



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

MAY 18 2007

Nina Ritchie, Treasurer  
Democratic Party of Oklahoma  
4100 North Lincoln Blvd.  
Oklahoma City, OK 73105

RE: MUR 5914  
Democratic Party of Oklahoma  
and Nina Ritchie, in her official  
capacity as treasurer

Dear Ms. Ritchie:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting that the Democratic Party of Oklahoma (the "Committee") and you, in your official capacity as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On May 11, 2007, the Commission found reason to believe that the Committee and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(b), a provision of the Act. Enclosed is the Factual and Legal Analysis that sets forth the basis for the Commission's determination.

We have also enclosed a brief description of the Commission's procedures for handling possible violations of the Act. In addition, please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519. In the meantime, this matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed Designation of Counsel form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

We look forward to your response.

Sincerely,



Robert D. Lenhard  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

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**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENTS:** Democratic Party of Oklahoma and Nina Ritchie, **MUR:** 5914  
in her official capacity as treasurer

**I. BACKGROUND**

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

**II. FACTUAL AND LEGAL ANALYSIS**

The Democratic Party of Oklahoma and Nina Ritchie, in her official capacity as treasurer ("the Committee" or "Respondents"), is a political committee within the meaning of 2 U.S.C. § 431(4), and is the state committee of the Democratic Party in Oklahoma as defined at 2 U.S.C. § 431(15) and 11 C.F.R. § 100.14(a). The Committee amended its 2004 12-Day Pre-General Report to disclose \$235,098.40 in additional receipts and its 2004 30-Day Post-General Report to disclose \$320,233.56 in additional debts that it omitted from its original reports. Those reports and relevant amendments are summarized in the following chart:

Report	Date Filed	Date Amended	Increased Activity
2004 12-Day Pre-General Report	October 21, 2004	March 8, 2005	\$235,098.40 (Additional receipts)
2004 30-Day Post-General Report	December 3, 2004	January 24, 2006	\$320,233.56 (Additional debts owed by the Committee)

On March 23, 2005, RAD issued a Request for Additional Information ("RFAI") inquiring, *inter alia*, about the increased activity in the Amended 2004 12-Day Pre-General

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Report that was not disclosed in the Committee's original report. On April 22, 2005, the Committee filed an Amended 2004 12-Day Pre-General Report that included a memo text stating in part, "[h]igh volume of transactions during campaign required mor[sic] time then [sic] anticipated. In [sic] effort to disclose accurately some items were inadvertently left undisclosed."

On March 8, 2006, RAD issued an RFAI asking for clarification regarding the additional debts disclosed in the Amended 2004 30-Day Post-General Report that were not disclosed in the original report. On April 6, 2006, the Committee filed a miscellaneous electronic submission in response to the RFAI, which stated:

The Committee is in receipt of the Commission's letter regarding the 2004 Amended 30-Day Post-General Report filed on Jan. 24, 2006. After the 2004 election, the committee undertook a rigorous review of its financial activities during the 2004 election cycle. At the conclusion of the internal audit, the committee voluntarily filed comprehensive amendments to its reports to disclose debts owed by the Committee that were apparently omitted during the 2004 election cycle.

The treasurer of a political committee must file reports of all receipts and disbursements in accordance with the Act. 2 U.S.C. § 434(a)(1). A committee filing on a monthly schedule shall file monthly reports by the 20<sup>th</sup> day of the following month and such reports shall disclose the total amount of all receipts for that reporting period and calendar year. 2 U.S.C. §§ 434(a)(4)(B) and 434(b)(2).

In any year in which a regularly scheduled general election is held, the committee shall file a pre-election report and post-general election report in lieu of the monthly reports ordinarily due in November and December of that year. 2 U.S.C. § 434(a)(4)(B); 11 C.F.R. § 104.5(c)(3)(ii). The pre-election report covers activity that occurred after the closing date of the previous report through the 20<sup>th</sup> day before the election, and is due no later than 12 days before the election.

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2 U.S.C. § 434(a)(2)(A)(i) and (4)(A)(ii); 11 C.F.R. § 104.5(c)(1)(ii). The post-general election report covers activity that occurred after the closing date of the previous report through the 20<sup>th</sup> day after the general election, and is due no later than 30 days after the general election.

2 U.S.C. §§ 434(a)(2)(A)(ii) and (4)(A)(iii); 11 C.F.R. § 104.5(c)(1)(iii).

The Committee failed to comply with these reporting requirements when it failed to disclose \$235,098.40 in receipts in its original 2004 12-Day Pre-General Report and \$320,233.56 in debts owed by the Committee in its original 2004 30-Day Post-General Report. Therefore, there is reason to believe the Democratic Party of Oklahoma and Nina Ritchie, in her official capacity as treasurer, violated 2 U.S.C. § 434(b).

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