

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: May 24, 2005

ANALYST: Alissa Sagri

- I. COMMITTEE: Dollars for Democrats
(C00073791)
Ann Fishman, Treasurer
430 South Capitol Street SE, Suite 300
Washington, DC 20003
- II. RELEVANT STATUTE: 2 U.S.C. §434(b)(2)(A)
11 C.F.R. §104.3(a)(2)(i)(A)
11 C.F.R. §104.3(a)(2)(i)(B)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Dollars for Democrats ("the Committee") filed an Amended 2004 12 Day Pre-General Report on December 1, 2004, to disclose additional receipts totaling \$139,624.37, an increase over the financial activity reported in their original 2004 12 Day Pre-General Report (Image 24981447040) (Attachment 2).

On October 25, 2004, the Committee filed its original 2004 12 Day Pre-General Report covering the period of October 1, 2004 through October 13, 2004. This report disclosed \$0 in receipts on Lines 11(a)(i) (Itemized Contributions from Individuals/Persons Other than Political Committees) and 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other than Political Committees) of the Detailed Summary Page (Image 24962710835).

On December 1, 2004, the Committee filed an Amended 2004 12 Day Pre-General Report, which disclosed \$33,748.00 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other than Political Committees) and \$105,876.37 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other than Political Committees) of the Detailed Summary Page.

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This amount totaled \$13,437 in additional receipts and represented a 100% increase over the original 2004 12 Day Pre-General Report (Image 24981447042).

On December 29, 2004, a Request for Additional Information ("RFAI") was sent to the Committee. Among other discrepancies, the RFAI asked for clarification regarding the \$139,624.37 in additional receipts that were not disclosed on the Committee's original 2004 12 Day Pre-General Report (Image 24038674567).

On January 25, 2005, the Committee filed a second Amended 2004 12 Day Pre-General Report that included a response to the RFAI which stated in part, "Due to a computer error the itemized and unitemized receipts fields were not captured when compiling the original pre-general report. As soon as the error was detected we fixed the error and filed an amended report to include the receipts." (Image 25980324791)

On February 7, 2005, the RAD analyst called the Committee and spoke to Ann Fishman, the Committee's Treasurer. The RAD analyst informed Ms. Fishman that the issue of additional receipts on the Amended 2004 12 Day Pre-General Report was referable to the Office of General Counsel and suggested that if there was any further information the Committee wished to provide regarding this issue, it should be filed with the Commission. Ms. Fishman stated that it was a software issue and that she tries hard to adhere to all the regulations and the Commission's filing requirements. Additionally, she stated any further information she thought was necessary would be filed with the Commission (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

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ADR CASE ANALYSIS REPORT

ADR Case: 278

Respondents: Dollars for Democrats
Ann Fishman, Treasurer

RAD: 05L-24

Respondents Rep: Ann Fishman

Case Opened: 5-24-05

Committee Type: Political Committee

Date Forwarded to ADRO: 6-30-05

Committee Name: Dollars for Democrats

Date Reviewed by ADRO: 7-14-05

Election Cycle: 2004

District #/or State: N/A

Election: N/A

Complainant: RAD Referral

Summary of Referral: RAD determined that Respondents failed to report a 100 % increase -- or \$139,624.37 -- in additional receipts on their 2004 Twelve Day Pre-General Report. Respondents original 2004 12 Day Pre-Primary Report, filed on 10/25/04 disclosed \$0 receipts for itemized contributions from individuals/persons other than political committees and for unitemized contributions from individuals/persons other than political committees. Respondents amended 12 Day Pre-Primary Report filed on 12/1/04 disclosed \$33,748.00 in receipts for itemized contributions from individuals/persons other than political committees and \$105,876.37 in receipts for unitemized contributions from individuals/persons other than political committees.

Respondents' Reply: Respondents, replying to an RFAI dated December 29, 2004 that requested clarification regarding the previously unreported receipts, indicated that "due to a computer error the itemized and unitemized receipts were not captured" when the original Pre-General Report was prepared. Respondents subsequently corrected the reporting error and filed on 12/1/04 an amended report.

Analysis: Committees are obliged to report the total amount of all receipts and contributions for the reporting period. The Committee, an experienced PAC with a long history of filing financial disclosure report with the Commission, apparently missed the errors in their Pre-Primary Reports when they were prepared and failed to review the data prior to submission to the Commission. However, as soon as the errors were detected they were corrected and an amended disclosure report was filed with the Commission.

Issue:

- Reporting of Receipts, 2 U.S.C. §§ 434(a)(1), 434(b)(2)(A) and 11 C.F.R. §§ 104.3(a)(2)(i)(A) and 104.3(a)(2)(i)(B).

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Recommendation: Assign to ADR

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