

MISCELLANEOUS TEXT (FEC Form 99)

NAME OF COMMITTEE (In Full)

FEC IDENTIFICATION NUMBER

Sierra Club Independent Action

C00483693

Mailing Address 2101 Webster Street
Suite 1300

City State ZIP Code
Oakland CA 94612

Response to Request for Additional Information Re: 2022 12-Day Pre-General Report

Dear Mr. Tarone:

We are responding to your letter dated February 14, 2023, regarding the Committee's 2022 12-Day Pre-General Report.

Your letter requests additional information regarding in-kind activity that may have been disclosed incorrectly. We assume that the letter refers to two disbursements to Sierra Club Arizona PAC that were reported on Line 29 of Schedule B, each for \$59,197.10 and with a purpose described as "In-Kind: Phone Banking Stones Phones." The disbursement with Transaction ID VVAJ5ARNW was dated 10/03/2022 and the disbursement with Transaction ID VVAJ5ARNWW was dated 10/17/2022.

These two transactions disclose in-kind contributions that the Committee made to Sierra Club Arizona PAC in the form of unused vendor credits with Stones' Phones that originated in the 2020 election cycle.

The Committee made two disbursements to Stones' Phones in 2020, both of which were reported on the Committee's 2020 Post-General Report. A disbursement of \$50,000 on 10/30/2020 was reported on Schedule E with Transaction ID VVAJ5AQESY1

as an independent expenditure supporting President Biden. A second disbursement for \$100,000 on 11/02/2020 was reported

on Line 21b of Schedule B, with Transaction ID VVAJ5AQJFZ0. These disbursements were made to pre-pay Stones' Phones for

anticipated phone calls, including for the reported independent expenditure. However, the charges for phone calls actually made by the vendor for the Committee totaled only \$31,605.80. As a result, the Committee carried a balance of \$118,394.20 in credit for calls to be made by Stones' Phones on the Committee's behalf in 2021 or 2022.

In October 2022, the Committee assigned its credits with Stones' Phones to Sierra Club Arizona PAC, a nonfederal political committee that is registered with the Arizona Secretary of State. Because the Committee's payments to Stones' Phones had been disclosed in a previous cycle but without any connection to Sierra Club Arizona PAC (indeed, the in-kind contributions were not intended at the time the payments to Stones' Phones were made), the Committee disclosed the transactions as "Memo Items." The Committee's intention was to provide a complete record of the use of its funds but without erroneously affecting its reported cash on hand.

We trust that this is responsive to your letter. Please let us know if the Committee can provide any additional information.

Sincerely,
Bob Bingaman
Assistant Treasurer