

21L-63

REPORTS ANALYSIS DIVISION REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: November 3, 2021

ANALYST: Scott Bennett

I. COMMITTEE:

Women Vote Smart
C00616912
Amy S. Kremer, Treasurer
P.O. Box 72861
Marietta, GA 30007

II. RELEVANT STATUTE:

52 U.S.C. § 30104 (b)(2)
52 U.S.C. § 30116(a) and (f)
52 U.S.C. § 30118
11 CFR § 102.5(b)
11 CFR § 103.3
11 CFR § 104.3(a)
11 CFR § 110.1(g)
11 CFR § 114.2

III. BACKGROUND:

Prohibited and Other Impermissible Contributions or Transfers: Failure to Refund, Redesignate, or Reattribute Prohibited Contributions within the Permissible Timeframe

Women Vote Smart (“the Committee”) received apparent prohibited contributions totaling \$37,575.74 from eight (8) apparently prohibited sources: four (4) corporations, two (2) LLCs, and two (2) unregistered organizations during the 2019 calendar year. Commission records indicate that the Committee maintains a Non-Contribution Account consistent with the stipulated judgment in Carey v. FEC. However, the apparent prohibited receipts were not designated to the Non-Contribution Account.

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On July 31, 2019, the Committee filed a 2019 Mid-Year Report covering the period from January 1, 2019 through June 30, 2019. The report disclosed \$37,575.74 in receipts from four (4) corporations, two (2) LLC's, and two (2) unregistered organizations on Schedule A, supporting Line 17 (Other federal receipts (dividends, interest, etc.)) of the Detailed Summary Page (Images 201907319161342758-71, Attachment 2).

On May 19, 2020, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2019 Mid-Year Report. The RFAI requested clarification regarding the receipt of apparently prohibited contributions. A chart was included with the RFAI identifying the contributions received from eight (8) apparent prohibited sources (Images 202005190300071299-301).

On July 6, 2020, the Reports Analysis Division (RAD) Analyst called Amy Kremer, the Committee's Treasurer, regarding the RFAI sent on the 2019 Mid-Year Report but was unable to leave a message because the call disconnected without the option to leave a voicemail (Attachment 3).

Later the same day, the RAD Analyst called Katherine Serkes, the Committee's former Treasurer, regarding the RFAI sent on the 2019 Mid-Year Report. The phone number disclosed on the Statement of Organization ("FEC Form 1") for Ms. Serkes could not be completed when dialed (Attachment 3).

Also, on July 6, 2020, the RAD Analyst called Patrick Krason, the Committee's former Treasurer, regarding the RFAI sent on the 2019 Mid-Year Report but was unable to leave a message because the call disconnected without the option to leave a voicemail (Attachment 3).

On July 7, 2020, the RAD Analyst called Amy Kremer regarding the RFAI sent on the 2019 Mid-Year Report but was unable to leave a message because the call disconnected without the option to leave a voicemail (Attachment 3).

On July 13, 2020, the RAD Analyst emailed the address disclosed for the Committee on the FEC Form 1 and requested a return call to discuss the 2019 Mid-Year Report (Attachment 3).

Subsequently that day, the RAD Analyst called Amy Kremer regarding the RFAI sent on the 2019 Mid-Year Report but was unable to leave a message because the call disconnected without the option to leave a voicemail (Attachment 3).

Also, on July 13, 2020, the RAD Analyst called the general phone number listed on the Committee's website. The Analyst requested Ms. Kremer call back regarding the RFAI sent on the 2019 Mid-Year Report (Attachment 3).

On July 20, 2020, the RAD Analyst called Amy Kremer regarding the RFAI sent on the 2019 Mid-Year Report but was unable to leave a message because the call disconnected without the option to leave a voicemail (Attachment 3).

Also, on July 20, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to a different email address (Attachment 3).

On July 27, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to a different email address (Attachment 3).

Also, on July 27, 2020, the RAD Analyst called the general phone number listed on the Committee's website. The Analyst requested Ms. Kremer call back regarding the RFAI sent on the 2019 Mid-Year Report (Attachment 3).

On July 30, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to several email addresses associated with the Committee (Attachment 3).

Also, on July 30, 2020, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

On August 13, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to several email addresses associated with the Committee (Attachment 3).

Also, on August 13, 2020, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

On August 18, 2020, Patrick Krason called the RAD Analyst. Mr. Krason stated he had had no contact with Amy Kremer or anyone else with the Committee since his resignation as Treasurer. The Analyst inquired whether Mr. Krason had updated contact information for Ms. Kremer or the Committee. Mr. Krason stated that he did not have any updated contact information (Attachment 3).

On October 29, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to several email addresses associated with the Committee (Attachment 3).

On November 4, 19, and 25, 2020, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

Also, on November 25, 2020, the RAD Analyst resent the email originally sent on July 13, 2020 to Amy Kremer (Attachment 3).

On December 4, 2020, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

On February 25, 2021, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full. The RAD Analyst also called Patrick Krason and Katherine Serkes. The Analyst was unable to leave a voicemail due to the number being out of service (Attachment 3).

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Also, on February 25, 2021, the RAD Analyst resent the email originally sent on July 13, 2020 to several email addresses. Some of these emails were immediately returned as not deliverable (Attachment 3).

On March 12, 2021 and June 21, 2021, the RAD Analyst resent the email originally sent on July 13, 2020 to several email addresses. Some of these emails were immediately returned as not deliverable (Attachment 3).

On June 22, 2021, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

On September 22, 2021, the RAD Analyst called an alternate number for Amy Kremer. An automated message said the user was unavailable. The RAD Analyst was able to leave a voicemail with his direct number and requested a return call (Attachment 3).

On September 29, 2021, Ms. Kremer left a voicemail for the RAD Analyst requesting a return call. In her message, she indicated she would call back tomorrow if she did not connect with the Analyst today. On the same day, the RAD Analyst returned the call and was unable to leave a voicemail because the voicemail inbox was full (Attachment 3).

On September 30, and October 1, 2021, the RAD Analyst called Amy Kremer. The Analyst was unable to leave a voicemail due to the voicemail inbox being full (Attachment 3).

To date, the Committee has not issued refunds, designated the contributions to the Non-Contribution account, or taken any other corrective action and no further communications have been received from the Committee regarding this matter.

O Index (2021 2022)															
Cmte. ID: C00616912 Cmte. Name: WOMEN VOTE SMART															
Treasurer Name: KREMER, AMY S Address: PO BOX 72861, MARIETTA, GA 30007															
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
RQ7	MY		8/16/2021	2	202108160300123286	1/1/2021	6/30/2021	8/16/2021	-	-	-	-	-	-	-
Totals										\$0	\$0				

O Index (2019 2020)															
Cmte. ID: C00616912 Cmte. Name: WOMEN VOTE SMART															
Treasurer Name: KREMER, AMY S Address: PO BOX 72861, MARIETTA, GA 30007															
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			2/15/2019	1	201902159145515910				-	-	-	-	-	-	-
RQ2	MY	N	5/19/2020	4	202005190300071299	1/1/2019	6/30/2019	5/19/2020	-	-	-	-	-	-	-
RQ2	YE	N	7/21/2020	3	202007210300078581	7/1/2019	12/31/2019	7/21/2020	-	-	-	-	-	-	-
RQ7	Q1		5/1/2020	2	202005010300067957	1/1/2020	3/31/2020	5/1/2020	-	-	-	-	-	-	-
RQ7	Q2		8/3/2020	2	202008030300080416	4/1/2020	6/30/2020	8/3/2020	-	-	-	-	-	-	-
RQ7	Q3		10/30/2020	2	202010300300089272	7/1/2020	9/30/2020	10/30/2020	-	-	-	-	-	-	-
RQ7	30G		12/18/2020	2	202012180300096802	10/1/2020	11/23/2020	12/18/2020	-	-	-	-	-	-	-
RQ7	YE		2/17/2021	2	202102170300107442	11/24/2020	12/31/2020	2/17/2021	-	-	-	-	-	-	-
F3XN	MY	N	7/31/2019	119	201907319161342749	1/1/2019	6/30/2019		\$2,281	\$128,775	\$120,521	\$10,535	-	-	\$0
F3XN	YE	N	1/31/2020	24	202001319186123881	7/1/2019	12/31/2019		\$10,535	\$34,365	\$7,568	\$37,333	-	-	\$0
F1A		A	2/20/2019	4	201902209145551772				-	-	-	-	-	-	-
F1A		A	2/20/2019	4	201902209145552169				-	-	-	-	-	-	-
F1A		A	6/26/2019	4	201906269150352639				-	-	-	-	-	-	-
F1A		A	6/26/2019	4	201906269150352818				-	-	-	-	-	-	-
F24N	24		6/26/2019	2	201906269150353470				-	-	-	-	-	-	-
F24N	24		7/3/2019	3	201907039150448321				-	-	-	-	-	-	-
Totals										\$163,141	\$128,089				

O Index (2017 2018)															
Cmte. ID: C00616912 Cmte. Name: WOMEN VOTE SMART															
Treasurer Name: KREMER, AMY S Address: PO BOX 72861, MARIETTA, GA 30007															
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
RQ2	Q3	A	12/9/2018	3	201812090300026548	7/1/2018	9/30/2018	12/9/2018	-	-	-	-	-	-	-
F3XN	MY	N	7/15/2017	16	201707159066681821	1/1/2017	6/30/2017		\$6,307	\$48	\$4,510	\$1,845	\$17,836	-	\$17,836
F3XN	YE	N	1/31/2018	13	201801319091340365	7/1/2017	12/31/2017		\$1,845	\$6,996	\$6,422	\$2,418	\$17,836	-	\$17,836
F3XN	Q1	N	4/15/2018	7	201804159108209238	1/1/2018	3/31/2018		\$2,418	\$331	\$2,517	\$232	\$17,836	-	\$17,836
F3XN	Q2	N	7/15/2018	13	201807159115704035	4/1/2018	6/30/2018		\$232	\$73,738	\$51,181	\$22,789	\$17,836	-	\$17,836
F3XN	Q3	N	10/15/2018	17	201810159125507081	7/1/2018	9/30/2018		\$22,789	\$48,606	\$2,481	\$68,914	\$17,836	-	\$17,836
F3XA	Q3	A	10/16/2018	22	201810169125523515	7/1/2018	9/30/2018		\$22,789	\$49,414	\$18,343	\$53,860	\$26,569	-	\$26,569
F3XN	30G	N	12/6/2018	13	201812069135373789	10/1/2018	11/26/2018		\$53,860	\$18,623	\$72,339	\$144	\$84,408	\$0	\$84,408
F3XN	YE	N	1/31/2019	22	201901319145449263	11/27/2018	12/31/2018		\$144	\$19,761	\$17,624	\$2,281	\$84,408	-	\$84,408
F3XA	YE	A	2/15/2019	23	201902159145515426	11/27/2018	12/31/2018		\$144	\$19,761	\$17,624	\$2,281	\$87,408	-	\$87,408
F1A		A	4/15/2018	5	201804159108232067				-	-	-	-	-	-	-
F24N	24		4/28/2018	1	201804289111737434				-	-	-	-	-	-	-

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F24N	24		5/2/2018	1	201805029111749051					-	-	-	-	-	-	-
F24N	24		5/4/2018	1	201805049111755050					-	-	-	-	-	-	-
F1A		A	10/25/2017	4	201710259076673551					-	-	-	-	-	-	-
F1A		A	12/3/2018	5	201812039133899657					-	-	-	-	-	-	-
Totals												\$168,912	\$172,938			

Women Vote Smart (C00616912)**Apparent Prohibited Contributions Not Refunded Within Permissible Timeframe**

Name	Date	Contribution Amount	Report
Contributions from Corporations			
America First Policies INC	3/4/19	\$450.74	2019 Mid-Year
EventBrite	6/6/19	\$805.00	2019 Mid-Year
EventBrite	6/13/19	\$360.00	2019 Mid-Year
EventBrite	6/20/19	\$420.00	2019 Mid-Year
Square Inc.	6/30/19	\$8,540.00	2019 Mid-Year
Watson's INC	5/14/19	\$500.00	2019 Mid-Year
Watson's INC	6/24/19	\$2,000.00	2019 Mid-Year
Contributions from LLCs			
Joyce Properties, LLC	5/14/19	\$1,000.00	2019 Mid-Year
Sellars Real Estate LLC	5/28/19	\$1,000.00	2019 Mid-Year
Contributions from Unregistered Organizations			
Republican Women of Cary	3/12/19	\$3,500.00	2019 Mid-Year
Women for America First	2/7/19	\$19,000.00	2019 Mid-Year
Total Prohibited Amount Not Refunded :		\$37,575.74	

Breakdown of Apparent Remedied and Unremedied Prohibited Contributions

Total Amount Remedied Outside of the Permissible Timeframe (all reports):	\$0.00
Total Amount Unremedied (all reports):	\$37,575.74
Total Amount Not Remedied within the Permissible Timeframe (all reports):	\$37,575.74