

SANDLER REIFF

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June 23, 2017

Via E-Mail

Jeff S. Jordan, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: RR 17L-10

Dear Mr. Jordan:

The undersigned serves as counsel to the Democratic Party of New Mexico ("DPNM") and Robert Lara, in his official capacity as Treasurer. I am writing in response to the Commission's letter of May 23, 2017 in connection with the above-referenced referral.

For the reasons set forth below, the DPNM respectfully requests that OGC recommend that no further action be taken in this matter or, in the alternative, that this matter be referred to the Alternative Dispute Resolution Division for further proceedings.

This matter relates to amendments filed by DPNM to its 2016 September Monthly Report. In its original report, the DPNM initially omitted two transfers totaling \$600,000 received from the Hillary Victory Fund, a joint fundraising committee in which the DPNM was a participant. In addition, the DPNM failed to disclose two transfers totaling \$600,000 to the Democratic National Committee.

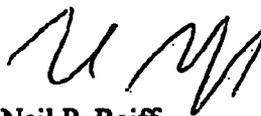
Initially, these omissions were not discovered due to the fact that the two errors had an offsetting result that caused no net change to the DPNM's cash on hand. Therefore, the omission was not immediately self-evident. The omission of these transactions was discovered during a comprehensive review of DPNM activity during the preparation of its 2016 Post-General Report and the September Monthly report was immediately amended to include these transactions.

The failure to report these transactions was in no way intentional and was caused by an inadvertent oversight caused by the large and unprecedented financial activity undertaken by the DPNM in 2016. The error was not immediately self-evident based upon the net zero effect of the errors. In addition, the committee filed an amended report less than three months after the original omission immediately upon discovery of the error. Finally, each omitted transaction was timely and publicly disclosed by the Hillary Victory Fund and the Democratic National Committee. Therefore, the public had access to information regarding these transactions in September of 2016 on the reports of the committees with which the DPNM had received and made transfers.

Although DECF acknowledges this reporting error, based upon the above, the Commission should dismiss this matter or refer this matter to its Alternative Dispute Resolution

If you have any further questions, please contact me at (202) 479-1111.

Respectfully submitted,



Neil P. Reiff
Counsel for Democratic Party of
New Mexico, and Robert Lara, in his
official capacity as Treasurer