

21L-55

REPORTS ANALYSIS DIVISION REFERRAL
TO

OFFICE OF GENERAL COUNSEL

DATE: March 11, 2022

ANALYST: Jeremiah Hempel

- I. COMMITTEE: People's Action Power
C00738237
Bree Carlson, Treasurer
1285 Stratford Avenue
Suite G #239
Dixon, CA 95620
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(g)(1)
11 CFR § 104.4(c)

III. BACKGROUND:

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

People's Action Power ("the Committee") failed to timely file two (2) 24-Hour Reports totaling \$303,892.70 to support eight (8) independent expenditures disclosed on the 2020 30-Day Post-General Report, made up to and including the 20th day before the 2020 General Election (Attachment 2).

On December 3, 2020, the Committee filed its 2020 30-Day Post-General Report covering the period from October 15, 2020 through November 23, 2020. The report included a Schedule E (Itemized Independent Expenditures) disclosing twenty-three (23) independent expenditures, totaling \$585,232.25, made in support of eight (8) federal candidates (Images 202012039341304575-86).

On December 3, 2020, the Committee filed one (1) 24-Hour Report to support five (5) independent expenditures, totaling \$178,563.16, disseminated on October 15, 2020 (Images 202012039338189245-47).

On the same day, the Committee also filed one (1) 24-Hour Report to support three (3) independent expenditures, totaling \$125,329.54, disseminated on November 1, 2020 (Images 202012039338189303-04).

On January 18, 2021, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2020 30-Day Post-General Report, received December 3, 2020. Among other items, the RFAI noted that the Committee may have failed to timely file one (1) or more of the required 24-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying the four (4) independent expenditures, totaling \$293,142.21, for which 24-Hour Reports had not been timely filed (Images 202101180300101426-29).²

On January 30, 2021, the Committee filed an Amended 2020 30-Day Post-General Report. The report included a Schedule E disclosing twenty-two (22) independent expenditures, totaling \$585,232.25, made in support of eight (8) federal candidates. Other than a change in the total number of independent expenditures disclosed, the report disclosed no change in the total amount of activity to the Schedule E from the original report received on December 3, 2020 (Images 202101309418284993-5003).

On February 22, 2021, the Committee filed an FEC Form 99 (Miscellaneous Electronic Submission), which stated:

“This letter is in response to your request for additional information dated January 18, 2021, for the 30 Day Post-General Report (10/15/2020 - 11/23/2020). The response due date is 2/22/2021. On review of its communications, People's Action Power had unfortunately discovered additional independent expenditures that had not been previously reported. Once its review was completed, it expeditiously filed the appropriate reports to include the expenditures. I hope that this addresses your request” (Image 202102229428816283).

On March 1, 2021, the Reports Analysis Division (RAD) Analyst emailed Bree Carlson, the Committee's Treasurer, regarding the RFAI sent referencing the Committee's 2020 30-Day Post-General Report. The RAD Analyst requested a return phone call to discuss this matter (Attachment 3).

Also on March 1, 2021, Jeremy Begun, the Committee's representative, called the RAD Analyst about the RFAI sent referencing the 2020 30-Day Post-General Report, which noted that the Committee had failed to timely file one (1) or more of the required 24-Hour Reports regarding independent expenditures. The Analyst informed Mr. Begun

² The RFAI inadvertently referenced one (1) independent expenditure for \$6,312.80 made in support of one (1) federal candidate that had been disseminated on September 19, 2020 and paid for on October 9, 2020, as being disclosed on the 2020 30-Day Post-General Report rather than on the Amended 2020 October Quarterly Report, received October 20, 2020 (Image 202010209298302954). The RFAI should not have referenced this independent expenditure as missing a 48-Hour Report, since the Committee had not been required to file one.

that the outstanding matter may be referred to another Commission office for potential further action (Attachment 3).

On April 27, 2021, the RAD Analyst left a voicemail message for Mr. Begun stating that the outstanding matter noted on the 2020 30-Day Post-General Report may be referred to another Commission office for potential further action. Later that day, Mr. Begun left a voicemail message for the Analyst stating that he was no longer associated with the Committee and encouraged the Analyst to call David Mitrani, the Committee's attorney (Attachment 3).

Later, on the same day, the RAD Analyst left Mr. Mitrani a voicemail message stating that the outstanding matter noted on the 2020 30-Day Post-General Report may be referred to another Commission office for potential further action and requested a return phone call to discuss this matter further (Attachment 3).

On April 28, 2021, the RAD Analyst called Mr. Begun and stated that the outstanding matter noted on the 2020 30-Day Post-General Report would be referred to another Commission office for potential further action. Mr. Begun told the Analyst he would email this information to the Committee and gave the Analyst the contact information for Camile Duria, a representative of the Committee (Attachment 3).

On May 3, 2021, the RAD Analyst called Ms. Duria and told her the Committee would be referred to another Commission office for potential further action regarding the outstanding matter noted on the 2020 30-Day Post-General Report (Attachment 3).

On December 21, 2021, an RFAI was sent to the Committee referencing the Amended 2020 30-Day Post-General Report, received January 30, 2021. The RFAI noted that the Committee may have failed to timely file one (1) or more of the required 24-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying the four (4) independent expenditures, totaling \$10,750.49, for which 24-Hour Reports had not been timely filed (Images 202112210300130149-51).

On February 11, 2022, the RAD Analyst called Xavier Townson, the Committee's representative, to inform him that the RFAI referencing the Committee's Amended 2020 30-Day Post-General Report, received January 30, 2021, had a response date which was past due. The Analyst stated that the issues noted in the RFAI would be added to the outstanding referable matter. The Analyst explained that these issues were present in the original report; however, they had been inadvertently omitted from the RFAI referencing the original 2020 30-Day Post-General Report. The Analyst stated that the Committee may provide any additional clarifying information via an FEC Form 99 (Attachment 3).

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

O-Index

3/10/2022 8:25 PM

O-Index (2021-2022)															
Cmte. ID: C00738237 Cmte. Name: PEOPLE'S ACTION POWER															
Treasurer Name: CARLSON, BREE Address: 1285 STRATFORD AVENUE SUITE G #239, DIXON, CA 95620															
Cmte. Type: V (NON-QUALIFIED NON-PARTY WITH NON-CONTRIBUTION ACCOUNT) 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			2/12/2021	1	202102129427769692				-	-	-	-	-	-	-
MS-T			2/22/2021	1	202102229428816283				-	-	-	-	-	-	-
MS-T			3/31/2021	1	202103319442970137				-	-	-	-	-	-	-
MS-T			4/13/2021	1	202104139443282086				-	-	-	-	-	-	-
F3XN	MY	N	8/9/2021	92	202108099466223645	1/1/2021	6/30/2021		\$326,500	\$37,776	\$256,944	\$107,331	\$0	-	\$0
F3XN	YE	N	1/27/2022	29	202201279475238731	7/1/2021	12/31/2021		\$107,331	\$517,727	\$100,000	\$525,059	-	-	\$0
Totals										\$555,503	\$356,944				

O-Index (2019-2020)															
Cmte. ID: C00738237 Cmte. Name: PEOPLE'S ACTION POWER															
Treasurer Name: CARLSON, BREE Address: 1285 STRATFORD AVENUE SUITE G #239, DIXON, CA 95620															
Cmte. Type: V (NON-QUALIFIED NON-PARTY WITH NON-CONTRIBUTION ACCOUNT) 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			12/2/2020	1	202012029337419881				-	-	-	-	-	-	-
RQ2	Q3	A	10/28/2020	2	202010280300088987	7/1/2020	9/30/2020	10/28/2020	-	-	-	-	-	-	-
RQ2	12G	N	1/7/2021	3	202101070300100346	10/1/2020	10/14/2020	1/7/2021	-	-	-	-	-	-	-
RQ2	12G	A	2/24/2021	2	202102240300109279	10/1/2020	10/14/2020	2/24/2021	-	-	-	-	-	-	-
RQ2	30G	N	1/18/2021	4	202101180300101426	10/15/2020	11/23/2020	1/18/2021	-	-	-	-	-	-	-
RQ2	30G	A	2/24/2021	3	202102240300109286	10/15/2020	11/23/2020	2/24/2021	-	-	-	-	-	-	-
RQ2	30G	A	12/21/2021	3	202112210300130149	10/15/2020	11/23/2020	12/21/2021	-	-	-	-	-	-	-
RQ2	YE	N	3/7/2021	3	202103070300110133	11/24/2020	12/31/2020	3/7/2021	-	-	-	-	-	-	-
F3XN	Q1	N	4/3/2020	5	202004039216593145	1/1/2020	3/31/2020		\$0	\$0	\$0	\$0	-	-	\$0
F3XN	Q2	N	7/10/2020	5	202007109244404811	4/1/2020	6/30/2020		\$0	\$0	\$0	\$0	-	-	\$0
F3XN	Q3	N	10/15/2020	37	202010159295641142	7/1/2020	9/30/2020		\$0	\$2,458,987	\$659,002	\$1,799,985	\$16,289	-	\$16,289
F3XA	Q3	A	10/20/2020	36	202010209298302920	7/1/2020	9/30/2020		\$0	\$2,458,987	\$659,002	\$1,799,985	-	-	\$0
F3XN	12G	N	10/22/2020	49	202010229336452529	10/1/2020	10/14/2020		\$1,799,985	\$453,654	\$1,010,226	\$1,243,414	\$177,519	-	\$177,519
F3XA	12G	A	1/30/2021	48	202101309418283106	10/1/2020	10/14/2020		\$1,799,985	\$453,654	\$1,004,476	\$1,249,164	\$177,519	-	\$133,169
F3XN	30G	N	12/3/2020	305	202012039341304282	10/15/2020	11/23/2020		\$1,243,414	\$649,811	\$1,487,954	\$405,270	\$44,350	-	\$44,350
F3XA	30G	A	1/30/2021	305	202101309418284699	10/15/2020	11/23/2020		\$1,249,164	\$649,811	\$1,487,954	\$411,020	\$72,162	-	\$27,811
F3XN	YE	N	1/30/2021	71	202101309418285048	11/24/2020	12/31/2020		\$411,020	\$55,025	\$139,546	\$326,500	\$43,797	-	\$43,797
F1N		N	2/10/2020	5	202002109186489008				-	-	-	-	-	-	-
F1A		A	4/3/2020	4	202004039216593187				-	-	-	-	-	-	-
F1A		A	4/3/2020	5	202004039216593191				-	-	-	-	-	-	-
F1A		A	9/21/2020	5	202009219284470315				-	-	-	-	-	-	-
F24N	48		9/21/2020	1	202009219284470320				-	-	-	-	-	-	-
F24N	48		9/26/2020	1	202009269284975920				-	-	-	-	-	-	-
F24N	48		10/7/2020	2	202010079285053661				-	-	-	-	-	-	-
F24N	48		10/4/2020	1	202010049285007712				-	-	-	-	-	-	-
F24N	48		10/20/2020	2	202010209298303011				-	-	-	-	-	-	-
F1A		A	10/21/2020	5	202010219326778534				-	-	-	-	-	-	-
F24A	48		10/22/2020	2	202010229332672805				-	-	-	-	-	-	-
F24N	24		10/30/2020	1	202010309336669293				-	-	-	-	-	-	-
F24A	24		10/30/2020	1	202010309336669316				-	-	-	-	-	-	-
F24N	24		10/28/2020	3	202010289336633542				-	-	-	-	-	-	-
F24N	24		10/23/2020	1	202010239336502112				-	-	-	-	-	-	-

O-Index

3/10/2022 8:25 PM

F24N	24		12/3/2020	3	202012039338189245					-	-	-	-	-	-
F24N	24		12/3/2020	2	202012039338189303					-	-	-	-	-	-
F24N	48		12/1/2020	2	202012019337215267					-	-	-	-	-	-
Totals										\$3,617,479	\$3,290,978				

O-Index (2017-2018)

Cmte. ID: C00738237 Cmte. Name: PEOPLE'S ACTION POWER

Treasurer Name: CARLSON, BREE Address: 1285 STRATFORD AVENUE SUITE G #239, DIXON, CA 95620

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No records were found for this cycle.

People's Action Power (C00738237)**2020 30-Day Post-General Report****24-Hour Reports Not Timely Filed**

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported	Election	24-Hour Report Filed
Payroll Data Processing	10/15/2020	\$161,018.16 <i>24-Hour Report Required</i>	Joseph Biden Jr.	2020 General	12/3/2020
The Movement Cooperative	11/1/2020	\$118,633.10 <i>24-Hour Report Required</i>	Joseph Biden Jr.	2020 General	12/3/2020
Payroll Data Processing	10/15/2020	\$7,403.11 <i>24-Hour Report Required</i>	Mark Kelly	2020 General	12/3/2020
Payroll Data Processing	10/15/2020	\$6,087.84 <i>24-Hour Report Required</i>	Gary Peters	2020 General	12/3/2020
Payroll Data Processing	10/15/2020	\$2,786.91 <i>24-Hour Report Required</i>	Cal Cunningham	2020 General	12/3/2020
The Movement Cooperative	11/1/2020	\$4,603.39 <i>24-Hour Report Required</i>	Cal Cunningham	2020 General	12/3/2020
Payroll Data Processing	10/15/2020	\$1,267.14 <i>24-Hour Report Required</i>	John Hickenlooper	2020 General	12/3/2020
The Movement Cooperative	11/1/2020	\$2,093.05 <i>24-Hour Report Required</i>	John Hickenlooper	2020 General	12/3/2020