

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: July 11, 2013

ANALYST: Carolina Cavano

- I. COMMITTEE: Powell for Congress
C00497289
Frederick A. Hodnett Jr., Treasurer
421 Branchway Road
Richmond, VA 23235
- II. RELEVANT STATUTES: 2 U.S.C. § 434(b)(4)(D)
11 CFR § 104.3(b)(2)(iii)

III. BACKGROUND:

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

Powell for Congress ("the Committee") amended its 2012 12 Day Pre-General Report to disclose additional disbursements of \$80,000.00, which were not disclosed in the original report (Attachment 2).

On October 25, 2012, the Committee filed its original 2012 12 Day Pre-General Report, covering the period from October 1, 2012 through October 17, 2012. The report disclosed \$19,000.00 in disbursements on Line 19(a) (Repayments of Loans Made or Guaranteed by the Candidate) of the Detailed Summary Page (Image 12961029210).

On January 25, 2013, the Committee filed an Amended 2012 12 Day Pre-General Report disclosing \$99,000.00 in disbursements on Line 19(a) of the Detailed Summary Page, an increase of \$80,000.00 from the original report (Image 13960482397; Attachment 2).

On March 21, 2013, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2012 12 Day Pre-General Report, received

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January 25, 2013. The RFAI requested clarification regarding the significant increase in disbursements not disclosed on the original filing (Image 13330027572).¹

On April 11, 2013, Katherine Powell, the Committee's assistant treasurer, contacted the Reports Analysis Division (RAD) Analyst requesting assistance with responding to the RFAI referencing the Amended 2012 12 Day Pre-General Report. Ms. Powell stated that the increase in activity was the result of the Committee amending all of its 2011-2012 election cycle reports due to inaccuracies. The Analyst suggested Ms. Powell file a Miscellaneous Electronic Submission ("Form 99") to explain the increase in activity for the public record. The Analyst explained that the Committee could be referred to another office within the Commission for further action due to the increase in disbursements disclosed on the amended report (Attachment 3).

Later that day, the Committee filed a Form 99 in response to the RFAI which stated, in part:

"Regarding [*sic*] increase in disbursements totaling \$78,760.35; the former Powell for Congress finance director, Lela Graham, has proven to be inadequate and unable to properly complete the reports. Hence all FEC reports have been re-done and that explains the difference in disbursements" (Image 13940522753).

On April 16, 2013, Ms. Powell called the RAD Analyst with reporting questions. During this conversation, the Analyst reiterated that the Committee would be referred for further action to another office within the Commission due to the increase in activity disclosed on the Amended 2012 12 Day Pre-General Report (Attachment 3).

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

¹ The increase in disbursements was disclosed incorrectly on the RFAI as \$78,760.35. The actual amount of the increase is \$80,000.