

Complaint Against Rural Americans United/Rural Americans United Education Foundation
Submitted 10/9/24
Statutes Violated: RCW 42.17A.205, .235, .240

Background

This respondent has previously received two separate warning letters.

Warning Letter #1: <https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/6086/140960%20Rural%20Americans%20United%20%28RAU%29%20PAC%20Complaint%20Return%20Letter....pdf>

Warning Letter #2: <https://pdc-case-tracking.s3.us-gov-west-1.amazonaws.com/7104/PDC%20Case%20156691%20Rural%20Americans%20United%20closed%20with%20warning.pdf>

When the PDC eventually dismisses this complaint with another warning letter, it will be the third warning letter in a row issued against this respondent.

Violations

Rural Americans United Education Foundation

This committee has filed only a single C3 report throughout the course of its entire existence. See link: <https://apollo.pdc.wa.gov/public/registrations/campaign-finance-report/110240463>

Based on the limited reporting made available to the public, this committee has received only one \$500 contribution from the Roxanne Everett and Trapper Robbins Fund.

As such, this contributor has surpassed the 80% sponsor threshold and was required to amend its C1pc to include the contributors name as a sponsor in the committee's name. The committee failed to do so. See current registration statement:
https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=60557

See link to sponsorship requirement: <https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/political-committee-sponsor> . See also RCW 42.17A.205(5).

Additionally, the committee (Rural Americans United Education Foundation) was required to disclose the fact that it was affiliated with Rural Americans United on its C1pc. It failed to do so. See RCW 42.17A.205(2)(b).

Rural Americans United

This committee has previously received a warning letter for failing to timely/accurately file C3/C4 reports and disclose expenditure details.

Despite this, the committee failed to timely file a report covering August of 2024 (which was due on 9/10/24) until 9/15/24. This makes the report 5 days late. See link:
<https://apollo.pdc.wa.gov/public/registrations/campaign-finance-report/110245338>

Additionally, the committee has continued to refuse to disclose expenditure details.

For instance, the committee failed to disclose the number quantity of printed items ordered. See below.

Recipient	Date	Description	Recipient City	Recipient State	Amount	Report
TEKS Services	08/01/2024	Printing postcards for campaign (mailing/postage included)	Puyallup	WA	\$6,243.71	View Report
Signs 365	07/05/2023	Signs for Tri-Pride	Shelby Twp	MI	\$77.00	View Report
Signs 365	06/23/2023	Tri-Pride Signs	Shelby Twp	MI	\$292.00	View Report
Signs 365	06/21/2023	Tri-Pride Signs	Shelby Twp	MI	\$153.50	View Report
Grossman Shirley	07/16/2024	Sign printing at Office Depot	Spokane	WA	\$78.45	View Report
Printful Inc	06/27/2024	Printing of campaign merchandise	Charlotte	NC	\$4.32	View Report
Printful Inc	06/13/2024	Printing cost for paraphernalia	Charlotte	NC	\$746.07	View Report

In response to the previous complaint I filed, the committee has disclosed the months in which the radio ads were run, but they failed to disclose the precise days on which those radio ads aired, which I'm sure the agency's staff believes is required to be disclosed. See link:

<https://pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2024-32151/expenditures?description=radio>

Moreover, some of the expenditures disclosed by the committee fail to include even this vague level of detail, which I'm sure agency staff believe is required. See below.

Recipient	Date	Description	Recipient City	Recipient State	Amount	Report
Alcon Media Group	01/04/2024	Radio Ads	Kennewick	WA	\$500.00	View Report
Bustos Media	01/04/2024	Radio Ads	Pasco	WA	\$1,017.00	View Report
Townsquare Media	01/04/2024	Radio Ads	Pasco	WA	\$1,490.00	View Report
The Root	01/04/2024	Radio Ads	Twisp	WA	\$504.00	View Report
Bustos Media	11/30/2023	Media Buy October 2023	Pasco	WA	\$639.00	View Report
Focal Point Marketing	10/11/2023	Media Buy November 2023	Kennewick	WA	\$2,500.00	View Report

Moreover, none of these descriptions indicate if there was a candidate/ballot measure supported or opposed by this expenditure. See WAC 390-16-037.

Additionally, it appears that the committee failed to timely and accurately disclose debts/orders placed. For all of 2024, the committee has not disclosed a single debt or order placed. See attached.

For instance, see below:

Stephens Media Group	02/03/2024	Radio Ads December 2023	Kennewick	WA	\$1,492.00	View Report
Stephens Media Group	01/04/2024	Radio Ads November 2023	Kennewick	WA	\$1,492.00	View Report

The expenditure descriptions clearly indicate these ads ran in November and December of 2023 respectively, which indicate that there was a financial obligation for the committee to pay for these ads. Additionally, it appears that the subvendor (of the radio stations running the ads) were not disclosed by this committee. See WAC 390-16-205.

Despite these obligation, no debt was reported to Stephens Media Group on the committee's November 2023 C4, see link: <https://apollo.pdc.wa.gov/public/registrations/campaign-finance-report/110201916>

Additionally, no debt was not reported on the committee's December 2023 C4, see link: <https://apollo.pdc.wa.gov/public/registrations/campaign-finance-report/110201917>

There are many similar instances that you can see for yourself here: <https://pdc.wa.gov/political-disclosure-reporting-data/browse-search-data/committees/co-2024-32151/expenditures?description=radio> . Based on the dates reported, there is often a significant lag of 1-3 months between when radio ads air and when the obligation is paid. The committee is obligated to disclose these obligations as debt/orders placed and has failed to do so.

Additionally, it appears that the committee has failed to report pledges or possibly that the committee has failed to report contributions received. The reason that I am making this assertion is because of an e-mail sent out by the committee (attached to complaint) which indicates that the committee is "investing \$350,000 in a district wide media campaign to deliver by radio and TV over 20,000 pro democratic messages".

As of its last filed C4 report (covering August of 2024), the committee indicated a \$27,167.40 cash on hand balance. The fact that they are investing in such a large expenditure indicates that they have failed to report contributions and/or pledges.

Finally, it appears that the committee may have failed to disclose committee officers. See RCW 42.17A.205. It appears that members of RAU's "advisory board" may meet this definition. See attached. As it stands today, the committee has only disclosed two officers: Doug White and Tracy Hernandez, see link: https://apollo.pdc.wa.gov/public/registrations/registration?registration_id=59811

Notice to Respondent

I apologize to you for any inconvenience caused by this complaint. The chance that you will actually be fined for the violations identified above is extremely small because the agency is averse to doing the work necessary to bring cases to hearings. Most likely this case – and any future cases against you - will simply be dismissed by staff with a so-called "warning letter".

This complaint is one of hundreds that I have filed to highlight and ultimately fix the significant shortcomings associated with the agency responsible for administering our state's campaign finance laws.

What are these shortcomings?

Overcomplicated and outdated requirements that are difficult to understand and comply with. Failure to properly educate filers about the tasks they must perform to remain in compliance with applicable requirements and avoid complaints. Failure of the agency to send regular reminders to filers about pending deadlines. A failure to proactively enforce applicable requirements which enables the complaint system to become weaponized. Non-intuitive, non-user friendly, and buggy reporting software. Failure to meaningfully enforce core requirements. Failure to follow the best operating practices of other neighboring campaign finance agencies. An agency leadership structure that largely disregards stakeholder input and is slow to identify and resolve major agency deficiencies.

I believe that the best way to motivate the agency to address these problems is by filing a large number of complaints so that the agency's problems become impossible to ignore.

Slowly (too slowly) this strategy is starting to yield concrete and beneficial changes. You can read about these changes here: <https://www.seattletimes.com/seattle-news/politics/why-one-man-filed-800-campaign-finance-complaints-against-wa-candidates/>

If you believe that the agency could have done something different to help you proactively avoid the issues identified in this complaint, I hope that you will consider including it in your response. The agency, and the public, can benefit from your perspective and feedback.

**"Be the change that you wish to see in the world."
— Mahatma Gandhi**