



State of Washington
PUBLIC DISCLOSURE COMMISSION

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January 11, 2021

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Kshama Solidarity Campaign Political Action Committee, PDC Case 79792

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint filed on October 29, 2020. The complaint alleged that the Kshama Solidarity Campaign, a 2020 Ballot Proposition opposing the recall of Kshama Sawant, have violated RCW 42.17A.417(1) for accepting contributions from a foreign national.

PDC staff reviewed your allegation(s); the applicable statute(s), rule(s), and the Cash Receipts Monetary Contribution (C3) and Summary Campaign Contribution and Expenditure (C-4) reports filed by the Kshama Solidarity Campaign (Committee); and the November 20, 2020, response to the complaint provided by Sonja Ponath, Treasurer, on behalf of the Committee.

Based on staff's review, we found the following:

- On September 20, 2020, the Kshama Solidarity Campaign filed a Committee Registration (C-1pc) report for 2020 and selected the Full Reporting Option.

Alleged violation of RCW 42.17A.417(1) for accepting contributions from a foreign national.

- On October 7, 2020, the Committee filed a C3 report depicting approximately 273 contributions received between September 17 and September 24, 2020 and deposited on September 28, 2020. One of the 273 contributions received by the Committee, for \$15 on September 17, 2020, was from Nayon Park, a foreign national who has lived in Seattle, Washington since 2017.
- In its response to this allegation, received on November 20, 2020, the Committee, by way of Sonja Ponath, Treasurer stated: "We have refunded the \$15 donation in question and also explained to Ms. Park that she is not legally allowed to make donations to the Kshama Solidarity Campaign. This donation came through our website (<https://www.kshamasolidarity.org/donate>). We did not know and had no reason to know, that Ms. Park was a foreign national when we received the donation or when we reported it on our C-3. We have since added the following language to our website to inform our supporters about the criteria they must meet in order to make a donation: "I am a US citizen or a foreign national with a valid green card. I affirm that I am at least 18 years old; I am contributing my own personal funds not those of another, nor am I using a

corporate credit card.” They must confirm that this statement is true and accurate in order to make a donation to our campaign. While on our physical donation envelopes it has been clearly marked that donors must meet these same criteria and affirm their truth and accuracy; we realize that this was previously absent from our website. This was an oversight and we have since updated our website to ensure as best we can that our supports are acting in compliance with the law.”

- On November 10, 2020, the Committee refunded the \$15 donation to Nayon Park. The refund was depicted on the C-4 report filed by the Committee on December 10, 2020.

Based on these findings staff has determined that, in this instance, the Committee’s failure to inform its supporters/contributors about the criteria they must meet in order to make a donation, does not amount to a violation warranting further investigation. Although the Committee was not required to obtain a certification that an individual donor was not a foreign national, PDC staff will remind the Committee regarding informing contributors about the prohibition on foreign nationals making contributions, under RCW 42.17A.417(1).

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Erick Agina, Compliance Officer at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/_____
Erick Agina, Compliance Officer

s/_____
Barbara Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Sonja Ponath, Treasurer – Kshama Solidarity Campaign

