

## REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: April 1, 2009

ANALYST: Eric Fusselle

- I. COMMITTEE: Hank Eng for Congress  
C00445924  
Carmen Lamar Arnold, Treasurer  
5435 South Geneva Street  
Englewood, CO 80111
- II. RELEVANT STATUTES: 2 U.S.C. 434(b)(4)  
11 CFR §104.3(b)

## III. BACKGROUND:

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

Hank Eng for Congress ("the Committee") amended their 2008 12 Day Pre-General Report to disclose additional disbursements totaling \$122,959.22 that were not reported on their original 2008 12 Day Pre-General Report (Attachment 2).

On October 23, 2008, the Committee filed the original 2008 12 Day Pre-General Report covering the reporting period of October 1, 2008 through October 15, 2008. The original report disclosed \$5,318.77 on Line 17 (Total Operating Expenditures) of the Detailed Summary Page (Image 28993025513).

On December 3, 2008, the Committee filed an Amended 2008 12 Day Pre-General Report covering the period of October 1, 2008 through October 15, 2008, disclosing \$128,277.99 on Line 17 (Total Operating Expenditures) of the Detailed Summary Page (Image 28993361078). The report included memo text, which stated, "Amended to include missing disbursements" (Image 28993361134).

On January 6, 2009, a Request for Additional Information ("RFAI") was sent to the Committee. The RFAI requested clarification regarding the substantial increase in the amount of disbursements which were not disclosed in the original filing (Image 29039971935).

29190281575

On January 30, 2009, the Committee again filed an Amended 2008 12 Day Pre-General Report covering the period of October 1, 2008 through October 15, 2008, disclosing \$128,277.99 on Line 17 (Total Operating Expenditures) of the Detailed Summary Page (Image 29932038742). The report included memo text, which stated:

“Amendment 1 filed due to added disbursements which were not available in time to input before filing deadline. Amendment 2 filed due to change in cash on hand from FEC-370286 amdt 2 (FEC-399622).” (Image 29932038799)

On March 26, 2009, the Reports Analysis Division (“RAD”) Management left a voice mail message for the treasurer of the Committee, Carmen Lamar Arnold, to inform her that due to the substantial increase in disbursements on the Amended 12 Day Pre-General Report, received on December 3, 2008, the matter would be referred for additional action by the Commission<sup>1</sup> (Attachment 3).

On March 27, Ms. Lamar Arnold returned the call, and indicated that the reason for the increase in disbursements was that she initially filed the 12 Day Pre-General Report in a hurry trying to meet the filing deadline, and then revised the report to add the information that was missing from the original filing. Ms. Lamar Arnold declined to submit a statement for the public record (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

---

<sup>1</sup> A RAD Analyst also attempted to contact Ms. Lamar Arnold on February 26, 2009, but was unable to reach her, as the phone number listed for the treasurer on the Statement of Organization (FEC FORM 1) was incorrect.

29190281576

FEDERAL ELECTION COMMISSION  
OGC INDEX - (0) (2007-2008)

DATE 4/01/2009  
PAGE 1

ENG, HENRY H

ID #H8C006187

HANK ENG FOR CONGRESS  
CARMEN LAMAR ARNOLD  
FILING FREQUENCY: QUARTERLY

5435 S geneva Street

Englewood

HOUSE  
CO 80111

ID #C00445924

FORM TYPE	RPT TYPE	AI	PGI	REC DATE	PGS	BEG IMAGE	COVERAGE DATES	BEG CASH	RECEIPTS	DISBURSE	END CASH	DEBTS BY
1		N		2/21/2008	5	28039643356						
1		A		9/04/2008	5	28039824059						
RQ	Q3	2		11/26/2008	4	28039924956	7/24/2008 9/30/2008					
RQ	12G	2		11/26/2008	3	28039924960	10/01/2008 10/15/2008					
RQ	12G	2		1/06/2009	3	29039971935	10/01/2008 10/15/2008					
RQ	30G	2		1/06/2009	4	29039971938	10/16/2008 11/24/2008					
3	Q1	N		4/07/2008	13	28990766722	1/01/2008 3/31/2008	0	13185	429	12755	500
3	Q1	A		1/29/2009	14	29932018872	1/01/2008 3/31/2008	0	13185	406	12778	500
3	Q2	N		7/14/2008	25	28932167158	4/01/2008 6/30/2008	12755	81759	13283	81231	50500
3	Q2	A		1/29/2009	85	29932037325	4/01/2008 6/30/2008	12778	82383	5895	89267	50500
3	Q2	A		1/30/2009	86	29932038390	4/01/2008 6/30/2008	12778	82383	6229	88932	50500
3	12P	N	P	7/30/2008	13	28991653430	7/01/2008 7/23/2008	81231	5694	10842	76082	50500
3	12P	A	P	1/29/2009	22	29990867371	7/01/2008 7/23/2008	89267	1105	10928	79444	50500
3	12P	A	P	1/30/2009	22	29990867850	7/01/2008 7/23/2008	88932	1105	10928	79109	50500
3	Q3	N		10/16/2008	160	28933540838	7/24/2008 9/30/2008	81231	130657	70951	140937	150000
3	Q3	A		1/30/2009	164	29932038537	7/24/2008 9/30/2008	79109	130657	71065	138701	150500
3	12G	N	G	10/23/2008	47	28993025510	10/01/2008 10/15/2008	140937	11633	5318	147251	150000
3	12G	A	G	12/03/2008	61	28993361075	10/01/2008 10/15/2008	140937	11633	128227	24342	150000
3	12G	A	G	1/30/2009	62	29932038739	10/01/2008 10/15/2008	138701	11633	128227	22106	150500
3	30G	N	G	12/04/2008	125	28993369058	10/16/2008 11/24/2008	24342	34608	53715	5234	150000
3	30G	A	G	1/30/2009	126	29990913227	10/16/2008 11/24/2008	22106	34608	53720	2994	150500
3	YE	N		1/30/2009	10	29932112763	11/25/2008 12/31/2008	2994	125	34	3084	150500
TOTAL									273696	270609		

29190281577

FEDERAL ELECTION COMMISSION  
OGC INDEX - (0) (2009-2010)

DATE 4/01/2009  
PAGE 1

ID #H8C006187

ID #C00445924

ENG, HENRY H

HANK ENG FOR CONGRESS  
CARMEN LAMAR ARNOLD  
FILING FREQUENCY: QUARTERLY

1500 W. Littleton Blvd

Littleton

HOUSE  
CO 80120

FORM TYPE RPT TYPE AI PGI REC DATE PGS BEG IMAGE COVERAGE DATES BEG CASH RECEIPTS DISBURSE END CASH DEBTS BY

---

MS 4 1/24/2009 3 29990612281

TOTAL 0 0

29190281578

**Hank Eng for Congress (C00445924)**

**12 Day Pre-General Report/Amended 12 Day Pre-General Report, received 12/3/08**

**Overview of Additional Disbursements**

<b>Report Line</b>	<b>Original 2008 12 Day Pre-General Report (Image 28993025513)</b>	<b>Amended 2008 12 Day Pre-General Report, received 12/3/08 (Image 28993361078)</b>	<b>Variance Amount</b>
<b>Line 17: Operating Expenditures</b>	<b>\$5,318.77</b>	<b>\$128,277.99</b>	<b>\$122,959.22</b>

29190281579