

Jeremy Arp, Executive Director  
NASW Washington Chapter  
400 Union Ave. SE, Ste. 200  
Olympia, WA 98501  
[jarp.naswwa@socialworkers.org](mailto:jarp.naswwa@socialworkers.org)

**Via E-mail ([pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov))**

Tanya Mercier  
Washington Public Disclosure Commission  
P.O. Box 40908  
Olympia, WA 98504

RE: PDC Complaint, Ticket No. 141855

Dear Ms. Mercier:

I write to respectfully respond to the complaint that the Public Disclosure Commission (“PDC”) received on August 23, 2023, from Glen Morgan against Washington Political Action for Candidate Election (“Committee”). The Complaint alleges that the Committee violated RCW §§ 42.17A.235 and .240 by failing to timely file C-3 and C-4 reports disclosing contribution and expenditure activities undertaken during the calendar years 2018 through the present. In the complaint, Mr. Morgan included a color-coded spreadsheet of alleged late reports. Please find our responses to the allegations, referring to the color-coded items below with subsections based on reasoning.

**Background**

The Committee is a small political action committee with limited staff support that currently works remotely. In 2020, the Committee discovered that the accounting firm hired to assist with filing the reports did not accurately file reports for 2018 and 2019. The Committee worked through the shutdown of COVID-19 as well as staffing changes from the death of the Chapter’s executive director in March 2020. A new executive director was hired in July 2020 and worked with the Committee, accountants, and PDC after the gap in staffing. After researching the issues causing many of the late reports, the Committee has discovered the following: 1) Paper filings that were not properly entered into the “Online Reporting of Candidate Activity” (“ORCA”) and returned to the Committee; 2) There was a lack of agreement between ORCA tools utilized by the Committee and our accountant which caused reports to not show up; 3) Filings were reported late because thresholds were not met; 4) Filings that were late due to staff error.

**Reports Highlighted in Red**

**Paper filings that were not properly entered into ORCA and returned to the Committee**

In February and March 2020, the Committee received notice by email from the PDC that paper filings were not accepted by the PDC and needed to be filed using ORCA. This notice was in reference to paper filings submitted for the months of January and February 2020. Upon receiving this notice, the Committee worked with the accountants to properly file January and February 2020 reports. The Committee then began an internal review of past filings to ensure all filings were accurately accounted

for in ORCA. It was during this time, the Committee discovered that the 2018 and 2019 reports were not showing up properly in ORCA.

#### *Lack of agreement between ORCA tools utilized by the Committee and our accountant*

The Committee reported filings in two ways, one was through paper filings and the other was utilizing ORCA. Older versions of the ORCA reporting tool were a program that users installed on their own computers. That is, the program stored data on each user's computer. If users used ORCA to file reports for the same campaign from more than one computer, it could cause problems, since the ORCA campaign on one computer did not communicate with the ORCA campaign for the same candidate or committee on a different computer. The PDC informed the Committee and accountants that since the files for the reports did not agree between the accountants and Committee's copy of ORCA, the reports for 2018 and 2019 did not show up in ORCA. The Committee coordinated work with its accountant and the PDC to reconcile the issue.

In March through September 2020, the Committee worked to correct any lack of agreement between ORCA tools. The Committee and accountants worked together with the PDC staff to make sure all of 2018 C3 and C4 reports showed up in ORCA and worked to amend reports for 2019. Through working with the PDC, there were bulk uploads of reports for 2018 in ORCA that occurred on 8/1/2020, 9/10/2020 and 9/14/2020. The Committee contacted PDC as 2018 reports still did not show on the website; this was reconciled with the assistance of the PDC staff by November 2020. For 2019, the C3 and C4 reports were bulk filed on 8/30/202 and 9/10/2020.

By September 20, 2020, the accountants outlined that all past C3 and C4 reports were accurately reflected in ORCA. The accountants sent the Committee the correct backup files for 2018 and 2019. The Committee, accountants and PDC worked together to make sure that all C3 and C4 reports were filed and reflected in ORCA.

#### **Reports Highlighted in Orange**

##### *Filings that were reported late because thresholds were not met*

The complaint highlighted in orange four reports submitted in 2021, 2022 and 2023, which the complainant identifies as having been 12-14 days late. For these reports, it is important to note that there was no activity, and the threshold was not met to report those filings. The Committee has adjusted its internal processes to ensure timely reporting in the future, including calendar reminders to report regardless of thresholds.

#### **Reports Highlighted in Yellow**

##### *Filings that were late due to staff error*

The complaint highlighted in yellow two reports submitted in 2020 and 2023, which the complainant identifies as having been one to five days late. The C3 filing submitted on September 8, 2020, was one day late and likely occurred due to a donation received during the Labor Day holiday weekend. The C4 report submitted on February 15, 2023, was five days late due to an internal error in calendaring the correct date and included no activity (no income or expenses) to report.

We acknowledge that in some cases, required reports were not timely filed. These oversights were unintentional and occurred despite our best efforts. We have since revisited and revised our internal processes for reporting and have worked to improve communication between staff and the Committee, participated in updating our operations manual for our PAC, as well as reached out to the PDC directly with any questions about reporting. We do not anticipate having an issue filing timely reports since we are using the newest version of ORCA that is web-based – with less chance of Committee sync issues outlined above. We struggled with the technology in the past and in good faith worked to correct any reporting shortfalls accurately and completely.

We will gladly make additional changes to our practices and file any remedial reporting as directed. The untimely C3 and C4 reports cited in Mr. Morgan's complaint have all been resolved and we can assure the PDC that we will make great efforts to timely submit our reports moving forward. We thank you for your consideration.

Sincerely,

Jeremy Arp, Executive Director  
NASW-Washington Chapter