election for which the 48 and 24 hour reports were

due, the New Jersey primary election originally scheduled for June 2, 2020 but moved by Executive Order of Governor Phillip D. Murphy to July 7, 2020, had long past. As such, it appeared superfluous to file these reports considering all of the required information was included in the April 2020 and July 2020 Quarterly Reports. Nonetheless, based on my conversation with you earlier today, Stronger is filing the requested 48 and 24 hour reports so that the record is complete. However, by filing these reports, Stronger is not conceding that it violated the FECA or its associated regulations for the reasons I have explained. Alternatively, while understanding that the FEC does not have the statutory authority to extend filing deadlines, Stronger respectfully requests that the FEC exercise its discretion not to pursue administrative fines against it as it was prevented from filing by reasonably unforeseen circumstances beyond its control. To the extent that further documentation may be required, Stronger is prepared to submit affidavits or other proof of the representations made above” (Images 202103019431309977-79).

On March 2, 2021, Mr. Kleinman called to confirm receipt of its FEC Form 99. The RAD Analyst confirmed the Commission had received the FEC Form 99 on March 1, 2021. Mr. Kleinman stated that the Committee had experienced difficulties and was unable to file the missing 48-Hour Report. The Analyst offered guidance and Mr. Kleinman said he would put the Analyst in contact with the person who files the Committee’s reports (Attachment 3).

Later the same day, Mr. Kleinman called and informed the RAD Analyst that the person who prepares and files the Committee’s reports was unavailable. The Analyst provided a convenient timeframe for a discussion the following day (Attachment 3).

On March 3, 2021, Mr. Kleinman and Kathleen Donahue, the Committee’s Compliance Officer, called the RAD Analyst. Ms. Donahue stated that she was quite familiar with filing 24- and 48-Hour Reports and wanted to know the applicable election for the required 48-Hour Reports cited in the RFAI. The Analyst told her that the 48-Hour Reports were for the 2020 Primary and General Elections. She assured the Analyst that the missing reports would be promptly filed. Mr. Kleinman also stated that he would address the correspondence received from the Commission (Attachment 3).

Later on the same date, Ms. Donahue called with questions about filing via the FECFile software. The Analyst provided instructions for filing the Committee’s 24- and 48-Hour Reports in FECFile (Attachment 3).

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Subsequently, on March 3, 2021, the Committee filed one (1) 48-Hour Report to support four (4) independent expenditures, totaling \$127,324.00, disseminated on March 30, 2020, June 3, 2020, and June 30, 2020 (Images 202103039440053496-98), and one (1) 24-Hour Report to support one (1) independent expenditure, totaling \$10,500.00, disseminated on June 3, 2020 (Images 202103039440053500).

On March 10, 2021, the Analyst spoke with Mr. Kleinman about the apparent violations referenced in the RFAI and informed him that the matter could be referred to another Commission office for potential further action. The Analyst advised that the Committee had the option to provide additional information on the public record via an FEC Form 99. Mr. Kleinman stated that he was aware of the potential referral and would respond to all correspondence received by the Committee (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2021-2022)															
Cmte. ID: C00760546 Cmte. Name: STRONGER FOUNDATIONS, INC.															
Treasurer Name: DIPALMA, ANDREW Address: 100 CHARLES EWING BLVD SUITE 160 C/O CORPORATION SERVICE COMPANY, EWING, NJ 08628															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			3/1/2021	3	202103019431309977				-	-	-	-	-	-	-
F3XN	Q1	N	4/14/2021	5	202104149443339698	1/1/2021	3/31/2021		\$1,422	\$0	\$0	\$1,422	-	-	\$0
F1A		A	3/1/2021	5	202103019431295717				-	-	-	-	-	-	-
F24N	48		3/3/2021	3	202103039440053496				-	-	-	-	-	-	-
F24N	24		3/3/2021	1	202103039440053500				-	-	-	-	-	-	-
F24N	24		3/3/2021	1	202103039440053506				-	-	-	-	-	-	-
Totals										\$0	\$0				

O-Index (2019-2020)															
Cmte. ID: C00760546 Cmte. Name: STRONGER FOUNDATIONS, INC.															
Treasurer Name: DIPALMA, ANDREW Address: 100 CHARLES EWING BLVD SUITE 160 C/O CORPORATION SERVICE COMPANY, EWING, NJ 08628															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
RQ2	Q1	N	1/25/2021	5	202101250300101809	1/1/2020	3/31/2020	1/25/2021	-	-	-	-	-	-	-
RQ2	Q2	N	1/25/2021	6	202101250300101814	4/1/2020	6/30/2020	1/25/2021	-	-	-	-	-	-	-
RQ7	30G		12/18/2020	2	202012180300099014	10/1/2020	11/23/2020	12/18/2020	-	-	-	-	-	-	-
F3XN	Q1	N	10/14/2020	7	202010149285842351	1/1/2020	3/31/2020		\$0	\$17,500	\$11,125	\$6,375	-	-	\$0
F3XN	Q2	N	10/14/2020	9	202010149285842370	4/1/2020	6/30/2020		\$6,375	\$200,000	\$131,574	\$74,801	-	-	\$0
F3XN	Q3	N	10/15/2020	6	202010159293943860	7/1/2020	9/30/2020		\$74,801	\$0	\$73,379	\$1,422	-	-	\$0
F3XN	30G	N	12/21/2020	5	202012219393392264	10/1/2020	11/23/2020		\$1,422	\$0	\$0	\$1,422	-	-	\$0
F3XN	YE	N	1/15/2021	5	202101159404714797	11/24/2020	12/31/2020		\$1,422	\$0	\$0	\$1,422	-	-	\$0
F1N		N	10/6/2020	5	202010069285029111				-	-	-	-	-	-	-
Totals										\$217,500	\$216,078				

O-Index (2017-2018)															
Cmte. ID: C00760546 Cmte. Name: STRONGER FOUNDATIONS, INC.															
Treasurer Name: DIPALMA, ANDREW Address: 100 CHARLES EWING BLVD SUITE 160 C/O CORPORATION SERVICE COMPANY, EWING, NJ 08628															
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER															
Form Tp	Rpt Tp	A/I	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans

No records were found for this cycle.

Stronger Foundations, Inc. (C00760546)

2020 July Quarterly Report, received October 14, 2020

48-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported	State and Date of Election	48-Hour Report Filed
Northeast Communication Solutions	6/3/2020	\$50,000.00	GIBBS, KATE	New Jersey-2020 Primary (7/7/2020)	3/3/2021
Red Maverick Media	6/3/2020	\$10,500.00	GIBBS, KATE	New Jersey- 2020 Primary (7/7/2020)	3/3/2021
Terrace Park Group	6/3/2020	\$25,000.00 <i>48-Hour Report Required</i>	GIBBS, KATE	New Jersey- 2020 Primary (7/7/2020)	3/3/2021
Red Maverick Media	6/3/2020	\$35,574.00 <i>48-Hour Report Required</i>	GIBBS, KATE	2020 General (11/3/2020)	3/3/2021

24-Hour Report Not Timely Filed

Name of Payee	Date of Dissemination	Expenditure Amount	Candidate Supported	Election	24-Hour Report Filed
Red Maverick Media	6/30/2020	\$10,500.00 <i>24-Hour Report Required</i>	GIBBS, KATE	New Jersey- 2020 Primary (7/7/2020)	3/3/2021

**FEC
FORM 1****STATEMENT OF
ORGANIZATION**RECEIVED
FEC MAIL CENTER

2010 NLR Office Use Only: 12

1. NAME OF COMMITTEE (in full) ☐ (Check if name is changed) Example: If typing, type over the lines.

12FE4M5

Stronger Foundations Inc.

c/o Corporation Service Company

ADDRESS (number and street)

100 Charles Ewing Blvd Suite 160

- ☐ (Check if address is changed)

Ewing

CITY ▲

NJ

STATE ▲

08628

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

- ☐ (Check if address is changed)

buildstrongerfoundations@gmail.com

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

- ☐ (Check if address is changed)

2. DATE

MM / DD / YYYY
02 / 20 / 2020

3. FEC IDENTIFICATION NUMBER ►

C 00678623

4. IS THIS STATEMENT ☐ NEW (N) OR ☒ AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Andrew Dipalma

Signature of Treasurer

Date

MM / DD / YYYY
02 / 20 / 2020

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
OnlyFor further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100**FEC FORM 1**
(Revised 06/2012)

5. TYPE OF COMMITTEE

Candidate Committee:

- (a) ☐ This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Candidate Party Affiliation

Office Sought:

House

Senate

President

State

District

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

Party Committee:

- (d) ☐ This committee is a ☐ (National, State or subordinate) committee of the ☐ (Democratic, Republican, etc.) Party.

Political Action Committee (PAC):

- (e) ☐ This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization
- ☐ Membership Organization ☐ Trade Association ☐ Cooperative
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- (f) ☒ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
- ☐ In addition, this committee is a Lobbyist/Registrant PAC.
- ☐ In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

- (g) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (h) ☐ This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1.	<input type="text"/>	FEC ID number	<input type="text"/>
2.	<input type="text"/>	FEC ID number	<input type="text"/>
3.	<input type="text"/>	FEC ID number	<input type="text"/>
4.	<input type="text"/>	FEC ID number	<input type="text"/>

Write or Type Committee Name

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Mailing Address

CITY STATE ZIP CODE

Relationship: ☐ Connected Organization ☐ Affiliated Committee ☐ Joint Fundraising Representative ☐ Leadership PAC Sponsor

7. **Custodian of Records:** Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name Andrew Dipalma

Mailing Address PO Box 751

Rahway NJ 07065 -

Title or Position _____ CITY _____ STATE _____ ZIP CODE _____

Treasurer _____ Telephone number _____ - _____ - _____

8. **Treasurer:** List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Andrew Dipalma

Mailing Address PO Box 751

Rahway NJ 07065

CITY STATE ZIP CODE

Title or Position Treasurer

Telephone number

Full Name of
Designated
Agent

Mailing Address

Title or Position

Telephone number

CITY

STATE

ZIP CODE

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Investors Bank

Mailing Address

193 Morris Avenue

Springfield

NJ

07081

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

Stronger Foundations Inc.

Mailing Address

c/o Corporation Service Company

100 Charles Ewing Blvd Suite 160

Ewing

NJ

08628

CITY

STATE

ZIP CODE

5(g) or (h). **Joint Fundraising Participant:**

1.	<input type="text"/>	FEC ID number	<input type="text"/>
2.	<input type="text"/>	FEC ID number	<input type="text"/>
3.	<input type="text"/>	FEC ID number	<input type="text"/>
4.	<input type="text"/>	FEC ID number	<input type="text"/>

6. **Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor**

Mailing Address

Relationship:

CITY ▲

STATE ▲

ZIP CODE ▲

☐

Connected Organization

☐

Affiliated Committee

☐

Joint Fundraising Representative

☐

Leadership PAC Sponsor

8. **Designated Agent:** Identify by name, address (phone number – optional)Full Name Mailing Address

TITLE OR POSITION ▼

CITY ▲

STATE ▲

ZIP CODE ▲

Telephone Number 9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.Name of Bank,
Depository, etc. Mailing Address

CITY ▲

STATE ▲

ZIP CODE ▲