

SANDLER REIFF

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December 16, 2014

Via E-Mail

Jeff S. Jordan, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: RR 14L-38

Dear Mr. Jordan:

The undersigned serves as counsel to the Democratic Executive Committee of Florida ("DECF"), and Judy Mount, in her official capacity as Treasurer. I am writing in response to the Commission's letter of December 1, 2014 in connection with the above-referenced referral. For the reasons set forth below, the DECF respectfully requests that OGC recommend that no further action be taken in this matter or, in the alternative, that this matter be referred to the Alternative Dispute Resolution Division for further proceedings.

This matter relates to comprehensive amendments filed by DECF for the calendar years 2010 and 2011, these comprehensive amendments, which covered several reports during this period, resulted in the additional disclosure of \$298,699.89 in receipts, and \$993,275.27 of disbursements.

THE 45th ANNUAL MEETING

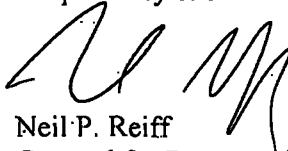
- 1) During the 2010 election cycle, the DECF undertook an unprecedented volume of activity. According to its Year end 2010 report, the DECF disclosed total receipts of \$6,774,772.01 of total receipts and \$7,135,673.60 in total disbursements. For the calendar year 2011, the DECF disclosed a total of \$2,084,866.74 and \$2,437,327.39 in disbursements.
- 2) During the Fall of 2010, the DECF undertook a large get-out-the-vote program using hundreds of field staff. The DECF found itself largely underprepared for the volume of activity that would be undertaken in such a large door-to-door get-out-the-vote program. The DECF filed reports, to the best of its ability to disclose its financial activity in the short time provided for pre-and post-election reports. Notwithstanding its efforts, the DECF recognized the problems created by this program and set out to audit and correct all of its reports.
- 3) Rather than conduct the program on a piecemeal basis, the DECF retained a forensic accounting expert who specialized in FEC reporting. This compliance expert conducted a thorough and exhaustive review of DECF activity in order to file amended reports. This process took several months and culminated with the filing of comprehensive amendments to the DECF reports in the Fall of 2011. This audit required hundreds of man hours of DECF staff and was done at a significant cost to the DECF. The DECF did not conduct this investigation at the request of the FEC, but rather, voluntarily committed resources to correct these problems.
- 4) The DECF now has sufficient resources in place to properly track and report activities, even in times of high volume activities. The DECF has __ full time staff dedicated solely to compliance and retains outside compliance and legal assistance to ensure that all activities are proper and fully disclosed.
- 5) The activities in this complaint are from reports filed over four years ago and are not reflective of the current practices of the DECF. In addition, the additional activity, especially on the receipt side, comprises a statistically immaterial percentage of DECF activity. To be sure, a large share of the unreported receipts relate to internal party transfers and not from individual contributions to the party. On the disbursement side, the unreported disbursements are largely confined to the 2010 pre- and post-general report and were a direct result of the unprecedented GOTV program described above.
- 6) The DECF was forthcoming and cooperative in this matter and undertook any and all steps to voluntarily ensure that its reports were amended to provide an accurate

accounting of its financial activities. Considering the circumstances, the DECF undertook this review and amended its reports in a reasonable amount of time.

- 7) The DECF financial position is relatively weak at this time. As of November 24, 2014, the DECF (the state central committee for one of the largest states) only disclosed \$91,541.48 in federal cash-on-hand, and \$18,541.50 in debts.
- 8) Since the primary activities covered by this complaint are only a few months away from the federal statute of limitations, the best, and most efficient way to resolve this case would be to either dismiss this matter or to refer it to your Alternative Resolution Dispute department.

If you have any further questions, please contact me at (202) 479-1111.

Respectfully submitted,



Neil P. Reiff
Counsel for Democratic Executive
Committee of Florida, and Judy
Mount, in her official capacity as
Treasurer

UNCLASSIFIED



FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness.

FAX 202-219-3923

MUR # RR 14L-38

Name of Counsel: Neil P. Reiff

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The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

12/15/14 Judy C. Morgan Treasurer
Date Signature (Respondent/Agent) Title

RESPONDENT: Democratic Executive Committee of Florida/ Judy Mount
(Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 214 S. Bronough St., Tallahassee, FL 32301
(Please Print)

Telephone (H): _____ (W): 850-222-3411

E-mail: Amorgan@fladems.com

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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