

## REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: September 19, 2017

ANALYST: Joshua Rebollozo

I. COMMITTEE: Texas Democratic Party  
(C00099267)  
Gilberto Hinojosa, Treasurer  
1106 Lavaca, Suite 100  
Austin, Texas 78701

II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)  
11 CFR § 104.3

## III. BACKGROUND:

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

Texas Democratic Party ("the Committee") amended its 2016 September Monthly Report to disclose additional receipts totaling \$800,000.00 and additional disbursements totaling \$800,000.00 that were not disclosed on the original report (Attachment 2).

On September 20, 2016, the Committee filed the 2016 September Monthly Report covering the period from August 1, 2016 through August 31, 2016. The report disclosed \$202,535.63 in receipts on Line 12 (Transfers From Affiliated/Other Party Committees) of the Detailed Summary Page (Image 201609209031044696). The report also disclosed \$0.00 in disbursements on Line 22 (Transfers to Affiliated/Other Party Committees) of the Detailed Summary Page (Image 201609209031044697).

On March 16, 2017, the Committee filed an Amended 2016 September Monthly Report. The report disclosed \$1,002,535.63 in receipts on Line 12, an increase of \$800,000.00 in receipts from the original report (Image 201703169050873004, Attachment 2). The report also disclosed \$800,000.00 in disbursements on Line 22, an increase of \$800,000.00 in disbursements from the original report (Image 201703169050873005, Attachment 2). The report contained Memo Text which stated:

“This report is being amended due to an inadvertent data entry error. The amount now being reported on Line 12 and Line 22 associated with the Hillary Victory Fund were not included in the original report, although the memo entries supporting those amounts were reported” (Image 201703169050873322).

On April 26, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 September Monthly Report, received March 16, 2017. Among other items, the RFAI requested clarification regarding the substantial increase in receipts and disbursements disclosed in the Amended 2016 September Monthly Report (Image 201704260300085115).

On May 26, 2017, the Committee filed an Amended 2016 September Monthly Report. The report disclosed no additional changes in receipts or disbursements from the previous amendment (Image 201705269055156829-830).

On June 8, 2017 the Reports Analysis Division (RAD) Analyst attempted to contact Gilberto Hinojosa, the Committee’s Treasurer, but instead spoke with Ceryta Lockett, a representative of the Committee. The Analyst explained that the issues regarding increases in activity addressed in the April 26, 2017 RFAI sent to the Committee could be referred for further action. The Analyst then informed Ms. Lockett of the opportunity to provide additional information on the public record. Ms. Lockett explained that the Committee did not intend to further clarify the increase and stated that the Committee believed the clarification previously provided was sufficient. Additionally, Ms. Lockett noted that she was working to ensure that the Committee does not make the same mistake in the future (Attachment 3).

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

1005269055156829-830

NONCONFIDENTIAL

O-Index (2017-2018)  
 Cmte. ID: C00099267 Cmte. Name: TEXAS DEMOCRATIC PARTY  
 Treasurer Name: HINOJOSA, GILBERTO Address: 1106 LAVACA, SUITE 100, AUSTIN, TX 78701  
 Cmte. Type: Y (QUALIFIED PARTY) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER

Form Tp	Rpt Tp	A/H	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			5/28/2017	1	201705269055157500										
RQ2	M3	N	8/17/2017	4	201708170300081992	2/1/2017	2/28/2017	8/17/2017	-	-	-	-	-	-	-
RQ2	M4	N	8/21/2017	2	201708210300092237	3/1/2017	3/31/2017	8/21/2017	-	-	-	-	-	-	-
RQ2	M5	N	8/21/2017	2	201708210300092238	4/1/2017	4/30/2017	8/21/2017	-	-	-	-	-	-	-
RQ2	M6	N	8/29/2017	2	201708290300092558	5/1/2017	5/31/2017	8/29/2017	-	-	-	-	-	-	-
RQ2	M7	N	8/29/2017	2	201708290300092580	6/1/2017	6/30/2017	8/29/2017	-	-	-	-	-	-	-
F3XN	M2	N	2/20/2017	71	201702209048728310	1/1/2017	1/31/2017		\$77,214	\$98,696	\$117,046	\$58,863	\$26,673	-	\$26,673
F3XN	M3	N	3/20/2017	113	201703209050891676	2/1/2017	2/28/2017		\$58,863	\$161,025	\$130,921	\$88,967	\$26,118	-	\$26,118
F3XA	M3	A	8/28/2017	115	201708289071129749	2/1/2017	2/28/2017		\$58,863	\$160,746	\$130,642	\$88,967	\$26,118	-	\$26,118
F3XN	M4	N	4/20/2017	137	201704209052345338	3/1/2017	3/31/2017		\$88,967	\$166,362	\$140,028	\$115,302	\$28,210	-	\$28,210
F3XN	M5	N	5/19/2017	117	201705199054037542	4/1/2017	4/30/2017		\$115,302	\$137,364	\$139,083	\$113,582	\$21,847	-	\$21,847
F3XN	M6	N	6/20/2017	122	201706209063523390	5/1/2017	5/31/2017		\$113,582	\$110,122	\$158,243	\$65,481	\$27,382	-	\$27,382
F3XN	M7	N	7/20/2017	182	20170720906883315	6/1/2017	6/30/2017		\$65,481	\$141,076	\$136,364	\$70,173	\$13,447	-	\$13,447
F3XN	M8	N	8/20/2017	154	201708209071101641	7/1/2017	7/31/2017		\$70,173	\$169,183	\$120,556	\$118,781	\$33,357	-	\$33,357
Totals										\$983,532	\$941,965				

O-Index (2015-2016)  
 Cmte. ID: C00099267 Cmte. Name: TEXAS DEMOCRATIC PARTY  
 Treasurer Name: HINOJOSA, GILBERTO Address: 1106 LAVACA, SUITE 100, AUSTIN, TX 78701  
 Cmte. Type: Y (QUALIFIED PARTY) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: MONTHLY FILER

Form Tp	Rpt Tp	A/H	Recpt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debts	Loans	Debts & Loans
MS-T			3/18/2015	1	15950876402										
MS-T			3/18/2015	1	15950876629										
MS-T			3/18/2015	1	15950876723										
MS-N			3/29/2015	1	15330079453										
MS-N			3/29/2015	1	15330079454										
MS-T			5/15/2015	1	15951381382										
MS-T			5/15/2015	1	15951382012										
MS-T			5/15/2015	1	15970699063										
MS-T			9/2/2015	1	201509029001589886										
MS-T			12/28/2015	1	201512289004415739										
MS-T			5/23/2016	1	201605238017283842										
RQ2	M2	N	8/6/2015	2	201508060300001677	1/1/2015	1/31/2015	8/6/2015	-	-	-	-	-	-	-
RQ2	M6	A	11/12/2015	3	201511120300007705	5/1/2015	5/31/2015	11/12/2015	-	-	-	-	-	-	-
RQ2	M8	A	11/3/2015	2	201511030300006693	7/1/2015	7/31/2015	11/3/2015	-	-	-	-	-	-	-
RQ2	M10	N	11/23/2015	3	201511230300008212	9/1/2015	9/30/2015	11/23/2015	-	-	-	-	-	-	-
RQ2	M11	A	3/1/2016	2	201603010300038935	10/1/2015	10/31/2015	3/1/2016	-	-	-	-	-	-	-
RQ2	M12	N	1/12/2016	2	201601120300009308	11/1/2015	11/30/2015	1/12/2016	-	-	-	-	-	-	-
RQ2	YE	N	4/18/2016	2	201604180300041810	12/1/2015	12/31/2015	4/18/2016	-	-	-	-	-	-	-
RQ2	M2	N	4/20/2016	3	201604200300041888	1/1/2016	1/31/2016	4/20/2016	-	-	-	-	-	-	-
RQ2	M3	N	4/28/2016	2	201604280300042530	2/1/2016	2/29/2016	4/28/2016	-	-	-	-	-	-	-
RQ2	M4	A	10/4/2016	2	201610040300062925	3/1/2016	3/31/2016	10/4/2016	-	-	-	-	-	-	-
RQ2	M5	N	4/9/2017	2	201704090300083924	4/1/2016	4/30/2016	4/9/2017	-	-	-	-	-	-	-
RQ2	M6	N	4/9/2017	2	201704090300083930	5/1/2016	5/31/2016	4/9/2017	-	-	-	-	-	-	-
RQ2	M7	N	4/11/2017	3	201704110300084401	6/1/2016	6/30/2016	4/11/2017	-	-	-	-	-	-	-



F3XA	M10	A	3/16/2017	623	201703168050873538	9/1/2016	9/30/2016		\$246,130	\$1,865,312	\$1,566,641	\$344,801	\$70,306	-	\$70,306
F3XN	12G	N	10/27/2016	444	201610279038653936	10/1/2016	10/19/2016		\$344,801	\$903,879	\$1,090,036	\$158,644	\$22,102	-	\$22,102
F3XA	12G	A	5/31/2017	445	201705319055163486	10/1/2016	10/19/2016		\$344,801	\$903,879	\$1,090,036	\$158,644	\$22,102	-	\$22,102
F3XN	30G	N	12/8/2016	944	201612089040212116	10/20/2016	11/28/2016		\$158,644	\$1,361,452	\$1,390,264	\$129,832	\$26,245	-	\$26,245
F3XA	30G	A	1/31/2017	944	201701319042194152	10/20/2016	11/28/2016		\$158,644	\$1,361,452	\$1,390,264	\$129,832	\$26,245	-	\$26,245
F3XA	30G	A	8/7/2017	946	201706079056317962	10/20/2016	11/28/2016		\$158,644	\$1,361,452	\$1,390,264	\$129,832	\$26,245	-	\$26,245
F3XN	YE	N	1/31/2017	235	201701319042223702	11/29/2016	12/31/2016		\$129,832	\$79,854	\$132,472	\$77,214	\$40,109	-	\$40,109
F3XA	YE	A	6/7/2017	237	201706079056319053	11/29/2016	12/31/2016		\$129,832	\$79,854	\$132,472	\$77,214	\$40,109	-	\$40,109
F1A		A	10/14/2015	9	201510149002869922				-	-	-	-	-	-	-
F1A		A	10/6/2016	8	201610069032189501				-	-	-	-	-	-	-
F1A		A	11/17/2015	9	201511179003362636				-	-	-	-	-	-	-
F1A		A	12/8/2015	7	201512089004153253				-	-	-	-	-	-	-
<b>Totals</b>									\$7,918,608	\$7,851,723					

O-Index (2013-2014)

Cmte. ID: C00099267 Cmte. Name: TEXAS DEMOCRATIC PARTY  
 Treasurer Name: HINOJOSA, GILBERTO Address: 1106 LAVACA, SUITE 100, AUSTIN, TX 78701  
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Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			1/2/2013	1	13960010629										
MS-T			1/2/2013	1	13940010058										
MS-T			3/26/2013	1	13961224297										
MS-T			7/3/2013	1	13940956281										
MS-T			7/3/2013	1	13940956282										
MS-T			6/6/2014	1	14961236978										
MS-T			8/18/2014	4	14031250378	12/1/2013	12/31/2013								
MS-T			10/24/2014	1	14952547668										
MS-T			10/27/2014	1	14952551697										
MS-T			11/18/2014	5	14031340648										
MS-T			11/24/2014	4	14031341298										
MS-T			11/25/2014	1	14952811080										
MS-T			11/25/2014	1	14952811588										
RQ2	M2	N	5/30/2013	2	13330032640	1/1/2013	1/31/2013	5/30/2013							
RQ2	M4	N	5/31/2013	3	13330032799	3/1/2013	3/31/2013	5/31/2013							
RQ2	M8	N	12/11/2013	3	13330041346	7/1/2013	7/31/2013	12/11/2013							
RQ2	M11	N	3/27/2014	3	14330047723	10/1/2013	10/31/2013	3/27/2014							
RQ2	M12	A	3/27/2014	2	14330047733	11/1/2013	11/30/2013	3/27/2014							
RQ2	YE	A	5/12/2014	4	14330052030	12/1/2013	12/31/2013	5/12/2014							
RQ2	M2	A	9/22/2014	5	14330061231	1/1/2014	1/31/2014	9/22/2014							
RQ2	M3	N	9/22/2014	3	14330061236	2/1/2014	2/28/2014	9/22/2014							
RQ2	M4	A	2/5/2015	2	15330073669	3/1/2014	3/31/2014	2/5/2015							
RQ2	M4	N	10/15/2014	6	14330062452	3/1/2014	3/31/2014	10/15/2014							
RQ2	M6	A	2/5/2015	2	15330073671	5/1/2014	5/31/2014	2/5/2015							
RQ2	M6	N	10/15/2014	4	14330062457	5/1/2014	5/31/2014	10/15/2014							
RQ2	M7	N	10/21/2014	2	14330062763	6/1/2014	6/30/2014	10/21/2014							
RQ2	M8	N	10/21/2014	2	14330062767	7/1/2014	7/31/2014	10/21/2014							
RQ2	M9	N	1/19/2015	2	15330072232	8/1/2014	8/31/2014	1/19/2015							
RQ2	M10	N	2/11/2015	2	15330074140	9/1/2014	9/30/2014	2/11/2015							
RQ2	M10	A	4/21/2015	2	15330081013	9/1/2014	9/30/2014	4/21/2015							
RQ2	12G	N	2/11/2015	2	15330074142	10/1/2014	10/15/2014	2/11/2015							

201703168050873538





**Texas Democratic Party (C00099267)**  
**2016 September Monthly Report/Amended 2016 September Monthly Report**

**Overview of Additional Receipts**

Report Line	Original 2016 September Monthly Report (Image 201609209031044696)	Amended 2016 September Monthly Report, Received 5/26/2017 (Image 201705269055156829)	Variance Amount
Line 12: Transfers From Affiliated/Other Party Committees	\$202,535.63	\$1,002,535.63	\$800,000.00
		<b>Total:</b>	<b>\$800,000.00</b>

**Overview of Additional Disbursements**

Report Line	Original 2016 September Monthly Report (Image 201609209031044697)	Amended 2016 September Monthly Report, Received 5/26/2017 (Image 201705269055156830)	Variance Amount
Line 22: Transfers to Affiliated/Other Party Committees	\$0.00	\$800,000.00	\$800,000.00
		<b>Total:</b>	<b>\$800,000.00</b>