# REPORTS ANALYSIS DIVISION REFERRAL 

TO
OFFICE OF GENERAL COUNSEL

DATE: $\quad$ November 28, 2017
I. COMMITTEE:
II. RELEVANT STATUTES:

ANALYST: Kevin McQueen
Democratic Party of South Carolina (C00007658)
Kathryn Hensley, Treasurer (8/20/17 - Present)
Kendra Dove, Treasurer (6/26/15-8/19/17)
P.O. Box 5965

Columbia, SC 29250

52 U.S.C. § 30104(b)(2) and (4)
11 CFR § 104.3(a) and (b)

## III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)
Democratic Party of South Carolina ("the Committee") amended its 2016 August Monthly Report to disclose additional receipts of \$454,042.19 and additional disbursements of $\$ 454,804.63$ that were not disclosed in the original report. The Committee also amended its 201612 Day Pre-General Report to disclose additional receipts of $\$ 600,697.37$ and additional disbursements of $\$ 601,083.52$, that were not disclosed in the original report. (Attachment 2).

## 2016 August Monthly Report

On August 20, 2016, the Committee filed the original 2016 August Monthly Report covering the period from July 1, 2016 through July 31, 2016. The report disclosed \$50,183.01 in receipts on Line 11 (a)(i) (Itemized Contributions From Individuals), $\$ 4,944.16$ on Line 11 (a)(ii) (Unitemized Contributions From Individuals), $\$ 7,500.00$ in receipts on Line 12 (Transfers From Affiliated/Other Party Committees), and $\$ 0.00$ in receipts on Line 15 (Offsets To Operating Expenditures) of the Detailed Summary Page (Image 201608209023472606). The report also
disclosed $\$ 57,886.12$ in disbursements on Line 21(a)(i) (Allocated Federal/Non-Federal Activity (Federal Share)), $\$ 102,908.31$ in disbursements on Line 21(a)(ii) (Allocated Federal/Non-Federal Activity (Non-Federal Share)), \$6,353.94 in disbursements on Line 21(b) (Other Federal Operating Expenditures), $\$ 0.00$ in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees), and $\$ 8,539.23$ in disbursements on Line 30(b) (Federal Election Activity Paid Entirely With Federal Funds) of the Detailed Summary Page (Image 201608209023472607).

On June 1, 2017, the Committee filed an Amended 2016 August Monthly Report. The report disclosed $\$ 50,279.01$ in receipts on Line $11(\mathrm{a})(\mathrm{i}), \$ 2,020.16$ on. Line $11(\mathrm{a})(\mathrm{ii})$, $\$ 460,045.00$ in receipts on Line 12, and $\$ 4,325.19$ in receipts on Line 15 of the Detailed Summary Page, a total increase in receipts of $\$ 454,042.19$ from the original report (Image 201706019055298718 , Attachment 2). The report also disclosed $\$ 56,555.47$ in disbursements on Line 21 (a)(i), $\$ 100,542.76$ in disbursements on Line 21 (a)(ii), $\$ 6,594.55$ in disbursements on Line 21 (b), $\$ 450,000.00$ in disbursements on Line 22, and $\$ 16,799.45$ in disbursements on Line 30(b) of the Detailed Summary Page, a total increase in disbursements of $\$ 454,804.63$ from the original report (Image 201706019055298719, Attachment 2).

On July 12, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 August Monthly Report, received June 1, 2016. The RFAI requested clarification regarding the substantial increase in receipts and disbursements disclosed in the Amended 2016 August Monthly Report (Image 201707120300087929).

## 201612 Day Pre-General Report

On October 28, 2016, the Committee filed the original 201612 Day Pre-General Report covering the period from October 1, 2016 through October 19, 2016. The report disclosed $\$ 6,733.16$ in receipts on Line 11 (a)(i) (Itemized Contributions From Individuals), $\$ 6,384.00$ on Line 11(a)(ii) (Unitemized Contributions From Individuals), $\$ 68,268.09$ in receipts on Line 12 (Transfers From Affiliated/Other Party Committees), and $\$ 0.00$ in receipts on Line 15 (Offsets To Operating Expenditures) of the Detailed Summary Page (Image 201610289036999369). The report also disclosed $\$ 22,280.68$ in disbursements on Line 21 (a)(i) (Allocated Federal/NonFederal Activity (Federal Share)), $\$ 39,985.13$ in disbursements on Line 21(a)(ii) (Allocated Federal/Non-Federal Activity (Non-Federal Share)), \$6,195.21 in disbursements on Line 21(b) (Other Federal Operating Expenditures), $\$ 2,500.00$ in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees), and $\$ 26,990.11$ in disbursements on Line 30(b) (Federal Election Activity Paid Entirely With Federal Funds) of the Detailed Summary Page (Image 201610289036999370).

On June 12, 2017, the Committee filed an Amended 201612 Day Pre-General Report. The report disclosed $\$ 7,128.16$ in receipts on Line $11(a)(i), \$ 5,682.02$ in receipts on Line 11 (a)(ii), $\$ 668,268.09$ in receipts on Line 12, and $\$ 1,004.35$ in receipts on Line 15 of the Detailed Summary Page, a total increase in receipts of $\$ 600,697.37$ from the original report (Image 201706129056504900, Attachment 2). The report also disclosed $\$ 17,867.84$ in disbursements on Line 21 (a)(i), $\$ 31,765.08$ in disbursements on Line 21 (a)(ii), $\$ 5,000.00$ in disbursements on Line 21 (b), $\$ 602,500: 00$ in disbursements on Line 22, and $\$ 41,901.73$ in
disbursements on Line 30(b) of the Detailed Summary Page, a total increase in disbursements of $\$ 601,083.52$ from the original report (Image 201706129056504901, Attachment 2).

On August 10, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 201612 Day Pre-General Report, received June 12, 2017. The RFAI requested clarification regarding the substantial increase in receipts and disbursements disclosed in the Amended 201612 Day Pre-General Report (Image 201708100300089269).

On August 16, 2017 the Committee filed a Miscellaneous Electronic Submission ("FEC Form 99 ") in response to both of the RFAIs. The FEC Form 99 stated,
"The Committee is in receipt of the Commission's letters regarding the Amended 2017 August Monthly report filed on June 1, 2017 and the Amended 2017 12-Day Pre-General report filed on June 12, 2017. The increased activity included two transfers from the Hillary Victory Fund ( 450,000 and 600,000 ) and two transfers to the DNC $(450,000$ and 600,000$)$ plus other smaller transactions which were inadvertently omitted from the original filing. The reports were amended upon discovery" (Image 201708169070368969).

On October 19, 2017, the Reports Analysis Division (RAD) Analyst called the Committee's Treasurer, Kathryn Hensley, to tell her that the FEC Form 99 the Committee submitted was not an adequate response to the RFAIs received, and that these referable issues would be advanced to another office within the Commission, but that the Committee was welcome to submit an additional FEC Form 99 to further explain the increases in activity. Ms. Hensley acknowledged that the Committee had made the increases and understood that there was nothing the Committee could do to prevent the referral from going forward. She said she would contact Chris Patton, the person that normally prepares the Committee's reports, as well as contact the Committee's Counsel, and let them know that they should be prepared to hear from the Commission in the coming months regarding this matter (Attachment 3).

On October 30, 2017, the RAD Analyst spoke with Chris Patton. The Analÿst explained that the Committee is being referred to another office within the Commission for the increase in receipts and disbursements reported on both the Amended 2016 August Monthly Report, received June 1, 2017 and the Amended 201612 Day Pre-General Report, received June 12, 2017 (Attachment 3).

To date, no further communication has been received from the Committee regarding these matters.


| O-Index (2015-2016)Comte. ID: Co0007658 Conte Name: DEMOCRATIC PARTY OF SOUTH CAROLINA |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| Cmic. Type: Y (QUALIFIED PARTY) Cmic. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Form Tp | Rpt Tp | Af1 | Recpt Ot | Pgs | Begin lmg ${ }^{\text {a }}$ | Beg Cvg Di | End Crgot | Lttr Maill Dt | Begin Cast | Recpis | Disb | End Cash | Debis | Loans ${ }^{\text {a }}$ | Bebis \& Loans |
| RQ2 | YE | N | 4/12/2017 | 2 | $201704120300084292]$ | 12/1/2015] | 12/31/2015 | 4/12/2017 |  |  |  | -1 |  | - |  |
| RQ2 | Mi2 | N | 4/12/2017 | 2 | 201704120300084294 | 1/1/20i6 | $131 / 2016$ | $4 / 12 / 2017$ | - |  |  | - |  |  |  |
| RO 2 | M3 | $N$ | 4/27/20171 | 3 | 201704270300085234 | 2/1/2016 | 2/29/2016 | 4/27/2017 |  |  |  | - |  |  |  |
| Raz | M4 | N | 41272017 | 2 | 201704270300085222 | 3/1/2016 | 313172016 | $4 / 27 / 2017$ |  |  |  | - |  | - |  |
| RQ2 | M5 | N | 4/12/2017 | 6 | 201704120300084300 | 4/1/2016 | 4/30/2016 | 4/12/2017 |  |  |  | 1 |  | - |  |
| RQ2 | Mi | A | 711272017 | 2 | 2017071203300087929 | 711/2016 | 7317016 | 711272017 | - | - |  | - | - | - |  |

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## Democratic Party of South Carolina (C00007658)

2016 August Monthly Report/Amended 2016 August Monthly Report, received 6/1/17
Overview of Additional Receipts

| Report Ine | 2016 August Monthly Report (Image $2016082(09023472606$ ) | Amended 2016 <br> August Monthly <br> Report, received 6/1/17 (Image <br> 201706019055298718 ) | Variance Amount |
| :---: | :---: | :---: | :---: |
| Line 11(a)(i): Itemized Contributions From Individuals | \$50,183.01 | \$50,279.01 | \$96.00 |
| Line 11(a)(ii): <br> Unitemized <br> Contributions From Individuals | \$4,944.16 | \$2,020.16 | -\$2,924.00 |
| Line 12: Transfers From Affiliated/Other Party Committees | \$7,500.00 | \$460,045.00 | \$452,545.00 |
| Line 15: Offsets To Operating Expenditures | \$0.00 | \$4,325.19 | \$4,325.19 |
|  |  | . Total Variance: | \$454,042.19 |


| Report Ine | 2016 August Monthly Report (lmage 201608209023472607 ) | Amended 2016 <br> August Monthly <br> Reporl, received 6/1/17 (Image $201706019055298719)$ | Variance Amount |
| :---: | :---: | :---: | :---: |
| Line 21(a)(i): Allocated Federal/Non-Federal Activity (Federal Share) | \$57,886.12 | \$56,555.47 | -\$1,330.65 |
| Line 21(a)(ii): Allocated Federal/Non-Federal Activity (Non-Federal Share) | \$102,908.31 | \$100,542.76 | -\$2,365.55 |
| Line 21(b): Other Federal Operating Expenditures | \$6,353.94 | \$6,594.55 | \$240.61 |
| Line 22: Transfers to Affiliated/Other Party Committees | \$0.00 | \$450,000.00 | \$450,000.00 |
| Line 30(b): Federal Election Activity Paid Entirely With Federal Funds | \$8,539.23 | \$16,799.45 | \$8,260.22 |
|  |  | Total Variance: | \$454,804.63 |

## Democratic Party of South Carolina (C00007658)

201612 Day Pre-General Report/Amended 201612 Day Pre-General Report, received 6/12/17
Overview of Additional Receipts

| Report Line | $\begin{gathered} 201612 \text { Day Pre- } \\ \text { Greneral Report } \\ \text { (Image } \\ 201610289036999369 \text { ) } \end{gathered}$ | Amended 201612 <br> Day Pre-General <br> Report, reccived 6/12/17 (Image $201706129056504900)$ | Variance Amount |
| :---: | :---: | :---: | :---: |
| Line 11(a)(i): Itemized Contributions From Individuals | \$6,733.16 | \$7,128.16 | \$395.00 |
| Line 11(a)(ii): <br> Unitemized Contributions From Individuals | \$6,384.00 | \$5,682.02 | -\$701.98 |
| Line 12: Transfers From Affiliated/Other Party Committees | \$68,268.09 | \$668,268.09 | \$600,000.00 |
| Line 15: Offsets To Operating Expenditures | \$0.00 | \$1,004.35 | \$1,004.35 |
|  |  | Total Variance: | . $\$ 600,697.37$ |


| Report Line | 201612 Day Pre- <br> Gencral Report <br> (Image $201610289036999370)$ | Amended 201612 Day Pre-General Report, received 6/12/17 (Image 201706129056504901 ) | Variance Amount |
| :---: | :---: | :---: | :---: |
| Line 21(a)(i): Allocated Federal/Non-Federal Activity (Federal Share) | \$22,280.68 | \$17,867.84 | -\$4,412.84 |
| Line 21(a)(ii): Allocated <br> Federal/Non-Federal <br> Activity (Non-Federal Share) | \$39,985.13 | \$31,765.08 | -\$8,220.05 |
| Line 21(b): Other Federal Operating Expenditures | \$6,195.21 | \$5,000.00 | -\$1,195.21 |
| Line 22: Transfers to Affiliated/Other Party Committees | \$2,500.00 | \$602,500.00 | \$600,000.00 |
| Line 30(b): Federal Election Activity Paid Entirely With Federal Funds | \$26,990.11 | \$41,901.73 | \$14,911.62 |
|  |  | Total Variance: | \$601,083.52 |

