



**From: RAD**  
**To: K. Stevenson - CELA**

**RAD REFERRAL: 04L-07**

**TITLE: VICTORY 2004/CALIFORNIA  
REPUBLICAN PARTY**

**DATE RECEIVED: June 14, 2004**

**DATE TRANSMITTED: June 14, 2004**

**NOTES:**

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

**MEMORANDUM**

June 14, 2004

TO: LAWRENCE H. NORTON  
GENERAL COUNSEL

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR *[Signature]*

ROBERT J. COSTA *[Signature]*  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON *[Signature]*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF VICTORY 2004/CALIFORNIA REPUBLICAN PARTY

This is a referral of Victory 2004/California Republican Party ("the Committee") for amending its 2003 February Monthly Report, to disclose additional debts which in the aggregate equal \$458,206.12, a 100% increase, additional receipts which in the aggregate equal \$228,279.55, a 90.4% increase, and additional disbursements which in the aggregate equal \$485,851.38, a 100% increase. Furthermore, the Committee amended its 2003 December Monthly Report, to disclose additional disbursements which in the aggregate equal \$182,987.84, a 62.2% increase. According to the 2003-2004 RAD Review and Referral Procedures for Unauthorized Committees (Standard 7), this matter requires further examination by your office.

Copies of any reports or letters either filed by the Committee or sent by the Reports Analysis Division and referenced in this referral, are available for your review on the FEC Imaging System or the web site.

If you have any questions regarding this matter, please contact Kristen Davis at 694-1152.

Attachments

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: June 14, 2004

ANALYST: Kristen Davis

- I. COMMITTEE: Victory 2004/California Republican Party  
(C00140590)  
Douglas Boyd, Treasurer  
1903 West Magnolia Boulevard  
Burbank, CA 91506
- II. RELEVANT STATUTE: 2 U.S.C. §434(b)(2)(A), 2 U.S.C. §434(b)(2)(D),  
2 U.S.C. §434(b)(4)(A), 2 U.S.C. §434(b)(4)(H)(i),  
11 C.F.R. §104.3(a)(2)(i)(A),  
11 C.F.R. §104.3(a)(2)(i)(B),  
11 C.F.R. §104.3(a)(2)(ii),  
11 C.F.R. §104.3(b)(1)(i)(A),  
11 C.F.R. §104.3(b)(1)(i)(B),  
11 C.F.R. §104.3(b)(1)(v),  
11 C.F.R. §104.17(b)(2),  
11 C.F.R. § 104.17(b)(3)(i)

III. BACKGROUND:

**Failure to Disclose All Financial Activity**

Victory 2004/California Republican Party ("the Committee") filed an Amended 2003 February Monthly Report to disclose additional debts totaling \$458,206.12, additional receipts totaling \$228,279.55 and additional disbursements totaling \$485,851.38, on October 20, 2003 that were not disclosed within the

original 2003 February Monthly Report<sup>1</sup>. Further, the Committee filed an Amended 2003 December Monthly Report to disclose additional disbursements totaling \$182,987.84, on January 30, 2004. (Attachment 2)

On February 20, 2003, the Committee filed the 2003 February Monthly Report covering the period from January 1, 2003 through January 31, 2003. This original report disclosed no debts on Line 10 (debts and obligations owed by the Committee), \$20,809 in contributions on Line 11(a)(i) (itemized contributions from individuals/persons other than political committees), \$231,800.71 in contributions on Line 11(a)(ii) (unitemized contributions from individuals/persons other than political committees), no receipts on Line 11(b) (contributions from political party committees), no receipts on Line 18(a) (transfers from a non-federal account for joint activity), no disbursements on Line 21(a)(i) (the federal share of allocable operating expenditures), no disbursements on Line 21(a)(ii) (the non-federal share of allocable operating expenditures) and no disbursements on Line 21(b) (other federal operating expenditures). (Image # 23990437958)

On October 20, 2003, the Committee filed an Amended 2003 February Monthly Report, which disclosed debts of \$458,206.12 on Line 10 (debts and obligations owed by the Committee) of the Detailed Summary Page. Additionally, the amended report disclosed \$34,294 on Line 11(a)(i) (itemized contributions from individuals/persons), \$347,803.21 on Line 11(a)(ii) (unitemized contributions from individuals/persons), \$4,119.18 on Line 11(b) (contributions from political party committees), and \$94,672.87 on Line 18(a) (transfers from a non-federal account for joint activity) on the Detailed Summary Page, which totals \$228,279.55 in additional receipts. Furthermore, the amended report disclosed \$225,076.79 on Line 21(a)(i) (the federal share of allocable operating expenditures), \$164,277.10 on Line 21(a)(ii) (the non-federal share of allocable operating expenditures), and \$96,497.49 on Line 21(b) (other federal operating expenditures) on the Detailed Summary Page, which totals \$485,851.38 in additional disbursements. (Image # 23992197572)

On November 26, 2003, a Request for Additional Information ("RFAI") was sent to the Committee. The RFAI asked for clarification regarding the additional receipts, disbursements and debts totaling \$1,172,337.00 on Line(s) 10, 11(a)(i), 11(a)(ii), 11b, 18, 21(a)(i), 21(a)(ii) and 21b that were not disclosed on the Committee's original 2003 February Monthly Report. (Image # 23038243752)

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<sup>1</sup> The Committee previously filed an Amended 2003 February Monthly Report on March 21, 2003 which disclosed additional debts totaling \$451,042, additional receipts totaling \$228,279.55, and additional disbursements totaling \$485,917 that were not disclosed within the original 2003 February Monthly Report.

On December 19, 2003, the Committee filed a miscellaneous text document in response to the RFAI which stated, "Our amendment reflects inadvertent transitional oversights that were later discovered, therefore an amendment was filed accordingly to correct accuracy". (Image # 23992519324)

On December 20, 2003, the Committee filed the 2003 December Monthly Report covering the period from November 1, 2003 through November 30, 2003. This original report disclosed no disbursements on Line 21(a)(i) (the federal share of allocable operating expenditures), Line 21(a)(ii) (the non-federal share of allocable operating expenditures), Line 21(b) (other federal operating expenditures), and Line 23 (contributions to federal candidates and committees) on the Detailed Summary Page. (Image# 23992546057)

On January 30, 2004, the Committee filed an Amended 2003 December Monthly Report, which disclosed \$72,714.83 on Line 21(a)(i) (the federal share of allocable operating expenditures), \$97,972.02 on Line 21(a)(ii) (the non-federal share of allocable operating expenditures), \$211,744.37 on Line 21(b) (other federal operating expenditures), and \$16,890.14 on Line 23 (contributions to federal candidates and committees) on the Detailed Summary Page, which totals \$182,987.84<sup>2</sup> in additional disbursements. (Image # 24990310866)

On March 17, 2004, a Request for Additional Information ("RFAI") was sent to the Committee. The RFAI asked for clarification regarding the additional disbursements totaling \$182,987.84 on Line(s) 21(a), 21(b) and 23 that were not disclosed on the Committee's original 2003 December Monthly Report. (Image # 24038341637)

On April 8, 2004, the Committee filed a miscellaneous text document in response to the RFAI which stated, "The original report did not have the total disbursements due to a software calculation error. The amendment that followed corrected that oversight and therefore those disbursements were added on the amended reported". (Image # 24990936826)

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<sup>2</sup> The Committee's original 2003 December Monthly Report filed on December 20, 2003 disclosed \$284,104.61 on Line 30(b) (Federal Election Activity paid entirely with federal funds). However, the Amended 2003 December Monthly Report filed on January 30, 2004 disclosed \$67,771.09 on Line 30(b), creating a decrease of \$216,333.52 and therefore reducing the total increase in disbursements for the amended report to \$182,987.84