

REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: October 29, 2014

ANALYST: Arman D. Tarzi

I. COMMITTEE: New Hampshire Democratic Party
C00178038
Brian Rapp, Treasurer (6/19/12 – Present)
David Pierce, Treasurer (3/19/09 – 6/18/12)
Ricky A. Trombly, Treasurer (3/27/07 – 3/18/09)
105 N. State Street
Concord, NH 03301

TYPE OF COMMITTEE: Party

II. REGISTRATION DATE: February 28, 1984

III. MULTICANDIDATE STATUS: Qualified

IV. BACKGROUND:

The Committee was sent twenty (20) Requests for Additional Information (RFAs) for reporting errors including mathematical discrepancies, failure to provide supporting schedules, failure to properly itemize contributions/transfers from political committees, Federal Election Activity/Levin Funds, and allocated federal and non-federal activity.

New Hampshire Democratic Party (C00178038)
ADRO Referral Response Guide

Mathematical Discrepancies

Report	RFAI Due Date	Response Date(s)
Amended 2009 M4, received 8/6/09	10/1/2009	N/A
2009 M5	10/16/2009	N/A
Amended 2010 M8, received 1/6/11	5/13/2011	6/1/2011
Amended 2010 30G, received 1/31/11	6/27/2011	6/29/2011
2010 YE	5/12/2011	6/1/2011

Reason for code
<p>The report contained mathematical discrepancies totaling \$52,901.00.</p> <p>To date, the Committee has not taken corrective action or provided further clarification.</p>
<p>The report contained mathematical discrepancies totaling \$52,901.00.</p> <p>To date, the Committee has not taken corrective action or provided further clarification.</p>
<p>The report contained mathematical discrepancies totaling \$2,673.38.</p> <p>The Committee filed an Amended 2010 M8 on 6/1/2011, failing to correct the discrepancies.</p>
<p>The report contained mathematical discrepancies totaling \$269,343.64.</p> <p>The Committee filed an Amended 2010 30G on 6/29/2011, failing to correct the discrepancies.</p>
<p>The Committee's beginning cash balance, \$85,700.55, is less than the ending cash balance of the Committee's previous report, \$127,381.20, a discrepancy of \$41,680.65.</p> <p>Line 8, Column A, \$73,847.37, of the Summary Page did not equal Line 8, Column B, \$115,528.02, of the Summary Page, a discrepancy of \$41,680.65.</p> <p>The Committee filed an Amended 2010 YE on 6/1/2011, failing to correct the discrepancies.</p>

Failure to Provide Supporting Schedules

Report	RFAI Due Date	Response Date(s)
Amended 2010 M8, received 1/6/11	5/13/2011	6/1/2011

Reason for code
<p>The Committee's report disclosed additional receipts totaling \$22,095.08 for the reporting period. This constitutes an increase of more than 5% and \$10,000 over the activity of the original report.</p> <p>The Committee's amended report failed to include all of the activity previously disclosed on Schedules B and H4, resulting in a missing schedule of \$10,668.95. This constitutes a decrease of more than 5% and \$10,000 under the activity of the original report.</p> <p>The Committee filed a Form 99 on 6/1/2011, stating in part: "Due to clerical error, there were receipts and disbursements that were left off the</p>

UNFUNDING UNIT

Amended 2010 M9, received 1/6/11	5/13/2011	6/1/2011
2010 YE	5/12/2011	6/1/2011

original [sic] report. Going forward, we have implemented accountability systems that will improve communication between the Treasurer and Party staff to prevent this from happening again in the future.”

The Committee also filed an Amended 2010 M8 on 6/1/2011, which failed to clarify the increase in activity.

The Committee’s report disclosed additional receipts totaling \$49,539.06 for the reporting period. This constitutes an increase of more than 5% and \$10,000 over the activity of the original report.

The Committee filed a Form 99 on 6/1/2011, stating in part: “Due to clerical error, there were receipts and disbursements that were left off the original [sic] report. Going forward, we have implemented accountability systems that will improve communication between the Treasurer and Party staff to prevent this from happening again in the future.”

Schedule A supporting Line 12 disclosed \$56,031.14 in transfers received from joint fundraising committees during the 2010 calendar year. However, the Committee failed to provide a memo Schedule A itemizing its share of the gross contributions received through the joint fundraisers.

The Committee filed an Amended 2010 YE on 6/1/2011, failing to clarify these discrepancies.

Failure to Properly Itemize Contributions/Transfers from Political Committees

Report	RFAT Due Date	Response Date(s)
2010 Q2	9/29/2010	11/17/2010
2010 M8	12/1/2010	1/4/2011
Amended 2010 30G, received 1/31/11	6/27/2011	6/29/2011

Reason for code

The committee failed to clarify the purpose for receipts from six (6) federal candidates totaling \$35,440.00.

The Committee filed an Amended 2010 Q2 on 11/17/2010, failing to clarify the purpose of the receipts.

The committee failed to clarify the purpose for receipts from four (4) federal candidates totaling \$29,600.00.

The Committee filed an Amended 2010 M8 on 1/4/2011, failing to clarify the purpose of the receipts.

The committee failed to clarify the purpose for receipts from two (2) federal candidates totaling \$28,000.00.

The Committee filed a F99 on 6/29/2011, which stated, in part: “We furthered clarified on this report that the transactions in question were transfers.”

The Committee filed an Amended 2010 30G on 6/29/2011, changing the contributions to transfers on Line 12.

DUPLICATE

Federal Election Activity/Levin Funds

Report	RFAI Due Date	Response Date(s)
Amended 2010 12G, received 11/29/10	1/26/2011	2/7/2011
Amended 2010 30G, received 1/31/11	6/27/2011	6/29/2011

Reason for code
<p>Schedule B disclosed \$88,900.48 in disbursements made for "Direct Mail" but failed to clarify whether these disbursements were FEA public communications that promoted, supported, attacked or opposed Federal candidates or if they expressly advocated the election or defeat of clearly identified Federal candidates, which would require additional disclosure.</p> <p>The Committee filed a Form 99 on 1/26/2011, stating in part: "We have disclosed the identified candidates for the disbursements in question on Schedule B Line 30 (b)."</p> <p>The Committee filed an Amended 2010 12G on 2/7/2011, including the identification of the candidates.</p>
<p>Schedules B and H4 disclosed \$650,162.35 in disbursements made for "Radio Advertising," "Direct Mail," "Mail Expenses," "Mailing," and "Paid Calls" but failed to clarify whether these disbursements were FEA public communications that promoted, supported, attacked or opposed Federal candidates or if they expressly advocated the election or defeat of clearly identified Federal candidates, which would require additional disclosure.</p> <p>The Committee filed a Form 99 on 6/29/2011, stating in part: "We utilized a code within the fundraising software so that the previously disclosed candidates that the Federal Election Activity is attributed to appears on the amended report."</p> <p>The Committee filed an Amended 2010 30G on 6/29/2011, including the identification of the candidates.</p>

Allocated Federal and Non-Federal Activity

Report	RFAI Due Date	Response Date(s)
2009 M5	10/16/2009	N/A
2010 Q2	9/29/2010	11/17/2010

Reason for code
<p>Schedule H2 disclosed the ratio as revised for one (1) fundraising event; however, the event ratio was the same as disclosed on the previous report.</p> <p>To date, the Committee has not taken corrective action or provided further clarification.</p>
<p>The report disclosed disbursements for salary, wages and/or fringe benefits on Schedule H4, resulting in an apparent impermissible transfer-in from the Committee's non-federal account of \$20,769.51.</p> <p>The Committee filed an Amended 2010 Q2 on 11/17/2010, failing to clarify the apparent impermissible transfer-in from the non-federal account.</p>

UNIVERSITY OF MICHIGAN

Amended 2010 30G, received 1/31/11	6/27/2011	6/29/2011
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The Committee failed to address an apparent impermissible transfer of \$5,135.00 from the non-federal account that occurred as a result of allocating payments between the federal and non-federal accounts on Schedule H4 for apparent FEA public communications.

The Committee filed a Form 99 on 6/29/2011, stating in part: "We have amended our report to reflect the fact that the disbursements in question were not allocated between federal and non-federal accounts. A clerical error was responsible for the mistaken classification."

The Committee also filed an Amended 2010 30G on 6/29/2011, including moving the disbursements to Schedule B.

0111-0100001-011

O-Index (2013-2014)

Cmte. ID: C00178038 Cmte. Name: NEW HAMPSHIRE DEMOCRATIC PARTY
Treasurer Name: RAPP, BRIAN Address: 105 N. STATE STREET, CONCORD, NH 03301
Cmte. Type: Y (QUALIFIED PARTY) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER

Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			1/10/2013	1	13940022389										
MS-M			2/15/2013	1	13940022389										
MS-O			2/20/2013	2	13330025256										
MS-T			3/27/2013	1	13940768930										
MS-M			3/27/2013	1	13940768930										
MS-M			4/14/2014	1	14960664700										
MS-O			4/14/2014	1	14960664700										
R02	M2	N	3/10/2014	2	14330046997	1/1/2014	1/31/2014	3/10/2014							
F3XN	M2	N	7/31/2013	2	14940203225	7/1/2013	6/30/2013		\$26,710	\$0	\$0	\$26,710	\$26,710		\$26,710
F3XN	YE	N	1/31/2014	248	14940203225	7/1/2013	12/31/2013		\$140,151	\$237,071	\$269,906	\$107,317	\$107,317	\$28,304	\$28,304
F3XN	M3	N	2/20/2014	34	14960530765	2/1/2014	2/28/2014		\$80,491	\$46,140	\$38,793	\$87,837	\$28,304		\$28,304
F3XN	M3	N	2/20/2014	34	14960530765	2/1/2014	2/28/2014		\$80,491	\$46,140	\$38,793	\$87,837	\$28,304		\$28,304
F3XN	M5	N	5/20/2014	65	14941239029	4/1/2014	4/30/2014		\$105,781	\$140,186	\$69,044	\$176,923	\$28,304		\$28,304
F3XN	M7	N	7/20/2014	120	14941900174	6/1/2014	6/30/2014		\$222,991	\$125,791	\$114,610	\$234,172	\$28,304		\$28,304
F3XN	M8	N	8/20/2014	123	14970880630	8/1/2014	8/31/2014		\$276,478	\$338,472	\$300,092	\$314,858	\$28,304		\$28,304
F3XN	M9	N	9/20/2014	123	14970880630	8/1/2014	8/31/2014		\$276,478	\$338,472	\$300,092	\$314,858	\$28,304		\$28,304
F3XN	M10	N	10/20/2014	25	14970880630	9/1/2014	9/30/2014		\$338,472	\$23,479	\$23,479	\$314,858	\$28,304		\$28,304
F1A	A		5/7/2013	9	13962168418										
F1A	A		7/7/2013	9	13962168418										
Totals									\$2,118,954	\$1,865,970					

O-Index (2011-2012)

Cmte. ID: C00178038 Cmte. Name: NEW HAMPSHIRE DEMOCRATIC PARTY
Treasurer Name: RAPP, BRIAN Address: 105 N. STATE STREET, CONCORD, NH 03301
Cmte. Type: Y (QUALIFIED PARTY) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER

Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			1/4/2011	1	11930014217										
MS-T			1/2/2011	1	11930025543										
MS-T			1/6/2011	1	11930035749										
MS-T			1/24/2011	3	11030550030	8/1/2010	8/31/2010								
MS-T			1/25/2011	1	11930202567										
MS-T			1/31/2011	1	11930125421										
MS-T			7/31/2011	1	11930102822										
MS-T			2/7/2011	1	11930200666										
MS-O			12/10/2011	1	11930048556										
MS-T			3/22/2011	1	11930541282										
MS-T			3/17/2011	1	11931551651										
MS-T			6/1/2011	1	11931581902										
MS-T			6/7/2011	1	11931582006										
Totals									\$2,118,954	\$1,865,970					

Form	Ip	Rpt	Ip	AI	Recpt	DI	Pgs	Begin	Imgs	DI	End	Cvg	DI	Ltr	Mail	DI	Begin	Cash	Receipts	Disb	End	Cash	Debits	Loans	Debts & Loans
F3XA	30G	A	5/24/2013	904	13940768931	10/18/2012	11/25/2012										\$1,072,729	\$1,153,290	\$1,855,540	\$370,479	\$28,304	\$370,479	\$28,304	\$28,304	
F3XN	YE	N	1/31/2013	60	13960622922	11/27/2012	12/31/2012										\$370,479	\$27,921	\$135,688	\$262,711	\$28,304	\$262,711	\$28,304	\$28,304	
F1A		A	6/19/2012	9	12952157454																				
F1A		A	3/15/2012	7	12970621254																				
Totals																	\$7,320,841	\$7,187,815							

O-Index (2009-2010)
 Cmte. ID: C00178038 Cmte. Name: NEW HAMPSHIRE DEMOCRATIC PARTY
 Treasurer Name: RAPP, BRIAN Address: 105 N. STATE STREET, CONCORD, NH 03301
 Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER

Form	Ip	Rpt	Ip	AI	Recpt	DI	Pgs	Begin	Imgs	DI	End	Cvg	DI	Ltr	Mail	DI	Begin	Cash	Receipts	Disb	End	Cash	Debits	Loans	Debts & Loans
MS-T			4/27/2009	1	29992041728																				
MS-T			4/27/2009	1	29933607913																				
MS-T			5/28/2009	1	29992162881																				
MS-T			9/28/2009	1	29992844805																				
MS-T			9/30/2009	1	29934688430																				
MS-T			1/15/2010	1	10030214820																				
MS-T			6/23/2010	1	10990813201																				
MS-T			7/21/2010	1	10330001241																				
MS-T			10/22/2010	1	10931758320																				
MS-T			11/17/2010	1	10931792979																				
MS-T			1/29/2011	1	10931813546																				
RQ1		A	4/24/2009	3	29030081409																				
RQ2		N	7/2/2009	3	29030104991																				
RQ2		N	7/2/2009	3	29030104991																				
RQ2		N	7/8/2009	3	29030111210																				
RQ2		N	9/11/2009	3	29030154941																				
RQ2		N	8/6/2010	3	10030402847																				
RQ2		N	10/20/2010	4	10030413526																				
RQ2		N	10/20/2010	3	10030463907																				
RQ2		N	4/8/2011	2	11330007011																				
RQ2		N	7/25/2011	3	10030461102																				

