

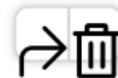
## Attachment A

Here (highlighted in yellow) you can see an example of agency staff representing staff-created interpretive guidance to a respondent as a legal requirement, asking them to amend their reports to comply with the guidance. Non-highlighted portions of the third paragraph represent actual legal requirements under WAC 390-16-037 or WAC 390-16-205.

4:15 PM [#98707] Burkman, Jack: Alleged violation of RCW 42.17A.240 by failing to sufficiently describe expenditures undertaken by 2019 campaign. (EY '19; Sep '21) : Washington Public D.

Tabatha Blacksmith replied

a year ago (Thu, 23 Sep 2021 at 9:10 AM)



To: jburkman@portvanusa.com

Hello Jack Burkman,

The Public Disclosure Commission (PDC) received a complaint from Connor Edwards, which has been assigned PDC Case Number **98707**. Please reference this case number on any future communications with the PDC regarding this complaint.

The complaint alleges violations of RCW 42.17A.240 for failing to accurately disclose the expenditure descriptions for political advertisements undertaken by your 2019 campaign for Port Commissioner for the Port of Vancouver ("Campaign"). Specifically, the complaint alleged your Campaign failed to provide the required expenditure description for four Facebook ads totaling \$646.41 that were disclosed on the Post-General Election C-4 report.

For your information, campaign expenditures made for political advertisements frequently require additional expenditure description information such as the number of mail pieces printed, yard signs produced, run dates and per station breakdown for TV/radio broadcasts, run dates for newspaper advertisements, and date ranges and impressions for social media advertisements.

In reviewing the complaint allegations and the reports filed by your 2019 Campaign, staff discovered additional expenditures made for political advertisements that appear to require you to file amended C-4 reports. The C-4 reports that require amending include the 21-Day and 7-Day Pre-Primary Election C-4 reports, the Post-Primary C-4 report, and the 21-Day and 7-Day Pre-General Election C-4 reports disclosing the description information as detailed above for the following expenditures made by your Campaign to: (1) The Columbian for newspaper advertisement inserts or advertisements (# of inserts printed or advertisement run dates are required to be disclosed for each expenditure); (2) Columbia Litho for newspaper inserts, a mail piece, flyers, business cards, envelopes and letterhead (# of items printed for required to be disclosed for each expenditure); and (3) Tom Edwards for "Signs (# of signs printed or produced, and any sub-vendor information if the sign work was contracted to a third party).

- Please review the attached complaint and file the necessary amended C-4 reports to provide the required expenditure descriptions for political advertising undertaken by your 2019 Campaign by **October 7, 2021**.
- If you would like to submit a written response to the complaint allegations and/or PDC staff's request, please reply directly to this email and provide that information by **October 7, 2021**.

If you need assistance in filing the amended C-4 reports or are having trouble locating the 2019 Online Reporting of Campaign Activities (ORCA) file for your campaign, please send an email to [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) and request filer assistance.

Finally, please review our Enforcement Guide, which discusses the enforcement process, and the sections entitled "Minor violations resolved through reminder or warning" and "Remediable violations and technical corrections" in particular.

Please reply directly to this email if you have any questions so your message is routed directly to the Political Finance Officer to whom your case is assigned.

Thank you and PDC staff appreciates your attention to this matter,

Tabatha Blacksmith

[pdcc.freshdesk.com/a/tickets/98707](https://pdcc.freshdesk.com/a/tickets/98707)

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