

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: May 10, 2013

ANALYST: Sari Pickerall

- I. COMMITTEE: Westsiders for Progress 2012
C00541284
Darrell L. Paster, Treasurer
321 West 89th Street, #6
New York, NY 10024
- II. RELEVANT STATUTES: 2 U.S.C. § 434a
11 CFR § 104.5(c)(1)
11 CFR § 111.31

III. BACKGROUND:

Failure to File Reports and Late Filing

Westsiders for Progress 2012 ("the Committee") failed to timely file reports disclosing \$61,606.70 in total receipts and \$52,820.90 in total disbursements during the 2011-2012 election cycle (Attachments 2 and 3).

The Committee filed its first Statement of Organization (FEC Form 1) to register as a political committee on February 4, 2013 (Image 13031030981).

On February 20, 2013, Mr. Paster, called the RAD Analyst and discussed, among other things, the Committee's intent to file the 2012 October Quarterly, 2012 12 Day Pre-General, 2012 30 Day Post-General and 2012 Year-End Reports. He further explained the Committee needed to disclose about \$50,000 for communications made in 2012 supporting Obama, such as bumper stickers, signs and posters. Additionally, the Committee received loans from local party organizations to set up store fronts to sell Obama merchandise. During the discussion, Mr. Paster indicated that the Committee had already "closed their books" and thought that because of the *Citizens United* case, they were not required to file reports. The Analyst explained that all

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registered political committees are required to file reports and advised the Committee file the missing reports (Attachment 4).

On April 16, 2013, the Committee filed the 2012 12 Day Pre-General, 30 Day Post-General, and Year End Reports:

The 2012 12 Day Pre-General Report covered the period from July 1, 2012 through September 30, 2012¹. The Report disclosed \$17,792.18 in receipts on Line 11(a)(iii) (Total Contributions from Individuals/Persons other than Political Committees) of the Detailed Summary Page and \$15,013.40 in disbursements on Line 21(b) (Other Federal Operating Expenses) of the Detailed Summary Page (Images 13940558907-9).

The 2012 30 Day Post-General covered the period from October 18, 2012 through November 26, 2012. The Report disclosed \$43,546.42 in receipts on Line 11(a)(iii) of the Detailed Summary Page and \$8,660.08 in disbursements on Line 21(b) of the Detailed Summary Page (Images 13940558925-7).

The 2012 Year-End Report covered the period from November 27, 2012 through December 31, 2012. The Report disclosed \$268.10 in receipts on Lines 11(a)(iii) and 11(b) (Contributions from Other Political Committees) of the Detailed Summary Page and \$29,147.42 in disbursements on Lines 21(b) and 26 (Loan Payments Made) of the Detailed Summary Page (Images 13940558945-7).

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

¹ Quarterly filers are required to file Pre-Election Reports if they make contributions or expenditures in connection with an election during the reporting period. The 2012 12 Day Pre-General Report did not disclose contributions or expenditures to federal candidates or committees thus it is not a required report (Image 13940558905). The period from October 1, 2012 through October 17, 2012 is considered part of the required 2012 30 Day Post-General Report.

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