

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: August 30, 2006

ANALYST: Jennifer Jaketic

- I. COMMITTEE: Republican State Committee of Delaware
(C00172510)
Thomas J. Shopa, Treasurer
3301 Lancaster Pike, Suite 4B
Wilmington, DE 19805
- II. RELEVANT STATUTE: 2 U.S.C. §434(b)(4)(C)
11 C.F.R. §104.3(b)(1)
11 C.F.R. §300.36(b)(2)(iv)

III. BACKGROUND:

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

The Republican State Committee of Delaware ("the Committee") filed an Amended 2004 30 Day Post-General Report on May 6, 2005 disclosing additional disbursements totaling \$79,004.62 (Image 25990712598).

On December 2, 2004, the Committee filed its original 2004 30 Day Post-General Report covering the period from October 14 through November 22, 2004. The report disclosed \$27,500.00 on Line 22 (Transfers to Affiliated/Other Party Committees) and \$43,395.46 on Line 30(b) (Federal Election Activity Paid Entirely with Federal Funds) (Image 24981544364).

On May 6, 2005, the Committee filed an Amended 2004 30 Day Post-General Report covering the period from October 14, through November 22, 2004. This report disclosed \$106,504.62 on Line 22 (Transfers to Affiliated/Other Party Committees) and \$43,395.46 on Line 30(b) (Federal Election Activity Paid Entirely with Federal Funds) (Image 25990712601).

On June 1, 2005, a Request for Additional Information ("RFAI") was sent to the Committee regarding the Amended 2004 30 Day Post-General Report, received May 6, 2005. Among other discrepancies, the RFAI asked for clarification regarding the \$79,004.62 in additional disbursements that were not disclosed on the Committee's original 2004 30 Day Post-General Report, received December 2, 2004 (Image 25038820818).

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On June 20, 2005, the Committee filed a miscellaneous electronic submission (Form 99) which stated "...A recent review of our records and of the reports filed indicated that these two transactions had not been included as disbursements when the original 30 Day Post General report was filed. The Committee immediately filed an amended report to reflect these expenditures...and regrets that these transfers were not disclosed previously." (Image 25991029307)

On April 27, 2006, the Committee filed a second Amended 2004 30 Day Post-General Report which disclosed \$105,504.62 on Line 22 (Transfers to Affiliated/Other Party Committees) and \$46,974.89 on Line 30(b) (Federal Election Activity Paid Entirely With Federal Funds) (Image 26950096121).

On May 12, 2006, the Reports Analysis Division ("RAD") analyst called and left a message for the Committee treasurer, Mr. Thomas J. Shopa, informing him that the Committee was being referred to the Office of General Council ("OGC") for the increase in activity disclosed on the Amended 2004 30 Day Post-General Report, received May 6, 2005. The Analyst explained that Mr. Shopa could file an additional electronic submission further explaining the increase, and that this response would be taken into consideration by OGC (Attachment 3).

On May 18, 2006, Mr. Shopa called the RAD analyst to clarify the message left for him on May 12, 2006. The Analyst again explained the situation and Mr. Shopa said he would look into the error and respond accordingly (Attachment 3).

On May 24, 2006, Mr. Keith Davis, a lawyer representing the Committee, called the RAD analyst for further clarification on the information given to Mr. Shopa on May 18, 2006. The Analyst explained the situation to Mr. Davis and suggested that Mr. Shopa file another Form 99 to further clarify the increase in activity. Mr. Davis stated he would relay this information to Mr. Shopa (Attachment 3).

On May 25, 2006, the Committee filed a miscellaneous text submission (Form 99) further detailing the increase in activity on the Amended 2004 30 Day Post-General Report, received May 6, 2005. Specifically, the Committee stated "When these transfers occurred in October of 2004, the Committee's staff person ...entered these transfers into our accounting software system. The transfers did not, however, flow through to our reporting software, and thus were not included in the Committee's original 30 Day Post General FEC report filed in December of 2004. The Committee has subsequently taken several steps to insure that such omissions do not recur, including additional internal reviews prior to filing." (Image 26950134411)

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

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