

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 23, 2009

ANALYST: Allen Norfleet

I. COMMITTEE: Connecticut Democratic State Central
Committee
C00167320
Emma Pierce, Treasurer (3/18/05 - Present)
330 Main Street, 3rd Floor
Hartford, CT 06106

II. RELEVANT STATUTE: 2 U.S.C. §434(b)(2)
11 CFR §104.3(a)(2)
11 CFR §104.17(b)(2)

III. BACKGROUND:

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

The Connecticut Democratic Central Committee ("the Committee") amended its 2008 30 Day Post-General Report to disclose additional receipts of \$126,491.83 that were not disclosed on the original report (Attachment 2).

On December 4, 2008, the Committee filed its original 2008 30 Day Post-General Report covering the period from October 16, 2008 to November 24, 2008. The original report disclosed \$26,580.61 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other than Political Committees), \$1,817.50 on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other than Political Committees), \$203,163.36 on Line 12 (Transfers From Affiliated/Other Party Committees), \$19,711.90 on Line 15 (Offsets to Operating Expenditures), and \$0.00 on Line 18(a) (Transfers from Non-Federal Account) (Image 28934579014).

On December 15, 2008, the Committee filed an Amended 2008 30 Day Post-General Report, which disclosed no change in the amount of receipts on Lines 11(a)(i), 11(a)(ii), 15, and

10190290702

18(a). However the amended report disclosed \$199,163.36 on Line 12 (Image 28994114730). Further, memo text was attached to this amendment which stated, in part,

“The 11/3/08 contribution in the amount of \$4,000 has been removed as that was an internal transfer and shouldn’t have been reported. * Due to human error, the original Post General report was missing its Schedule F; this amended report includes its Schedule F and all of the correct itemized coordinated expenditures. *For reasons unknown, the original report Cash on Hand, Line 8, were not the same, this has been corrected. *The original Post General report inadvertently was missing contributions and disbursements associated with our ASDC Joint Victory account, this has been corrected and all contributions and disbursements are disclosed in this amended report” (Image 28994115024).

On January 29, 2009, the Committee filed an Amended 2008 30 Day Post-General Report which disclosed no change in the amount of receipts on Lines 11(a)(ii), 15, and 18(a). However, the report disclosed \$28,580.61 on Line 11(a)(i) and \$279,113.36 on Line 12 (Image 29932016170). Further, memo text was attached to this amendment which stated, in full,

“Due to some typographical coding errors in previous reports, lines 7, 8, 30b, 30c, and 31 and 32 were off, these codes and numbers have been corrected. Also, two contributions were inadvertently left off of the original report from October 31, 2008, a contribution from Nancy Kail in the amount of \$2000 and a transfer of funds from the Jim Himes for Congress campaign in the amount of \$79,950. This has been corrected” (Image 29932016513).

On March 25, 2009, a Request for Additional Information (“RFAI”) was sent to the Committee referencing the Amended 2008 30 Day Post-General Report, received January 29, 2009. The RFAI requested clarification regarding additional receipts totaling \$77,950.00 disclosed on Line 11(a)(i)¹ of the Detailed Summary Page that were not disclosed on the original 2008 30 Day Post-General Report (Image 29030060075).

On April 24, 2009, the Committee filed an Amended 2008 30 Day Post-General Report which disclosed no change in the amount of receipts on Lines 11(a)(i), 11(a)(ii), 12, and 15. However, the amended report disclosed \$20,540.79 on Line 18(a) (Image 29933596582). Further, a report memo was attached to this amendment which stated, in part,

“The original memo text from the amendment explains that two contributions were inadvertently left off of the original report and were reported when the error was discovered” (Image 29933597014).

On May 14, 2009, the Reports Analysis Division (RAD) Analyst called Amber Paige, the Committee’s Finance Director, because the Committee had not adequately responded to an RFAI questioning the increase in receipts and disbursements on its Amended 2008 30 Day Post-

¹ The additional receipts of \$77,950.00 were disclosed on Lines 11(a)(i) and 12. However, the reference to Line 12 was omitted from the RFAI.

10190290703

General Report, received January 29, 2009. The Analyst stated that because the original report did not include all of the transactions, the matter may be referred for further action by the Commission. The Analyst advised Ms. Paige to file a Miscellaneous Electronic Submission (FEC Form 99) to explain what caused the error and what action the Committee was taking to prevent it in the future. Ms. Paige said she would file the Form 99 (Attachment 3).

On May 19, 2009, Ms. Paige called the Analyst to state that the Committee was undergoing an extensive internal evaluation going back to 2006 that could impact the pending 2008 30 Day Post-General Report referral. The Analyst asked Ms. Paige if she had submitted the Form 99 explaining the increase in receipts and disbursements. Ms. Paige said she had not yet filed the Form 99, but will do so soon, and indicated that the increase in activity was mostly due to human error (Attachment 3).

On June 20, 2009, the Committee filed an Amended 2008 30 Day Post-General Report which disclosed no change in the amount of receipts on Line 18(a). However, the amended report disclosed \$28,868.11 on Line 11(a)(i), \$1,751.50 on Line 11(a)(ii), \$306,057.31 on Line 12, and \$20,547.49 on Line 15 (Image 29992271781; Attachment 2).

On August 26, 2009, an RFAI was sent to the Committee referencing the Amended 2008 30 Day Post-General Report, received June 20, 2009. The RFAI requested clarification regarding the additional receipts totaling \$126,491.83 disclosed on Lines 11(a)(i), 12, 15 and 18(a) of the Detailed Summary Page that were not disclosed on the original 2008 30 Day Post-General Report (Image 29030152296).

On September 23, 2009 at 14:55, the Committee filed a Form 99 referencing the Amended 30 Day Post-General Report, received June 20, 2009, which stated, in part:

“The additional receipts disclosed on the 6/20/09 amended report stem from an internal review of our reports. Line 11 (a)(i): As stated in the January 29, 2009 amendment, two receipts from 10/31/08 were inadvertently left off of the original report, one of which was Nancy Kail’s in the amount of \$2,000. The other additional receipts reporting on this line are two contributions from Kira Brandman, a \$100 one made on 10/22/08 and one for \$187.50 on 10/24/08. The 10/24/08 contribution was originally entered incorrectly and therefore the records weren’t disclosing because they hadn’t reached the aggregate of \$200. Line 12: The transfer of \$79,950 from Jim Himes for Congress was the second receipt from 10/31/08 that was reported on the 1/29/09 amendment as being advertently left off of the original report due to human error. Also missing from the original report were the transfers in from the joint fundraising ‘ASDC Joint Victory Fund’ in the amount of \$22,193.95 Line 15: There was an offset received from ADP on 11/10/08 that was accidently left off of the original report due to an oversight. Line 18: As explained in the 5/26/09 amendment, due to a computer issue the original report was missing the Schedule H3. The transfer made on October 24, 2008 totaling \$20,540.76 includes the non-federal share for allocated activity from September 2008 which was within the 60 days window from when the payment

10190290704

was made. Please note that no transfer was made outside of the 70 day window”
(Image 29992842994).

On October 13, 2009, the Analyst again called Ms. Paige. The Analyst explained to Ms. Paige that the Committee would be referred for further Commission action due to the increase in receipts on its Amended 2008 30 Day Post-General Report. Ms. Paige told the Analyst that the Committee’s mistake was due to human error, and that the Committee had provided detailed explanation of the mistake twice. The Analyst acknowledged the detailed explanations of the errors and explained the call was to give the Committee a chance to place additional information on the public record. Ms. Paige said that she would speak with Neil Reiff, a counsel for the Committee, and might call the Analyst back (Attachment 3).

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

10190290705