

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: January 9, 2012

ANALYST: Jill Sugarman

- I. COMMITTEE: Tim Bishop for Congress
C00375618
Susan Taylor, Treasurer
PO Box 437
Farmingville, NY 11738
- II. RELEVANT STATUTES: 11 CFR §§ 104.3(a), (b), and (d)
2 U.S.C. §§ 434(b)(2), (4), and (8)

III. BACKGROUND:

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

Tim Bishop for Congress ("the Committee") amended its 2010 October Quarterly, 2010 12 Day Pre-General, and 2010 30 Day Post-General Reports to disclose additional receipts of \$1,237.48, additional disbursements of \$27,629.40 and additional debts of \$24,922.65, which were not disclosed in the original reports (Attachment 2).

2010 October Quarterly Report

On October 15, 2010, the Committee filed the original 2010 October Quarterly Report covering the period from August 26, 2010 through September 30, 2010. The report disclosed \$137,659.00 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) of the Detailed Summary Page (Image 10931508362). The report also disclosed \$550,147.44 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 10931508363).

On November 12, 2010, the Committee filed an Amended 2010 October Quarterly Report. The report disclosed \$138,706.80 in receipts on Line 11(a)(i) of the Detailed Summary Page, an increase of \$1,047.80 from the original report (Image 10931788127, Attachment 3). The report also disclosed \$551,195.24 in disbursements on

13190292863

Line 17 of the Detailed Summary Page, an increase of \$1,047.80 from the original report (Image 10931788128, Attachment 4).

On September 26, 2011, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2010 30 Day Post-General Report, received April 14, 2011. Among other items, the RFAI requested clarification regarding the increases in receipts and disbursements disclosed on the Amended 2010 October Quarterly Report, received November 12, 2010, that were not disclosed in the original report (Image 11330014010).

On October 17, 2011, the Committee filed a Miscellaneous Electronic Document ("Form 99") in response to the RFAI. In part, the Committee stated:

"The 2010 October Quarterly report was amended to include an in-kind contribution and corresponding disbursement of \$1,047.80. As soon as we realized this in-kind contribution had been inadvertently omitted from the original report, we amended it to include it...We regret these inadvertent omissions and will be more careful in the future" (Image 11971635612).

2010 12 Day Pre-General Report

On October 21, 2010, the Committee filed the original 2010 12 Day Pre-General Report covering the period from October 1, 2010 through October 13, 2010. The report disclosed \$502,224.03 in disbursements on Line 17 (Operating Expenditures) of the Detailed Summary Page (Image 10991757027).

On November 12, 2010, the Committee filed an Amended 2010 12 Day Pre-General Report. The report disclosed no change in disbursements from the original report (Image 10931788308).

On December 2, 2010, the Committee filed an Amended 2010 12 Day Pre-General Report. The report disclosed \$528,805.63 in disbursements on Line 17 of the Detailed Summary Page, an increase of \$26,581.60 from the original report (Image 10992423542, Attachment 4).

On February 1, 2011, an RFAI was sent to the Committee referencing the Amended 2010 12 Day Pre-General Report, received December 2, 2010. The RFAI requested clarification regarding the substantial increase in disbursements that were not disclosed in the original filing (Image 10030524475).

On January 31, 2011, the Committee filed a Form 99 in response to the RFAI. In part, the Committee stated:

"Unfortunately, several check copies were misplaced at the time the original report was filed and were not discovered until later. As soon as they were discovered, we filed the amendment. These checks included

13190292864

rent, consulting fee and salaries. We apologize for the omissions and we want you to know that we have taken steps to make sure this does not happen again in the future" (Image 11990137863).

2010 30 Day Post-General Report

On December 2, 2010, the Committee filed the original 2010 30 Day Post-General Report covering the period from October 14, 2010 through November 22, 2010. The report disclosed \$270,470.26 in receipts on Line 15 (Other Receipts) of the Detailed Summary Page (Image 10992426174). The report also disclosed \$0.00 in debts on Line 10 (Debts and Obligations Owed by the Committee) of the Summary Page (Image 10992426172).

On January 31, 2011, the Committee filed an Amended 2010 30 Day Post-General Report. The report disclosed \$270,659.94 in receipts on Line 15 of the Detailed Summary Page, an increase of \$189.68 from the original report (Image 11990144684, Attachment 3). The report also disclosed \$15,922.65 in debts on Line 10 of the Summary Page, all of which were incurred during the reporting period (Image 11990144682).

On April 14, 2011, the Committee filed an Amended 2010 30 Day Post-General Report. The report disclosed no change in receipts from the prior amendment (Image 11930663576). The report also disclosed \$24,922.65 in debts on Line 10 of the Summary Page, all of which were incurred during the reporting period (Image 11930663574, Attachment 5).

On September 26, 2011, an RFAI was sent to the Committee referencing the Amended 2010 30 Day Post-General Report, received April 14, 2011. Among other items, the RFAI requested clarification regarding the substantial increases in receipts and debts disclosed on the amendment that were not disclosed in the original report (Image 11330014010).

On October 17, 2011, the Committee filed a Form 99 in response to the RFAI. In part, the Committee stated:

"The debt was increased by \$9000 because the Democratic Congressional Campaign Committee informed us of this outstanding debt in April 2011. Until then, we were not aware of it. The DCCC asked that we go back and amend the Post-General report to include this debt...The Post-General amendment also included additional interest income of \$189.68, which had been inadvertently omitted in our original report. We regret these inadvertent omissions and will be more careful in the future" (Image 11971635612).

On November 28, 2011, the Reports Analysis Division (RAD) Analyst left messages for the Committee's Treasurer, Susan Taylor, and the Finance Director, Molly Bishop. The Analyst explained that the matter involving increased activity on the

13190292865

Amended 2010 October Quarterly, 12 Day Pre-General, and 30 Day Post-General Reports will be referred for further Commission action. The Analyst informed them that the Committee had an option to file an additional response regarding this issue (Attachment 6).

On November 29, 2011, Vicki Winpisinger, a consultant with the Committee, called the RAD Analyst. She stated that she called at the request of Ms. Taylor and Ms. Bishop. The Analyst told her that the matter involving increased activity on the amended reports would be referred for further Commission action. The Analyst said that the Committee had an option to provide additional information for the public record regarding this issue. Ms. Winpisinger indicated she would file another Form 99 (Attachment 6).

On November 30, 2011, the Committee filed a Form 99. In full, the Committee stated:

"We wanted to take this opportunity to further detail the additional receipts, disbursements and debt reported on the reports referenced above.

The 2010 October Quarterly Report was amended to include an in-kind contribution and corresponding disbursement of \$1,047.80. As soon as we realized this in-kind contribution had been inadvertently omitted from the original report, we amended the report.

The debt reported on the 2010 30 Day Post-General Report was increased by \$15,922.65 for an American Express credit card bill. We ordinarily pay the credit card bill as soon as it is received, but because this particular bill was received after the due date of the original report (12/2/10), we wanted to be sure to report it as debt on the subsequent amendments.

The Democratic Congressional Campaign Committee informed us of the \$9,000 debt to Zata/3 Consulting, LLC in April 2011. Until then, we were not aware of it. The DCCC asked that we go back and amend the Post-General report to include this debt, which we did. Ultimately, the DCCC paid this outstanding debt which we reported as an in-kind contribution on our 2011 July Quarterly Report.

The Post-General amendment also included additional interest income of \$189.68, which had been inadvertently omitted in our original report.

Because the end of the campaign is always a flurry of activity, there are sometimes items that are inadvertently omitted. In addition, following the 2010 election, we were immediately thrust into an election recount which demanded a lot of our attention. We make every effort, however, to amend our reports to ensure that any omissions are reported as soon as we are made aware of them.

13190292866

We hope this helps to further explain the additional receipts, disbursements and debts included in our reports. We always make every effort to report all activity on our FEC reports and we will continue to make sure they are as accurate as possible" (Image 11953024757).

To date, no further communications have been received from the Committee regarding these matters.

13190292867