

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 18, 2013

ANALYST: Sarah Juris

- I. COMMITTEE: Hardworking Americans Committee
C00530758
Stuart Sandler, Treasurer (9/27/12 to 1/24/13)
Randall Thompson, Treasurer (1/25/13 to Present)
13293 Crane Ridge Drive
Fenton, MI 48430
- II. RELEVANT STATUTE: 2 U.S.C. §434(g)(1)
11 CFR §104.4(c)

III. BACKGROUND:

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

Hardworking Americans Committee ("the Committee") failed to timely file one (1) 24-Hour Report totaling \$30,000 to support one (1) independent expenditure disclosed on the 2012 30 Day Post-General Report, made after the 25th day but more than 24 hours before the 2012 General Election (Attachment 2).

On December 6, 2012, the Committee filed its 2012 30 Day Post-General Report covering the period from September 27, 2012 to November 26, 2012, which included a Schedule E (Itemized Independent Expenditures) disclosing eleven (11) independent expenditures totaling \$1,176,550.26, made in support of, or in opposition to, three (3) federal candidates. The Committee failed to file one (1) 24-Hour Report to support one (1) independent expenditure totaling \$30,000 for the 2012 General Election (Image 12940859077).

On February 22, 2013, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2012 30 Day Post-General Report. Among other issues, the RFAI noted that the Committee may have failed to file one or more of the required 24-Hour Reports

13190293615

regarding "last minute" independent expenditures. A chart was included with the RFAI identifying the one (1) independent expenditure, totaling \$30,000, for which a 24-Hour Report had not been filed (Image 13330025718-20).

On April 3, 2013, the Reports Analysis Division ("RAD") Analyst called Renee Moore, a consultant for the Committee, regarding the RFAI referencing the 2012 30 Day Post-General Report. The Analyst explained to Ms. Moore that the Committee had not responded to the RFAI and the missing 24-Hour Report referenced in the RFAI could be referable for further action. Ms. Moore stated that she had not seen the RFAI and that was the reason the 24-Hour Report was never filed. The Analyst explained that the Committee could amend the report or file a detailed Miscellaneous Electronic Submission ("Form 99") explaining why the 24-Hour Report was not filed. Ms. Moore stated that a Committee attorney would assist her in responding to the RFAI in the near future (Attachment 3).

On April 9, 2013, Ms. Moore called the Analyst regarding the RFAI referencing the 2012 30 Day Post-General Report. Ms. Moore said the Committee planned to file the missing 24-Hour Report and a Form 99 explaining why the 24-Hour Report was not filed. Ms. Moore again reiterated she did not know why the 24-Hour Report was not filed and stated that the Committee would not make the same mistake again (Attachment 3).

Later on April 9, 2013, the Committee filed a Form 99 in response to the RFAI. The Form 99 stated, in part:

"On 10/26/12 there was a \$30,000 expenditure made to Strategic Media Placement. This expenditure was inadvertently not reported on a 24-hour report because the previous treasurer mistakenly did not notify the necessary individual who prepares the 24-hour reports about all independent expenditures being made, but the previous treasurer appears to have mistakenly omitted this one expense. This expense was however reported and reflected on the post-election report that was timely filed on 12/06/12. We have now also filed a 24-hour report for this expenditure. As we have filed all other 24-hour expenditure reports within the required time period, do not have a history of late filings, and have subsequently changed treasurers, we ask for your consideration to not pursue any further action on this one oversight which has now been corrected" (Image 13940513724).

Also on April 9, 2013, the Committee filed one (1) 24-Hour Report to support one (1) independent expenditure totaling \$30,000 disseminated on October 26, 2012 and disclosed on the 2012 30 Day Post-General Report (Image 13940513703).

The same day, the Committee filed an Amended 2012 30 Day Post-General Report. No further clarification regarding the missing 24-Hour Report was provided on the amended report (Image 13940513704).

To date, no further communication has been received from the Committee regarding this matter.

13190293616