

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: January 6, 2009

ANALYST: Daniel T. Buckley

I. COMMITTEE: Republican Party of Texas
 C00143743
 Wayne Tucker (10/5/06 – present)
 Christopher Maska (12/1/04 – 10/4/06)
 900 Congress Ave, Suite 300
 Austin, TX 78701

TYPE OF COMMITTEE Party

II. REGISTRATION: July 13, 1981

III. BACKGROUND:

The Committee was sent thirty-eight (38) Requests for Additional Information (RFAs) and failed to adequately respond to fourteen (14) of these requests which included reporting errors involving excessive, prohibited and other impermissible contributions and transfers, mathematical discrepancies, failure to provide supporting schedules, failure to properly itemize contributions from individuals, Federal Election Activity/Levin funds and allocated federal and non-federal activity.

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VIOLATION DESCRIPTION	REPORT(S)	DETAILS OF VIOLATION
Excessive, Prohibited and Other Impermissible Contributions or Transfers	2006 12R	The Committee disclosed transfers-in on Schedule A totaling \$81,000.00 from an affiliated local party committee which were not disclosed on the contributor's disbursement schedule; resulting in an apparent impermissible receipt of \$81,000.00.
Mathematical Discrepancies	Amended 2005 M2, received 10/21/05	The Committee's beginning cash balance, \$166,252.36, is less than the ending cash balance of the Committee's previous report, \$175,138.90, a discrepancy of \$8,886.54.
Mathematical Discrepancies	2005 M4	The Committee's report contained mathematical discrepancies totaling \$152,684.28.
Mathematical Discrepancies	2005 M10	The Committee's report contained mathematical discrepancies totaling \$501,638.64.
Mathematical Discrepancies	2006 M10	<p>The Committee's report contained mathematical discrepancies totaling \$202,787.65, as detailed below:</p> <ul style="list-style-type: none"> • The Committee's beginning cash balance, \$733,173.56, is less than the ending cash balance of the Committee's previous report, \$734,881.43, a discrepancy of \$1,707.87. • The Committee's report contained mathematical discrepancies totaling \$201,079.78.
Mathematical Discrepancies	2006 12R	<p>The Committee's report contained mathematical discrepancies totaling \$290,398.42, as detailed below:</p> <ul style="list-style-type: none"> • The Committee's beginning cash balance, \$492,047.14, is greater than the ending cash balance of the Committee's previous report, \$490,339.27, a discrepancy of \$1,707.87. • The Committee's report contained mathematical discrepancies totaling \$287,895.55. • The Committee disclosed \$490.00 in apparent refunds made to individuals as receipts on Schedule A supporting Line 16, creating a mathematical discrepancy. • Schedule B of the Committee's report disclosed memo entries totaling \$305.00 that did not appear to correspond with any itemized transaction(s). • Schedule B of the Committee's report disclosed in-kind contributions made on behalf of nonfederal candidates with the Committee as the payee, creating an apparent mathematical discrepancy totaling \$1,363.26.

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Mathematical Discrepancies	2006 YE	The Committee's report contained mathematical discrepancies totaling \$177,144.82, as detailed below: <ul style="list-style-type: none"> The Committee's beginning cash balance, \$465,012.15, is less than the ending cash balance of the Committee's previous report, \$472,006.57, a discrepancy of \$6,994.42. The Committee's report contained mathematical discrepancies totaling \$170,150.40.
Failure to Provide Supporting Schedules	Amended 2005 M2, received 3/20/05	The Committee's report disclosed an apparent cash advance to an individual as a debt owed on Schedule D, but failed to itemize the advance as a MEMO entry on Schedule A, resulting in a missing schedule of \$2,362.49.
Failure to Provide Supporting Schedules	Amended 2005 M2, received 8/29/05	The Committee's report disclosed additional disbursements totaling \$62,235.28 for the reporting period.
Failure to Provide Supporting Schedules	Amended 2005 M2, received 10/21/05	The Committee's report disclosed additional receipts totaling \$65,768.37 for the reporting period.
Failure to Provide Supporting Schedules	Amended 2006 30G, received 3/6/07	Schedule D of the Committee's previous report disclosed one (1) debt totaling -\$132,569.55 with an outstanding ending balance; however, this debt was not disclosed as outstanding on this report. The Committee's amended report failed to include all of the activity disclosed on Schedule D previously, resulting in a missing schedule of \$92,327.56.
Failure to Provide Supporting Schedules	2006 YE	Schedule D of the Committee's previous report disclosed two (2) debts totaling \$24,473.99 with outstanding ending balances; however, these debts were not disclosed as outstanding on this report.
Failure to Properly Itemize Contributions from Individuals	Amended 2005 M2, received 3/20/05	The Committee failed to provide adequate identification for 20 of 47 contributions from individuals that require itemization.
Failure to Properly Itemize Contributions from Individuals	2005 M3	The Committee failed to provide adequate identification for 19 of 64 contributions from individuals that require itemization.
Failure to Properly Itemize Contributions from Individuals	2005 M4	The Committee failed to provide adequate identification for 38 of 79 contributions from individuals that require itemization.
Failure to Properly Itemize Contributions from Individuals	2005 M5	The Committee failed to provide adequate identification for 36 of 59 contributions from individuals that require itemization.

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Failure to Properly Itemize Contributions from Individuals	2006 YE	The Committee failed to provide adequate identification for 986 of 2,169 contributions from individuals that require itemization for the election cycle.
Federal Election Activity/ Levin Funds	2005 M10	On Schedule H4, the Committee disclosed \$8,250.74 in disbursements made for "Communications Spec Consultants," but failed to clarify whether these disbursements were FEA public communications that promoted, supported, attacked or opposed Federal candidates or if they expressly advocated the election or defeat of clearly identified Federal candidates.
Federal Election Activity/ Levin Funds	2006 12R	<p>The Committee disclosed \$10,000.00 in disbursements made for "FUNDRAISING CONSUTANTS RETAINER" on Schedule B, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p> <p>Schedule B disclosed \$6,739.21 for apparent reimbursements to individuals; however, there were only \$4,724.57 in supporting MEMO entries reflected on Schedule B, a \$2,014.64 discrepancy.</p> <p>On Schedule H5, the Committee failed to clarify the name of account for \$58,182.86 in transfers received from an apparent Levin account for activity allocated between its federal and Levin accounts.</p> <p>Schedule H6 disclosed an event year-to-date total for GOTV expenses of \$153,495.97; however, FEC calculations disclose this total to be \$62,674.79, resulting in a discrepancy of \$90,821.18.</p>
Federal Election Activity/ Levin Funds	2006 30G	The Committee's report contained mathematical discrepancies on Schedule L totaling \$20,000.00.
Allocated Federal and Non-Federal Activity	2005 M6	The Committee failed to clarify transfers made to "Republican Party of Texas - Federal Acct" for "TRANSFER OF ALLOCATED FUNDS" disclosed on Schedule B totaling \$8,024.63.
Allocated Federal and Non-Federal Activity	2005 M10	<p>Schedule H4 disclosed an event year-to-date total for administrative expenses of \$601,651.22; however, FEC calculations disclose this total to be \$618,106.09, resulting in a discrepancy of \$16,454.87.</p> <p>The Committee disclosed \$2,890.31 in disbursements made for "Fundraising Consulting" on Schedule H4, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p> <p>The Committee disclosed disbursements for salary, wages and/or fringe benefits on Schedule H4, resulting in an apparent impermissible transfer-in from the non-federal account of \$3,534.55.</p>

		<p>The Committee failed to address an apparent impermissible transfer of \$6,518.08 from the non-federal account that occurred as a result of allocating payments between the Federal and non-federal accounts on Schedule H4 for apparent FEA public communications.</p>
Allocated Federal and Non-Federal Activity	2006 M7	<p>Line 18(a), Column A of the Detailed Summary Page disclosed \$201,313.74 in transfers from the non-federal account for allocable activity for the period. However, Line 21(a)(ii), Column A disclosed \$182,704.13 in the non-federal share of disbursements for the period, resulting in an apparent excessive transfer of approximately \$18,609.61 from the non-federal account.</p>
Allocated Federal and Non-Federal Activity	2006 M10	<p>Line 18(a), Column A of the Detailed Summary Page disclosed \$133,035.00 in transfers from the non-federal account for allocable activity for the period. However, Line 21(a)(ii), Column A disclosed \$103,002.91 in the non-federal share of disbursements for the period, resulting in an apparent excessive transfer of approximately \$30,032.09 from the non-federal account.</p>
Allocated Federal and Non-Federal Activity	2006 12R	<p>On Schedule H2, the Committee disclosed the ratio as being new for one (1) fundraising event; however, this ratio was the same as previously reported.</p> <p>Schedule H4 disclosed an event year-to-date total for administrative expenses of \$586,102.82; however, FEC calculations disclose this total to be \$646,591.25, resulting in a discrepancy of \$60,488.43.</p>

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