

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: August 15, 2013

ANALYST: Rosa Lewis

- I. COMMITTEE: New York State Democratic Committee  
C00143230  
John Gulino, Treasurer  
(10/19/12-Present)  
David Alpert, Treasurer  
(2/4/99-10/18/12)  
120 Broadway, 32<sup>nd</sup> Floor  
New York, NY 10271
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(2)  
11 CFR § 104.3(a)

III. BACKGROUND:

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

The New York State Democratic Committee ("the Committee") amended its 2012 30 Day Post-General Report to disclose additional receipts totaling \$115,661.16, which were not disclosed on the original report (Attachment 2).

On December 6, 2012, the Committee filed the original 2012 30 Day Post-General Report covering the period from October 18, 2012 through November 26, 2012. The report disclosed \$147,900.00 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees), \$1,050.00 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals/Persons Other Than Political Committees) and \$0.00 in receipts on Line 18(a) (Transfers from Non-Federal Account) of the Detailed Summary Page (Image 12941447671, Attachment 2).

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On January 31, 2013, the Committee filed an Amended 2012 30 Day Post-General Report. The report disclosed \$150,700.00 in receipts on Line 11(a)(i), \$2,140.00 on Line 11(a)(ii) and \$111,771.16 on Line 18(a) of the Detailed Summary Page, a total increase of \$115,661.16 from the original report (Image 13960712796, Attachment 2).

On April 19, 2013, a Request for Additional Information (RAI) was sent to the Committee referencing the Amended 2012 30 Day Post-General Report, received January 31, 2013. Among other issues, the RAI requested clarification regarding the substantial increase in receipts disclosed on the Amended 2012 30 Day Post-General Report that were not disclosed on the original filing (Image 13330029314).

On May 22, 2013, the Committee filed an Amended 2012 30 Day Post-General Report. The report disclosed no change in receipts from the previous amendment (Image 13962693645, Attachment 2). The Committee attached memo text to this report which stated, in part:

“Please note that the receipts totaling \$115,661.16 on Lines 11a(i), 11a(ii) and 18(a) of the Detailed Summary Page were overlooked due to the unprecedented volume of activity disclosed in the report” (Image 13962693650).

On June 4, 2013, the Reports Analysis Division (RAD) Analyst left a voicemail for John Gulino, Committee Treasurer, stating that the increase in receipts disclosed on the Amended 30 Day Post-General Report could be referred to the Commission for further action. The Analyst requested that Mr. Gulino call to discuss the issue (Attachment 3).

On June 6, 2013, the RAD Analyst left an additional voicemail for Mr. Gulino regarding the referable issue disclosed on the Amended 30 Day Post-General Report and stated that the Committee has until June 13, 2013 to add any additional information to the public record if they so choose (Attachment 3).

On June 7, 2013, Leslie Ng, Committee Recordkeeper, called the RAD Analyst and explained that the increase in receipts was due to her own accidental omission when filing the report. The RAD Analyst advised Ms. Ng to file a Miscellaneous Electronic Submission (“Form 99”) with any additional information regarding the increase in activity by June 13, 2013(Attachment 3).

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

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