

SANDLER REIFF

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June 22, 2021

Ms. Dayna C. Brown
Acting Assistant Staff Director
Audit Division
Federal Election Commission
1050 First Street, N.E.
Washington, D.C. 20463

Dear Ms. Brown:

This letter will serve as the response of the Connecticut Democratic State Central Committee ("CDSCC") to the Interim Audit Report ("IAR") of the Federal Election Commission's Audit Division ("the Audit Division") for the period covering the CDSCC's financial activities for 2017 and 2018.

The response to each of the Audit Division's four findings is as follows:

Finding #1

The IAR's first finding involved the possible finding that certain receipts for both contribution and reimbursements received by the CDSCC were from impermissible sources. It is our understanding that, based upon information provided to the Audit Division, this finding has been resolved.

Finding #2

The IAR's second finding involved recordkeeping for payroll. In response to the Audit Division's inquiries regarding this issue, the CDSCC has instituted procedures to ensure that time records are maintained for all employees who are paid in part with non-federal funds. The CDSCC will note that the finding's inclusion of payroll records for those employees who are paid with non-federal funds are outside the scope of the Commission's jurisdiction and should not have been included in the finding. See e.g. Final Audit Report of the Commission on the Democratic Party of Wisconsin (2012 Cycle) at p.p. 13-16; Final Audit Report of the Commission on the Kentucky State Democratic Central Executive Committee (2012 Cycle), p. 9.; Final Audit Report of the Commission on the Utah Republican Party (2012) Cycle, p. 26-27.

Finding #3

The IAR's third finding involves the disclosure of certain debts by the CDSCC. The CDSCC has filed a Form 99 to provide the requested information regarding undisclosed debts.

Finding #4

The IAR's fourth finding involves the apparent failure to file 24/48 hour reports for transactions totaling \$140,259.39 that were made in connection with the general election for United States Senate in 2018. As a threshold matter, the CDSCC objects to the characterization of these expenditures as independent expenditures. These expenditures were properly made as exempt activities and were fully coordinated with the Senate candidate. With respect to the door hanger, it is our understanding that since these activities were not public communications, they cannot be considered coordinated communications and no further action would be necessary regarding these expenditures. Notwithstanding, it should be noted that the door hanger was distributed by volunteers.

With respect to the mailing activities, the committee contends that these mailings were undertaken in accordance with the volunteer activity exemption in accordance with 11 C.F.R. §§ 100.87 & 100.147. In that regard, the CDSCC is providing a sworn declaration by Paul Vaitkus. Mr. Vaitkus was the production manager at the mail house that produced all volunteer exempt mail for the CDSCC. Mr. Vaitkus's declaration confirms that volunteers were present during the production of all mailings in connection with the CDSCC's exempt mailings on behalf of its nominee for United States Senate and performed adequate volunteer activities consistent with prior Commission precedent.

Please note that Mr. Vaitkus's declaration complies with the formatting requirements of 28 U.S.C. § 1746. Thus, the Commission cannot characterize Mr. Vaitkus's statements as "unsworn."

As the IAR acknowledges, there is considerable uncertainty of the amount of volunteer involvement required to satisfy the exemption and based upon the information provided to the Audit Division by the CDSCC, the Audit Division should consider this matter resolved.

If you require any further information, or have any other questions, please call me at (202) 479-1111.

Sincerely,

Neil Reiff
Counsel to the Connecticut Democratic State
Central Committee