

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: September 29, 2014

ANALYST: Paul Stoetzer

I. COMMITTEE:

Pure Political Action Committee  
C00549139  
Mary Doster, Treasurer (6/17/14 - present)  
Jeffrey Timmer, Treasurer (2/3/14 - 6/16/14)  
Ellen Kletzka, Treasurer (9/9/13 - 2/2/14)  
2870 Dobie Rd  
Mason, MI 48854

II. RELEVANT STATUTE:

52 U.S.C. §30104(g)(2)  
*formerly 2 U.S.C. §434(g)(2)*  
11 CFR §104.4(b)

III. BACKGROUND:

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

Pure Political Action Committee ("the Committee") failed to timely file three (3) 48-Hour Reports totaling \$28,461.72 to support three (3) independent expenditures disclosed on the 2013 Year-End Report made up to and including the 20<sup>th</sup> day before the 2014 Primary Election in the state of Michigan (Attachment 2).

On January 31, 2014, the Committee filed the 2013 Year-End Report covering the period from September 9, 2013 through December 31, 2013, which included a Schedule E (Itemized Independent Expenditures) disclosing seven (7) independent expenditures totaling \$151,503.72, made in opposition to one (1) federal candidate. The Committee failed to file three (3) 48-Hour Reports to support three (3) independent expenditures totaling \$28,461.72 for the 2014 Primary Election in the state of Michigan (Images 14960317228-31).

On April 22, 2014, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2013 Year-End Report. Among other items, the RFAI noted that the Committee may have failed to file one or more of the required 48-Hour Reports regarding independent expenditures. A chart was included with the RFAI identifying the three (3) independent expenditures, totaling \$28,461.72, for which 48-Hour Reports had not been filed (Images 14330048843-5).

On May 27, 2014, Ellen Kletzka, a representative of the Committee, called the Reports Analysis Division (RAD) Analyst regarding the RFAI referencing the 2013 Year-End Report. Ms. Kletzka asked how to respond to the letter. The Analyst helped her fix the disclosure issues on Schedule E that were referenced in the RFAI and helped her file the corresponding missing 48-Hour Reports. The Analyst also informed her that this matter may be referred for further action to the Commission. The Analyst also advised her to file a Miscellaneous Electronic Submission ("Form 99") to explain why the independent expenditures were not disclosed on 48-Hour Reports (Attachment 3).

Also on May 27, 2014, the Committee submitted a Form 99 in response to the RFAI. The Form 99 stated in full:

"All three amounts were for production of the three television spots in 2013. The Committee filed 48-hour reports whenever the Committee had an expenditure related to communicating to voters (the gross amounts of the ad buys were promptly reported). The production of the spots, while related, are not actual communications expenditures, and therefore were reported on the Year-End Report, not in a 48-hour report. Stated differently, these three expenditures were not necessary expenditures that resulted in a public communication, and that is why they were paid on different dates. Although the Committee will amend and prepare 48-hour reports, going forward, guidance would be appreciated to avoid any future misunderstanding" (Image 14941271962).

On the same day, the Committee also filed one (1) 48-Hour Report to support two (2) independent expenditures, totaling \$20,424.22, disseminated on September 25, 2013 and October 10, 2013 (Image 14941271961).

Additionally on May 27, 2014, the Committee amended the 48-Hour Report originally filed on November 20, 2013. The amended report disclosed one (1) additional independent expenditure totaling \$8,037.50, disseminated on November 18, 2013 (Image 14961229309).

Also on the same day, the Committee filed an Amended 2013 Year-End Report. The amended report disclosed modifications to several purposes disclosed on Schedule E, but included no other changes in independent expenditures from the original report (Images 14941271957-60).

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

SECRET

O-Index (2013-2014)  
 Cmte. ID: C00549139 Cmte. Name: PURE POLITICAL ACTION COMMITTEE  
 Treasurer Name: DOSTER, MARY Address: 2870 DOBIE RD, MASON, MI 48854  
 Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	All	Receipt 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			10/16/2013	4	13031131838										
MS-T			5/27/2014	1	14941271962										
RO2	YE	N	4/22/2014	3	14330048843	9/9/2013	12/31/2013	4/22/2014							
F3XN	YE	N	1/31/2014	12	14960317220	9/8/2013	12/31/2013		\$0	\$155,000	\$151,838	\$3,161			\$0
F3XA	YE	A	5/27/2014	12	14941271949	9/9/2013	12/31/2013		\$0	\$155,000	\$151,838	\$3,161			\$0
F3XN	Q1	N	4/14/2014	5	14960572489	1/1/2014	3/31/2014		\$3,161	\$0	\$0	\$3,161			\$0
F3XA	Q1	A	5/27/2014	5	14961229304	1/1/2014	3/31/2014		\$3,161	\$0	\$0	\$3,161			\$0
F3XN	Q2	N	7/15/2014	6	14961602235	4/1/2014	6/30/2014		\$3,161	\$3	\$2,800	\$364			\$0
F1A		A	2/3/2014	4	14960377544										
F1A		A	6/17/2014	4	14941271963										
F24N	48		10/17/2013	1	13964799987										
F1		N	9/9/2013	1	1303113663										
F24N	48		5/27/2014	1	14941271961										
F24A	48		5/27/2014	2	14961229309										
F24N	48		9/19/2013	1	13941597557										
F24A	48		9/19/2013	1	13941597568										
F24N	48		11/20/2013	1	13942551869										
Totals										\$155,003	\$154,638				

O-Index (2011-2012)  
 Cmte. ID: C00549139 Cmte. Name: PURE POLITICAL ACTION COMMITTEE  
 Treasurer Name: DOSTER, MARY Address: 2870 DOBIE RD, MASON, MI 48854  
 Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	All	Receipt 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.															

O-Index (2009-2010)  
 Cmte. ID: C00549139 Cmte. Name: PURE POLITICAL ACTION COMMITTEE  
 Treasurer Name: DOSTER, MARY Address: 2870 DOBIE RD, MASON, MI 48854  
 Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	All	Receipt 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.															

**Pure Political Action Committee (C00549139)**  
**2013 Year-End Report**  
48-Hour Reports Not Timely Filed

Name of Payee	Date of Expenditure (Schedule E)	Expenditure Amount	Candidate Opposed	Election	48-Hour Report Filed
Sterling Corporation	9/25/13	\$12,264.22 48-Hour Report Required	Gary Peters	Michigan 2014 Primary (8/5/14)	5/27/14
Sterling Corporation	10/10/13	\$8,160.00 48-Hour Report Required	Gary Peters	Michigan 2014 Primary (8/5/14)	5/27/14
Sterling Corporation	11/18/13	\$8,037.50 48-Hour Report Required	Gary Peters	Michigan 2014 Primary (8/5/14)	5/27/14 <sup>1</sup>
TOTAL		\$28,461.72			

<sup>1</sup> On 5/27/14 the Committee amended the 48-Hour Report originally filed on 11/20/13 to add this independent expenditure.