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CELA

October 19, 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-36

Dear Mr. Jordan:

The undersigned serves as counsel to the Texas Democratic Party ("TDP") and Gilberto Hinojosa, in his official capacity as Treasurer. I am writing in response to the Commission's letter of September 21, 2017 in connection with the above-referenced referral.

For the reasons set forth below, the TDP 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 TDP to its 2016 September Monthly Report. In its original report, the DPNM initially omitted a transfer of \$800,000 received from the Hillary Victory Fund, a joint fundraising committee in which the TDP was a participant. In addition, the DPNM failed to disclose a transfer of \$800,000 to the Democratic National Committee.

These omissions were caused by a data entry error by the TDP during the preparation of its September monthly report. During the preparation of the report, the committee inadvertently dated a receipt from Hillary Victory Fund for \$800,000 as being received on September 11, 2016, instead of August 11, 2016. In addition, the TDP inadvertently dated a transfer to the Democratic National Committee for \$800,000 as being made on September 11, 2016. Due to the offsetting amounts of these transactions,

the error was not discovered during the preparation of the September Monthly report as the TDP's cash on hand was not affected by the errors.

The erroneous transfers were disclosed as occurring on September 11, 2016 on its October Monthly report. The failure to discover this error was compounded by the fact that the TDP received a transfer on September 12, 2017 and made a transfer to the DNC on September 12, 2017 for similar amounts. Thus, the erroneously entered transactions were inadvertently mistaken for the September transfers and not corrected.

These offsetting errors were not detected until a comprehensive review of joint fundraising activity was conducted in March of 2017. Once this error was discovered, the TDP immediately amended its reports to correct the data entry error.

The failure to report these transactions was in no way intentional and was caused by an inadvertent data entry error. The error was not immediately self-evident based upon the net zero effect of the errors. In addition, the committee filed an amended report immediately upon discovery of the errors. 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 TDP had received and made transfers.

Although the TDP acknowledges these reporting errors, 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 the Texas Democratic
Party, and Gilberto Hinojosa, in his
official capacity as Treasurer