

November 14, 2019

VIA EMAIL

Washington Public Disclosure Commission
Att'n: Tabatha Blacksmith, Compliance Coordinator
711 Capital Way Room 206
PO Box 40908
Olympia, Washington 98504-0908

Re: Case Number 59657

Dear Ms. Blacksmith:

I write on behalf of Washington Conservation Voters Action Fund (WCVAF), a Washington State political action committee, to respond to the Complaint filed against WCVAF by Glen Morgan with the Commission on October 26, 2019.

WCVAF takes seriously its compliance responsibilities as a registered Washington State political action committee and strives to follow all applicable reporting requirements. WCVAF strives to complete its filings in a timely and compliant manner and has done so since it has been a registered political action committee.

WCVAF is in receipt of the Complaint dated October 26 filed by Glen Morgan with the PDC which you forwarded by email dated November 4, 2019. Three different allegations are made by Mr. Morgan. The most serious allegation claims that there is a "serious discrepancy" in the funds reported on C4 report filed by WCVAF and those reported in its C6 reports, and Mr. Morgan states that \$20,000 "appears to be missing." This claim is untrue; \$20,000 is not missing. WCVAF accidentally filed two identical Forms C6 on the same day, October 23, and shortly thereafter realized the mistake and corrected the error by notifying PDC staff of the duplicate filing. PDC staff removed the mistaken filing from the PDC website. The PDC website now accurately reflects the filing of only one Form C6, designated as No. 9646 in the amount of \$20,000.

In addition, Mr. Morgan claims that the Form C4 filed October 15 lacked sufficient detail. WCVAF completed its Form C4 dated October 15, 2019 in good faith, providing significant detailed disclosure regarding each expenditure and the purpose of each expenditure, in a manner that complied with RCW 42.17A.240 and the instructions on Schedule A to the Form C4. As required by RCW 42.17A.240(6), WCVAF's report included the name and address of each person to whom an expenditure was made in the aggregate of more than \$50 during the period of

the report, the amount, the date, and the “purpose of the expenditure” as well as the total sum of all expenditures. For each of its 15 separately listed expenditures, in the fourth column WCVAF provided a clear description of the expense and its purpose, for example, “contribution” made to the listed recipient “Vote Satpal Sidhu.”

To provide the further details requested, WCVAF has filed an amended Form C4, amending the report filed October 15 with additional information regarding its expenditures, the candidate supported or opposed, and other available detail.

The other two claims made by Mr. Morgan relate to the timeliness and content of the October 23 Form C6 filed by WCVAF. That Form C6 accurately indicates that some of the “digital video” was first presented to the public on October 18. However, the costs incurred by WCVAF for the video advertisements did not reach \$1,000 until Saturday, October 19. Under RCW 42.17A.260(1)(b)(i), a Form C6 must be filed within 24 hours of – or on the first working date after – the actual cost of an independent expenditure reaching \$1,000. For this reason, the report was due Monday, October 21 (and this would have been the case if the \$1,000 threshold had been met on Friday, October 18). Unfortunately, the person primarily responsible for preparing WCVAF campaign finance filings was caring that week for a family member who had suffered an illness, and WCVAF’s filing was delayed as others scrambled to complete the filing. As to the content of the Form C6 filing, it includes a clear description of the purpose of the expenditure, namely, to pay for a digital video, and an identification of the candidate supported by the advertising, as required by RCW 42.17A.260.

To provide the further details requested, WCVAF has filed an amended Form C6, amending the report filed October 23 with additional information regarding its digital video expenditures.

WCVAF and its officers and staff strive to stay up to date with and comply with the filing and reporting requirements of Washington State campaign finance law. As part of its commitment to compliance, WCVAF will continue to educate, train and cross-train staff regarding political activity reporting, so that if a staff member is out of the office for any reason, WCVAF remains able to meet deadlines and provide the requested additional detail regarding its expenditures, as discussed in PDC’s online publications and regulations, in its periodic and other reports to the PDC. WCVAF takes care to file its reports in a timely and thorough manner. Any brief delay filing the referenced Form C6 and any omission in the amount of detail provided regarding its expenditures in the Form C4 and Form C6 referenced in the Complaint was unintentional and inadvertent.

WCVAF respectfully requests that the PDC accept its amended reports which provide additional detail for certain of its expenditures. In light of the explanation of its good faith compliance efforts submitted herewith, the amendments made by WCVAF to its Form C6 and Form C4, and WCVAF’s commitment to ensuring compliance with PDC and Washington State reporting and filing requirements, WCVAF requests that the PDC conclude that no evidence supports a finding of a material violation warranting further investigation, and that it dismiss the complaint and close the matter without further action.

If you have any questions, or to request additional information, please contact me or Treasurer Sean Pender at 206-374-0760.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shannon Murphy". The signature is fluid and cursive, with the first name "Shannon" written in a larger, more prominent script than the last name "Murphy".

Shannon Murphy

President

Washington Conservation Voters Action Fund