

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: October 17, 2005

ANALYST: Christopher Whyrick

I. COMMITTEE: Boyd for Congress
(C00310607)
Stephanie Boyd, Treasurer
P. O. Box 15703
Tallahassee, FL 32317

II. RELEVANT STATUTE: 11 CFR §104.3(b)
2 U.S.C. §434(b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

On July 15, 2005, Boyd for Congress ("the Committee") filed an amended 2004 30-Day Post-General Report disclosing additional disbursements totaling \$117,403.00, a 22% increase over the financial activity reported in their original 2004 30-Day Post-General Report. (Image 25970659064) (Attachment 2)

On December 2, 2004, the Committee originally filed the 2004 30-Day Post-General Report covering the period from October 14, 2004 to November 22, 2004. The report disclosed \$530,854.00 in disbursements on Line 17 (Operating Expenditures) of the Post Election Detailed Summary Page (Image 24981563516).

On May 25, 2005, Ms. Betsy Barfield, a representative of the Committee, called to inform RAD that the Committee conducted an internal audit of their finances and discovered a number of discrepancies, most notably a "transfer out" of approximately \$114,000.00. Ms. Barfield requested guidance on how to respond to these findings. The RAD analyst recommended to Ms. Barfield that the Committee file amendments to all affected reports and to attach an explanation as to why the activity was omitted on the original reports. The Analyst also informed Ms. Baker that it was likely that the matter would be referred to the Office of General Counsel (OGC). (Attachment 3)

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On July 15, 2005, the Committee filed an Amended 30-Day Post-General Report that disclosed \$648,257.00 in disbursements on Line 17 (Operating Expenditures) of the Post Election Detailed Summary Page (Image 25970659068).

On July 26, 2005, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2004 30-Day Post-General Report, received July 15, 2005. The RFAI asked for clarification regarding the substantial increase in additional disbursements that were not disclosed in the original filing (Image 25038860106).

On August 20, 2005, the Committee filed a Miscellaneous Document, which highlighted that the Committee underwent a "detailed examination" of their financial records in order to reconcile their banking activity with FEC reporting requirements. The document explained that "unbeknownst to the officials of the Committee, a system of proper checks and balances were not in place to assure adequate reconciliation of the banking activity with the FEC reporting," and that "reforms...have taken place to ensure such errors do not occur in the future." The document also included a statement concerning the underreporting of disbursement activity which stated; "One large discrepancy occurred in October, 2004 when a wire transfer was made from a Committee bank account to Main Street Media in the amount of \$117,403.00 to pay for campaign advertising. This discrepancy occurred because the individual who input the expenditures for the FEC reporting was unaware that the transfer had been made." (Image 25038890038)

On August 23, 2005, the Committee filed another Miscellaneous Document referencing the Amended 30-Day Post-General Report (10/14/04 – 11/22/04) which again acknowledged an increase in disbursements over what was reported in the original report. This document reiterated that "The error included a wire transfer made from the Committee bank account in the amount of \$117,403.00 to pay for campaign advertising." (Image 25970972254)

On September 19, 2005, the RAD analyst called Valerie Watson, the Committee's finance manager, to discuss the RFAI referencing the 2004 30-Day Post-General Report. The Analyst advised Ms. Watson that the matter may be subject to investigation by the OGC and encouraged her to file any additional statements to further explain why the activity was not included in the original report. Ms. Watson stated that she would speak with Congressman Boyd, but that she did not believe the Committee would file an additional statement. She indicated the statement already filed regarding the increased activity explained the error and there was nothing more to augment that explanation (Attachment 3).

On September 21, 2005, Valerie Watson called back to inform the RAD Analyst that the Committee did not intend to include an additional response to the RFAI for the 30-Day Post-General Report (Attachment 3).

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

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