

23L-69

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 12, 2023

ANALYST: Jeremiah Hempel

- I. COMMITTEE: People's Action Power  
C00738237  
Marta Popadiak, Treasurer  
1301 Connecticut Ave., NW  
Washington, DC 20036
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(4)  
11 C.F.R. § 104.3(b)
- III. BACKGROUND:

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

People's Action Power ("the Committee") failed to disclose all financial activity on its 2021 Mid-Year and 2021 Year-End Reports. On July 31, 2023, the Committee filed an Amended 2021 Mid-Year Report which disclosed additional disbursements totaling \$106,608.43 which were not disclosed on the original report. On the same day, the Committee filed an Amended 2021 Year-End Report which disclosed additional disbursements totaling \$152,833.15 which were not disclosed on the original report (Attachment 1).

**2021 Mid-Year Report**

On August 9, 2021, the Committee filed the original [2021 Mid-Year Report](#) covering the period from January 1, 2021 through June 30, 2021. The report disclosed \$45.00 in disbursements on Line 21(b) (Other Federal Operating Expenditures) and \$213,101.98 in disbursements on Line 29 (Other Disbursements) of the [Detailed Summary Page](#) (Attachment 1).

On July 31, 2023, the Committee filed an [Amended 2021 Mid-End Report](#). The report disclosed \$75.00 on Line 21(b) and \$319,680.41 on Line 29 of the [Detailed Summary Page](#), a total increase of \$106,608.43 from the original report (Attachment 1).

On September 12, 2023, a [Request for Additional Information \(RFAI\)](#) was sent to the Committee referencing the Amended 2021 Mid-Year Report, received July 31, 2023. The RFAI requested clarification regarding the substantial increase in disbursements disclosed on the Amended 2021 Mid-Year Report.

On October 15, 2023, the Committee filed an [FEC Form 99 \(Miscellaneous Electronic Submission\)](#) in response to the RFAI referencing the Amended 2021 Mid-Year Report, received July 31, 2023. The Committee stated:

“We are writing in response to your Request for Additional Information dated September 12, 2023.

In the course of an internal review of its FEC reports, People's Action Power (the Committee) discovered that certain disbursements had not been disclosed. The Committee retained an experienced compliance firm to prepare and file the amended Mid-Year Report. The report discloses all disbursements missing from the originally filed report.

None of the disbursements that were added to the amended report were independent expenditures on behalf of federal candidates or contributions, direct or in-kind, to other federal committees. Therefore, the Committee did not fail to disclose any election-sensitive disbursements on its initial report.

The Committee has hired the compliance firm that conducted the review and prepared the amended reports to prepare Future reports to ensure that all reports filed are accurate and reconciled. In addition, the Committee is undertaking training for its staff on FEC compliance requirements as well as preparing materials on compliance procedures.”

### **2021 Year-End Report**

On January 27, 2022, the Committee filed the original [2021 Year-Year Report](#) covering the period from July 1, 2021 through December 31, 2021. The report disclosed \$0.00 in disbursements on Line 21(b) and \$100,000.00 in disbursements on Line 29 of the [Detailed Summary Page](#) (Attachment 1).

On July 31, 2023, the Committee filed an [Amended 2021 Year-End Report](#). The report disclosed \$60.21 on Line 21(b) and \$252,772.94 on Line 29 of the [Detailed Summary Page](#), a total increase of \$152,833.15 from the original report (Attachment 1).

On September 12, 2023, an [RFAI](#) was sent to the Committee referencing the Amended 2021 Year-Year Report, received July 31, 2023. The RFAI requested clarification regarding the substantial increase in disbursements disclosed on the Amended 2021 Year-End Report.

On October 15, 2023, the Committee filed an [FEC Form 99](#) in response to the RFAI. The Committee stated:

“We are writing in response to your Request for Additional Information dated September 12, 2023.

In the course of an internal review of its FEC reports, People's Action Power (the Committee) discovered that certain disbursements had not been disclosed. The Committee retained an experienced compliance firm to prepare and file the amended Year-End Report. The report discloses all disbursements missing from the originally filed report.

None of the disbursements that were added to the amended report were independent expenditures on behalf of federal candidates or contributions, direct or in-kind, to other federal committees. Therefore, the Committee did not fail to disclose any election-sensitive disbursements on its initial report.

The Committee has hired the compliance firm that conducted the review and prepared the amended reports to prepare future reports to ensure that all reports filed are accurate and reconciled. In addition, the Committee is undertaking training for its staff on FEC compliance requirements as well as preparing materials on compliance procedures.”

Since October 25, 2023, the Reports Analysis Division (RAD) logged two (2) communications with a representative of the Committee which reflect efforts to help the Committee voluntarily comply with the Act regarding the matters referenced above. RAD was able to connect with the Committee on one (1) of these occasions and notified Ms. Holly Schadler, a representative of the Committee, that the matters could be referred to another Commission office for further review (Attachment 2). To date, no further communications have been received from the Committee regarding these matters.

Filings and correspondence related to the Committee can be found here: [People's Action Power](#).

**People's Action Power (C00738237)**[2021 Mid-Year Report](#) / [Amended 2021 Mid-Year Report](#)Overview of Additional Disbursements

<b>Report Line</b>	<b><u>Original 2021 Mid-Year Report</u></b>	<b><u>Amended 2021 Mid- Year Report, Received 7/31/2023</u></b>	<b>Variance Amount</b>
Line 21(b): Other Federal Operating Expenditures	\$45.00	\$75.00	\$30.00
Line 29: Other Disbursements	\$213,101.98	\$319,680.41	\$106,578.43
		<b>Total:</b>	<b>\$106,608.43</b>

**People's Action Power (C00738237)**[2021 Year-End Report](#) / [Amended 2021 Year-End Report](#)Overview of Additional Disbursements

<b>Report Line</b>	<b><u>Original 2021 Year-End Report</u></b>	<b><u>Amended 2021 Year-End Report, Received 7/31/2023</u></b>	<b>Variance Amount</b>
Line 21(b): Other Federal Operating Expenditures	\$0.00	\$60.21	\$60.21
Line 29: Other Disbursements	\$100,000.00	\$252,772.94	\$152,772.94
		<b>Total:</b>	<b>\$152,833.15</b>