



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

In the Matter of Enforcement  
Action Against

New Americans for Accountable  
Government

Respondent.

PDC Case No. 12-109

Notice of Administrative Charges  
Brief Adjudicative Proceeding  
(Brief Enforcement Hearing)

**I. JURISDICTION**

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

**II. ALLEGATIONS**

2. PDC staff alleges that New Americans for Accountable Government (New Americans or NAAG), a political committee located in Bellevue, Washington that made independent expenditures supporting candidates in the 2010 general election, violated:
  - A. RCW 42.17.080 and 42.17.090 by failing to timely file a 2010 Post-General Election Campaign Summary Receipts & Expenditures report (Form C-4) with relevant schedules disclosing contribution and expenditure activities undertaken during the period October 26 – November 30, 2010, including monetary expenditures totaling \$3,681 and debts totaling \$1,161;
  - B. RCW 42.17.103 by failing to timely file a Reporting Form for Independent Expenditures, Independent Expenditure Ads, and Electioneering Communications (Form C-6) disclosing political advertising expenditures totaling \$7,800.

### III. FACTS

3. On October 14, 2010, New Americans for Accountable Government filed a Committee Registration (Form C-1pc) selecting the Full Reporting option. The registration listed Conrad Lee (the Mayor of Bellevue) and Norm Wietting as NAAG's principal officers.
4. The C-1pc disclosed that New Americans was formed to support four Republican candidates for the Washington State Legislature in the 2010 general election, including: (1) Greg Bennett, a candidate for State Senate in the 48<sup>th</sup> Legislative District; (2) Phil Wilson, a candidate for State Representative in the 48<sup>th</sup> Legislative District; (3) Steve Litzow, a candidate for State Senate in the 41<sup>st</sup> Legislative District; and (4) Peter Dunbar, a candidate for State Representative in the 41<sup>st</sup> Legislative District.

#### **New Americans violated RCW 42.17.080 and 42.17.090 by failing to timely file C-4 report**

5. Under the Full Reporting option, New Americans was required to file a Post-General Election C-4 report by December 10, 2010, covering the period October 26 through November 30, 2010.
6. On October 11, 2012, NAAG filed its Post-General Election C-4 report 671 days late, disclosing \$3,681 in expenditures for the design and printing of two political advertising postcards. The late-filed C-4 report also disclosed \$1,161 in debts owed, including \$600 to FLS Connect, LLC for robocalls and \$562 to Labels and Lists for two postcards. The debts were described as obligations for mailing labels and telephone calls supporting Greg Bennett, Phil Wilson, Steve Litzow, and Peter Dunbar.

#### **New Americans violated RCW 42.17.103 by failing to timely file C-6 report:**

7. On October 20, 2010, New Americans presented independent expenditure mailings and telephone calls to the public, supporting four legislative candidates (Greg Bennett, Phil Wilson, Steve Litzow, and Peter Dunbar). NAAG spent \$7,800 for the mailings and telephone calls, and made the expenditures independent of the four candidates supported. NAAG failed to file a C-6 report disclosing these expenditures within 24 hour of presenting the mailings to the public, or by October 21, 2010.

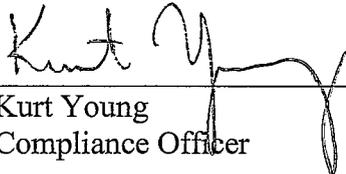
8. On September 30, 2011, more than 11 months after the 2010 general election, NAAAG filed a C-6 report 344 days late disclosing the \$7,800 in political advertising expenditures that supported Greg Bennett, Phil Wilson, Steve Litzow, and Peter Dunbar.

#### IV. LAW

**RCW 42.17.080 and .090**<sup>1</sup> require candidates under the full reporting option that appear on the general election ballot only, to timely file frequent and detailed reports of contribution and expenditure activities on monthly C-4 reports, a 21-day pre-general election C-4 report, a 7-day pre-general election C-4 report, and a post-election C-4 report.

**RCW 42.17.103**<sup>2</sup> requires the sponsor of political advertising who within twenty-one days of an election, publishes, mails, or otherwise presents to the public political advertising supporting or opposing a candidate(s) that qualifies as an independent expenditure with a fair market value of one thousand dollars or more, shall file a special report within twenty-four hours of the date the political advertising is first published, mailed, or otherwise presented to the public.

RESPECTFULLY SUBMITTED this 8<sup>th</sup> day of January, 2013.



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Kurt Young  
Compliance Officer

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<sup>1</sup> Effective January 1, 2012, RCW 42.17.080 and 42.17.090 were recodified as RCW 42.17A.235 and 42.17A.240.  
<sup>2</sup> Effective January 1, 2012, RCW 42.17.103 was recodified as RCW 42.17A.260.