

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 19, 2015

ANALYST: Ryan Furman

- I. COMMITTEE: Carlos Curbelo Congress  
C00546846  
Paul Kilgore, Treasurer (12/23/14 - present)  
Ed S. Torgas, Treasurer (7/11/13 - 12/22/14)  
8770 SW 72nd St.  
Miami, FL 33173-3512
- II. RELEVANT STATUTES: 11 CFR § 104.3(a)(3)  
52 U.S.C. § 30104(b)(2)

III. BACKGROUND:

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

Carlos Curbelo Congress ("the Committee") amended its 2014 October Quarterly Report to disclose additional receipts of \$52,875.00, which were not disclosed in the original report (Attachment 2).

On October 15, 2014, the Committee filed its original 2014 October Quarterly Report, covering the period from August 7, 2014 through September 30, 2014<sup>1</sup>. This report disclosed receipts totaling \$369,325.00 on Line 11(a)(i) (Itemized Contributions from Individuals), \$9,830.00 on Line 11(a)(ii) (Unitemized Contributions from Individuals), \$40,500.00 on Line 11(c) (Contributions from Other Political Committees), and \$457,170.02 on Line 16 (Total Receipts) of the Detailed Summary Page (Image 14978407965).

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<sup>1</sup> The coverage dates for the 2014 October Quarterly Report were adjusted to reflect the coverage dates of the 2014 12 Day Pre-Primary Report covering July 1, 2014 through August 6, 2014.

On October 28, 2014, the Committee filed an Amended 2014 October Quarterly Report disclosing receipts totaling \$329,325.00 on Line 11(a)(i), \$9,705.00 on Line 11(a)(ii), \$133,500.00 on Line 11(c), and \$510,045.02 on Line 16 of the Detailed Summary Page, a total increase in receipts of \$52,875.00<sup>2</sup> from the original report (Image 14952555182).

On November 18, 2014, a Request for Additional Information (RFAI) was sent to the Committee, referencing the Amended 2014 October Quarterly Report, received on October 28, 2014. Among other issues, the RFAI requested clarification regarding the significant increase in receipts not disclosed on the original report (Image 14330066592).

On November 19, 2014, Nicole Rapanos, the Committee's campaign manager, called the Reports Analyst Division (RAD) Analyst regarding the RFAI sent on November 18, 2014. Ms. Rapanos said the Committee had problems with its new electronic filing software, which resulted in the issues cited in the RFAI. The Analyst advised her to file an amendment to the 2014 October Quarterly Report correcting the issues cited in the RFAI. Ms. Rapanos asked how the Committee should address the increase in receipts on the Amended 2014 October Quarterly Report. The Analyst advised her to file a detailed Miscellaneous Text Submission (Form 99) explaining the situation and the problems the Committee encountered with its filing software. Ms. Rapanos said the Committee's software vendor would be willing to call the Analyst and explain the circumstances. The Analyst indicated the Committee may be referred for further Commission action (Attachment 3).

On November 25, 2014, Ms. Rapanos called the RAD Analyst and asked if it would be possible to import an Excel spreadsheet into a Miscellaneous Electronic Submission (Form 99). The Analyst did not believe it was possible to import this spreadsheet, so the Analyst advised her to print the spreadsheet and submit it as a paper filed Form 99. Ms. Rapanos said the spreadsheet will explain the increase in receipts and break down the increases by line numbers and schedules. She said the Committee will also be amending reports in the response to the RFAI (Attachment 3).

On December 2, 2014, Ms. Rapanos called the RAD Analyst and said the Committee will be submitting amendments soon. The Analyst provided her with information on how to submit a paper Form 99 (Attachment 3).

Later that same day, the Committee filed an electronic Form 99 which stated, in part:

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<sup>2</sup> The original report contained several contributions from political committees that were disclosed on the incorrect line number Line 11(a)(i) (Unitemized Contributions from Individuals) instead of Line 11(c) (Contributions from Other Political Committees). The Amended 2014 October Quarterly Report, received on October 28, 2014, correctly disclosed most of these contributions on Line 11(c). As such, the activity disclosed on Line 16 (Total Receipts) was used to calculate the receipt variance amount referenced in this referral.

"8. In the process of converting our data from the state provided campaign reporting software to the Aristotle Campaign Manager software, the data was corrupted resulting in the improper reporting of contributions in our October quarterly report. We became aware of the discrepancy, researched the issues, corrected the underlying data and filed an amended report on 10/28/14" (Image 14952705360).

On December 2, 2014 and January 26, 2015, the Committee filed Amended 2014 October Quarterly Reports. These reports disclosed no change in receipts from the previous amendment (Images 14952704968 and 15950088122).

On December 3, 2014, the Committee filed a paper Form 99 containing the same information as the electronic Form 99 filed on December 2, 2014, but the paper Form 99 included charts of "...the contribution that resulted in the improper reporting on original report filed on 10/15/14" (Image 14031350550).

Later that same day, Ms. Rapanos called to follow up on Committee's response (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2013-2014)																
Cmte. ID: C00546846    Cmte. Name: CARLOS CURBELO CONGRESS																
Treasurer Name: KILGORE, PAUL    Address: 8770 SW 72ND ST, MIAMI, FL 33173-3512																
Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE)    Filing Frequency: QUARTERLY FILER																
Cmte. Type: H (HOUSE)																
Form Tp	Rpt Tp	Alt	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans	
MS-J			10/23/2014	5	14031324044											
MS-T			12/2/2014	5	14031324044											
MS-T			12/3/2014	9	14031340550	8/7/2014	9/30/2014									
MS-T			8/7/2014	9	14031340550			8/7/2014								
RQ2	Q3	N	11/25/2013	2	13330040885	7/1/2013	9/30/2013	11/25/2013								
RQ2	Q3	N	11/25/2013	2	13330040885	7/1/2013	9/30/2013	11/25/2013								
RQ2	Q1	N	6/3/2014	4	14330053293	1/1/2014	3/31/2014	6/3/2014								
RQ2	Q2	N	8/21/2014	2	14330059786	4/1/2014	6/30/2014	8/21/2014								
RQ2	Q2	N	8/21/2014	2	14330059786	4/1/2014	6/30/2014	8/21/2014								
RQ2	12P	N	9/22/2014	2	14330061284	7/1/2014	8/6/2014	9/22/2014								
RQ2	Q3	N	8/7/2014	2	14330066517	8/7/2014	9/30/2014	8/7/2014								
RQ2	Q3	A	12/21/2014	2	14330070772	8/7/2014	9/30/2014	12/21/2014								
RQ2	Q3	N	11/2/2014	2	14330066517	10/1/2014	11/6/2014	11/2/2014								
RQ2	30G	N	12/1/2014	4	14330070788	10/16/2014	11/24/2014	12/1/2014								
F3N	Q3	N	10/15/2013	139	13944263877	7/1/2013	9/30/2013									
F3A	Q3	A	12/30/2013	139	13944263877	7/1/2013	9/30/2013									
F3A	Q3	A	12/30/2013	139	13944263877	7/1/2013	9/30/2013									
F3N	YE	N	1/31/2014	66	14940265743	10/1/2013	12/31/2013									
F3A	YE	N	1/31/2014	66	14940265743	10/1/2013	12/31/2013									
F3A	YE	A	1/26/2015	82	15950087959	10/1/2013	12/31/2013									
F3A	Q1	N	1/5/2014	100	14961525617	1/1/2014	3/31/2014									
F3A	Q1	A	7/8/2014	100	14961525617	1/1/2014	3/31/2014									
F3A	Q1	A	12/5/2013	112	14961525617	1/1/2014	3/31/2014									
F3N	Q2	N	7/15/2014	112	14961632787	4/1/2014	6/30/2014									
F3A	Q2	N	7/15/2014	112	14961632787	4/1/2014	6/30/2014									
F3A	Q2	A	12/5/2014	152	14963177283	4/1/2014	6/30/2014									
F3A	Q2	A	12/5/2014	152	14963177283	4/1/2014	6/30/2014									
F3N	Q2	N	7/15/2014	112	14961632787	4/1/2014	6/30/2014									
F3A	Q2	N	7/15/2014	112	14961632787	4/1/2014	6/30/2014									
F3A	12P	N	8/14/2014	74	14970085684	7/1/2014	8/6/2014									
F3A	12P	N	8/14/2014	74	14970085684	7/1/2014	8/6/2014									
F3A	12P	N	8/14/2014	74	14970085684	7/1/2014	8/6/2014									

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5/19/2015 4:19 PM

Form	Ip	Rpt	Tr	All	Receipt	Dt	Pgs	Begin	Img#	Begin	Img#	End	Cvg	Dt	End	Cvg	Dt	Disb	End	Cash	Debits	Loans	Debits	Loans
F3A	12P	A					73	15970048805		7/1/2014		8/6/2014												
F3A	Q3	A					180	14952555180		8/7/2014		9/30/2014												
F3A	Q3	A					203	14952555180		8/7/2014		9/30/2014												
F3A	Q3	A					273	15950088122		8/7/2014		9/30/2014												
F3A	12G	A					92	14952705252		10/1/2014		10/15/2014												
F3A	12G	A					165	14952990078		10/16/2014		11/24/2014												
F3A	30G	N					31	15970237630		11/25/2014		12/31/2014												
F3A	YE	N					1	14950020499																
F6N							1	14950020499																
F6N							1	14952563043																
F6N							4	14952561308																
F2							3	14031341317																
F1A							5	14941847193																
F2N							2	14951642897																
F2A							2	14950080228																
F6N							2	14970728981																
F6N							4	14952547650																
F1A							4	14953218275																
Totals																								

O-Index (2011-2012)

Cmte. ID: C00546846 Cmte. Name: CARLOS CURBELO CONGRESS

Treasurer Name: KILGORE, PAUL Address: 8770 SW 72ND ST, MIAMI, FL 33173-3512

Cmte. Type: H (HOUSE) Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER

Form	Ip	Rpt	Tr	All	Receipt	Dt	Pgs	Begin	Img#	Begin	Img#	End	Cvg	Dt	End	Cvg	Dt	Disb	End	Cash	Debits	Loans	Debits	Loans
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No records were found for this cycle.

Attachment 1

**Carlos Curbelo Congress (C00546846)**  
**2014 October Quarterly Report/Amended 2014 October Quarterly Report**

**Overview of Additional Receipts<sup>1</sup>**

Report Line	original 2014 October Quarterly Report (Image 14978407965)	Amended 2014 October Quarterly Report, received 1/26/2015 (Image 15950088122)	Receipt Variance Amount
Line 16: Total Receipts	\$457,170.02	\$510,045.02	\$52,875.00
		Total Variance:	\$52,875.00

<sup>1</sup> The original report contained several contributions from political committees that were disclosed on the incorrect line number Line 11(a)(i) (Unitemized Contributions from Individuals) instead of Line 11(c) (Contributions from Other Political Committees). The Amended 2014 October Quarterly Report, received on January 26, 2015, correctly disclosed most of these contributions on Line 11(c). As such, the activity disclosed on Line 16 (Total Receipts) was used to calculate the receipt variance amount referenced in this referral.