

MISCELLANEOUS TEXT (FEC Form 99)

NAME OF COMMITTEE (In Full)

FEC IDENTIFICATION NUMBER

LOCAL 32BJ SERVICE EMPLOYEES INTERNATIONAL UNION AMERICAN DREAM POLITICAL ACTION FUND

C00355289

Mailing Address 25 WEST 18TH STREET 5TH FLOOR

City NEW YORK State NY ZIP Code 10011

We are responding to your letter dated September 14 (RFAI) regarding the Mid-Year 2023 Report. The numbers below correspond to the numeration in your letter.

- 1. The Committee inadvertently listed the previous Treasurer on the report; the amendment filed today is signed by the current Treasurer.
2. The disbursements to connected organization SEIU Local 32BJ for Refund of erroneous remittance (one payment of \$3,710) and Transfers of dues erroneously sent by employers (6 payments totaling \$35,128.47) total \$38,838.47, not the figure in the RFAI. The Mid-Year Report explained each payment in memo text. We elaborate here.
As previously stated in the report, the \$3,710 receipt was an inadvertent erroneous duplicate remittance of that amount of payroll-deducted contributions to the Committee by SEIU 32BJ acting as the employer of restricted class members. The duplicate remittance was received on January 29, 2023 and was included in the reports Line 11(a)(ii) summary total of unitemized contributions received. Today's amended report shifts that amount to Line 17 because the receipt did not include actual contributions to the Committee and Line 17 appears to be the most appropriate line on Form 3X in the absence of a line on the form that's more specifically tailored to such erroneous receipts. If the Reports Analysis Division believes that a different line is more appropriate, we are unaware of any guidance to that effect. We are also itemizing the receipt because it consisted of treasury funds of the connected organization, so the connected organization was the actual source, albeit in error.
As previously stated in the report, each of the 6 reported payments to SEIU Local 32BJ consisted of member dues that employers had erroneously remitted by ACH to the Committee rather than to SEIU Local 32BJ. (The employers that so erred also sent actual payroll-deducted contributions from members to the Committee by ACH, which were attributed and reported accurately in the ordinary course and are not at issue here.) The Mid-Year Report disclosed the receipt of all but \$5,275 of these amounts on Line 17 but did not itemize them because, unlike the connected organization remittance described above, they did not consist of employer funds but of member dues, and no members dues exceeded the \$200 reporting threshold (nor, if any did, would they have reflected a volitional payment by that member to the Committee). We believe that such dues remittances should not be itemized as coming from the employer any more than a collecting agent remitting contributions should be itemized rather than the individual contributors whose contributions the collecting agent simply forwards to the Committee. The Mid-Year Report itemized the transfers-out to SEIU Local 32BJ and did so on Line 29 because that appears to be the most appropriate line to do so in the absence of a line on the form that's more specifically tailored to such a payment. If the Reports Analysis Division believes that a different line is more appropriate, we are unaware of any guidance to that effect.
Here are the specifics of when the receipts occurred that are associated with each of the 6 transfers (all dates are 2023 except for the one identified as 2022):
a. January 5 transfer of \$4,925: \$430 and \$4,845 received on December 22, 2022.
b. February 13 transfer of \$9,690: \$4,785 received on January 3; \$4,825 received on January 18; \$430 received on January 19.
c. March 30 transfer of \$4,905: \$430 received on February 12; \$4,825 received on February 21.
d. April 11 transfer of \$5,272.04: \$430 received on March 16; \$4,825 received on March 17.
e. May 4 transfer of \$5,272.04: \$430 received on April 14; \$4,825 received on April 27.
f. June 6 transfer of \$5,064.39: \$405 received on March 16; \$4,676.43 received on May 25.
The \$350 differences in between each of the a, b and c transfers and their corresponding receipts

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reflect reconciliations of earlier discrepancies that were adduced. The \$17.04 differences between each of the d, e and f transfers reflects one such reconciliation that inadvertently was made twice instead of once and then corrected. The 2022 Year-End Report likewise disclosed the December 22 receipts within its unitemized Line 17 total of \$5,709. Thank you for your consideration.