

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 13, 2013

ANALYST: Carolina Mongeon

- I. COMMITTEE: Friends of Jim Clyburn
C00255562
James Bennett, Treasurer
Post Office Box 12567
Columbia, SC 29211
- II. RELEVANT STATUTES: 2 U.S.C. § 434(b)(4)
11 CFR § 104.3(b)

III. BACKGROUND:

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

Friends of Jim Clyburn ("the Committee") amended its 2013 April Quarterly Report to disclose additional disbursements of \$100,775.00, which were not disclosed in the original report (Attachment 2).

On April 15, 2013, the Committee filed its original 2013 April Quarterly Report, covering the period from January 1, 2013 through March 31, 2013. The report disclosed disbursements totaling \$162,840.61 on Line 17 (Operating Expenditures) and \$85,000.00 on Line 18 (Transfers to other Authorized Committees) of the Detailed Summary Page (Image 13961645205).

On July 15, 2013, the Committee filed an Amended 2013 April Quarterly Report. The report disclosed \$163,615.61 in disbursements on Line 17 and \$185,000.00 on Line 18, an increase of \$100,775.00 from the original report (Image 13964087084). The report included memo text that stated, "While reconciling, we discovered a disbursement that was made through the usual channels at the end of the reporting period. The Committee has adjusted protocols to prevent repeated occurrences" (Image 13964087085).

On July 26, 2013, a Request for Additional Information (RAI) was sent to the Committee referencing the Amended 2013 April Quarterly Report, received July 15,

2013. The RFAI requested clarification regarding the significant increase in disbursements not disclosed on the original filing (Image 13330034695).

On September 4, 2013, the Reports Analysis Division (RAD) Analyst contacted the office of Friends of Jim Clyburn and left a message for James Bennett, the Committee Treasurer (Attachment 3).

On September 5, 2013, Loretta Singletary, the Committee's compliance consultant, called the RAD Analyst. The Analyst explained that the Committee would be referred to another office within the Federal Election Commission for further action due to the increase in disbursements disclosed on the Amended 2013 April Quarterly Report. Ms. Singletary explained that James Clyburn, the Candidate, wrote a check for \$100,000.00 to the Democratic Congressional Campaign Committee on March 29, 2013, but the fundraising firm did not pass along the information to Ms. Singletary until after the original 2013 April Quarterly Report had been filed. The Analyst suggested that Ms. Singletary file a Miscellaneous Electronic Submission ("Form 99") and explain the increase in activity for the public record (Attachment 3).

On September 12, 2013, the RAD Analyst again contacted the Friends of Jim Clyburn office to request that Mr. Bennett contact the Analyst (Attachment 3).

On September 13, 2013, the Committee filed a Form 99 in response to the RFAI. The Committee stated, in part:

"The increase was primarily due to a \$100,000 check, representing an unlimited transfer to a national party committee, that was written at the very end of the reporting period but had not yet cleared the bank. There was a miscommunication between the person who wrote the check and the person preparing the report so that the copy of the check was not available and the disbursement was not included on the original report. After an internal reconciliation, we amended our report to add the missing disbursements. We have put in place internal procedures to ensure that this type of miscommunication does not happen again" (Image 13964610683).

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