

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 15, 2006

ANALYST: Maureen Benitz

I. COMMITTEE: Latino Alliance
(C00385690)
Linda Chavez, Treasurer
P.O. Box 650637
Sterling, VA 20165

II. RELEVANT STATUTE: 2 U.S.C. §434(b)(2)(A)
2 U.S.C. §434(b)(2)(I)
11 CFR. §104.3(a)(2)(i)
11 CFR. §104.3(a)(2)(vii)

III. BACKGROUND:

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

Latino Alliance (“the Committee”) filed an Amended 2004 30 Day Post-General Report to disclose additional receipts totaling \$70,873.06 on November 3, 2005 (Attachment 2).

On December 2, 2004, the Committee filed its 2004 30 Day Post-General Report covering the period from October 14, 2004 through November 22, 2004. This report disclosed \$10,874.00 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees), \$59,827.29 on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other Than Political Committees) and \$0.00 on Line 15 (Offsets to Operating Expenditures) (Image 24981618681).

On June 1, 2005, the Committee filed an Amended 2004 30 Day Post-General Report, which disclosed no change in the amount of receipts disclosed by the Committee on their original 30 Day Post-General Report¹ (Image 25990983093).

On July 12, 2005, the Committee filed an Amended 2004 30 Day Post-General Report which disclosed \$10,874.00 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees), \$59,827.29 on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other Than Political Committees) and \$1,270.36 on Line 15 (Offsets to Operating Expenditures) (Image 25970578328).

¹ The June 1, 2005 Amended 30 Day Post-General Report did, however, disclose additional disbursements of \$76,798.87. A RAD referral, 05L-61, was sent to OGC on October 26, 2005 concerning the increase in disbursements.

On November 3, 2005, the Committee filed an Amended 2004 30 Day Post-General Report covering the period from October 14, 2004 through November 22, 2004. This report disclosed \$22,747.00 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees), \$117,556.99 on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other Than Political Committees) and \$1,270.36 on Line 15 (Offsets to Operating Expenditures) (Image 25971427452).

On January 20, 2006, a Request for Additional Information (RAFI) was sent to the Committee referencing the 2004 Amended 30 Day Post-General Report, received November 3, 2005. The RAFI asked for clarification regarding the \$70,873.06 in additional receipts on Lines 11(a)(i), 11(a)(ii) and 15 that were not disclosed on the Committee's original 2004 30 Day Post-General Report (Image 26038952963).

On February 23, 2006, the Reports Analysis Division (RAD) analyst called the Committee regarding the possible referral of their Amended 2004 30 Day Post-General Report, received 11/3/05, to the Office of General Counsel (OGC). The Analyst spoke with Joy Dingler, a Committee assistant and Robin Sexton, a consultant hired by the Committee to file FEC reports. The Analyst explained that the Commission had not received a response to the RAFI sent on January 20, 2006 and that the matter was referable to OGC. The Analyst suggested the Committee file a miscellaneous electronic submission (Form 99) to provide any further clarification regarding the matter within one week (Attachment 3).

On February 27, 2006, the Reports Analysis Division (RAD) analyst returned Ms. Dingler's telephone call regarding where to find a copy of the January 20, 2006 RAFI on the FEC web site. The Analyst explained how to access documents on the web and the specific location of the requested RAFI. Ms. Dingler also again inquired about the filing of the Form 99. The Analyst explained that the Form 99 would not cancel the referral, but encouraged Ms. Dingler to file the Form 99 for full public disclosure (Attachment 3).

On March 24, 2006, the Committee filed a Miscellaneous Electronic Submission (Form 99) which stated, "We have had difficulty managing the various vendors for our receipts and disbursements so that our compliance vendor has all the data necessary to prepare compliant FEC reports. We have established a process that currently seems to be working so that these issues do not continue to happen. We have always tried to ensure the reporting is accurate up to the dat[e] the report is filed, which is why we file amendments as we find issues. There has never been any intent at wrongdoing and we seek always to be compliant with the law." (Image 26960019225)

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

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