

RAD Referral 23L-39
International Brotherhood of Electrical Workers Political Action Committee
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23L-39

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: July 25, 2023
(revised August 17, 2023)

ANALYST: Maggie Hanna

I. COMMITTEE: International Brotherhood of Electrical
Workers Political Action Committee
C00027342
Paul Noble, Treasurer (1/30/23 – Present)
Kenneth Cooper, Treasurer (5/1/17 –
1/29/23)
900 Seventh St., NW
Washington, DC 20001

II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(2)
11 C.F.R. § 104.3(a)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

International Brotherhood of Electrical Workers Political Action Committee (“the Committee”) failed to disclose all financial activity on its 2022 Year-End Report. On February 15, 2023, the Committee filed an Amended 2022 Year-End Report which disclosed additional receipts totaling \$214,344.76, which were not disclosed in the original report (Attachment 1).

On January 9, 2023, the Committee filed the original [2022 Year-End Report](#) covering the period from November 29, 2022 through December 31, 2022. The report disclosed \$25,201.64 in receipts on Line 11(a)(i) (Itemized Individual Contributions), \$591,230.25 in receipts on Line 11(a)(ii) (Unitemized Individual Contributions), and \$5,339.19 in receipts on Line 17 (Other Federal Receipts) of the [Detailed Summary Page](#).

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On February 15, 2023, the Committee filed an [Amended 2022 Year End Report](#). The report disclosed \$29,211.64 in receipts on Line 11(a)(i), \$800,774.18 in receipts on Line 11(a)(ii), and \$6,130.02 in receipts on Line 17 of the [Detailed Summary Page](#), a total increase of \$214,344.76 from the original report.

On April 27, 2023, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the Amended 2022 Year-End Report, received February 15, 2023. The RFAI requested clarification regarding the substantial increase in receipts disclosed in the Amended 2022 Year-End Report.

On May 8, 2023, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) in response to the RFAI. The Committee stated, in part:

“The increase in receipts on our amended report by \$214,344.76 is correct and the report does not need to be amended again. Our bank statements were reconciled after this report was due, therefore, any contributions we received via ACH/Wire Transfer were not reported on the original report. We amended our report to reflect the difference once our books were closed for the month.”

On July 19, 2023, the Committee filed an additional [FEC Form 99](#) in response to the April 27, 2023 RFAI. The Committee stated, in part:

“Between the original filing of our report (filed 1/9/2023) and the amended report (filed 2/15/2023), you noted there was a \$214,344.76 increase in receipts. Because we were short staffed, our bank accounts were not able to be reconciled until after the due date of the Year-End report (1/31/2023). Our original report was filed with accurate information and was complete to the best of our knowledge. However, during our reconciliation for the month of December 2022, which we completed in the beginning of February 2023, we recorded ACH payments in the amount of \$93,389.22. Of which \$41,777.51 was sent to us in error and was returned on 1/3/2023 when the payee reached out to us to inform us of their error. We also became aware of a few additional things when reconciling:

-There was a deposit that we made to our account on 12/29/2023 that was not uploaded into our filing software, in error. That deposit totaled \$120,631.54 and is reflected in the amended report.

-The deposit made on 12/21/2022 was \$344 more in our bank than in our filing software. After going back and looking through the deposited checks, it was found that a receipt for Local 1288 in the amount of \$344 was missing. This receipt was added and reported in the amended report.

-Our bank returned a check to us in the amount of \$20 because they were “unable to locate the account”. This was reported in our amended report.”

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Since July 18, 2023, RAD logged two (2) communications with a representative of the Committee which reflect efforts to help the Committee voluntarily comply with the Act in response to the matter referenced above. RAD was able to connect with the Committee and notified Tracy Colton, a representative of the Committee, that the matter could be referred to another Commission office for further review (Attachment 2). 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:
[International Brotherhood of Electrical Workers Political Action Committee](#).

International Brotherhood of Electrical Workers Political Action Committee
[2022 Year-End Report](#) / [Amended 2022 Year-End Report](#)

Overview of Additional Receipts

Report Line	<u>Original 2022 Year-End Report</u>	<u>Amended 2022 Year-End Report, received 2/15/23</u>	Variance Amount
Line 11(a)(i): Itemized Individual Contributions	\$25,201.64	\$29,211.64	\$4,010.00
Line 11(a)(ii): Unitemized Individual Contributions	\$591,230.25	\$800,774.18	\$209,543.93
Line 17: Other Federal Receipts	\$5,339.19	\$6,130.02	\$790.83
Total:			\$214,344.76