

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 14, 2009

ANALYST: Daniel Buckley

I. COMMITTEE: Harris County Democratic Party  
C00161067  
Gerald Birnberg, Treasurer  
1445 N. Loop W., Ste 110  
Houston, TX 77008

TYPE OF COMMITTEE: Party

II. REGISTRATION: August 30, 1982

III. BACKGROUND:

The Committee was sent eighteen (18) Requests for Additional Information (RFAs) for reporting errors including mathematical discrepancies, Federal Election Activity/Levin funds, and allocated federal and non-federal activity.

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VIOLATION DESCRIPTION	REPORT(S)	DETAILS OF VIOLATION
Mathematical Discrepancies	2007 M2	The Committee's beginning cash balance, \$5,820.07, was greater than the ending cash balance of the Committee's previous report, -\$17,336.51, a discrepancy of \$23,156.58.
Mathematical Discrepancies	2008 M8	The Committee's report contained mathematical discrepancies totaling \$2,058.
Federal Election Activity/Levin Funds	2008 30G	<p>The Committee failed to provide an adequate purpose for disbursements to one (1) vendor totaling \$25,671.50.</p> <p>The Committee disclosed \$500.00 in disbursements made for "event decorations" on Schedule B, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p> <p>On Schedule H6, the Committee disclosed a \$965.25 disbursement made for "advertising," but failed to clarify whether this disbursement was for FEA public communications that promoted, supported, attacked or opposed federal candidates, or if it expressly advocated the election or defeat of clearly identified federal candidates. Further, the Committee failed to address an apparent impermissible transfer of \$617.76 from the Levin account that occurred as a result of allocating this payment between the Federal and Levin accounts.</p> <p>On Schedule H6, the Committee disclosed apparent lump sum disbursements totaling \$7,900.00. However, the Committee failed to itemize the payee's name, address, date and amount of each disbursement.</p> <p>Schedule L-A of the Committee's report disclosed an excessive receipt of Levin funds totaling \$15,000.00 from one (1) unregistered political action committee.</p>
Allocated Federal and Non-Federal Activity	2007 M2	The Committee filed multiple Schedule H1s, which disclosed different allocation methods for allocable federal and nonfederal activity.
Allocated Federal and Non-Federal Activity	2007 M4	The Committee disclosed disbursements totaling \$42,225.87 for the three month period; however, the report disclosed limited payments for administrative expenses.
Allocated Federal and Non-Federal Activity	2007 M7	The Committee disclosed disbursements totaling \$34,023.45 for the three month period; however, the report disclosed limited payments for administrative expenses.
Allocated Federal and Non-Federal Activity	2007 M10	The Committee disclosed disbursements totaling \$28,873.83 for the three month period; however, the report disclosed limited payments for administrative expenses.

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Allocated Federal and Non-Federal Activity	2007 YE	The Committee disclosed disbursements totaling \$73,639.35 for the three month period; however, the report disclosed limited payments for administrative expenses.
Allocated Federal and Non-Federal Activity	2008 M4	The Committee disclosed disbursements totaling \$39,376.71 for the three month period; however, the report disclosed limited payments for administrative expenses.
Allocated Federal and Non-Federal Activity	2008 M8	<p>The Committee disclosed \$1,250.00 in disbursements made for "fund raising consultant" on Schedule B, but failed to clarify whether these disbursements were made on behalf of specifically identified federal candidates.</p> <p>On Schedule H3, the Committee failed to provide a breakdown of the transfers received from its non-federal account totaling \$3,844.84.</p> <p>The Committee disclosed a \$1,000.00 disbursement made for "deposit for event site" on Schedule H4, but failed to clarify whether this disbursement was made on behalf of specifically identified federal candidates or if the correct allocation ratio was used.</p>
Allocated Federal and Non-Federal Activity	2008 M9	Schedule B disclosed a reimbursement made to the non-federal account totaling \$7,717.97 for the federal share of administrative expenses paid directly from the non-federal account.
Allocated Federal and Non-Federal Activity	2008 30G	<p>The Committee failed to provide a Schedule H2 to disclose the allocation ratio and unique identifier code for fundraising expenditures listed on Schedule H4.</p> <p>On Schedule H4, the Committee failed to provide the purpose for disbursements totaling \$53,695.16.</p> <p>Schedule H4 disclosed \$200.00 in apparent reimbursements to individuals; however, the Committee did not provide MEMO entries to itemize the vendors, resulting in a \$200.00 discrepancy.</p>

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