FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2581

DATE FILMED 3-30-95 CAMERA NO. 4

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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February 24, 1988

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: ROBERT J. COSTA
ASSISTANT STAFF DIRECTOR
AUDIT DIVISION

SUBJECT: MICHIGAN REPUBLICAN STATE COMMITTEE - FINAL AUDIT REPORT: MATTERS REFERABLE TO OFFICE OF GENERAL COUNSEL

On February 23, 1988, the Commission approved the Final Audit Report on Michigan Republican State Committee which included the referral of the attached matters to your office.

If you have any question regarding this matter, please contact Mr. Rick Halter at 376-5320. All workpapers related to the matter referred are available in the Audit Division.

Attachments:

Exhibit 1 - Allocation/Disclosure of Phone Bank Expenditures
Attachment A to Exhibit 1

Exhibit 2 - Contributions from Individuals in Excess of the Limitations

Exhibit 3 - Contributions Designated for Non-Federal Use Deposited into the Federal Account

Exhibit 4 - The Victory '84 Alliance Solicitation Program

Exhibit 5 - Transfers Received from Unregistered Committees Deposited into the Federal Account

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Allocation/Disclosure of Phone Bank Expenditures

Section 441a(d)(1) of Title 2, United States Code states, in part, that the national committee of a political party and a State committee of a political party, may make expenditures in connection with the general election campaign of candidates for Federal office, subject to the limitations contained in paragraphs (2) and (3) of this subsection.

Section 441a(d)(3) of Title 2, United States Code states that the national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with such party which exceeds -

(A) in the case of a candidate for election to the office of Senator, or of Representative from a State which is entitled to only one Representative, the greater of -

(i) 2 cents multiplied by the voting age population of the State; or

(ii) $20,000; and

(B) in the case of a candidate for election to the office of Representative of any other State, $10,000.

Section 441a(c)(1) of Title 2, United States Code states, in part, that each limitation established by subsections (b) and (d) of this section shall be increased by the annual percent difference of the price index, as certified to the Commission by the Secretary of Labor.

Section 106.1(a) of Title 11, Code of Federal Regulations, states, in part, that expenditures made on behalf of more than one candidate shall be attributed to each candidate in proportion to, and shall be reported to reflect, the benefit reasonably expected to be derived.

Section 100.8(b)(18) of Title 11, Code of Federal Regulations states that the payment by a State or local committee of a political party of the costs of voter registration and get-out-the-vote activities conducted by such committee on behalf of the Presidential and Vice Presidential nominee(s) of that party

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is not an expenditure to such candidate(s) provided that the conditions noted in 11 C.F.R. § 100.8(b)(18)(i) through (vii) are met.

Section 100.8(b)(18)(vi) of Title 11, Code of Federal Regulations states that payments for voter registration and get-out-the-vote activities, if made by a political committee, shall be reported by that committee as disbursements in accordance with 11 C.F.R. § 104.3, but such payments need not be allocated to specific candidates in committee reports except as provided in 11 C.F.R. § 100.8(b)(18)(iv).

Section 100.8(b)(18)(iv) of Title 11, Code of Federal Regulations states, in part, that if such activities include references to any candidate(s) for the House or Senate, the costs of such activities which are allocable to that candidate(s) shall be an expenditure on behalf of such candidate(s) unless the mention of such candidate(s) is merely incidental to the overall activity.

Section 100.8(b)(18)(v) of Title 11, Code of Federal Regulations states that payment of the costs incurred in the use of phone banks in connection with voter registration and get-out-the-vote activities is not an expenditure when such phone banks are operated by volunteer workers. The use of paid professionals to design the phone bank system, develop calling instructions, and train supervisors is permissible. The payment of the costs of such professional services is not an expenditure but shall be reported as a disbursement in accordance with 11 C.F.R. § 104.3 if made by a political committee.

The Committee implemented a voter identification ("VIP") and get-out-the-vote ("GOTV") program for the 1984 general election. Political, geographic, and demographic information on every registered voter household in Michigan was used by Market Opinion Research ("MOR"), the Committee's research firm, to develop lists for voter identification and get-out-the-vote activities. According to a written representation provided by the Committee's attorney, the Voter Identification Program "[i]s intended, for the most part, to be used by candidates for advocacy for the undecided households and for election day turnout of the favorable households." The Committee established a phone bank to help identify the vote intentions of households residing in persuadable ("swing") neighborhoods throughout the State using the lists generated by MOR. The calls were made on behalf of Reagan/Bush and Jack Lousma for U.S. Senate, as well as Congressional, state and county-wide candidates. The phone bank was manned by paid staff listed on the Committee's payroll register.

During fieldwork, the Audit staff reviewed all expenditures relating to the VIP and GOTV programs. All costs were compiled and allocated to the candidates listed on the script used by

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phone bank personnel, as directed by 11 C.F.R. § 100.8(b)(18)(iv). In some districts, the Committee indicated that no calls were made on behalf of some congressional and county-wide candidates. Equal reference was made to all candidates for whom calls were made. No costs were allocated in such instances.

Allocation costs were added to other general election contributions from the Committee and its affiliated local committees for Congressional candidates.*/ Reimbursements made by or on behalf of the candidates for the VIP/GOTV program were applied to the total to determine the net amount of expenditures made by the Committee on behalf of these candidates.

The Audit staff reviewed the Committee's schedule depicting the allocation of VIP/GOTV costs to candidates. A comparison of allocation figures developed by the Audit staff with those prepared by the Committee revealed the following differences:

1) The Committee did not allocate expenditures made to Market Opinion Research of $282,000 for the development of the list (also referred to as "MICHLIST") used to make the VIP calls. The Committee's attorney did not wish to detail its objections to this allocation other than to state its position that "it is inappropriate to allocate any MICHLIST development costs to the various Federal candidates merely because in 1984 MICHLIST was used, in part, to generate the phone lists from which VIP calls were made." The Committee also noted that MICHLIST was intended to serve as input to other activities such as fundraising programs, ballot security, message delivery, and party maintenance (clerical) needs.

2) The Committee did not allocate $15,035.44 in related expenditures made from its Federal account and $6,441.69 in related expenditures made from its non-Federal account. The Committee asked for additional information regarding these expenses which they believe may be volunteer activity unrelated to the VIP phone program.

3) The Committee deducted $21,000 for calls made from the phone bank relating to a get-out-the-vote program. These expenses were included in the auditor's allocation. No explanation was given by Committee representatives for the deduction.

4) The Committee allocated a full share of the costs to itself based on their assertion that they derived benefit from each call. No such allocation was made by the Audit staff.

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*/ All general election contributions to Reagan/Bush '84 are prohibited under 11 C.F.R. § 9012.6

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5) The Committee allocated only 45% of each share to the Lousma for U.S. Senate Committee. A full share was not allocated "because they (the Lousma Committee) stopped paying 45% of the way." Committee documentation notes that the Lousma campaign did not have access to any information derived after the first 45% of the cost was incurred. The auditor's allocation includes a full share for the Lousma campaign since 11 C.F.R. § 106.1(a) states that these expenditures shall be attributed in proportion to the benefit reasonably expected to be derived. The date of the last payment from the Lousma for U.S. Senate Committee was October 29, 1984, only seven days from the date of the 1984 general election (November 6th). In addition, the Committee continued to include the candidate's name in the phone script used after October 29.

The Audit staff also noted errors in the Committee's allocation schedules, including mathematical errors, which understated the amount of allocable expenditures by $1,364.45.

It is the opinion of the Audit staff that all costs associated with the VIP are allocable to candidates pursuant to 11 C.F.R. § 106.1(a). It is also our opinion that, with respect to the GOTV costs, the Committee has not satisfied the requirements of 11 C.F.R. § 100.8(b)(18)(v) since it used paid staff to operate its phone banks. Therefore, pursuant to 11 C.F.R. § 106.1(a), such costs are also allocable to Reagan-Bush.

It should be noted that the Committee assigned its entire 441a(d)(3) limit (Senatorial limit - $264,700.80) to the National Republican Senatorial Committee - Expenditures (NRSC) and assigned $19,500 of its 441a(d)(3) limit (Representative limit - $20,200) for four house candidates to the National Republican Congressional Committee - Expenditures (NRCC).

The Audit staff reviewed the disclosure reports (Schedules F) filed by the NRSC and NRCC to determine the amount expended on behalf of the five candidates pursuant to 441a(d)(3) and how much, if any, of the limitation remains available to the Committee. This unused portion of the 441a(d)(3) limitation has been applied to the total phone bank expenditures allocable to each of the five federal candidates.

As a result, the Audit staff noted that the Committee appears to have exceeded the 441a(d)(3) limitations by $146,270.12, as detailed below:

Lousma for U.S. Senate	$132,275.70
Four House candidates	$ 13,994.42

Furthermore, the Audit staff has determined that expenditures totaling $57,612.12 are allocable to Reagan/Bush '84. The Committee did not state nor give any evidence that the

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Republican National Committee assigned any of its 44la(d)(2) limit to the Committee.*/ Therefore, it is our opinion that the entire $57,612.12 is prohibited.

In addition, the Committee did not disclose the allocation of any costs to specific candidates, as required by 11 C.F.R. § 100.8(b)(18)(iv) and Section 106.1(a), in its original reports. However, the Committee filed an amendment to its 1984 Year End report on November 5, 1985 which disclosed the allocation of these costs to specific candidates, based on its determination of allocable costs.

A copy of the auditor's allocation and other related schedules were sent to the Committee at the conclusion of the audit.

In the Commission approved interim audit report, the Audit staff recommended that, within 30 days of receipt of this report, the Committee:

° Provide an explanation and/or documentation as to why the limitations at 2 U.S.C. § 44la(d)(3) have not been exceeded. Absent such a showing, the Audit staff recommends that reimbursements equal to the amount in excess of the limitations be sought from the above named committees;

° Provide evidence that the VIP/GOTV expenditures do not constitute a prohibited contribution to Reagan-Bush '84 or seek a refund of $57,612.12 (VIP $52,903.94, GOTV $4,708.18) from Reagan-Bush '84; and

° File amended reports to disclose the proper allocation of the costs related to the VIP/GOTV programs.

Analysis of Committee's Response to Interim Audit Report

The Committee's response was received on April 13, 1987. In its response, each of the five items discussed at pages 3 and 4 above are addressed separately. In addition, the Committee addressed the mathematical errors noted by the Audit staff concerning various computations with respect to the allocation schedules prepared by the Committee. An analysis of each area follows:

(1) Inclusion of MICHLIST Development Cost in Allocation Base

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*/ Reports filed by the Republican National Committee covering activity through 12/31/84 indicate that it has expended all but $511.50 of its 44la(d)(2) limit.

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As noted at page 3 of this exhibit, the Audit staff included $282,000 in the allocation base number from which the various amounts determined as allocable to federal candidates were derived. The Committee's response sets forth several reasons why it believes the $282,000 in MICHLIST development costs cannot reasonably be allocated to federal candidates.

The Committee contends, in its response, that "MICHLIST is a major capital asset of the Committee and has substantial continuing value over time to the Committee." The Committee cites a number of purposes for which the names on MICHLIST were intended to be used and are in fact being used: fundraising, direct mail and door-to-door visits, among others. The Committee states that such uses of MICHLIST are to continue for the foreseeable future and it was never intended that MICHLIST be used only in 1984.

The Committee's response contains an excerpt from the legislative history of the 1974 Amendments apparently in support of the Committee's position that the MICHLIST, as a permanent asset, falls within the 11 C.F.R. 106.1(c) exception relative to expenditures which are not required to be attributed to specific candidates.

> "There is general agreement among the conferees that the provisions placing limitations on contributions and expenditures should not require a multicandidate committee, ... the senatorial campaign committees, the congressional campaign committees, ...
>
> to credit to a candidate's limitations on expenditures and contributions or to otherwise attribute to any political candidates or his political committees a portion of their normal day-to-day expenses.
>
> Any other interpretation would create an enormous amount of administrative busy work for all candidates and might cause wholesale violations of the law...
>
> These day-to-day expenses should be deemed to include such items as research, speech writing, general party organization and travel, party publications, fundraising expenses, staff at various party headquarters in the field and national convention expenditures, provided such expenses do not contribute directly to any candidate's campaign effort. (Congressional Record, October 10, 1974, pp. H 10332-10333)"

(Emphasis not in original).

Assuming that the remarks cited are relevant to the issue at hand, the concluding paragraph's language (underscored in quotation) raises a question as to the inclusion of MICHLIST

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development costs in the category of expenditures not requiring attribution to specific candidates. Further, the regulation to which the Committee apparently refers also contains a similar qualification:

> "[u]nless those expenditures are made on behalf of a clearly identified candidate and the expenditure can be directly attributed to that candidate."

Thus, it does not appear that the MICHLIST development costs clearly fall within the exception.

Further, the regulation covering payments made for the cost of certain voter registration and get-out-the-vote activities conducted by State or local party organizations on behalf of any Presidential candidate which also include references to a House or Senate candidate does not provide any guidance as to which expenses associated with such programs are includable as part of the cost of such activities which are allocable to these candidates. A search of the legislative history relative to the 1979 Amendments did not reveal any information on this point.

The Committee's response also contains two analogies which, according to the Committee's interpretation, indicate that MICHLIST development costs should be viewed as falling within the exception at 11 C.F.R. § 106.1(c). First,

> "To maintain that it does not fall within this exception would be similar to arguing that if campaign strategy were discussed in campaign headquarters, part of the cost of the headquarters building would have to be allocated to the campaign being discussed. Clearly, this is not the intent of the statute or the regulations."

Second,

> "[A]nother analogy can be made to the use of a state party's photocopier by several candidates' campaign committees. The Commission would not require the state party to allocate the purchase cost of the photocopier to the campaigns. It would only require allocation of the actual incremental costs. Similarly, the cost of developing MICHLIST cannot reasonably be allocated to Michigan federal candidates in 1984."

While the Audit staff does not necessarily agree with the appropriateness of the first analogy; the second, especially with respect to recognition of the requirement to allocate actual incremental costs to candidates, is persuasive.

A memorandum, appended to the Committee's response, contains an analysis prepared by the Committee's attorney which presents "[w]hat we [the Committee] consider to be an appropriate

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allocations (sic), if ultimately, a decision is made that such an allocation is required." The analysis attempts to remove those portions of the MICHLIST development costs which in the Committee's opinion, are not related to the VIP and thus should not be included in the total allocable costs. In essence, three separate adjustments are made:

(1) Since only approximately 19% of the number of voters contained on MICHLIST were slated for use in the VIP, only 19% of the MICHLIST development cost ($53,580) can be attributed to the VIP.

(2) The Committee asserts that the costs pertaining to the inclusion of demographic information into the data base played no role whatsoever in the VIP. Although the Committee admits it is somewhat difficult to estimate this portion, the Committee states that approximately 20-25% of the MICHLIST development costs involved such unrelated data base development. Thus, the $53,580 cited above is reduced to $42,864 [$53,580-($53,580 x .20)].

(3) The $42,864 figure is reduced further to reflect the fact that this portion of the file was used for a number of functions which, according to the Committee, were contemplated when the project was developed and which have, in fact, been employed: mass mailings, fundraising, door-to-door voter contact*/, voter recruitment*/ and voter telephone canvassing (i.e., VIP).

Thus, the Committee concludes that the MICHLIST reduced value of $42,864 should be adjusted downward by 80%. This reduction, based on the Committee's analysis, then results in an allocable share of MICHLIST development expenses attributable to the VIP of $8,572.

In the Audit staff's opinion, the Committee's objective of identifying only those MICHLIST development costs directly attributable to the VIP is not without merit. However, the method employed, given the various assumptions and estimates used does not appear to produce a result which is truly representative of the normal and usual cost associated with the development of that portion of the MICHLIST used for the VIP.**/ Rather, the

*/ Apparently, the Committee views door-to-door voter contact as distinguishable from voter recruitment, with both also distinguishable from voter telephone canvassing. The Audit staff sees no material difference between the three identified activities.

**/ The Committee also included a discussion concerning depreciation of tangible assets over time, concluding that the total development cost of MICHLIST ($282,000) should be depreciated over time. The Audit staff believes the normal and usual charge concept as discussed in this report is preferable.

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Committee's contract with Market Opinion Research ("MOR") seems to be a better source of the cost at issue. The contract, at Attachment A, Section E, F and G provides that MOR will create a list of registered voter households, acquire a list of all available households in Michigan and enhance the registered voter household list by matching it with the available household list. These two lists, according to the contract include the following information:

Registered Voter Household List	Household Name List
- complete name of head of household	same as Registered
- first names of up to 3 family members	
- residential address	same as Registered
- county code	same as Registered
- ward (if applicable)	
- precinct	
	title code of head of household
	unique household ID#
	Sex of head of household (where ascertainable)
	telephone number
	postal carrier route
	length of residence
	Census Block Group/ Enumeration District Number

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The costs associated with obtaining and processing this information, as provided by MOR, would appear to be a reasonable figure from which adjustments (i.e., names used in VIP) could be made. Thus, for example if MOR's price for sections E, F and G of the contract was $200,000, then 19% (representing the % of names on the list used in the VIP) or $38,000 would be attributable to the VIP and allocated to candidates. In the Audit staff's opinion, there is no reason to recognize the other uses of this portion of the list, or to recognize the Committee as having an allocable share of the costs for purposes of spreading the costs to candidates. The 19% seems ample to account for the Committee's concerns in these areas.

Conclusion

It is the opinion of the Audit staff that the Committee's proposals for the allocation of MICHLIST development costs should be rejected in favor of obtaining an estimate from MOR concerning the cost associated with Sections E, F, and G of the contract.

In the alternative, the Audit staff believes that $53,580 (19% of the MICHLIST development cost, $282,000) would also appear to be a reasonable approximation of the allocable portion attributable to the participating candidates.

(2) Allocation of Related Expenditures

The response stated that the Committee "is diligently researching the invoices involved to distinguish among payments made for the purposes of list generation inasmuch as much of the costs may be related to volunteer get-out-the-vote activities by local parties." The response indicates that, based on a preliminary examination, most if not all of the $15,034.44 paid from the Committee's federal account does not relate to expenditures for specific candidates.

No documentation to support the Committee's contentions was supplied as part of the response; however, the Committee did state that it would respond more fully as soon as it is able to determine the origin of all of the invoices.

Conclusion:

The Audit staff believes no adjustments are warranted based on the information contained in the response.

(3) GOTV Cost Allocations

With respect to the $21,000 identified as GOTV calls and deducted by the Committee from its allocation base, the response states that the Committee investigated the program and "determined that a portion of the calls made were in fact made by volunteer callers." The Committee, based on information obtained

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from supervisory personnel for the program, estimates that 30 of the 130 telephone lines were staffed by volunteers. The Committee then concludes that since 23% of the total work force were volunteers, $4,830 [23% of $21,000] should be excluded from the allocation base, with the remainder [$16,170] included in the base.

Notwithstanding the fact that no documentation was provided to support the 23%-77% volunteer to paid staff ratio, the Committee's position that only that portion of the GOTV cost attributable to paid staff should be included in the allocation base seems inconsistent with the applicable regulation:

> "For purposes of 11 CFR 100.8(b)(18), payment of the costs incurred in the use of phone banks in connection with voter registration and get-out-the-vote activities is not an expenditure when such phone banks are operated by volunteer workers." (11 C.F.R. 100.8(b)(18)(v)).

The regulation, as well as the legislative history concerning this "volunteer exception" from the definition of contribution or expenditure, does not indicate that the cost may be pro rated based on the percentage of volunteers vs paid staff actually making the phone calls.

Conclusion

Therefore the entire cost ($21,000) of the GOTV effort at issue remains in the allocation base.

(4) Allocation of Costs to the Michigan Republican State Committee

The Committee, in its response, states that the language contained at 11 C.F.R. 106.1(a) or any other section of the Commission's regulations would not prevent an allocation of a full share of the VIP cost (as determined by the Committee) to the Committee with the remaining cost allocated to the participating candidates.

> "It is clear that the intent of Section 106.1(a) is to ensure that expenditures are allocated to the benefit received from them. The position that a political committee can receive benefit from VIP/GOTV telephone calls and should be allocated a full share for that benefit is consistent with this intent and consistent with reality. The Michigan Republican party did receive clear and recognizable benefit from the phone bank. The Audit staff does not appear to dispute this fact."

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Although the Committee may have, and in its opinion, did in fact receive "clear and recognizable benefit from the phone banks", the phone script made available to the Audit staff does not support the Committee's contention regarding the initial thrust of the survey. The script includes 5 questions concerning the preference of the responder concerning: President, U.S. Senate, U.S. Representative, State Representative, and a question concerning a race for which the candidate and seat are not identified. It is clear that the calls were made on behalf of the 5 candidates whose names were presented to the person called. Whether the Committee, as a result of utilizing the information (preferences) obtained, realized some benefit, does not in the Audit staff's opinion reduce the amount of direct benefit to the participating candidates. Possibly, had there been a question or portion of the script devoted to the Michigan Republican Party, then in that case an argument could be made.

Conclusion

The Committee's position with respect to its allocable share of the VIP cost, in the Audit staff's opinion is not consistent with the regulations and, should therefore be rejected.

(5) Allocation of less than a full share to Jack Lousma

The Committee, in its response, quotes the interim audit report at page 5, item E) in part,*/ and concludes that it is difficult to understand why the interim audit report makes "the leap" to relate the benefit to the date of payment. Given that the Lousma Committee only received 45% of the survey results which approximated the amount of reimbursements made by the Lousma Committee to the Committee, the Lousma committee nevertheless still received benefit by virtue of the candidate's name not being removed from the VIP script. The Committee did not address this point in its response.

However, the Committee states that "To the best of the Committee's knowledge, the Lousma Committee actually received no information from the VIP programs." If the Committee's assessment regarding the Lousma Committee is accurate, a question arises as to whether or not the $24,000 reimbursed by the Lousma Committee is sufficient to offset the value of the benefit received by virtue of the candidate's name being included in the phone script for the VIP.

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*/ The portion of the interim audit report omitted in the Committee's response was "In addition, the Committee continued to include the candidate's name in the phone script used after October 29."

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Conclusion

In view of the above, it is the opinion of the Audit staff that the 45% allocation to the Lousma Committee appears reasonable.

(6) Mathematical Error

In its response, the Committee recognized the $1,364.45 mathematical error, and stated it "will correct this error pursuant to direction from the Commission."

Since several points raised in the Committee's response involve interpretations of the regulations regarding voter registration activities as discussed under items (1) MICHLIST Development Costs, (3) GOTV Cost Allocations, (4) Allocation of Costs to the Committee, (5) Allocation of less than a full share to Jack Lousma, coupled with the likelihood that the Committee has made contributions/expenditures in excess of the applicable 2 U.S.C. § 441a limitation, this matter was presented to the Office of General Counsel for analysis. It was noted that upon receipt of the Office of General Counsel's analysis relative to the topics mentioned above, the Audit staff would attempt to recalculate the VIP allocation.

Revisions Based Upon the Analysis Provided by the Office of General Counsel

The analysis provided by the Office of General Counsel (dated January 20, 1988) expressed agreement with the Audit staff's conclusions with respect to items (2), (3), (4) and (6) above (see OGC analysis at pages 5, 6 and 7 and page 3 n.2/, respectively). The remaining items (1) and (5) are discussed below.

item (1) - Inclusion of MICHLIST Development Cost in Allocation Base (OGC Analysis, pps. 3-4).

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In summary, the Office of General Counsel's analysis apparently concluded that, as an alternative to obtaining an estimate from Market Opinion Research concerning the cost associated with portions of the MICHLIST development contract related to the VIP program, "it may be best to simply use the contract price in determining the allocable amount." [$282,000 contract price x 19% (portion of names developed pursuant to the contract which, according to the Committee were used in the VIP program) or $53,580.] */

In order to calculate a figure(s) pertaining to the amount by which the Committee apparently exceeded its 44la(d) limitation with respect to Congressional candidates, and also the amount of the excessive contribution/expenditure made on behalf of Reagan/Bush '84 with respect to the 1984 Presidential general election, the Audit staff used the $53,580 MICHLIST contract amount cited above. Attachment A to Exhibit 1 contains the revised figures. [For comparison purposes, the figures as they appeared in the Commission approved interim audit report are also included].

(5) Allocation of less than a full share to Jack Lousma

The Audit staff initially concluded, based on the Committee's response, that the 45% allocation recognized by the Committee to Lousma was reasonable. The Counsel, in its analysis at page 7, recommends that a full share of the VIP program costs be allocated to the Lousma Committee. The Audit staff has calculated the figures shown at Attachment A using a full share for Lousma.

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*/ The Office of General Counsel also notes that the Committee's response raises the question of whether the cost of an item used for many activities should be allocated to specific candidates. The analysis apparently concludes, in the alternative that it may be preferable to allocate between federal and non-federal elections pursuant to 11 C.F.R. § 106.1(c)(1). Finally, the Office of General Counsel notes that such expenses would not be attributable to the Committee's section 44la(d) expenditure limit.

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Recommendations

Recommendation #7

Pursuant to the Commission Approved Materiality Thresholds, the Audit staff recommends that the matter involving apparent excessive 2 U.S.C. § 441a(d)(3) expenditures [$80,899.57] made by the Committee on behalf of Lousma [$78,195.37], McGregor [$696.77], and Schuette [$2,007.43] as well as the excessive contribution/expenditure made with respect to Reagan/Bush '84 General Election Committee in the amount of $5,882.70 be referred to the Office of General Counsel.

Recommendation #8

In addition, in the Audit staff's opinion, the matter involving the apparent excessive 2 U.S.C. § 441a(d)(3) expenditures made on behalf of Lousma [$78,195.37], McGregor [$696.77], and Schuette [$2,007.43] not be pursued as it relates to the candidate committees (See MUR 2370 relating to activity conducted by the West Virginia Republican State Executive Committee and Commission consideration at meeting of 2/2/88).

Recommendation #9

Finally, the matter involving an apparent excessive contribution/expenditure [$5,882.70] made on behalf of Reagan/Bush '84 not be pursued as it relates to Reagan/Bush '84 General Election Committee (See MUR 2370 relating to activity conducted by the West Virginia Republican State Executive Committee and Commission consideration at meeting of 2/2/88).

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Michigan Republican State Committee

Schedule of Allocated VIP/GOTV Costs for
Candidates in Excess of the Expenditure Limitation

	Per Interim Audit Report	Revised Per Committee Response to Interim AR & OGC Analysis
Reagan/Bush '84:		
allocated costs for VIP/GOTV	$160,349.12	$108,619.70
less: reimbursements from candidate committee	(50,000.00)	(50,000.00)
	(32,737.00)	(32,737.00)
	(20,000.00)*/	(20,000.00)
unreimbursed costs/excessive portion	57,612.12	5,882.70
Jack Lousma For U.S. Senate:		
allocated costs for VIP/GOTV	160,349.12	108,619.70
unused portion of 441a(d)(3) limitation	(4,073.42)	(4,073.42)
unused portion of 441a(a) limitation		(2,350.91)
less: reimbursements from candidate committee	(8,000.00)	(8,000.00)
	(6,000.00)	(6,000.00)
	(10,000.00)	(10,000.00)
unreimbursed costs/excessive portion	$132,275.70	$ 78,195.37
Congressional Candidates:		

* An amendment to the initial contract between Reagan-Bush '84, the Committee, and the Michigan Republican Party-State Account resulted in a $20,000 payment by Reagan-Bush '84, the purpose of which was to defray additional GOTV calls made on its behalf to "Reagan Undecideds." It is not clear at this time whether or not the $20,000 payment received from Reagan-Bush '84 is related to the $21,000 in GOTV expenses deducted from the base figure in the Committee's allocation. The Audit staff allocated the $21,000 in GOTV expenses to all participants [approximately $4,000 per category (i.e., House candidates, Senate candidate, etc.)], and then offset the allocable amount relative to Reagan-Bush '84 by the $20,000 reimbursement. Thus, even if the $21,000 in GOTV expenses were associated solely with Reagan-Bush '84, by spreading the $21,000 to all participants the net amount allocable to Reagan-Bush '84, as calculated by the Audit staff, is probably understated. Moreover, the Audit staff's treatment of the $21,000 in GOTV expenses coupled with the application of the $20,000 reimbursement, in essence, results in only Voter Identification Program costs being allocated to Reagan-Bush '84.

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	Per Interim Audit Report	Revised Per Committee Response to Interim AR & OGC Analysis
Jackie McGregor District 3		
allocated costs for VIP/GOTV	$10,442.00	$7,107.07
less: unused portion of 441a(d) limitation	(2,260.30)	(2,260.30)
add: contributions from state + local party committees * (General Election Only)		
EATON CO. REPUBLICAN COMMITTEE	250.00	250.00
ST. JOSEPH CO. REPUBLICAN COMMITTEE	400.00	400.00
ST. JOSEPH CO. REPUBLICAN COMMITTEE	200.00	200.00
Subtotal	9,031.70	5,696.77
less: contribution limitation	(5,000.00)	(5,000.00)
unreimbursed costs/excessive portion	4,031.70	696.77
Paul Henry District 5		
allocated costs for VIP/GOTV	9,726.80	6,620.29
less: unused portion of 441a(d) limitation	(2,454.33)	(2,454.33)
add: contributions from state + local party committees		
ST. JOSEPH CO. REPUBLICAN COMMITTEE	100.00	100.00
MIDLAND CO. REPUBLICAN PARTY	50.00	50.00**
Subtotal	7,422.47	4,315.96
less: contribution limitation	(5,000.00)	(5,000.00)
unreimbursed costs/excessive portion	$ 2,422.47	(684.04)

* All affiliated local committees were registered political committees as defined per 2 U.S.C. § 431(4) at the time the contributions were made.

** The Committee's response provided information which indicated that Midland Co. Republican Party was not affilated with the Committee; however, our review of Midland's disclosure reports filed for 1983-84 revealed several transactions to organizations connected with the Michigan Republican Party. Therefore, for purposes of this analysis, the Midland Co. Republican Party is considered affiliated with the Committee.

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	Per Interim Audit Report	Revised Per Committee Response to Interim AR & OGC Analysis
Tom Ritter District 6		
allocated costs for VIP/GOTV	$9,297.67	$6,328.21
less: unused portion of 441a(d) limitation	(900.46)	(900.46)
add: contributions from state + local party committees		
INGHAM CO. FEDERAL FINANCE FUND	1,000.00	1,000.00
ST. JOSEPH CO. REPUBLICAN FUND	300.00	300.00
6th CONGRESSIONAL DISTRICT REPUBLICAN COMMITTEE	300.00	-0- *
MIDLAND CO. REPUBLICAN PARTY	50.00	50.00
less: reimbursements from candidate committee	(1,500.00)	(1,500.00)
	(1,500.00)	(1,500.00)
	(9.24)	(9.24)
total costs and contributions	7,037.97	3,768.51
less: contribution limitation	(5,000.00)	(5,000.00)
unreimbursed costs/excessive portion	2,037.97	(1,231.49)
Bill Schuette District 10		
allocated costs for VIP/GOTV	10,692.33	7,197.47
less: unused portion of 441a(d) limitation	(1,790.05)	(1,790.05)
add: contributions from state + local party committees		
MIDLAND CO. REPUBLICAN PARTY	4,300.00	4,300.00
less: reimbursement from NRCC of behalf of committee	(2,700.00)	(2,700.00)
Subtotal	10,502.28	7,007.42
less: contribution limitation	(5,000.00)	(5,000.00)
unreimbursed costs/excessive portion	$5,502.28	$ 2,007.42

*/ The Committee's response provided information which indicated that 6th Congressional District Republican Committee was not affilated with the Committee. Our review of disclosure reports filed by the 6th Congressional District Republican Committee supports the Committee's position. Therefore, for purposes of this analysis, no affiliation exists.

	Per Interim Audit Report		Revised Per Committee Response to Interim AR & OGC Analysis	
	Item Count	Dollar Amount	Item Count	Dollar Amount
Total Excessive Portion	6	203,882.24	4	$86,782.26
Reagan/Bush '84	1	57,612.12	1	5,882.70
Lousma for U.S. Senate	1	132,275.70	1	78,195.37
Congressional Candidates	4	13,994.42	2	2,704.19

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Contributions from Individuals in Excess of the Limitations

The Act provides at 2 U.S.C. § 441a(a)(1)(C) that no person shall make contributions to a state party committee in any calendar year, which in the aggregate exceed $5,000.

During the review of individual contributions, the Audit staff noted three contributors whose contributions exceeded the contribution limitation by $5,550.00.

The excessive contributions were found by the Committee during the review of its records completed prior to the audit. The excessive portions were transferred to its non-Federal account during fieldwork.

Recommendation #10

The Audit staff recommends that this matter be referred to the Office of General Counsel in accordance with the Commission approved Materiality Thresholds in effect at the time of the audit.

Contributions Received from Individuals
in Excess of the Limitation

Contributor	Date of Contribution	Amount	Excessive Portion	Date of Transfer to Non-Federal Account
Miner S. Keeler, II	6/27/84	$10,000	$5,000	8/19/85
Robert R. Meyer	2/15/84	50		
	11/05/84	5,000	50	8/26/85
Alice Gustafson	10/05/84	500		
	11/07/84	5,000	500	8/19/85
Total		$20,550	$5,550	

Contributions Designated for Non-Federal Use Deposited into the Federal Account

Under Section 102.5(a)(2)(i), only contributions designated for the federal account may be deposited into that account.

During the review of source documentation for Committee contributions from individuals, the Audit staff noted a check dated 10/29/84 for $5,000 from an individual who designated the payee as "Victory '84 Non-Federal Account." The Committee deposited this check into its Federal account.

The Committee discovered this error during its review of records completed prior to the audit. The contribution was transferred to the non-Federal account on 8/19/85.

Recommendation #11

The Audit staff recommends that this matter be referred to the Office of General Counsel in accordance with the Commission approved Materiality Thresholds in effect at the time of the audit.

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The Victory '84 Alliance Solicitation Program

Section 110.6(d)(2) of Title 11, Code of Federal Regulations states if a conduit exercises any direction or control over the choice of the recipient candidate, the contribution shall be considered a contribution by both the original contributor and the conduit, and shall be so reported by the conduit to the Commission, Clerk, or Secretary, as appropriate, or, if the conduit is not a reporting entity, by letter to the Commission, and to the recipient. The recipient candidate or committee shall report it in its reporting of contributions received, indicating that the contribution is made by both the original contributor and the conduit, but that the actual cash received does not reflect the two contributions.

Further, Section 431(8)(A) of Title 2 of the United States Code defines the term contribution to include any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

Lastly, 11 C.F.R. § 104.13(a) provides in relevant part that the amount of an in-kind contribution shall be equal to the usual and normal value on the date received. Each in-kind contribution shall be reported as a contribution and an expenditure in accordance with 11 C.F.R. § 104.3(a) and (b).

During our review of contributions received from individuals, numerous contributions were identified as having been donated by individuals with addresses outside the state of Michigan. Specifically, a review of Schedules A for Line 11(a) - Contributions From Individuals/Persons Other Than Political Committees - indicated that 40 out of state contributions totaling $79,155.00 were received by the Committee during the period 8/28/84 to 12/19/84.

Further, our review of selected deposit batches revealed that approximately $40,000 in contributions, in the form of checks/money orders from individuals, were received in response to a solicitation paid for by The Victory '84 Alliance, a project of the Republican National Committee (RNC), 310 First Street, SE, Washington, D.C. 20003. Our review of the Committee's 12/17/84 deposit (21 items totaling $37,155) revealed that 19 items ($35,150) represented contributions in the form of checks made payable to one of following payees: Reagan-Bush Victory '84, Victory '84, G.O.P. Victory '84, Republican Victory Committee 1984, Victory '84 Alliance. Further, these checks were dated between October 22, 1984 and November 5, 1984. According to Committee officials, it is standard practice to deposit contributions within one or two days after receipt. Thus, it would seem reasonable to conclude that these checks were routed through an intermediary (RNC) which then forwarded the checks to the Committee. In a similar vein, the Audit staff noted a $5,000

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contribution forwarded to the Committee by Reagan/Bush '84 (the Candidate's principal campaign committee for the general election). The contributor's address was listed as McGregor, Minnesota. The transmittal letter (dated 10/8/84), signed by the Director of the Reagan-Bush '84 Voter Programs, made reference to the contribution as "a Victory '84 check" and further stated that the contributor's name was added to the list for an invitation to The White House reception on October 23, 1984.

The Audit staff discussed this matter with Committee officials and was provided with a memorandum, the purpose of which was to recap conversations (regarding the Victory '84 [Alliance] program) a Committee official conducted with individuals at the RNC who appeared to have responsibility for the state of Michigan. The memorandum explained that the apparent purpose of the program was to direct major donor money to those state party organizations that were considered to be "target" states. The memorandum further stated that "The target status was based apparently, in part, on information received via the state committees as they made evaluations of their program progress and key races. The Victory 84 effort included a Washington fundraiser to which major donor contributions were solicited. Michigan Republican State Committee staff sold tickets to the event and those individual checks were retained in our account. Other individuals (both in Michigan and around the country) seem to have sold tickets and those individual checks were then directed back to Michigan. The event to my understanding was postponed several times."

The above described activity between the Committee and the RNC raises several potential issues involving compliance with the Act's recordkeeping and reporting provisions. First, it appears, based on the information provided to date, that the RNC did exercise control over the distribution of the contributions in question. Presumably, the RNC identified the "target" states and forwarded "major donor contributions" received to those states. Thus, the RNC acted as a conduit and the Committee's disclosure reports were in error, in that the reporting of contributions at issue did not comport with the provisions of 11 C.F.R. § 110.6(d)(2). Reporting did not include an indication that the contribution was made by both the original contributor and the conduit, as well as not including a statement that the actual cash (funds) received did not reflect the two contributions.

The second matter involves the value of services provided by the RNC in its solitication efforts and whether or not an in-kind contribution occurred. By paying for the solicitation, the RNC conferred something of value on the Committee, viz., a cost-free solicitation. In the Audit staff's opinion, it appears that the

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Committee received, and the RNC made, an in-kind contribution equal to the value associated with the solicitation, receipt and forwarding of the $79,155.00 in contributions identifed as being related to The Victory '84 Alliance. */

In the interim audit report, the Audit staff recommended that the Committee within 30 days of receipt of the report:

(1) either provide documentation sufficient to demonstrate that the RNC did not act as a conduit or amend its reports to disclose the information in accordance with 11 C.F.R. § 110.6(d)(2);

(2) either provide documentation sufficient to demonstrate that an in-kind contribution from the RNC did not result in relation to the solicitation activities of The Victory '84 Alliance or obtain from the RNC documentation necessary to support the value assigned to the cost of soliciting, receiving and forwarding the $79,155 of contributions in question. The Committee's disclosure report for the period in which the solicitation and related activity occurred would have to be amended to disclose the in-kind contribution.

Based on the review of the information provided, additional recommendations may be forthcoming.

The Committee responded that "[a]t this time [it] does not possess sufficient facts upon which to respond. The Committee is, however, attempting to contact individuals who may be able to provide necessary information to submit a response."

Recommendation #12

Since the Committee did not submit an adequate response, it is recommended that this matter be referred to the Office of General Counsel in accordance with the Commission approved Materiality Thresholds.

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*/ An issue involving a possible in-kind contribution associated with a soliciation similar to the above is discussed in MUR 2314.

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Transfers Received from Unregistered Committees Deposited into the Federal Account

Section 441b(a) of Title 2 of the United States Code states, in part, that it is unlawful for any labor organization to make a contribution or expenditure in any election at which presidential and vice presidential electors or a Senator or Representative to Congress are to be voted for.

Under 11 C.F.R. § 102.5(a)(1)(i), a party committee which has established a separate federal account may only deposit funds subject to the prohibitions and limitations of the Act.

During the review of receipts from political committees, the Audit staff noted 35 transfers from 23 unregistered committees, totaling $18,208.00, which were deposited into the Committee's Federal account. Michigan state election law does not prohibit contributions from labor organizations. The Audit staff could not determine whether or not the unregistered committees accepted contributions from labor unions.

The Committee transferred $10,200.00, representing 17 transfers from unregistered committees, to their non-Federal account, resulting in 18 contributions totaling $8,008.00 which remain in the Federal account.

A schedule of all 35 transfers was given to the Committee at the conclusion of fieldwork.

In the interim audit report, the Audit staff recommended that the Committee, within 30 days of receipt of the report, ensure that only funds subject to the prohibitions and limitations of the Act are contained in its accounts through one of the following alternatives:

a) provide evidence that the unregistered committees whose funds remain in the Federal account have received sufficient funds subject to the limitations and prohibitions of the Act to make such transfers (11 C.F.R. § 102.5(b)(1)(ii);

b) transfer the $8,008.00 received from unregistered committees remaining in the Committee's Federal account to their non-Federal account; or

c) refund the remaining monies to the unregistered committees.

Analysis of Committee Response to Interim Audit Report

The Committee included affidavits from officers of 7 of the unregistered organizations which contained a certification that no corporate or labor organization had contributed to the

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organization.*/ The remainder, 11 contributions totaling $6,333 were transferred to the Committee's non-federal account. A photocopy of the transfer check was supplied.

Recommendation #13

It is recommended that this matter be referred to the Commission's Office of General Counsel in accordance with the Materiality Thresholds.**/

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*/ No statement was included regarding the acceptance of contributions prohibited under 2 U.S.C §§ 441a(a), 441c, 441e or 441g.

**/ Of the $18,208 initially questioned by the Audit staff, the Committee transferred $16,533, representing contributions received from unregistered organizations, to its non-federal account (see Exhibit 5, pages 3-5).

Transfers From Unregistered Committees Deposited Into the Federal Account

Committee Name	Date	Amount	Transferred to Non-Federal Account	Date of Transfer
Berrien Co. Rep. Committee	1/03/83	$ 650.00	$ 650.00	5/01/84
	3/14/83	650.00	650.00	"
	4/19/83	50.00	50.00	"
	6/17/83	650.00	650.00	"
	8/23/83	650.00	650.00	"
	1/06/84	650.00	650.00	1/07/87
	3/14/84	650.00	650.00	"
St.Joseph Co. Rep.Committee*/	2/23/83	600.00	600.00	5/01/84
	3/21/83	600.00	600.00	"
	7/12/83	2,800.00	2,800.00	"
	8/24/83	1,000.00	1,000.00	"
	10/27/83	1,000.00	1,000.00	"
	1/30/84	3,000.00	3,000.00	1/07/87
Manistee Co. Rep. Committee	9/27/83	200.00	200.00	5/01/84
Ostego Co. Rep. Committee	12/08/83	500.00	Affidavit 9/11/85	
Marguette Co. Rep. Committee	12/22/83	250.00	250.00	5/01/84
Presque Isle Co. Rep. Committee	12/31/83	300.00	300.00	5/01/84
ReElect Dan Murphy Committee	12/09/83	200.00	200.00	1/07/87
The Eastonia A Rep. Club of Michigan	12/03/83	33.00	33.00	1/07/87

*/ Committee registered on 10/19/84 and reported activity commencing on August 24, 1984.

Transfers From Unregistered Committees Deposited Into the Federal Account

Committee Name	Date	Amount	Transferred to Non-Federal Account	Date of Transfer
Newaygo Co. Rep. Committee	4/06/84	$ 750.00	$ 750.00	1/07/87
Women's Rep. Club of Grosse Point	10/23/84	450.00	Affidavit 9/11/85	
14th District Rep. Committee	11/05/84	500.00	500.00	1/07/87
Houghton Co. Rep. Committee	10/25/84	100.00	100.00	1/07/87
Rep. Nat'l State Election Committee-Michigan	11/30/83	500.00	500.00	8/19/85
Arenac Co. Rep. Party	11/28/83	250.00	Affidavit 9/18/87	
Women's Rep. Club of Indian Village	10/22/84	200.00	200.00	1/07/87
Sterling Heights Rep. Club	12/07/83	100.00	Affidavit 1/13/86	
Republican 15th Congr. District Committee	4/13/84	200.00	Affidavit 12/13/86	
MRD PAC	9/14/83 9/14/83	100.00 100.00	100.00 100.00	8/19/85 "
Michigan Optometric PAC	11/28/83	100.00	100.00	1/07/87
Michigan Beer & Wine Wholesalers PAC	12/-/83	100.00	100.00	12/31/83

Transfers From Unregistered
Committees Deposited Into the Federal Account

Committee Name	Date	Amount	Transferred to Non-Federal Account	Date of Transfer
Security Bank and Trust PAC	1/26/84	$ 150.00	$ 150.00	1/07/87
Republican Women's Club/ Houghton-Kewecnaw Co.	10/25/84	75.00	Affidavit 1/09/86	
Allegan Rep. Women's club	5/09/84	100.00	Affidavit 1/09/86	
Total		$18,208.00	$16,533.00	

RECAP

		Number of Contributions	Number of Contributors	Amount
1.	Transferred to Non-Federal account 12/31/83, 5/01/84 or 8/19/85	17	8	$10,200
2.	Transferred to Non-Federal account on 1/07/87 per interim response	11	10	6,333
3.	Affidavits per interim response	7	7	1,675
		35	25**/	$18,208

**/ Although the actual number of contributors is 23, the Committee transferred contributions from 2 contributors which fall into 2 of the 3 categories listed.

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

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In the Matter of	)	MUR 2581
Michigan Republican State Committee	)	
Ronald D. Dahlke, as treasurer	)	
Republican National Committee	)	
William J. McManus, as treasurer	)	

SENSITIVE

EXECUTIVE SESSION
OCT 18 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 6, 1988, the Commission considered the First General Counsel's Report in MUR 2581 and referred this matter back to the Office of the General Counsel for further information and revisions of the proposed Factual and Legal Analyses to be sent to the respondents. The following is a partial revision of the initial report, together with corresponding Factual and Legal Analyses. An additional issue is addressed at page 27.

II. FACTUAL AND LEGAL ANALYSIS

A. GENERATION OF MATTER

Pursuant to 2 U.S.C. § 438(b), the Federal Election Commission conducted an audit of the federal account of the Michigan Republican State Committee ("the Committee"). Following the audit the Commission voted, on February 23, 1988, to approve the referral of certain matters to the Office of the General Counsel. (Attachment 1).

B. SUMMARY OF ALLEGATIONS

This referral from the Audit Division covered five distinct issues: the allocation of phone bank expenditures, the receipt of excessive contributions, the deposit of non-federal contributions into the Committee's federal account, the reporting of contributions received via the Republican National Committee ("RNC") and the reporting of related solicitation costs

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apparently paid by the RNC, and the deposit of transfers from unregistered committees into the Committee's federal account. An additional issue has arisen regarding the use of the Committee's state account.

a. Phone Bank Expenditures

In 1984 the Committee implemented a voter identification program ("VIP") and get-out-the-vote program ("GOTV") for the general election in seventeen Congressional districts in Michigan. Market Opinion Research ("MOR"), under contract with the Committee, developed lists of registered voter households in Michigan for use in the voter identification and get-out-the-vote activities, and the Committee, together with Reagan-Bush '84 (General Election Committee), contracted with the Michigan Republican Party State Account for the organization and supervision of a telephone bank for the purpose of identifying voter intentions of households in swing neighborhoods and for subsequent get-out-the-vote activity. Voter identification calls were made on behalf of Reagan-Bush '84, Jack Lousma for U.S. Senate, Congressional candidates in fourteen districts, and state and local candidates. According to the Committee, the phone bank was run by both volunteers and paid staff. The Committee determined that a total of $389,364.14 in expenditures involved in the VIP were allocable to the candidates benefited and also to itself. The Committee did not allocate certain GOTV-related costs.

During their examination of the Committee's records the auditors identified a total of $715,205.72 in phone bank-related expenditures as allocable to federal, state and local candidates, the difference between this figure and that of the Committee

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being the result of differences in several areas between the Committee's figures and those of the Audit Division. These discrepancies included the Committee's failure to allocate $282,000 in expenditures to MOR for the development of the list used to make the VIP calls, its failure to allocate $15,035.44 in related expenditures from its Federal account, and its failure to allocate $21,000 in calls related to the GOTV program. Also included in the overall difference was $1,364.45 in mathematical errors. Further, the Committee's allocations to candidates differed from those of the Audit Division because the Committee applied a full share to itself, and failed to allocate a full share to the Lousma committee.

The auditors determined that the Committee had assigned its entire expenditure limitation of $264,700.80 for the Senatorial campaign, pursuant to 2 U.S.C. § 441a(d)(3)(A), to the National Republican Senatorial Committee ("NRSC"), and $19,500 of its $20,200 expenditure limitation, pursuant to 2 U.S.C. § 441a(d)(3)(B), for each of four candidates for the House of Representatives to the National Republican Congressional Committee - Expenditures ("NRCC"). The Republican National Committee by December 31, 1984, had expended all but $511.50 of its expenditure limitation for the presidential campaign pursuant to 2 U.S.C. § 441a(d)(2). Application of the Audit Division's allocations to the limitation amounts still available to the Committee initially resulted in apparent excessive Section 441a(d)(3) expenditures of $132,275.70 on behalf of the Lousma for U.S. Senate Committee and $13,994.42 in total excessive expenditures on behalf of four House candidates, for a total of $146,270.12 in excessive contributions. The auditors also found

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that because the phone banks were operated, at least in part, by paid staff, the exemption at 11 C.F.R. § 100.8(b)(18)(v) related to Presidential candidates did not apply, and thus $57,612.12 of the VIP and GOTV costs, all of which was excessive, was allocable to Reagan-Bush '84.

As will be seen below, these figures were modified at the time the final audit report and the referral were prepared. Those adjustments, particularly to the amount of list development costs deemed allocable, brought the total of allocable VIP/GOTV costs to $486,785.72 of which $304,521.68 was allocable to federal candidates. The amount of apparently excessive Section 44la(d)(3) expenditures made by the Committee on behalf of Jack Lousma for U.S. Senate was reduced to $78,195.37, the amount of excessive expenditures on behalf of the House candidates to $2,704.19, and the amount of expenditures on behalf of Reagan-Bush '84 to $5,882.20.

1. Failure to Allocate Expenditures for Development of List

The first issue to be resolved regarding the phone bank expenditures is the payment of $282,000 by the Committee to MOR for the development of the list used to make the voter identification calls. This expenditure was not allocated by the Committee among the various Federal candidates on whose behalf the calls were made. The Committee argued in its response to the Interim Audit Report received on April 13, 1987, that it was "inappropriate" to allocate any list development costs. The Committee stated that the list was intended for a number of uses other than the VIP program, and that these uses would continue.

The MICHLIST is a major capital asset of the Committee and has substantial

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> continuing value over time . . . . The names on MICHLIST were intended to be used and are in fact being used for a number of purposes including fundraising, direct mail and door-to-door visits, among others. The Committee intends to continue these and other uses of the list for the foreseeable future. It was never intended that MICHLIST be used only in 1984, nor has or will its use be limited to that year. MICHLIST is a permanent asset of the Michigan Republican party. It was created with the hope that it would be used on a permanent basis with continual improvements."

The Committee asserted that the development of the list came within the parameters of 11 C.F.R. § 106.1(c) which exempts from allocation to candidates expenditures for "general administrative, fund-raising and day-to-day costs of political committees" unless they are made on behalf of a clearly identified candidate and can be directly attributed to such candidate. The Committee analogized the cost of developing the list to the cost of building a party headquarters or to the purchase of a party's photocopier used by candidate committees, neither of which expenditures would assertedly be deemed allocable.

In the alternative, the Committee submitted an allocation method related to the development of the list which reduced considerably the base from which any required allocation would be made. In a memorandum to the Audit Division attached to its response to the Interim Audit Report, counsel for the Committee stated that of the 6,337,960 voters in the MICHLIST database, 1,130,275 or 19% were selected to receive VIP calls. Counsel then argued that 19% of the $282,000 total cost, or $53,580, should be the starting point for allocation. Further, counsel

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argued that the $53,580 figure should be further reduced by "approximately 20-25 percent" for costs related to "the inclusion of demographic information into the database [which] played no role whatsoever in the phone program. The demographic statistics were added to the database for purposes of triggering direct mail and party fundraising efforts, not for generating telephone lists." After subtracting 20% or $10,716, the remaining $42,864 should, according to counsel, be reduced to $8,572 because the portions of the file used for the VIP program had also been used for "mass mailings, fundraising, door-to-door voter contact, [and] voter recruitment . . . ." Thus the Committee in effect wishes to assign $45,008 of the $53,580 to itself.

The Audit Division, in the referral to this Office approved by the Commission, continued to require allocation of the costs of developing the list in light of its benefit to specific candidates, but also acknowledged merit in the Committee's desire to identify and allocate only the costs of developing the portion of the list used for the Voter Identification Program. The referral accepted use of the 19% or $53,580 suggested by counsel as representing the percentage of voter names on the MICHLIST actually used in the VIP program, but did not accept the further reductions urged by counsel which were largely based upon other uses made of this same portion of the list.

11 C.F.R. § 106.1(a) states that as a general rule "expenditures . . . made on behalf of more than one candidate shall be attributed to each candidate in proportion to . . . the benefit reasonably expected to be derived." 11 C.F.R. § 106.1(c) sets out exceptions to the general rule, including "rent,

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overhead, general administrative, fundraising, and other day-to-day costs" unless they are made "on behalf of a clearly identified candidate and the expenditures can be directly attributed to that candidate." 11 C.F.R. § 106.1(e) requires party committees to allocate administrative expenditures between their federal and non-federal accounts.

The threshold issue regarding the MICHLIST is whether the cost of its development was an administrative cost of the Committee only allocable between its federal and non-federal accounts, or an expenditure made on behalf of more than one candidate and thus allocable among such candidates. As noted above, the referral from the Audit Division approved by the Commission utilized the concept of an expenditure on behalf of more than one candidate, although the amount of the expenditure to be so allocated was limited to the $53,580 related to the portion of names actually used in the 1984 VIP program. This Office recommends continued application of the approach used in the Audit Division referral.

The Committee's argument in support of no allocation of list development costs apparently assumes that a party committee's permanent capital assets with continuing value come automatically within the definitions of "overhead" and "general administative" costs not allocable pursuant to 11 C.F.R. § 106.1(c). The Committee's own photocopier analogy provides a useful illustration of problems with this approach. It appears that in the situation in which a Committee photocopier is used by a candidate the Committee would assume that only the costs of paper, ink and labor need be billed to such a user candidate, not costs related

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to the initial cost of the copier itself. The difficulty with this analysis is that it ignores the discrepancy that is created between the use of party committee facilities and the purchase of like services on the commercial market. A firm in the business of providing duplication services would build into the costs of those services the costs of any equipment used. Therefore such costs should also be built into the costs of the use of party committee equipment by other committees.

In the present situation, if the candidate committees had gone directly to MOR for equivalents of the MICHLIST, rather than obtaining its use through the Committee, MOR's charges would have included a sum related to the development of the list(s) obtained. Not to require the allocation of at least a portion of the MICHLIST development cost would permit the Committee to confer a benefit upon candidate committees for which those committees would be charged by a commercial vendor, without that benefit being deemed a contribution.

The Committee's non-allocation of the list development costs also ignores the exception to the exception at 11 C.F.R. § 106.1(c), i.e., that otherwise non-allocable general administrative or overhead costs are allocable if made on behalf of clearly identified candidates, and if directly attributable to such candidates. According to the Committee, the MICHLIST was developed to "allow candidates to take advantage of the latest in campaign technology to identify and target campaign activities," including voter identification and get-out-the-vote projects. (Attachment 2). Thus the list was intended for candidate use and was, in fact, used on behalf of specific candidates in 1984. The costs of the VIP

and/or GOTV programs were directly attributable to those candidates, and so was the cost of the list itself, at the least that portion of the cost related to the part of the list actually used for the VIP and GOTV programs.

Given the varied uses of the MICHLIST, the Committee's alternative 19% or $53,580 figure found in the audit referral is reasonable, reflecting as it does the portion of the list actually used in the VIP and GOTV program. This Office does not, however, recommend acceptance of the further reductions of this figure urged by the Committee, at least until the Committee furnishes detailed information showing the actual uses of the list unrelated to the VIP and GOTV programs. The Committee's additional 20% reduction for assertedly unrelated demographic information is now based only on an admittedly "difficult to estimate" and thus "approximate" figure, while the further Committee reductions are related to other uses of the names included in the 19%, such as door-to-door voter contact and voter recruitment as well as mass mailings and fundraising; these uses appear closely related to the Committee's voter identification program.

2. Related Expenditures

The Committee did not allocate $15,035.44 in expenditures from its federal account related to the VIP and GOTV programs. These payments included $1,250 to Michigan Bell as a deposit, $1,702.04 for VIP phone bank equipment rental, $279.88 to a graphics company for "generation" of a voter list, $7,948.50 to MOR for lists for the GOTV program, $2,131.20 for VIP supplies, $12.50 for VIP shipping and $1,711,32 for VIP phone table rental.

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The Committee has asserted that the payments made for list generation "may be related to volunteer get-out-the-vote activities by local parties." It has also stated that the $15,034.44 appears to be improperly included because most of the payments were not related to specific candidates. The Committee, however, has provided no evidence in support of these assertions and thus the $15,034.44 was properly retained as allocable in the referral to this Office and should be included in the calculation of allocable expenditures in the present matter.

3. GOTV Cost Allocations

The Committee did not include in its original allocation of GOTV expenditures $21,000 paid in telephone bank costs. In its response to the Interim Audit Report the Committee stated that 30 of the 130 telephone lines used were staffed by volunteers, and thus 23% of the $21,000 expended should be excluded from the allocation base. No documentation was provided in support of this division. Nor is it presently known which employees staffed the remaining lines and whether this activity took place outside normal business hours. The referral to this Office contains the entire $21,000 as allocable to the candidates benefited by the GOTV effort.

2 U.S.C. § 431(9)(B)(ix) exempts from the definition of contribution certain payments made by state party committees for voter registration and get-out-the-vote activities on behalf of nominees for President and Vice-President. 11 C.F.R. § 100.8(b)(18)(ix) provides that payments for phone banks used in connection with such voter registration and get-out-the-vote activities are not to be viewed as expenditures if they are operated by volunteer workers.

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Neither the statute nor the regulation nor the legislative history of 2 U.S.C. § 431(9)(B)(ix) provides for the pro-rating of expenditures depending upon the numbers of volunteers versus paid staff involved. As was stated by Representative Thompson during the floor debate on the 1979 amendments to the Act, this particular exemption would apply when a telephone bank is "completely run by . . . volunteers . . . . The Committee's intent in creating this registration and get-out-the-vote exemption . . . was to help State and local political parties play a much needed larger role . . . through the increased use of volunteers." (125 Cong. Rec. H.R. 23815 (September 10, 1979).)

Therefore, unless it can be shown that the employees involved in the Committee's GOTV effort were volunteers at the time of that particular undertaking, the exception at Section 431(9)(B)(ix) would not apply and the entire cost of the Committee's GOTV phone bank should be allocated to the candidates benefited, with no application of a volunteer/staff ratio.

4. Allocation of Costs to Committee

As noted above, the Committee allocated a full share of the VIP costs to itself. The referral from the Audit Division provides for no allocation to the Committee and hence for higher amounts to be allocated to the various candidates benefited.

The Committee has argued that it also received a benefit from the phone banks and thus should pay a full share of the costs. In a memorandum to the Commission dated October 25, 1985, allocating the telephone program costs, the Committee stated, "To substantiate this 'benefit' [to itself] the Party has already begun to market the names and information from the telephone program. In addition, the

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party has conducted both direct mail solicitations and telephone membership solicitations to those households identified as strong Republican households from the telephone program." (Attachment 3).

The Audit Division has asserted that while the Committee may have benefited, the VIP telephone script included no questions related to the party itself, but only ones concerning the Presidential, Senatorial, Congressional, state and local races. (Attachment 4). In addition, the description of the MICHLIST and VIP program provided by the Committee stated, "The identification is intended, for the most part, to be used by candidates for advocacy for the undecided households and for election day turnout of the favorable households." (Attachment 2).

Given the Committee's emphasis at the time upon benefits to candidates, it is reasonable to determine that the VIP/GOTV programs were carried out on behalf of the five candidates named in the survey questions. Whatever benefit it itself may have derived, the Committee was not entitled to a separate share of the costs.

5. Allocation of Less Than Full Share to Lousma Committee

The Committee allocated only 45% of a full share of the survey costs in each district to the Lousma for U.S. Senate Committee, stating that the Lousma Committee "had stopped paying 45% of the way" and that that committee had received no information from the VIP program. The referral from the Audit Division contains a full allocation to the Lousma Committee. The referral notes that the last payment from the Lousma campaign was received on October 29, 1984, or only seven days before the general election, and that the candidate's name continued to be

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included in the telephone script after that date.

It was not necessary for the Lousma Committee to have realized a benefit from the Committee's expenditures in the form of information in order for it to be subject to a full allocated share; rather, the specific identification of a candidate in a communication is enough to confer at the least a constructive benefit upon that candidate. Thus a full allocation to the Lousma Committee remains valid.

6. Excessive 2 U.S.C. § 441a(d)(2) and (3) Expenditures

2 U.S.C. § 441a(d)(3) limits expenditures by state party committees in connection with the general election campaigns of candidates for the United States Senate to the greater of two cents times the voting age population of the state or $20,000, and those in connection with general election campaigns for a candidate of the United States House of Representatives to $10,000; each of these limitations is to be increased according to increases in the Consumer Price Index pursuant to 2 U.S.C. § 441a(c). State parties may also make contributions of $5,000 per election to such candidates pursuant to 2 U.S.C. § 441a(a)(2)(A). Pursuant to 11 C.F.R. § 110.3(b)(2)(ii), contributions made by a state party committee and by subordinate state party committees are presumed to have been made by one political committee. 2 U.S.C. § 441a(d)(2) limits expenditures by a national party committee in connection with the general election campaign of a candidate for the Office of President to 2 cents times the voting age population of the United States, adjusted by increases in the Consumer Price Index. This limitation may be shared with a state party committee, but the latter has no comparable limitation of its own. Major

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party candidates for the presidency may not accept contributions for the general election campaign. 26 U.S.C. § 9012(b).

In the present instance the Committee allocated the costs of the VIP and GOTV programs among the various candidate committees benefited. The factual and legal analyses set out at sub-sections 1-5 above result in retention of the figures contained in Attachment A of the Audit referral for gross allocations to the participating committees. In the Audit referral the first figure in each instance for "allocated costs for VIP/GOTV" is the respective committee's gross share of total costs. That figure is then reduced by any reimbursements received from the candidate committee and by any unused portions of the Committee's § 441a(a) and § 441a(d) limitations vis-a-vis that particular candidate. In certain instances the amount is increased by other contributions received from state or local parties. The final figure is the amount of remaining allocated but unreimbursed costs. The Audit referral figures are as follows:

Reagan/Bush '84		
allocated costs for VIP/GOTV		$108,619.70
reimbursements from candidate committee		
	8/27/84	(50,000.00)
	9/14/84	(32,737.00)
	11/14/84	(20,000.00)
unreimbursed costs/excessive portion		$ 5,882.70
Jack Lousma for U.S. Senate		
allocated costs for VIP/GOTV		$108,619.70
unused portion of § 441a(d) limitation		(4,073.42)
unused portion of § 441a(a) limitation		(2,350.91)
reimbursement by candidate committee		
	10/14/84	(8,000.00)
	10/14/84	(6,000.00)
	10/24/84	(10,000.00)
unreimbursed costs/excessive portion		$78,195.37

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Jackie McGregor	District 3	
allocated costs for VIP/GOTV		$ 7,107,97
unused portion of § 44la(d) limitation		(2,260.30)
contributions from state & local party committees		850.00
§ 44la(a) limitation		(5,000.00)
unreimbursed costs/excessive portion		$ 697.67
Paul Henry	District 5	
allocated costs for VIP/GOTV		$ 6,620.29
unused portion of § 44la(d) limitation		(2,454.33)
contributions from state & local party committees		150.00
§ 44la(a) limitation		(5,000.00)
		$ (684.04)
Tom Ritter	District 6	
allocated costs for VIP/GOTV		$ 6,328.21
unused portion of 44la(d) limitation		(900.46)
contributions from state & local party committees		1,350.00
reimbursement by candidate committee	11/26/84	(1,500.00)
	11/26/84	(1,500.00)
		(9.24)
§ 44la(a) limitation		(5,000.00)
		$(1,231.49)
Bill Schuette for Congress Committee		
allocated costs for VIP/GOTV		$ 7,197.47
unused portion of § 44la(d) limitation		(1,790.05)
contributions from state and local party committees		4,300.00
reimbursement from NRCC on behalf of committee	12/18/84	(2,700.00)
§ 44la(a) limitation		(5,000.00)
unreimbursed costs/excessive portion		$ 2,007.42

As part of the process of determining whether or not the Committee exceeded its expenditure limitations with regard to these committees, this Office does not question the subtraction from the costs allocated to each of any unused portions of the Committee's Section 44la(d) and Section 44la(a) limitations. On the other hand, although the issue was not addressed at the audit stage, this Office does not believe that similar deductions should automatically be allowed for amounts reimbursed by the candidate committees.

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2 U.S.C. § 431(8)(A)(i) includes in the definition of "contribution" "any . . . advance . . . made by any person for purposes of influencing any election for Federal office." The Committee made payments to vendors in connection with the VIP and GOTV programs and then was, in certain instances, reimbursed by the candidate committees for a portion of their allocated shares. Those reimbursements represented repayments of apparent advances on behalf of the candidate committees by the Committee, advances which constituted contributions by the Committee to the candidates until the reimbursements were received.

A detailed review of the Committee's reports and of information obtained during the audit of that Committee's records shows that its expenditures for the VIP and GOTV programs began as early as April and May, 1984, while reimbursements by Reagan-Bush '84 began in August and those from the other candidate committees in October or November, and even as late as December. The candidate committees were all apparently aware that the Committee was making expenditures on their behalf. The Committee had direct knowledge of how much it was spending for the VIP and GOTV programs and of which candidates were being assisted. Therefore, any Committee expenditures for the VIP and GOTV programs not reimbursed within a reasonable time constituted contributions to the candidate committees benefited.

a. Reagan-Bush '84

With regard to the expenditures allocable to Reagan-Bush '84, the Phone Bank Agreement entered into between the Michigan Republican Party State Account as the "Contractor" and the Committee's federal account and Reagan-Bush '84 as "Participants" included a payment schedule for reimbursement by the latter two

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committees to the State Account for expenses paid or incurred. (Attachment 5, page 6 and attached schedule.) The parties in practice deviated from this plan in that the Committee's federal account made many payments directly to vendors for the total amount of that vendor's charge.

The first payment made by Reagan-Bush '84 to the federal account for its portion of the VIP/GOTV expenses was $50,000 on August 27, 1984. Prior to that date the following expenditures had been made from the federal and state accounts:

Fed. Acct. Date	St. Acct. Check No. (& Date)	Purpose	Amount	R-B Share 1/
4/23/84		Devel. MICHLIST	$15,580.00 2/	$3,476.46
5/8/84		Deposit-Tele.	1,250.00	278.92
5/9/84		Devel. MICHLIST	9,500.00	2,119.79
6/4/84		Devel. MICHLIST	9,500.00	2,119.79
	#28448	Equipment	606.00	135.22
	28490	Ad	96.95	21.63
6/29/84		Devel. MICHLIST	9,500.00	2,119.79
	28521	Equipment	644.48	143.80
	28575	Delivery	7.17	1.60
	(7/25/84)			
7/26/84		Consulting	3,500.00	780.97
7/26/84		Ad	25.00	5.58
7/26/84		Rent	5,000.00	1,115.68
7/31/84		Installation	6,000.00	1,338.82
8/1/84		Devel. MICHLIST	2,375.00	529.95
8/7/84		Ad	23.50	5.24
	28603	Tele. Deposit	26,000.00	5,801.53
	28604	Consultant	2,000.00	446.27
8/8/84		Travel	107.40	23.96
	28614	Rent	6,808.00	1,517.11
	28621	Ad	15.90	3.55
	28628	Ad	31.25	6.97
	28631	Data Processing	2,000.00	446.27
	28633	Ad	29.50	6.58
	28634	Ad	22.05	4.92
	28636	Equipment	55.28	12.33
	28639	Travel	43.00	9.59
	(8/14/84)			
8/20/84		Salaries	8,549.55	1,907.40
				$24,383.03

1/ 22.3136% of allocable Committee expenditures
2/ 19% of total expenditure for MICHLIST development.

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As can be seen, Reagan-Bush '84's $50,000 payment on August 27 more than covered its $24,383.03 share of expenses up to that date; however, the first four federal account expenditures, made between April 23 and June 4, were not reimbursed by Reagan-Bush '84 within a reasonable time in that well over two months elapsed before repayment was received. These late reimbursements totaled $7,992.80.

Post-August 27 expenditures were apparently as follows:

Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	R-B Share
	28642	Travel	$ 210.40	$ 46.94
	28646	Data Processing	2,000.00	446.27
	28653	Deposit-Telephone	40,000.00	8,925.44
	28654	Consultant	3,500.00	780.97
	28659 (8/28/84)	Devel. MICHLIST	2,375.00	529.95
	28661	Data Processing	2,000.00	446.27
	28663	Travel	38.00	8.48
	28667	Rent	750.00	167.35
	28670	Ad	23.52	5.25
9/3/84		Salaries	25,152.40	$ 5,612.40
9/5/84		Data Processing	2,000.00	446.27
	28683	Ad	28.14	6.28
	28692	Travel	401.78	89.65
	28702	Equipment	206.39	46.05
	28703	Ad	18.90	4.22
	28708	Telephone	193.47	43.17
	28737	Travel	153.31	34.20
9/7/84		Rent	6,808.00	1,519.11
	28739	Consultant	1,042.30	232.57
9/11/84		Data Processing	2,000.00	446.27
9/11/84		Equipment	1,702.14	379.80
9/11/84		Telephone	3,197.19	713.40
9/11/84		Ad	48.24	10.76
9/11/84		Ad	14.00	3.12
	28749 (9/12/84)	Delivery	12.50	2.79
	28753	Equipment	55.28	12.33
	28758 (9/12/84)	Seminar	69.85	15.58
	(9/12/84)	Travel	77.25	17.23
9/12/84		Research	1,170.00	261.07
9/21/84		Salaries	25,187.89	5,620.32
9/26/84		Devel. MICHLIST	2,375.00	529.95

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Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	R-B Share
	28770	Supplies	196.37	43.81
	28790	Telephone	7,015.59	1,565.43
	28791	Data Processing	2,000.00	446.27
10/5/84		Salaries	28,244.21	6,302.30
10/7/84		Ad	15.09	3.37
	28802	Ad	116.16	25.92
	28804	Ad	26.80	5.98
	28816	Salaries	42.29	9.43
	28819	Supplies	558.84	124.69
	28822	Ad	13.50	3.01
	28824	Telephone	31,092.00	6,937.74
	28826	Ad	21.44	4.78
	28829	Data Processing	2,000.00	446.27
	28844	Data Processing	4,000.00	892.54
	28853	Rent	6,808.00	1,519.11
	28903 (10/11/84)	List	420.00	93.71
	28914 (10/11/84)	List	643.66	143.62
10/11/84		Shipping	12.50	2.79
10/11/84		Travel	163.38	36.45
10/11/84		Telephone	19,305.69	4,307.79
10/11/84		Telephone	1,188.19	265.13
10/11/84		Rental	1,113.20	248.39
10/11/84		Telephone	657.35	146.68
10/17/84		Rent	936.49	208.96
10/17/84		Voter list	279.88	62.45
10/17/84		Travel	307.80	68.67
10/17/84		Telephone	7,640.17	1,704.80
10/19/84		Salaries	26,502.69	5,913.70
	28959	Data Processing	2,000.00	446.27
	289-- (10/23/84)	List	3,438.77	767.31
	29003 (10/24/84)	Devel. MICHLIST	2,375.00	529.94
10/24/84		Telephone	14,348.58	3,201.68
11/2/84		Salaries	9,055.59	2,020.63
11/2/84		Consulting	521.18	116.29
11/2/84		Wages	936.18	208.88
11/5/84		Telephone	12,566.50	2,804.04
11/5/84		Lists	7,948.50	1,773.59
11/5/84		Supplies	2,131.20	475.54
	29013	Data Processing	1,301.10	290.32
	(11/5/84)	List	519.04	115.82
11/12/84		Table	1,711.32	381.81
	29045	Data Processing	3,445.40	768.79
	29094	Telephone	850.44	189.76
11/14/84		Salaries	20,526.62	4,580.23
	29124 (11/20/84)	List	1,188.75	265.25
	29148	Travel	224.03	49.99

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Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	R-B Share
	29150	Ad	14.00	3.12
	29181 (11/84)	GOTV Expenses	21.70	4.84
11/30/84		Salaries	21,248.37	4,741.27
	29223 (-/-/85)	Telephone	317.18	70.77
1/4/85		Telephone	2,136.84	476.80
	29250 (-/-/85)	Ad	46.75	10.43
	29426 (-/-/85)	Telephone	185.68	41.43
	29451 (-/-/85)	Data	1,286.96	287.17
	29592 (-/-/85)	Telephone	5,000.00	1,115.68
	29674 (-/-/85)	Telephone	5,000.00	1,115.68
	29777 (-/-/85)	Telephone	5,000.00	1,115.68
6/27/85		Telephone	5,000.00	1,115.68
-/-/85		Data	1,461.40	326.09
		Data	19,962.50	4,454.35
	Less	Reimbursements and Refunds	- 58,497.11	-13,052.81
		Telephone debt	20,111.78	4,487.66
				$84,237.34

Of Reagan-Bush's $50,000 payment on August 27, $25,617.97 remained following reimbursements of the Committee's expenditures through that date; this amount was thus available for application to later Commmittee expenditures through September 12. Additional Reagan-Bush '84 payments of $32,737 on September 14 and of $20,000 on November 24, 1984, were made either in advance of Committee spending or within a reasonable time after such expenditures were made. Therefore no additional late reimbursements occurred. As shown in the Audit referral figures set out on page 14 above, $5,802.70 in unreimbursed expenditures remain.

Total late reimbursements and non-reimbursements involving Reagan/Bush '84 are as follows:

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Late reimbursement received 8/27/84	$ 7,992.80
Unreimbursed expenditures	5,882.70
Total	$13,875.50

b. Jack Lousma for U.S. Senate

The expenditures made from the Committee's federal and state accounts prior to the first payments of $8,000 and $6,000 by the Lousma committee on October 14, 1984, were as follows::

Fed.Acct Date	St. Acct Check No. (& Date)	Purpose	Amount	Lousma Share 3/
4/23/84		Devel. MICHLIST	$15,580.00 4/	$3,476.46
5/8/84		Deposit-Tele.	1,250.00	278.92
5/9/84		Devel. MICHLIST	9,500.00	2,119.79
6/4/84		Devel. MICHLIST	9,500.00	2,119.79
	#28448	Equipment	606.00	135.22
	28490	Ad	96.95	21.63
6/29/84		Devel. MICHLIST	9,500.00	2,119.79
	28521	Equipment	644.48	143.80
	28575	Delivery	7.17	1.60
	(7/25/84)			
7/26/84		Consulting	3,500.00	780.97
7/26/84		Ad	25.00	5.58
7/26/84		Rent	5,000.00	1,115.68
7/31/84		Installation	6,000.00	1,338.82
8/1/84		Devel. MICHLIST	2,375.00	529.95
8/7/84		Ad	23.50	5.24
	28603	Tele. Deposit	26,000.00	5,801.53
	28604	Consultant	2,000.00	446.27
8/8/84		Travel	107.40	23.96
	28614	Rent	6,808.00	1,519.11
	28621	Ad	15.90	3.55
	28628	Ad	31.25	6.97
	28631	Data Processing	2,000.00	446.27
	28633	Ad	29.50	6.58
	28634	Ad	22.05	4.92
	28636	Equipment	55.28	12.33
	28639	Travel	43.00	9.59
	(8/14/84)			
8/20/84		Salaries	8,549.55	1,907.71
	28642	Travel	210.40	46.94
	28646	Data Processing	2,000.00	446.27

3/ 22.3136% of Committee expenditure
4/ 19% of actual expenditure for MICHLIST development

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Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	R-B Share
9/3/84		Salaries	25,152.40	5,612.40
	28653	Deposit-Telephone	40,000.00	8,925.44
	28654	Consultant	3,500.00	780.97
	28659 (8/28/84)	Devel. MICHLIST	2,375.00	529.95
	28661	Data Processing	2,000.00	446.27
	28663	Travel	38.00	8.48
	28667	Rent	750.00	167.35
	28670	Ad	23.52	5.25
9/5/84		Data Processing	2,000.00	446.27
	28683	Ad	28.14	6.28
	28692	Travel	401.78	89.65
	28702	Equipment	206.39	46.05
	28703	Ad	18.90	4.22
	28708	Telephone	193.47	43.17
	28737	Travel	153.31	34.20
9/7/84		Rent	6,808.00	1,519.11
	28739	Consultant	1,042.30	232.57
9/11/84		Data Processing	2,000.00	446.27
9/11/84		Equipment	1,702.14	379.80
9/11/84		Telephone	3,197.19	713.40
9/11/84		Ad	48.24	10.76
9/11/84		Ad	14.00	3.12
	28749 (9/12/84)	Delivery	12.50	2.79
	28753	Equipment	55.28	12.33
	28758 (9/12/84)	Seminar	69.85	15.58
	(9/12/84)	Travel	77.25	17.23
9/12/84		Research	1,170.00	261.07
9/21/84		Salaries	25,187.89	5,620.32
9/26/84		Devel. MICHLIST	2,375.00	529.95
	28770	Supplies	196.37	43.81
	28790	Telephone	7,015.59	1,565.43
	28791	Data Processing	2,000.00	446.27
10/5/84		Salaries	28,244.21	6,302.30
10/7/84		Ad	15.09	3.37
	28802	Ad	116.16	25.92
	28804	Ad	26.80	5.98
	28816	Salaries	42.29	9.43
	28819	Supplies	558.84	124.69
	28822	Ad	13.50	3.01
	28824	Telephone	31,092.00	6,937.74
	28826	Ad	21.44	4.78
	28829	Data Processing	2,000.00	446.27
	28844	Data Processing	4,000.00	892.54
	28853	Rent	6,808.00	1,519.11
	28903 (10/11/84)	List	420.00	93.71
	28914 (10/11/84)	List	643.66	143.62

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Fed. Acct Date	State Acct Check No. (& Date)	Purpose	Amount	Lousma Share
10/11/84		Shipping	12.50	2.79
10/11/84		Travel	163.38	36.45
10/11/84		Telephone	19,305.69	4,307.79
10/11/84		Telephone	1,188.19	265.13
10/11/84		Rental	1,113.20	248.39
10/11/84		Telephone	657.35	146.68
				$75,360.69

The Lousma committee's payment of $14,000 on October 14 covered only a small portion of the $75,360.69 which the Committee had expended on behalf of the Lousma campaign by that date. Even when one applies the $6,424.33 in remaining § 441a(d) and § 441a(a) limitations available to the Committee to the earliest expenditures, there remain $68,936.36 in expenditures to be reduced by the $14,000 in reimbursements. Of this $68,936.36, $16,049.99 was expended before August 14 and thus more than two months before the October 14 reimbursements. Thus all of the $14,000 represented late reimbursements. And $54,936.36 remained to be reimbursed, of which $2,049.99 had been spent before August 14.

Between October 14, 1984, and June, 1985, the Committee made the following additional expenditures:

Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	Lousma Share
10/17/84		Rent	936.49	208.96
10/17/84		Voter list	279.88	62.45
10/17/84		Travel	307.80	68.68
10/17/84		Telephone	7,640.17	1,704.80
10/19/84		Salaries	26,502.69	5,913.70
	28959	Data Processing	2,000.00	446.27
	289-- (10/23/84)	List	3,438.77	767.31
	29003 (10/24/84)	Devel. MICHLIST	2,375.00	529.94
10/24/84		Telephone	14,348.58	3,201.68
11/2/84		Salaries	9,055.59	2,020.63
11/2/84		Consulting	521.18	116.29

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Fed.Acct Date	State Acct Check No. (& Date)	Purpose	Amount	Lousma Share
11/2/84		Wages	936.18	208.88
11/5/84		Telephone	12,566.50	2,804.04
11/5/84		Lists	7,948.50	1,773.59
11/5/84		Supplies	2,131.20	475.54
	(11/5/84)	List	519.04	115.82
	29013	Data Processing	1,301.10	290.32
11/12/84		Table	1,711.32	381.81
	29045	Data Processing	3,445.40	768.79
	29094	Telephone	850.44	189.76
11/14/84		Salaries	20,526.62	4,580.23
	29124 (11/20/84)	List	1,188.75	265.25
	29148	Travel	224.03	49.99
	29150	Ad	14.00	3.12
	29181 (11/84)	GOTV Expenses	21.70	4.84
11/30/84		Salaries	21,248.37	4,741.27
	29223 (-/-/85)	Telephone	317.18	70.77
1/4/85		Telephone	2,136.84	476.80
	29250 (-/-/85)	Ad	46.75	10.43
	29426 (-/-/85)	Telephone	185.68	41.43
	29451 (-/-/85)	Data	1,286.96	287.17
	29592 (-/-/85)	Telephone	5,000.00	1,115.68
	29674 (-/-/85)	Telephone	5,000.00	1,115.68
	29777 (-/-/85)	Telephone	5,000.00	1.115.68
6/27/85		Telephone	5,000.00	1,115.68
-/-/85		Data	1,461.40	326.09
		Data	19,962.50	4,454.35
	Less	Reimbursements and Refunds	- 58,497.11	-13,052.81
		Telephone debt	20,111.78	4,487.66
				$33,258.57

The third payment by the Lousma committee was made on October 24, 1984, in the amount of $10,000. Between October 14 and October 24 the Committee had expended an additional $9,702.11 on behalf of the Lousma campaign, raising the amount of expenditures still to be reimbursed as of October 24 to $64,638.47, of which

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approximately $3,871.30 had been expended before August 24. To this latter sum must be added the $2,049.99 in pre-August 14 expenditures not yet reimbursed. Thus, $5,921.29 of the $10,000 was not timely reimbursed.

All Committee expenditures allocable to the Lousma campaign made on or after October 14, which total $33,258.57, plus $54,936.36 made before, represent unreimbursed costs from which the $10,000 payment on October 24 was to be subtracted, leaving contributions to that campaign totaling $78,195.

In summary, late reimbursements and unreimbursed expenditures involving the Jack Lousma for Senate Committee are as follows:

Late Reimbursements received 10/14/84	$14,000
Late Reimbursements received 10/24/84	5,921
Unreimbursed expenditures	78,195
	$98,166

c. Jackie McGregor - District 3

The McGregor campaign made no reimbursements to the Committee related to its $7,107.97 allocated portion of the VIP/GOTV programs. Of this amount $2,260.30 was met by the Committee's remaining § 441a(d) limitation on its expenditures for this particular campaign and the remainder by the Committee's $5,000 contribution limitation pursuant to § 441a(a) with $152.33 to spare. However, state and local party committees also contributed $850 to the McGregor committee between August 30 and October 3, resulting, pursuant to 11 C.F.R. § 110.3(b)(2)(ii), in an apparent $697.67 ($850 -$152.33) excessive contribution by the Committee to the candidate committee which was not reimbursed.

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d. Tom Ritter - District 6

Payments made by the Ritter campaign to the Committee for its share of the VIP and GOTV programs were received on November 26, 1984, in the amounts of $1,500 and $1,500. Later an additional $9.24 was reimbursed. Based upon the figures for Committee expenditures supplied above with regard to the Reagan-Bush and Lousma committees, and assuming a 1.3% share for the Ritter committee, by November 26 the Committee had expended $5,960.84 on behalf of that candidate of which $2,986.17 had been spent before September 26 and thus more than two months before the Ritter reimbursements were made. This $2,986.17 was, however, reducable by the $900.46 remaining of the Committee's § 441a(d) limitation and by the Committee's § 441a(d) contribution limitation of $5,000, thereby eliminating any excessive contribution prior to September 26 and leaving $2,914.86 to be applied to the $2,974.66 expended by the Committee on behalf of the Lousma campaign between September 26 and November 26. Between September 26 and October 18, 1984, the Ritter committee received $1,993 in contributions from state and local party committees. After November 26 the Committee expended an additional $367.38 on behalf of the Ritter campaign, only $60.80 of which was covered by remaining § 441a(a) limitations. However, the Ritter campaign's November 26 reimbursements of $3,009.24 covered $306.58 of the post-November 26 expenditures and all of the excessive state and local party conributions, leaving no excessive contributions.

e. Bill Schuette - District 10

The only reimbursement made on behalf of the Schuette

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committee for expenditures in connection with the VIP and GOTV programs by the Committee came in the form of a $2,700 payment by the National Republican Congressional Committee on December 18, 1984. Again using the figures given above for Committee expenditures and allocating 1.48% to the Schuette campaign, as of December 18 the Committee had expended $7,105.36 on behalf of the Schuette committee. $5,134.11 of this amount had been spent before October 18 and thus more than two months before the reimbursement was received. This $7,105.36, however, was reducable by the Committee's remaining § 441a(d) expenditure limitation of $1,790.05 and by its § 441a(a) contribution limitation of $5,000, leaving $315.31 to be reimbursed by the $2,700 NRSC payment.

After December 18 the Committee made additional expenditures of $99.07 on behalf of the Schuette campaign, all of which was covered by the NRSC payment with $2,285.93 to spare. However, on October 17 the Schuette committee had received a contribution of $4,300 from a county party committee. The net result is an apparent excessive Committee contribution to the Schuette campaign of $2,014.07.

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f. Summary

The Committee made the following excessive contributions to candidate committees cited above:

Reagan-Bush '84 -	$ 13,875
Jack Lousma for U.S. Senate -	98,116
Jackie McGrego -	698
Bill Schuette -	2,014
	$114,703

This Office therefore recommends a finding of reason to believe that the Committee and Ronald D. Dahlke, as treasurer,

violated 2 U.S.C. § 441a(f) by making expenditures totalling $114,703 on behalf of candidates in excess of the expenditure limitations at 2 U.S.C.§ 441a(d) which were either never reimbursed or not reimbursed in a timely fashion.5/

B. Contributions to Candidates from State Account

The breakdown of expenditures for the 1984 VIP and GOTV programs made from both the Committee's federal account and its state account reveals that the expenditures from the state account were for the total amounts of particular charges made by particular vendors; they did not represent only the pro-rata shares of state and local candidates for those expenditures. Thus the expenditures from the state account directly benefited federal candidates. Michigan state law permits contributions from labor organizations for state and local campaign.

2 U.S.C. § 441b prohibits candidates and political committees from knowingly accepting or receiving contributions from labor organizations or corporations. 11 C.F.R. § 102.5(a)(1) requires that political committees which finance political activities in connection with both federal and non-federal elections establish a separate federal account into which only funds subject to the prohibitions and limitations of the Act may be deposited. All disbursements in connection with a federal election are to be made from the federal account.

5/ The Audit referral in this matter expressly did not include the apparent receipt of excessive contributions by Reagan-Bush '84 and by the Lousma, McGregor and Schuette campaign committees in light of the Commission's determinations in MUR 2370.

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In the present instance the Committee's state account was used to pay a portion of expenses for the VIP and GOTV programs in 1984, there having been apparently no attempt to allocate the cost of each expenditure but, rather, only a final allocation among the candidates of the total amounts spent on the programs. In light of the state account's expenditures on behalf of federal as well as state and local candidates, this Office recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. § 441b by making in-kind contributions to federal candidates from its state account which apparently contained prohibited monies and 11 C.F.R. § 102.5(a)(1) by failing to make all expenditures related to federal activity from its federal account.

C. Excessive Contributions from Individuals

2 U.S.C. § 441a(a)(1)(C) limits to $5,000 the amount which any person may contribute to a state party committee. 2 U.S.C. § 441a(f) prohibits the acceptance of contributions in excess of the limitations at 2 U.S.C. § 441a(a).

The Audit referral includes the receipt by the Committee of a total of $5,550 in excessive contributions from three individuals, their respective excessive portions being $5,000, $50 and $500. (See Attachment 1, Exhibit 2.) The excessive portions have been transferred to the Committee's state account.

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This Office recommends a finding of reason to believe the that the Committee and Ronald D. Dahlke, as treasurer, accepted excessive contributions from individuals in violation of 2 U.S.C. § 441a(f).

D. Deposit into Federal Account of Contributions Designated for State Account

11 C.F.R. § 102.5(a)(2) requires that only contributions designated for a federal account may be deposited therein. The Audit Division noted a check for $5,000 from an individual who had designated the payee as the "Victory '84 Non-Federal Account"; however, the Committee had deposited this check into its federal account.

This Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated Section 102.5(a)(2) with regard to this deposit.

E. Victory '84 Alliance Solicitation Program

The audit of the Committee revealed that during the period between August 28, 1984, and December 19, 1984, the Committee had deposited into its account $79,155 from 40 out-of-state contributors. According to documentation made available to the auditors, $40,150 of this amount was received as the result of a solicitation by the Victory '84 Alliance, a project of the Republican National Committee ("RNC"). Included in this $40,150 was a check in the amount of $5,000 which had been forwarded to the Committee on October 8, 1984, by Reagan-Bush '84; the transmittal letter termed the contribution a "Victory '84 check." Later, $35,150 was received by the Committee in the form of nineteen checks made payable to Reagan-Bush Victory '84, Victory

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'84, G.O.P. Victory '84, Republican Victory Committee 1984, or the Victory '84 Alliance. The checks were dated between October 22, 1984 and November 5, 1984, but were deposited into the Committee's account on December 17, 1984, and reported as received on that date. 6/ The Audit Division has determined that it was standard practice for the Committee to deposit receipts within two days; thus it seems clear that the $35,150 did not come directly to the Committee.

According to a memorandum prepared for the auditors by the Committee, the RNC's Victory '84 Alliance program was designed to direct "major donor money" to state party organizations in what were considered "target states." A fundraiser for "major donors" apparently was held in Washington. According to the memorandum, "Michigan Republican State Committee staff sold tickets to the event and those individual checks were retained in our account. Other individuals (both in Michigan and around the country) seem to have sold tickets and those individuals' checks were then directed back to Michigan." (Attachment 6). There is no information presently available indicating that the fundraiser cited in the memorandum was in fact a joint fundraiser pursuant to 11 C.F.R. § 102.17. Nor is there information as to what the potential contributors were told concerning committees to be benefited; i.e., whether the fundraiser was expressly for the Committee or for one or more unspecified state party committees.

6/ The RNC reported a transfer to the Committee of $20,000 dated December 7, 1984, and the Committee reported its receipt on December 14. Given the reported receipt of the $35,150 here at issue on December 17, 1984, the $20,000 transfer appears to have been a separate, unrelated transaction.

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It also appears that there was a direct mail component to the Victory '84 Alliance program with persons solicited being asked to serve on the Victory '84 Steering Committee and to contribute $5000. Although copies of solicitation letter(s) are not presently in hand, the audit of the Committee produced a sample of the contributor card used, as well as a copy of a contributor check. (Attachment 7). The check bears no indication of what specific state committee the donor wished to assist. The contributor card contains only very general language about assisting "the grassroots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government." Again, there is no mention on the card of a specific recipient. The contributions raised as a result of the direct mail effort do not therefore appear to have been solicited for specific committees and thus not for the Michigan Republican State Committee in particular.

2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(ii) provide for transfers without limit between a national party committee and a State party committee. 2 U.S.C. § 434(b)(2)(F) requires political party committees to report the receipt of transfers from other political party committees, while 2 U.S.C. § 434(b)(2)(A) requires political committees to report contributions received from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) requires political party committees to report transfers made to other political party committees.

In the present matter $35,150 in checks made payable to an RNC project were received by the Committee more than six weeks after

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they were written, but were reported by the Committee as contributions from the individual contributors, not as transfers from the RNC. The contributions were apparently not reported by the RNC at all. It is not presently known whether this amount resulted from the fundraiser mentioned in the Committee's memorandum which may or may not have resulted in contributions to the Committee, or whether it came from a Victory '84 Alliance direct mail campaign which apparently did not inform the contributors of exactly what committee would benefit. Thus it is not known how much, if any, of the $35,150 was actually intended for the Committee and how much should be considered to have been contributions to the RNC which were then transferred to the Committee. The weight of the evidence presently in hand points to the second scenario. The mode of solicitation of the $5,000 forwarded by Reagan-Bush '84 is also not known.

Although there is at present no documentation in hand to verify or refute the possibility that the remaining $39,005 of the $79,155 received by the Committee from out-of-state contributors also represented responses to the Victory '84 fundraiser or solicitations, it appears likely that much of this sum was raised as a result of those undertakings. Thus the RNC may have been the initial recipient of contributions totalling as much as $74,155 ($79,155 - $5,000) which it then transferred to the Committee. The RNC apparently did not report any of this $74,155 as contributions to itself and as transfers to the Committee, nor did the Committee apparently report any of this amount as transfers from the RNC.

2 U.S.C. § 431(8)(A) defines "contribution" to include any "gift, . . . advance or deposit of money or anything of value made by

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any person for the purpose of influencing any election for Federal office. . . . " 11 C.F.R. § 100.7(a)(1)(iii) defines "anything of value" to include in-kind contributions, i.e., the provision of goods or services at no charge or at a charge less than the usual and normal charge for such goods and services. 2 U.S.C. § 434(b)(2)(C) and (3)(B) require the reporting of contributions received from political committees, and 2 U.S.C. § 434(b)(4)(H) requires the reporting of contributions to other political committees. Neither the RNC nor the Committee reported the making or receipt of in-kind contributions related to the solicitation costs incurred by the RNC in connection with the Victory '84 program. Nor does it appear that the Committee reimbursed the RNC or otherwise paid for its share of such costs. Therefore, the RNC apparently made in-kind contributions to the Committee in the form of solicitation costs without those contributions being reported by either committee.

This Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F) by failing to report the receipt of transfers from the RNC and 2 U.S.C. § 434(b)(2)(C) and (3)(B) by failing to report, as a contribution, in-kind expenditures made by the RNC in connection with the portion of the Victory '84 program of benefit to the Committee. This Office also recommends that the Commission find reason to believe that the RNC and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) by failing to report the receipt of contributions from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) by failing to report transfers to the Committee. Further this Office recommends

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that the Commission find reason to believe that the RNC and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(4)(H) by failing to report contributions to the Committee in the form of expenditures made in connection with the Victory '84 program.

E. Transfers from Unregistered Committees

The auditors further found that in 1983 and 1984 the Committee had deposited into its federal account $18,208 from 23 committees not registered with the Commission. These included eleven district or local party committees, six local Republican clubs, one local candidate committee, the Republican National State Election Committee - Michigan, and four non-party political action committees.

2 U.S.C. § 441b prohibits the receipt by political committees of contributions from corporations or labor organizations. Michigan state election law permits contributions from labor organizations.

11 C.F.R. § 102.5(a)(1) requires political organizations involved in both federal and non-federal activity to either establish a separate federal account into which only funds subject to the prohibitions and limitations of the Act may be deposited, or to establish a committee which will only accept permissible contributions. Although it is legal for federal committees to accept contributions from unregistered committees, such contributions may be made only from separate accounts into which funds permissible under the Act have been deposited, or from accounts that the donor committee can demonstrate had received sufficient funds subject to the prohibitions and limitations of the Act. See 11 C.F.R. § 102.5(b). The federal committee, pursuant to 11 C.F.R. § 102.5(a)(2), must also accept only those contributions

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which have been designated for a federal account, result from solicitations expressly stating that contributions will be used in federal elections, and come from contributors who are informed that funds given must be permissible under the Act.

In response to the Interim Audit Report the Committee produced affidavits from seven of the district and local party committees and clubs from which contributions had been received stating that they had received no contributions from labor organizations. The amount of the contributions from these seven totaled $1,575. The Committee transferred the remaining $16,533 in receipts from unregistered committees to its non-federal account, $100 on December 31, 1983, $9,400 on May 1, 1984, $700 on August 19, 1985 and $6,333 on January 7, 1987.

This Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441b by depositing $16,533 from unregistered committees into its federal account, and 11 C.F.R. § 102.5(a)(1) and (2) by depositing into its federal account $18,208 which may not have been subject to the prohibitions and limitations of the Act and which was apparently composed of contributions not designated for the federal account, not solicited for use in a federal election, and not received from contributors who were informed that their contributions were subject to the limitations and prohibitions of the Act.

IV. RECOMMENDATIONS

1. Find reason to believe that the Michigan Republican State Committee, and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F), 2 U.S.C. §434(b)(2)(C) and (3)(B), 2 U.S.C. § 441a(f), and 2 U.S.C. § 441b and 11 C.F.R. § 102.5(a)(1) and (2),

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2. Find reason to believe that the Republican National Committee and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) and 2 U.S.C. § 434(b)(4)(C) and (H).

3. Approve the attached letters, factual and legal analyses, and interrogatories and requests for production of documents.

Lawrence M. Noble
General Counsel

Date 10-6-88

Lois G. Lerner
Associate General Counsel

Attachments
1. Referral
2. October 25, 1985, Memorandum
3. Telephone Script
4. Program Description
5. Phone Bank Agreement
6. Victory '84 Memorandum
7. Check and Solicitation card
8. Letters (2)
9. Factual and Legal Analyses (2)
10. Interrogatories and Requests for Production of Documents (2)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

MEMORANDUM TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS

DATE: October 12, 1988

SUBJECT: MUR 2581 - General Counsel's Report
Signed October 6, 1988.

The above-captioned document was circulated to the Commission on Friday, October 7, 1988 at 12:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens _____
Commissioner Elliott X
Commissioner Josefiak X
Commissioner McDonald _____
Commissioner McGarry _____
Commissioner Thomas _____

This matter will be placed on the Executive Session agenda for Tuesday, October 18, 1988.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Michigan Republican State Committee	)	
Ronald D. Dahlke, as treasurer	)	
Republican National Committee	)	MUR 2581
William J. McManus, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 1, 1988, do hereby certify that the Commission took the following actions with respect to MUR 2581:

1. Decided by a vote of 5-0 to return Part A of the General Counsel's report dated October 6, 1988, for recalculation of possible 2 U.S.C. § 441a(d) excessive expenditures, provided that the calculations include 50% of the 19% of the list development costs, allocation of one full share of the telephone bank costs to the State Committee, acceptance of Lousma's 45% payment as reasonable, the State Committee's admitted mathematical errors, and the other costs and operating expenses determined by Audit, and include interrogatories relating to the other uses of the MICHLIST by the State Committee from 1984 to 1988.

(continued)

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2. Decided by a vote of 5-0 to delete from the Factual and Legal Analysis the reference to 2 U.S.C. § 441b and 11 C.F.R. § 102.5(a)(1) regarding the contributions to candidates from the state account, as described on pages 28 and 29 of the General Counsel's report.

3. Decided by a vote of 5-0 to take no further action at this time on the alleged untimely reimbursement of the State Committee's expenses by the participating Federal candidates.

4. Decided by vote of 5-0 to approve the 2 U.S.C. § 441a(f) analysis on pages 29 and 30 of the General Counsel's report and the 11 C.F.R. § 102.5(a)(2) analysis as discussed in Parts C and D of the report.

5. Decided by a vote of 5-0 to return the October 6, 1988 report to the Office of General Counsel for revision of the Factual and Legal Analysis to take no further action with respect to the four PACs and the one candidate committee described on pages 35 and 36 of the General Counsel's report.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for each of the above decisions. Commissioner Aikens recused in this matter and was not present during its consideration.

Attest:

11/7/88
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2581
Michigan Republican State Committee	)	
Ronald D. Dahlke, as treasurer	)	
Republican National Committee	)	
William J. McManus, as treasurer	)	

SENSITIVE
EXECUTIVE SESSION
MAY 23 1989

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On July 6, 1988, the Commission considered the First General Counsel's Report in MUR 2581 and referred this matter back to the Office of the General Counsel for further information and revisions of the proposed Factual and Legal Analyses to be sent to the respondents. On November 1, 1988, the Commission considered the General Counsel's Report dated October 6, 1988, and referred the matter back to this Office for revisions based upon the several determinations made by the Commission on that date.

II. FACTUAL AND LEGAL ANALYSIS

A. GENERATION OF MATTER

Pursuant to 2 U.S.C. § 438(b), the Federal Election Commission conducted an audit of the federal account of the Michigan Republican State Committee ("the Committee"). Following the audit the Commission voted, on February 23, 1988, to approve the referral of certain matters to the Office of the General Counsel. (Attachment I).

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B. **ALLEGATIONS**

The referral from the Audit Division covered five distinct issues: the allocation of phone bank expenditures, the receipt of excessive contributions, the deposit of non-federal contributions into the Committee's federal account, the reporting of contributions received via the Republican National Committee ("RNC") and the reporting of related solicitation costs apparently paid by the RNC, and the deposit of transfers from unregistered committees into the Committee's federal account.

a. Phone Bank Expenditures

In 1984 the Committee implemented a voter identification program ("VIP") and get-out-the-vote program ("GOTV") for the general election in seventeen Congressional districts in Michigan. Market Opinion Research ("MOR"), under contract with the Committee, developed lists of registered voter households in Michigan for use in the voter identification and get-out-the-vote activities, and the Committee, together with Reagan-Bush '84 (General Election Committee), contracted with the Michigan Republican Party State Account for the organization and supervision of a telephone bank for the purpose of identifying voter intentions of households in swing neighborhoods and for subsequent get-out-the-vote activity. Voter identification calls were made on behalf of Reagan-Bush '84, Jack Lousma for U.S. Senate, Congressional candidates in fourteen districts, and state and local candidates. According to the Committee, the phone bank was run by both volunteers and paid

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staff. The Committee determined that a total of $389,364.14 in expenditures involved in the VIP were allocable to the candidates benefited and also to itself. The Committee did not allocate certain GOTV-related costs.

During their examination of the Committee's records the auditors identified a total of $715,205.72 in phone bank-related expenditures as allocable to federal, state and local candidates, the difference between this figure and that of the Committee being the result of differences on several issues. These discrepancies included the Committee's decision not to allocate $282,000 in expenditures to MOR for the development of the list used to make the VIP calls, its failure to allocate $15,035.44 in related expenditures from its Federal account, and its failure to allocate $21,000 in calls related to the GOTV program. Also included in the overall difference was $1,364.45 in mathematical errors. Further, the Committee's allocations to candidates were at odds with those of the Audit Division because the Committee applied a full share to itself, and did not allocate a full share to the Lousma committee.

The auditors determined that the Committee had assigned its entire expenditure limitation of $264,700.80 for the Senatorial campaign, pursuant to 2 U.S.C. § 441a(d)(3)(A), to the National Republican Senatorial Committee ("NRSC"), and $19,500 of its $20,200 expenditure limitation, pursuant to 2 U.S.C. § 441a(d)(3)(B), for each of four candidates for the House of Representatives to the National Republican Congressional

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Committee - Expenditures ("NRCC"). The Republican National Committee by December 31, 1984, had expended all but $511.50 of its expenditure limitation for the presidential campaign pursuant to 2 U.S.C. § 44la(d)(2). Application of the Audit Division's allocations to the limitation amounts still available to the Committee initially resulted in apparent excessive Section 44la(d)(3) expenditures of $132,275.70 on behalf of the Lousma for U.S. Senate Committee and $13,994.42 in total excessive expenditures on behalf of four House candidates, for a total of $146,270.12 in excessive contributions. The auditors also found that because the phone banks were operated, at least in part, by paid staff, the exemption at 11 C.F.R. § 100.8(b)(18)(v) related to Presidential candidates did not apply, and thus $57,612.12 of the VIP and GOTV costs, all of which was excessive, was allocable to Reagan-Bush '84.

These figures were modified at the time the Final Audit Report and the referral to this Office were prepared. Those adjustments, particularly to the amount of list development costs deemed allocable, brought the total of allocable VIP/GOTV costs to $486,785.72 of which $304,521.68 was allocable to federal candidates. The amount of apparently excessive Section 44la(d)(3) expenditures made by the Committee on behalf of Jack Lousma for U.S. Senate was reduced to $78,195.37, the amount of excessive expenditures on behalf of the House candidates to $2,704.19, and the amount of expenditures on behalf of Reagan-Bush '84 to $5,882.20.

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The figures for allocated shares of the VIP and GOTV programs contained in the Audit referral reflected acceptance of the Committee's argument that 19% of the $282,000 total cost of developing the MICHLIST should be used as the starting point for any allocation of development costs related to the VIP and GOTV programs plus continuing findings that $15,035.44 in specific expenditures not allocated by the Committee should be included in the allocable total, that the entire cost of the Committee's GOTV phone bank should be allocated to the candidates benefited, that the Committee should not be permitted to allocate a full share of the costs of the VIP and GOTV programs to itself, that a full share should be deemed allocable to the Lousma for U.S. Senate Committee, rather than the 45% of a full share applied by the Committee, and that $1,364.45 in mathematical errors on the part of the Committee should be included in the allocable total.

In light of the information available, the Commission, at its meeting on November 1, 1988, made further determinations as follows:

1) to require allocation among the candidate committees of only 50% of the 19% of list development costs contained in the audit referral;

2) to permit the allocation of one full share of the telephone bank costs to the Committee;

3) to accept the allocation to the Lousma committee of only 45% of a full share of the VIP/GOTV costs;

4) to include in the allocable amount the Committee's admitted mathematical errors;

5) and to include in the allocable amount the other costs and operating expenses identified by the Audit Division.

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The decision to accept the allocation of 50% of the 19% of list development costs deemed allocable in the audit referral was based upon the Committee's assertions that the portions of the list making up the 19% had also been used for purposes other than the VIP and GOTV programs, and upon the assumption that these other purposes had in fact been carried out. Further evidence is needed, initially from the Committee, and later from MOR and possibly other vendors as to the full nature of the contents of the list, the specific uses to which the entire list and, in particular, the 19% used for the 1984 VIP and GOTV programs were put during the 1985-86 and 1987-88 election cycles, and the usual costs charged by list vendors for lists of comparable size and content. The goal will be to establish the reasonableness of the allocation of 9 1/2% of the costs of developing the MICHLIST among the candidate committees benefited by the VIP and/GOTV programs when compared with the usual and normal amounts such committees would have had to expend to secure individually the portion of the list relevant to their particular campaigns.

Given the above determinations the resulting figure for total VIP/GOTV costs becomes $459,995.72, while revised figures for allocations of VIP/GOTV costs among benefited committees, for reimbursements, and for resulting excessive contributions by the Committee are as follows:

Reagan/Bush '84

allocated costs for VIP/GOTV -		$93,074.78
reimbursements from candidate committee	8/27/84	($50,000.00)
	9/14/84	($32,737.00)
	11/14/84	($20,000.00)
		($ 9,662.22)

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Jack Lousma for U.S. Senate

allocated costs for VIP/GOTV		$41,848.88
unused portion of § 441a(d) limitation		($ 4,073.42)
unused portion of 441a(a) limitation		($ 2,350.91)
reimbursement by candidate committee	10/14/84	($ 8,000.00)
	10/14/84	($ 6,000.00)
	10/24/84	($10,000.00)
unreimbursed cost/excessive portion		$11,424.55

Jackie McGregor District 3

allocated costs for VIP/GOTV	$6,161.41
unused portion of § 441a(d) limitation	($2,260.30)
contributions from state and local party committees	$ 850.00
441a(a) limitation	($5,000.00)
	($ 249.89)

Paul Henry District 5

allocated costs for VIP/GOTV	$5,739.39
unused portion of § 441a(d) limitation	($2,454.33)
contributions from state and and local party committees	$ 150.00
§ 441a(a) limitations	($5,000.00)
	($1,564.94)

Tom Ritter District 6

allocated costs for VIP/GOTV		$5,486.19
unused portion of § 441a(d) limitations		($ 900.46)
contributions from state and local party committees		$1,350.00
reimbursement by candidate committee	11/26/84	($1,500.00)
	11/26/84	($1,500.00)
		($ 9.24)
§ 441a(a) limitation		($5,000.00)
		($2,073.51)

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Bill Schuette

allocated costs for VIP/GOTV	$6,202.79
unusual portion of § 441(d) limitation	($1,790.05)
contributions from state and local party committees	$4,300.00
reimbursement from NRSC on behalf of committee 12/18/84	($2,700.00)
§ 44la(a) limitation	($5,000.00)
unreimbursed costs/ excessive portion	$1,012.74

Based upon the figures given above, the Committee apparently made the following excessive contributions to candidate committees:

Jack Lousma for U.S. Senate	$11,424.55
Bill Schuette for Congress Committee	$ 1,012.74
TOTAL	$12,437.29

This Office therefore recommends a finding of reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 44la(f) by making expenditures totalling $12,437.29 in 1984 on behalf of candidates in excess of the expenditure limitations at 2 U.S.C. § 44la(d).[1/]

b. Excessive Contributions from Individuals

2 U.S.C. § 44la(a)(1)(C) limits to $5,000 the amount which any person may contribute to a state party committee. 2 U.S.C. § 44la(f) prohibits the acceptance of contributions in excess of the limitations at 2 U.S.C. § 44la(a).

1/ The Audit referral in this matter expressly did not include the apparent receipt of excessive contributions by the candidate committees in light of the Commission's determinations in MUR 2370. The Commission on November 1, 1988, voted to take no further action at that time with regard to reimbursements of the State Committee's expenses deemed untimely by this Office. The figure of $12,437.29 thus pertains only to expenditures never reimbursed.

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The Audit referral includes the receipt by the Committee of a total of $5,550 in excessive contributions from three individuals, Miner S. Keeler, II, Robert R. Meyer, and Alice Gustafson, their respective excessive portions being $5,000, $50 and $500. (See Attachment 1, Exhibit 2.) The excessive portions have been transferred to the Committee's state account.

This Office recommends a finding of reason to believe that the Committee and Ronald D. Dahlke, as treasurer, accepted excessive contributions from individuals in violation of 2 U.S.C. § 441a(f).

c. Deposit into Federal Account of Contributions Designated for State Account

11 C.F.R. § 102.5(a)(2) requires that only contributions designated for a federal account may be deposited therein. The Audit Division noted a check for $5,000 from an individual who had designated the payee as the "Victory '84 Non-Federal Account"; however, the Committee had deposited this check into its federal account.

This Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated Section 102.5(a) with regard to this deposit.

d. Victory '84 Alliance Solicitation Program

The audit of the Committee revealed that during the period between August 28, 1984, and December 19, 1984, the Committee had deposited into its account $79,155 from 40 out-of-state contributors. According to documentation made available to the auditors, $40,150 of this amount was received as the result of a

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solicitation by the Victory '84 Alliance, a project of the Republican National Committee ("RNC"). Included in this $40,150 was a check in the amount of $5,000 which had been forwarded to the Committee on October 8, 1984, by Reagan-Bush '84; the transmittal letter termed the contribution a "Victory '84 check." Later, $35,150 was received by the Committee in the form of nineteen checks made payable to Reagan-Bush Victory '84, Victory '84, G.O.P. Victory '84, Republican Victory Committee 1984, or the Victory '84 Alliance. The checks were dated between October 22, 1984 and November 5, 1984, but were deposited into the Committee's account on December 17, 1984, and reported as received on that date.[2/] The Audit Division has determined that it was standard practice for the Committee to deposit receipts within two days; thus, it seems clear that the $35,150 did not come directly to the Committee.

According to a memorandum prepared for the auditors by the Committee, the RNC's Victory '84 Alliance program was designed to direct "major donor money" to state party organizations in what were considered "target states." A fundraiser for "major donors" apparently was held in Washington. According to the memorandum, "Michigan Republican State Committee staff sold tickets to the event and those individual checks were retained in our account. Other

2/ The RNC reported a transfer to the Committee of $20,000 dated December 7, 1984, and the Committee reported its receipt on December 14. Given the reported receipt of the $35,150 here at issue on December 17, 1984, the $20,000 transfer appears to have been a separate, unrelated transaction.

individuals (both in Michigan and around the country) seem to have sold tickets and those individuals' checks were then directed back to Michigan." (Attachment 2). There is no information presently available indicating that the fundraiser cited in the memorandum was in fact a joint fundraiser pursuant to 11 C.F.R. § 102.17. Nor is there information as to what the potential contributors were told concerning committees to be benefited; i.e., whether the fundraiser was expressly for the Committee or for one or more unspecified state party committees.

It also appears that there was a direct mail component to the Victory '84 Alliance program with persons solicited being asked to serve on the Victory '84 Steering Committee and to contribute $5,000. Although copies of solicitation letter(s) are not presently in hand, the audit of the Committee produced a sample of the contributor card used, as well as a copy of a contributor check. (Attachment 3). The check bears no indication of what specific state committee the donor wished to assist. The contributor card contains only very general language about assisting "the grassroots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government." Again, there is no mention on the card of a specific recipient. The contributions raised as a result of the direct mail effort do not therefore appear to have been solicited for specific committees and thus not for the Michigan Republican State Committee in particular.

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2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(ii) provide for transfers without limit between a national party committee and a State party committee. 2 U.S.C. § 434(b)(2)(F) requires political party committees to report the receipt of transfers from other political party committees, while 2 U.S.C. § 434(b)(2)(A) requires political committees to report contributions received from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) requires political party committees to report transfers made to other political party committees.

In the present matter $35,150 in checks made payable to an RNC project were received by the Committee more than six weeks after they were written, but were reported by the Committee as contributions from the individual contributors, not as transfers from the RNC. The contributions were apparently not reported by the RNC at all. It is not presently known whether this amount resulted from the fundraiser mentioned in the Committee's memorandum which may or may not have resulted in contributions to the Committee, or whether it came from a Victory '84 Alliance direct mail campaign which apparently did not inform the contributors of exactly what committee would benefit. Thus it is not known how much, if any, of the $35,150 was actually intended for, i.e., earmarked for, the Committee and how much should be considered to have been contributions to the RNC which were then transferred to the Committee. The weight of the evidence presently in hand points to the second scenario. The mode of solicitation of the $5,000 forwarded by Reagan-Bush '84 is also not known.

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Although there is at present no documentation in hand to verify or refute the possibility that the remaining $39,005 of the $79,155 received by the Committee from out-of-state contributors also represented responses to the Victory '84 fundraiser or solicitations, it appears likely that much of this sum was raised as a result of those undertakings. Thus the RNC may have been the initial recipient of contributions totalling as much as $74,155 ($79,155 - $5,000) which it then transferred to the Committee. The RNC apparently did not report any of this $74,155 as contributions to itself and as transfers to the Committee, nor did the Committee apparently report any of this amount as transfers from the RNC. 3/

3/ In the alternative, it may be that these contributions were in fact earmarked for the Committee, in which case the RNC and the Committee would have failed to report them as such and the RNC as the conduit. In that case a further issue would arise as to whether the RNC directed or controlled the making of the contributions at issue, with the possible consequence that the RNC would have been required to report these contributions as coming from itself as well as from the original contributors. See 11 C.F.R § 110.6.

If the RNC solicited these contributions with the intention of passing them along to state party committees as earmarked contributions, the costs involved in the solicitation of these contributions would constitute contributions to the ultimate beneficiaries. 2 U.S.C. § 431(8)(A) defines "contribution" to include any "gift, . . . advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office . . . . " 11 C.F.R. § 100.7(a)(1)(iii) defines "anything of value" to include in-kind contributions, i.e., the provision of goods or services at no charge or at a charge less than the usual and normal charge for such goods and services. 2 U.S.C. § 434(b)(2)(C) and (3)(B) require the reporting of contributions received from political committees, and 2 U.S.C. § 434(b)(4)(H) requires the reporting of contributions to other political committees. Neither the RNC nor the Committee reported the making or receipt of in-kind contributions related to the solicitation costs incurred by the RNC in connection with the Victory '84 program. Nor does it appear that the Committee reimbursed the RNC or otherwise paid for its share of such costs. Therefore, if the contributions here at issue were in fact conduited, the RNC would have made in-kind contributions to the Committee in the form of solicitation costs without those contributions being reported by either committee.

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This Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F) by failing to report the receipt of transfers from the RNC. This Office also recommends that the Commission find reason to believe that the RNC and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) by failing to report the receipt of contributions from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) by failing to report transfers to the Committee.

e. Receipts and Transfers from Unregistered Committees

The auditors further found that in 1983 and 1984 the Committee had deposited into its federal account $18,208 from 23 committees not registered with the Commission. These included eleven district or local party committees, six local Republican clubs, one local candidate committee, the Republican National State Election Committee - Michigan, and four non-party political action committees.

1. Receipts from Unaffiliated Committees

The unregistered non-party committees from which receipts were deposited into the Committee's federal account in 1983 and 1984 are as follows:

ReElect Dan Murphy Committee	$200
MAD PAC	$200
Michigan Optometric PAC	$100
Michigan Beer & Wine Wholesalers PAC	$100
Security Bank & Trust PAC	$150
	$750

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2 U.S.C. § 441a(a)(1)(A) limits to $5,000 the amount which persons may contribute to a political committee other than a candidate committee with respect to any election. 2 U.S.C. § 441b prohibits the receipt by political committees of contributions from corporations or labor organizations. Michigan state election law permits contributions from labor organizations.

11 C.F.R. § 102.5(a)(1) requires political organizations involved in both federal and non-federal activity to either establish a separate federal account into which only funds subject to the prohibitions and limitations of the Act may be deposited, or to establish a committee which will only accept permissible contributions. Although it is legal for federal committees to accept contributions from unregistered committees, such contributions may be made only from separate accounts into which funds permissible under the Act have been deposited, or from accounts that the donor committees can demonstrate have received sufficient funds subject to the prohibitions and limitations of the Act. See 11 C.F.R. § 102.5(b).

At the time of the audit, the Committee apparently asked all non-registered contributors to provide affidavits as to whether they had accepted corporate or labor union funds. The Committee did not produce evidence that the above-named unregistered committees had made their contributions with monies which met the requirements of 2 U.S.C. § 441b and 11 C.F.R. § 102.5. Therefore, this Office recommends that the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated

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2 U.S.C. § 441b and 11 C.F.R. § 102.5 by depositing $750 in receipts from unregistered committees into its federal account.

2. Transfers from Unregistered Party Committees

In 1983 and 1984 the Committee also deposited into its account transfers from the following unregistered party committees:

Berrien Co. Rep. Com.	$2,650 in '83 $1,300 in '84 $3,950
St. Joseph Co. Rep. Com.	$6,000 in '83 $3,000 in '84 $9,000
Manistee Co. Rep. Com.	$ 200
Ostego Co. Rep. Com.	$ 500
Marquette Co. Rep. Com.	$ 250
Presque Isle Co. Rep. Com.	$ 300
The Eastonia A Rep. Club of Michigan	$ 33
Newaygo Co. Rep. Com.	$ 750
Women's Rep. Club of Grosse Point	$ 450
14th District Rep. Com.	$ 500
Houghton Co. Rep. Com.	$ 100
Rep. Nat'l State Election Com. - Michigan	$ 500
Arenac Co. Rep. Party	$ 250
Women's Rep. Club of Indian Village	$ 200
Sterling Heights Rep. Club	$ 100
Rep. 15th Congress. District Com.	$ 200

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Rep. Women's Club/Houghton Kewecnaw Co.	$ 75
Allegan Rep. Women's Club	$ 100
	$17,458

In response to the Interim Audit Report the Committee produced affidavits from the Ostego Republican County Committee, the Women's Republican Club of Gross Pointe, the Arenac County Republican Committee, the Sterling Heights Republican Club, the 15th Congressional District Committee, and the Republican Women's Club/Houghton Kewecnaw County stating that they had received no contributions from corporations or labor organizations. The amount of the contributions from these seven totaled $1,675. The Committee transferred the remaining $15,783 in receipts from unregistered party committees to its non-federal account, $9,400 on May 1, 1984, $500 on August 19, 1985 and $5,883 on January 7, 1987.

11 C.F.R. § 102.6(a) permits unlimited transfers of funds between a state party committee and subordinate party committees, whether or not the committees are political committees and whether or not they are affiliated. However, such transfers may be made only from funds which are permissible under the Act.

In the present matter the Committee deposited $17,458 in transfers from unregistered party committees into its account, of which $15,783 has not been shown to have been composed of non-corporate and non-labor funds. Further, it is not known whether the $17,458 in transfers was made with funds received in compliance with the limitations on contributions imposed at 2 U.S.C. § 441a(a).

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This Office recommends that, with regard to the receipt of transfers from party committees, the Commission find reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441b by depositing $15,783 from unregistered party committees into its federal account, and 11 C.F.R. § 102.6 by depositing into its federal account $17,458 which may not have been permissible under the Act.

III. RECOMMENDATIONS

1. Find reason to believe that the Michigan Republican State Committee, and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F), 2 U.S.C. § 441a(f), 2 U.S.C. § 441b, 11 C.F.R. § 102.5 and 11 C.F.R. § 102.6.

2. Find reason to believe that the Republican National Committee and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) and 2 U.S.C. § 434(b)(4)(C).

3. Approve the attached letters, factual and legal analyses, and interrogatories and requests for production of documents.

5/10/89
Date

Lawrence M. Noble
General Counsel

Attachments
1. Referral
2. Victory '84 Memorandum
3. Check and solicitation card
4. Letters (2)
5. Factual and Legal Analyses (2)
6. Interrogatories and Requests for Production of Documents (2)

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN
COMMISSION SECRETARY

DATE: MAY 15, 1989

SUBJECT: OBJECTIONS TO MUR 2581 - General Counsel's Report
Signed May 10, 1989

The above-captioned document was circulated to the Commission on Thursday, May 11, 1989 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	
Commissioner Elliott	
Commissioner Josefiak	X
Commissioner McDonald	
Commissioner McGarry	X discussion
Commissioner Thomas	X

This matter will be placed on the meeting agenda for May 23, 1989.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Michigan Republican State Committee	)	
Ronald D. Dahlke, as treasurer	)	MUR 2581
Republican National Committee	)	
William J. McManus, as treasurer	)	

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of May 23, 1989, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to the above-captioned matter:

1. Find reason to believe that the Michigan Republican State Committee, and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F), 2 U.S.C. § 441a(f), 2 U.S.C. § 441b, 11 C.F.R. § 102.5 and 11 C.F.R. § 102.6.

2. Find reason to believe that the Republican National Committee and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) and 2 U.S.C. 434(b)(4)(C).

3. Approve the letters, factual and legal analyses, and interrogatories and requests for production of documents as recommended in the General Counsel's report dated May 10, 1989, subject to modification of the factual and legal analyses as discussed at this meeting.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for this decision. Commissioner Aikens recused and was not present during the consideration of this matter.

May 24, 1989
Date

Hilda Arnold
Hilda Arnold
Administrative Assistant

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 1989

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ronald D. Dahlke, Treasurer
Michigan Republican State Committee
2121 E. Grand River
Lansing, Michigan 48912

RE: MUR 2581

Dear Mr. Dahlke:

On May 23, 1989, the Federal Election Commission found that there is reason to believe the Michigan Republican State Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(b)(2)(F), 2 U.S.C. § 441a(f), 2 U.S.C. § 441b, 11 C.F.R. § 102.5 and 11 C.F.R. § 102.6, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and of the Commission's regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, along with responses to the enclosed interrogatories and requests for documents, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time

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so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Interrogatories and Requests for Production of Documents

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Michigan Republican State Committee MUR 2581
Ronald D. Dahlke, as treasurer

A. GENERATION OF MATTER

Pursuant to 2 U.S.C. § 438(b) the Federal Election Commission conducted an audit of the federal account of the Michigan Republican State Committee ("the Committee"). Following the audit the Commission voted, on February 23, 1988, to approve the referral of certain matters to the Office of the General Counsel.

On July 6, 1988, and November 1, 1988, the Commission considered this matter and on the latter date made several preliminary determinations which are reflected below.

B. ALLEGATIONS

The referral from the Audit Division covered five distinct issues: the allocation of phone bank expenditures, the receipt of excessive contributions, the deposit of non-federal contributions into the Committee's federal account, the reporting of contributions received via the Republican National Committee ("RNC") and the reporting of related solicitation costs apparently paid by the RNC, and the deposit of transfers from unregistered committees into the Committee's federal account.

a. Phone Bank Expenditures

In 1984 the Committee implemented a voter identification program ("VIP") and get-out-the-vote program ("GOTV") for the general election in seventeen Congressional districts in Michigan. Market Opinion Research ("MOR"), under contract with the Committee, developed lists of registered voter households in

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Michigan for use in the voter identification and get-out-the-vote activities, and the Committee, together with Reagan-Bush '84 (General Election Committee), contracted with the Michigan Republican Party State Account for the organization and supervision of a telephone bank for the purpose of identifying voter intentions of households in swing neighborhoods and for subsequent get-out-the-vote activity. Voter identification calls were made on behalf of Reagan-Bush '84, Jack Lousma for U.S. Senate, Congressional candidates in fourteen districts, and state and local candidates. According to the Committee, the phone bank was run by both volunteers and paid staff. The Committee determined that a total of $389,364.14 in expenditures involved in the VIP were allocable to the candidates benefited and also to itself. The Committee did not allocate certain GOTV-related costs.

During their examination of the Committee's records the auditors identified a total of $715,205.72 in phone bank-related expenditures as allocable to federal, state and local candidates, the difference between this figure and that of the Committee being the result of differences on several issues. These discrepancies included the Committee's decision not to allocate $282,000 in expenditures to MOR for the development of the list used to make the VIP calls, its failure to allocate $15,035.44 in related expenditures from its Federal account, and its failure to allocate $21,000 in calls related to the GOTV program. Also included in the overall difference was $1,364.45 in mathematical

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errors. Further, the Committee's allocations to candidates were at odds with those of the Audit Division because the Committee applied a full share to itself, and did not allocate a full share to the Lousma committee.

The auditors determined that the Committee had assigned its entire expenditure limitation of $264,700.80 for the Senatorial campaign, pursuant to 2 U.S.C. § 441a(d)(3)(A), to the National Republican Senatorial Committee ("NRSC"), and $19,500 of its $20,200 expenditure limitation, pursuant to 2 U.S.C. § 441a(d)(3)(B), for each of four candidates for the House of Representatives to the National Republican Congressional Committee - Expenditures ("NRCC"). The Republican National Committee by December 31, 1984, had expended all but $511.50 of its expenditure limitation for the presidential campaign pursuant to 2 U.S.C. § 441a(d)(2). Application of the Audit Division's allocations to the limitation amounts still available to the Committee initially resulted in apparent excessive Section 441a(d)(3) expenditures of $132,275.70 on behalf of the Lousma for U.S. Senate Committee and $13,994.42 in total excessive expenditures on behalf of four House candidates, for a total of $146,270.12 in excessive contributions. The auditors also found that because the phone banks were operated, at least in part, by paid staff, the exemption at 11 C.F.R. § 100.8(b)(18)(v) related to Presidential candidates did not apply, and thus $57,612.12 of the VIP and GOTV costs, all of which was excessive, was allocable to Reagan-Bush '84.

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These figures were modified at the time the Final Audit Report and the referral to this Office were prepared. Those adjustments, particularly to the amount of list development costs deemed allocable, brought the total of allocable VIP/GOTV costs to $486,785.72 of which $304,521.68 was allocable to federal candidates. The amount of apparently excessive Section 441a(d)(3) expenditures made by the Committee on behalf of Jack Lousma for U.S. Senate was reduced to $78,195.37, the amount of excessive expenditures on behalf of the House candidates to $2,704.19, and the amount of expenditures on behalf of Reagan-Bush '84 to $5,882.20.

The figures for allocated shares of the VIP and GOTV programs contained in the Audit referral reflected acceptance of the Committee's argument that 19% of the $282,000 total cost of developing the MICHLIST should be used as the starting point for any allocation of development costs related to the VIP and GOTV programs, plus continuing findings that $15,035.44 in specific expenditures not allocated by the Committee should be included in the allocable total, that the entire cost of the Committee's GOTV phone bank should be allocated to the candidates benefited, that the Committee should not be permitted to allocate a full share of the costs of the VIP and GOTV programs to itself, that a full share should be deemed allocable to the Lousma for U.S. Senate Committee, rather than the 45% of a full share applied by the Committee, and that $1,364.45 in mathematical errors on the part of the Committee should be included in the allocable total.

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In light of the information available, the Commission, at its meeting on November 1, 1988, made further determinations as follows:

1) to require allocation among the candidate committees of only 50% of the 19% of list development costs contained in the audit referral;

2) to permit the allocation of one full share of the telephone bank costs to the Committee;

3) to accept the allocation to the Lousma committee of only 45% of a full share of the VIP/GOTV costs;

4) to include in the allocable amount the committee's admitted mathematical errors;

5) and to include in the allocable amount the other costs and operating expenses identified by the Audit Division.

The decision to accept the allocation of 50% of the 19% of list development costs deemed allocable in the audit referral was based upon the Committee's untested assertions that the portions of the list making up the 19% had also been used for purposes other than the VIP and GOTV programs, and upon the assumption that these other purposes had in fact been carried out.

Given the above determinations the resulting figure for total VIP/GOTV costs becomes $459,995.72, while revised figures for allocations of VIP/GOTV costs among benefited committees, for reimbursements, and for resulting excessive contributions by the Committee are as follows:

Reagan/Bush '84

allocated costs for VIP/GOTV		$93,018.11
reimbursements from candidate committee	8/27/84	($50,000.00)
	9/14/84	($32,737.09)
	11/14/84	($20,000.00)
		($ 9,718.89)

Jack Lousma for U.S. Senate

allocated costs for VIP/GOTV		$41,848.88
unused portion of § 441a(d) limitation		($ 4,073.42)
unused portion of 441a(a) limitation		($ 2,350.91)
reimbursement by candidate committee		
	10/14/84	($ 8,000.00)
	10/14/84	($ 6,000.00)
	10/24/84	($10,000.00)
unreimbursed cost/excessive portion		$11,424.55

Jackie McGregor District 3

allocated costs for VIP/GOTV	$6,161.41
unused portion of § 441a(d) limitation	($2,260.30)
contributions from state and local party committees	$ 850.00
441a(a) limitation	($5,000.00)
	($ 249.89)

Paul Henry District 5

allocated costs for VIP/GOTV	$5,739.39
unused portion of § 441a(d) limitation	($2,454.33)
contributions from state and and local party committees	$ 150.00
§ 441a(a) limitations	($5,000.00)
	($1,564.94)

Tom Ritter District 6

allocated costs for VIP/GOTV		$5,486.19
unused portion of § 441a(d) limitations		($ 900.46)
contributions from state and local party committees		$1,350.00
reimbursement by candidate committee	11/26/84	($1,500.00)
	11/26/84	($1,500.00)
		($ 9.24)
§ 441a(a) limitation		($5,000.00)
		($2,073.51)

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Bill Schuette

allocated costs for VIP/GOTV	$6,202.79
unusual portion of § 441(d) limitation	($1,790.05)
contributions from state and local party committees	$4,300.00
reimbursement from NRSC on behalf of committee 12/18/84	($2,700.00)
§ 441a(a) limitation	($5,000.00)
unreimbursed costs/ excessive portion	$1,012.74

Based upon the figures given above, the Committee apparently made the following excessive contributions to candidate committees:

Jack Lousma for U.S. Senate	$11,424.55
Bill Schuette for Congress Committee	$ 1,012.74
TOTAL	$12,437.29

Therefore there is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f) by making expenditures totalling $12,437.29 in 1984 on behalf of candidates in excess of the expenditure limitations at 2 U.S.C. § 441a(d).

b. Excessive Contributions from Individuals

2 U.S.C. § 441a(a)(1)(C) limits to $5,000 the amount which any person may contribute to a state party committee. 2 U.S.C. § 441a(f) prohibits the acceptance of contributions in excess of the limitations at 2 U.S.C. § 441a(a).

The Audit referral includes the receipt by the Committee of a total of $5,550 in excessive contributions from three individuals, Miner S. Keeler, II, Robert R. Meyer, and Alice Gustafson, their respective excessive portions being $5,000, $50 and $500. The

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excessive portions have been transferred to the Committee's state account.

There is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, accepted excessive contributions from individuals in violation of 2 U.S.C. § 441a(f).

c. Deposit into Federal Account of Contributions Designated for State Account

11 C.F.R. § 102.5(a)(2) requires that only contributions designated for a federal account may be deposited therein. The Audit Division noted a check for $5,000 from an individual who had designated the payee as the "Victory '84 Non-Federal Account"; however, the Committee had deposited this check into its federal account.

There is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated Section 102.5(a) with regard to this deposit.

d. Victory '84 Alliance Solicitation Program

The audit of the Committee revealed that during the period between August 28, 1984, and December 19, 1984, the Committee had deposited into its account $79,155 from 40 out-of-state contributors. According to documentation made available to the auditors, $40,150 of this amount was received as the result of a solicitation by the Victory '84 Alliance, a project of the Republican National Committee ("RNC"). Included in this $40,150 was a check in the amount of $5,000 which had been forwarded to the Committee on October 8, 1984, by Reagan-Bush '84; the transmittal

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letter termed the contribution a "Victory '84 check." Later, $35,150 was received by the Committee in the form of nineteen checks made payable to Reagan-Bush Victory '84, Victory '84, G.O.P. Victory '84, Republican Victory Committee 1984, or the Victory '84 Alliance. The checks were dated between October 22, 1984 and November 5, 1984, but were deposited into the Committee's account on December 17, 1984, and reported as received on that date.[2/] The Audit Division has determined that it was standard practice for the Committee to deposit receipts within two days; thus, it seems clear that the $35,150 did not come directly to the Committee.

According to a memorandum prepared for the auditors by the Committee, the RNC's Victory '84 Alliance program was designed to direct "major donor money" to state party organizations in what were considered "target states." A fundraiser for "major donors" apparently was held in Washington. According to the memorandum, "Michigan Republican State Committee staff sold tickets to the event and those individual checks were retained in our account. Other individuals (both in Michigan and around the country) seem to have sold tickets and those individuals' checks were then directed back to Michigan." There is no information presently available indicating that the fundraiser cited in the memorandum was in fact a joint fundraiser pursuant to 11 C.F.R. § 102.17. Nor is there

2/ The RNC reported a transfer to the Committee of $20,000 dated December 7, 1984, and the Committee reported its receipt on December 14. Given the reported receipt of the $35,150 here at issue on December 17, 1984, the $20,000 transfer appears to have been a separate, unrelated transaction.

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information as to what the potential contributors were told concerning committees to be benefited; i.e., whether the fundraiser was expressly for the Committee or for one or more unspecified state party committees.

It also appears that there was a direct mail component to the Victory '84 Alliance program with persons solicited being asked to serve on the Victory '84 Steering Committee and to contribute $5,000. Although copies of solicitation letter(s) are not presently in hand, the audit of the Committee produced a sample of the contributor card used, as well as a copy of a contributor check. (Attachment 3). The check bears no indication of what specific state committee the donor wished to assist. The contributor card contains only very general language about assisting "the grassroots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government." Again, there is no mention on the card of a specific recipient. The contributions raised as a result of the direct mail effort do not therefore appear to have been solicited for specific committees and thus not for the Michigan Republican State Committee in particular.

2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(ii) provide for transfers without limit between a national party committee and a State party committee. 2 U.S.C. § 434(b)(2)(F) requires political party committees to report the receipt of transfers from other political party committees.

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In the present matter $35,150 in checks made payable to an RNC project were received by the Committee more than six weeks after they were written, but were reported by the Committee as contributions from the individual contributors, not as transfers from the RNC. The contributions were apparently not reported by the RNC at all. It is not presently known whether this amount resulted from the fundraiser mentioned in the Committee's memorandum which may or may not have resulted in contributions to the Committee, or whether it came from a Victory '84 Alliance direct mail campaign which apparently did not inform the contributors of exactly what committee would benefit. Thus it is not known how much, if any, of the $35,150 was actually intended for the Committee and how much should be considered to have been contributions to the RNC which were then transferred to the Committee. The weight of the evidence presently in hand points to the second scenario. The mode of solicitation of the $5,000 forwarded by Reagan-Bush '84 is also not known.

Although there is at present no documentation in hand to verify or refute the possibility that the remaining $39,005 of the $79,155 received by the Committee from out-of-state contributors also represented responses to the Victory '84 fundraiser or solicitations, it appears likely that much of this sum was raised as a result of those undertakings. Thus the RNC may have been the initial recipient of contributions totalling as much as $74,155 ($79,155 - $5,000) which it then transferred to

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the Committee. The Committee apparently report did not any of this amount as transfers from the RNC. 3/

There is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F) by failing to report the receipt of transfers from the RNC.

e. Receipts and Transfers from Unregistered Committees

The auditors further found that in 1983 and 1984 the Committee had deposited into its federal account $18,208 from 23 committees not registered with the Commission. These included eleven district or local party committees, six local Republican clubs, one local candidate committee, the Republican National State Election Committee - Michigan, and four non-party political action committees.

3/ If the RNC solicited these contributions for particular state party committees, the costs involved in the solicitation of these contributions would constitute contributions to the ultimate beneficiaries. 2 U.S.C. § 431(8)(A) defines "contribution" to include any "gift, . . . advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office . . . . " 11 C.F.R. § 100.7(a)(1)(iii) defines "anything of value" to include in-kind contributions, i.e., the provision of goods or services at no charge or at a charge less than the usual and normal charge for such goods and services. 2 U.S.C. § 434(b)(2)(C) and (3)(B) require the reporting of contributions received from political committees. The Committee did not report the receipt of in-kind contributions related to the solicitation costs incurred by the RNC in connection with the Victory '84 program. Nor does it appear that the Committee reimbursed the RNC or otherwise paid for its share of such costs. Therefore, if the solicitations designated particular intended recipients, the RNC would have made in-kind contributions to the Committee in the form of solicitation costs without those contributions having been reported by the Committee.

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1. Receipts from Unaffiliated Committees

The unregistered non-party committees from which receipts were deposited into the Committee's federal account in 1983 and 1984 are as follows:

ReElect Dan Murphy Committee	$200
MAD PAC	$200
Michigan Optometric PAC	$100
Michigan Beer & Wine Wholesalers PAC	$100
Security Bank & Trust PAC	$150
	$750

2 U.S.C. § 441a(a)(1)(A) limits to $5,000 the amount which persons may contribute to a political committee other than a candidate committee with respect to any election. 2 U.S.C. § 441b prohibits the receipt by political committees of contributions from corporations or labor organizations. Michigan state election law permits contributions from labor organizations.

11 C.F.R. § 102.5(a)(1) requires political organizations involved in both federal and non-federal activity to either establish a separate federal account into which only funds subject to the prohibitions and limitations of the Act may be deposited, or to establish a committee which will only accept permissible contributions. Although it is legal for federal committees to accept contributions from unregistered committees, such contributions may be made only from separate accounts into which funds permissible under the Act have been deposited, or from accounts that the donor committees can demonstrate have received sufficient funds subject to

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the prohibitions and limitations of the Act. See 11 C.F.R. § 102.5(b).

At the time of the audit, the Committee apparently asked all non-registered contributors to provide affidavits as to whether they had accepted corporate or labor union funds. The Committee did not produce evidence that the above-named unregistered committees had made their contributions with monies which met the requirements of 2 U.S.C. § 441b and 11 C.F.R. § 102.5. Therefore, there is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441b and 11 C.F.R. § 102.5 by depositing $750 in prohibited funds from unregistered committees into its federal account.

2. Transfers from Unregistered Party Committees

In 1983 and 1984 the Committee also deposited into its account transfers from the following unregistered party committees:

Berrien Co. Rep. Com.	$2,650 in '83 $1,300 in '84 $3,950
St. Joseph Co. Rep. Com.	$6,000 in '83 $3,000 in '84 $9,000
Manistee Co. Rep. Com.	$ 200
Ostego Co. Rep. Com.	$ 500
Marquette Co. Rep. Com.	$ 250
Presque Isle Co. Rep. Com.	$ 300
The Eastonia A Rep. Club of Michigan	$ 33
Newaygo Co. Rep. Com.	$ 750
Women's Rep. Club of Grosse Point	$ 450

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14th District Rep. Com.	$ 500
Houghton Co. Rep. Com.	$ 100
Rep. Nat'l State Election Com. - Michigan	$ 500
Arenac Co. Rep. Party	$ 250
Women's Rep. Club of Indian Village	$ 200
Sterling Heights Rep. Club	$ 100
Rep. 15th Congress. District Com.	$ 200
Rep. Women's Club/Houghton Kewecnaw Co.	$ 75
Allegan Rep. Women's Club	$ 100
	$17,458

In response to the Interim Audit Report the Committee produced affidavits from the Ostego Republican County Committee, the Women's Republican Club of Gross Pointe, the Arenac County Republican Committee, the Sterling Heights Republican Club, the 15th Congressional District Committee, and the Republican Women's Club/Houghton Kewecnaw County stating that they had received no contributions from corporations or labor organizations. The amount of the contributions from these seven totaled $1,675. The Committee transferred the remaining $15,783 in receipts from unregistered party committees to its non-federal account, $9,400 on May 1, 1984, $500 on August 19, 1985 and $5,883 on January 7, 1987.

11 C.F.R. § 102.6(a) permits unlimited transfers of funds between a state party committee and subordinate party committees, whether or not the committees are political committees and whether

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or not they are affiliated. However, such transfers may be made only from funds which are permissible under the Act.

In the present matter the Committee deposited $17,458 in transfers from unregistered party committees into its account, of which $15,783 has not been shown to have been composed of non-corporate and non-labor funds. Further, it is not known whether the $17,458 in transfers was made with funds received in compliance with the limitations on contributions imposed at 2 U.S.C. § 441a(a).

With regard to the receipt of transfers from party committees, there is reason to believe that the Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441b by depositing $15,783 in prohibited funds from unregistered party committees into its federal account, and 11 C.F.R. § 102.6 by depositing into its federal account $17,458 which may not have been permissible under the Act.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: Ronald D. Dahlke, Treasurer
Michigan Republican State Committee
2121 E. Grand River
Lansing, Michigan 48912

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents, which, where applicable, show both sides of the documents, may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and requests for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in the possession of, known by or otherwise available to the Michigan Republican State Committee ("the Committee") including documents and information appearing in the Committee's records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to the response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory request.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should the Committee claim a privilege with respect to any documents, communications, or other items from which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1984, to present.

The following interrogatories and requests for production of documents are continuing in nature so as to require the Committee to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purposes of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"The Committee" shall mean the Michigan Republican State Committee.

"You" shall mean the named respondents in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"RNC" shall mean the Republican National Committee.

"Document" shall mean the original and all non-identical copies of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to, books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer printouts, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, and the nature of the connection or association that person has to any party to this proceeding.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES

A. Please provide the following information:

1. Describe in detail the contents of the MICHLIST in 1984 including, but not limited to, the number of names; any sub-headings used (eg., precinct, legislative district, Congressional district, etc.); and the information provided for each name, (e.g., address, telephone number, employer, party registration, voting history, "swing voter," etc.). Describe the form of the MICHLIST, i.e., printed list, microfilm, computer tape.

2. Has the MICHLIST been periodically updated since 1984? If yes, please state the dates this has been done, whether Market Opinion Research has been responsible for such updates, the types of changes involved in list size and content, and the costs to the Committee of this procedure.

3. Specify the exact portions of the list which composed the 19% utilized in the 1984 VIP and GOTV programs at issue in MUR 2581, including the number of names involved in each portion.

4. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1984 in addition to the VIP and GOTV programs at issue in MUR 2581. State whether the entire list or portions thereof were used for each such additional program. If portions were used, specify which ones and describe by size and content.

5. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether the entire list or portions thereof were used for each such program. If portions were used, specify which ones and describe by size and content.

6. Provide detailed descriptions of all other uses to which the 19% of the MICHLIST used in the 1984 VIP and GOTV programs was put by the Michigan Republican State Committee in 1984. State whether all or portions of the 19% were used for these additional programs. If portions were used, specify which ones and describe by size and content.

7. Provide detailed descriptions of all uses to which the 19% of the MICHLIST cited above was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether all or portions of the 19% were used for these additional programs. If portions, specify which ones and describe by size and content.

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8. State whether the Committee and/or Market Opinion Research has rented all or portions of the MICHLIST to other committees, groups or individuals since its development in 1984. If yes, please specify:

a. Whether the Committee or Market Opinion Research was the renting entity.

b. The entities to which all such rentals have been made;

c. The numbers of names involved in each such rentals and the percentage of the entire list involved;

d. The amounts charged for each such rental and the basis for each amount; and

e. Whether the amounts of such rentals have increased since 1984 and, if so, by how much.

B. Please provide a detailed explanation of the purposes of the $15,035.44 in expenditures cited at Section 2 of the Commission's Factual and Legal Analysis.

C. Please provide the following information:

1. A detailed description of the RNC's Victory '84 Alliance program as it impacted upon the Committee, including

a. the forms of all solicitation efforts undertaken by the RNC (e.g., fundraising dinners, direct mail solicitations);

b. the methods used by the RNC to distribute the solicited contributions to the Committee (e.g., transmittal of contributor checks, use of RNC account); and

c. the content of any agreement between the RNC and the Committee regarding the forwarding of contributions.

2. A listing of all contributions received as a result of the RNC's Victory '84 Alliance program, including the name of each contributor and the amount and date of receipt by the Committee of each contribution.

3. Did the Committee receive contributions through the RNC during 1984 pursuant to programs other than the Victory '84

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Alliance program? If yes, please describe those other programs, the total amount of contributions received through such other programs; the names of the contributors whose contributions were made through such other programs, and the amounts and dates of receipt by the Committee of those contributions.

4. Was the Committee billed for any portion of the costs incurred by the RNC in connection with the Victory '84 Alliance program or in connection with any other RNC solicitation program through which the Committee received contributions during 1984? If yes, please state the amount billed, the date of the billing, the method of allocation used by the RNC, and the date of payment by the Committee.

5. Please identify the person or persons associated with the Committee primarily responsible for coordination with the RNC of the Committee's participation in the Victory '84 Alliance and other RNC solicitation programs during 1984.

6. Please identify the person or persons within the RNC with whom representatives of the Committee coordinated the latter's participation in the Victory '84 Alliance and other RNC solicitation programs during 1984.

REQUESTS FOR DOCUMENTS

Please provide the following documents:

1. All documents related to the Victory '84 Alliance program, including, but not limited to, any agreement between the RNC and the Committee concerning the distribution by the RNC of contributions received as a result of this program, copies of contributor checks received by the Committee, and lists of contributors to the Victory '84 Alliance program whose contributions were received by the Committee.

2. All documents related to other RNC solicitation programs through which the Committee received contributions during 1984.

3. All documents related to any payments by the Committee of portions of the costs of the Victory '84 Alliance program and of any other RNC solicitation programs through which the Committee received contributions during 1984.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 20, 1989

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

William J. McManus, Treasurer
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 2581

Dear Mr. McManus

On May 23, 1989, the Federal Election Commission found that there is reason to believe the Republican National Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(b)(2)(A) and 2 U.S.C. § 434(b)(4)(C), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, along with responses to the enclosed interrogatories and requests for documents, within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission, either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time

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so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald

Danny L. McDonald
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Interrogatories and Requests for Documents

9504363221

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Republican National Committee
William J. McManus, as treasurer

MUR: 2581

Pursuant to 2 U.S.C. § 438(b), the Federal Election Commission conducted an audit of the Michigan Republican State Party Committee ("State Committee"). Following the audit, the Commission voted on February 23, 1988, to approve the referral of the following matter involving the Republican National Committee ("RNC") to the Office of the General Counsel.

The audit of the State Committee revealed that during the period between August 28, 1984, and December 19, 1984, that committee had deposited into its account $79,155 from 40 out-of-state contributors. According to documentation made available to the auditors, $40,150 of this amount was received as the result of a solicitation by the Victory '84 Alliance, a project of the RNC. Included in this $40,150 was a check in the amount of $5,000 which had been forwarded to the State Committee by Reagan-Bush '84 on October 8, 1984; the transmittal letter termed the contribution a "Victory '84 check." Later, $35,150 was received by the same committee in the form of nineteen checks made payable to Reagan-Bush Victory '84, Victory '84, G.O.P. Victory '84, Republican Victory Committee 1984, or the Victory '84 Alliance. The checks were dated between October 22, 1984 and November 5, 1984, but were deposited into the State Committee's account on December 17, 1984, and reported as received on that date. 1/ The

1/ The RNC reported a transfer to the State Committee of $20,000 on December 7, 1984, and the State Committee reported its receipt on December 14. Given the reported receipt of the $35,150 on December 17, 1984, the $20,000 transfer appears to have been a separate, unrelated transaction.

Audit Division has determined that it was standard practice for the State Committee to deposit receipts within two day of receipt; thus it seems clear that the $35,150 did not go directly to that committee.

According to a memorandum prepared for the auditors by the State Committee, the RNC's Victory '84 Alliance program was designed to direct "major donor money" to state party organizations in what were considered "target states." A fundraiser for "major donors" apparently was held in Washington. According to the memorandum, "Michigan Republican State Committee staff sold tickets to the event and those individual checks were retained in our account. Other individuals (both in Michigan and around the country) seem to have sold tickets and those individuals' checks were then directed back to Michigan." There is no information presently available to the Commission indicating that the fundraiser cited in the memorandum was in fact a joint fundraiser pursuant to 11 C.F.R. § 102.17. Nor is there information as to what the potential contributors were told concerning committees to be benefited; i.e., whether the fundraiser was expressly for the State Committee or for one or more unspecified state party committees.

It also appears that there was a direct mail component to the Victory '84 Alliance program with persons solicited being asked to serve on the Victory '84 Steering Committee and to contribute $5000. Although copies of solicitation letter(s) are not presently in hand, the audit of the Committee produced a sample of the contributor card used, as well as a copy of a contributor check. The check bears no indication of what

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specific state committee the donor wished to assist. The contributor card contains only very general language about assisting "the grassroots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government." Again, there is no mention on the card of a specific recipient. The contributions raised as a result of the direct mail effort do not therefore appear to have been solicited for specific committees and thus not for the Michigan Republican State Committee in particular.

2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(11) provide for transfers without limit between a national party committee and a State party committee. 2 U.S.C. § 434(b)(2)(A) requires political committees to report contributions received from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) requires political party committees to report transfers made to other political party committees.

In the present matter at least $35,150 in checks made payable to an RNC project were received by the State Committee more than six weeks after they were written, but were apparently not reported by the RNC in any fashion. It is not presently known whether this amount resulted from the fundraiser mentioned in the State Committee's memorandum which may or may not have resulted in contributions intended for the State Committee, or whether it was the result of a Victory '84 Alliance direct mail solicitation which apparently did not inform the contributors of exactly what committee would benefit. Thus it is not known how much, if any, of the $35,150 was actually intended for the State Committee and how much should be considered to have been

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contributions to the RNC which were then transferred to the State Committee. The weight of the evidence presently in hand points to the second scenario. The mode of solicitation of the $5,000 forwarded by Reagan-Bush '84 in October is also not known.

Although there is at present no documentation in hand to verify or refute the possibility that the remaining $39,005 of the $79,155 received by the State Committee from out-of-state contributors represented responses to the Victory '84 fundraiser or solicitations, it appears likely that much of this sum was raised as a result of those undertakings. Thus the RNC may have been the initial recipient of contributions totalling as much as $74,155 ($79,155 - $5,000) which it then transferred to the State Committee. The RNC apparently did not report any of this $74,155 as contributions to itself and as transfers to the State Committee. 3/

3/ If the RNC solicited these contributions for particular state party committees, the costs involved in the solicitation of these contributions would constitute contributions to the ultimate beneficiaries. 2 U.S.C. § 431(8)(A) defines "contribution" to include any "gift, . . . advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office . . . . " 11 C.F.R. §100.7(a)(1)(iii) defines "anything of value" to include in-kind contributions, i.e., the provision of goods or services at no charge or at a charge less than the usual and normal charge for such goods and services. 2 U.S.C. § 434(b)(4)(H) requires the reporting of contributions made to other political committees. The RNC did not report the making of in-kind contributions related to the solicitation costs incurred by the RNC in connection with the Victory '84 program. Nor does it appear that the Committee reimbursed the RNC or otherwise paid for its share of any such costs. Therefore, if the solicitations at issue designated particular intended recipients, the RNC would have made in-kind contributions to the State Committee in the form of solicitation costs without those contributions having been reported.

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There is reason to believe that the RNC violated 2 U.S.C. § 434(b)(2)(A) by failing to report the receipt of contributions from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) by failing to report transfers to the State Committee.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

INTERROGATORIES AND REQUESTS
FOR PRODUCTION OF DOCUMENTS

TO: William J. McManus, Treasurer
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents, which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and requests for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in the possession of, known by or otherwise available to the Republican National Committee ("RNC"), including documents and information appearing in the RNC's records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to the response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should the RNC claim a privilege with respect to any documents, communications, or other items from which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1984 to December 31, 1984.

The following interrogatories and requests for production of documents are continuing in nature so as to require the RNC to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purposes of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondents in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to, books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer printouts, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses, and telephone numbers, the present occupation or position of such person, and the nature of the connection or association that person has to any party to this proceeding.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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INTERROGATORIES

A. Please provide the following information:

1. A detailed description of the RNC's Victory '84 Alliance program, including

a. the forms of all solicitation efforts undertaken (e.g., fundraising dinners, direct mail solicitations);

b. the policies governing the allocation of solicited contributions among state party committees;

c. the methods used to distribute the solicited contributions (e.g., transmittal of contributor checks, use of RNC account); and

d. the content of any agreements between the recipient state party committees and the RNC regarding the distribution of solicited contributions.

2. A detailed description of the fundraising event(s) held in Washington D.C. in 1984 as part of the Victory '84 Alliance program as a result of which the Michigan Republican State Committee received contributions, including

a. any explanation of the purpose and financial goals of the event(s) presented to potential contributors;

b. the number of persons who attended the fundraising event;

c. the payees to which those solicited were instructed to write any checks; and

d. a listing of the state party committees intended to be benefited.

3. A description of all Victory '84 Alliance program direct-mail solicitations carried out in 1984 as a result of which the Michigan Republican State Committee received contributions, including

a. the dates of the solicitations;

b. the numbers of persons solicited;

c. the payees to which those solicited were instructed to write any checks;

d. and all state party committees intended to be benefited.

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4. A listing of all contributors to the Victory '84 Alliance program whose contributions were forwarded to the Michigan Republican State Committee, and of the amounts of those forwarded contributions.

5. A statement of the total costs incurred by the RNC in connection with those portions of the Victory '84 Alliance program through which the Michigan Republican State Committee received contributions.

B. Did the recipient state party committees pay shares of the costs of the Victory '84 [Alliance] solicitations? If yes, please describe the procedures used in allocating those costs and in collecting the committees' respective shares.

C. If the state party committees did not pay shares of the costs of the portions of the Victory '84 Alliance program through which the Michigan Republican State Committee received contributions, please provide a reasonable allocation among the committees benefited of those costs.

D. Did the Michigan Republican State Committee receive contributions through the RNC during 1984 pursuant to programs other than the Victory '84 Alliance program? If yes, please describe those other programs, and provide the names of the contributors whose contributions were forwarded, the dates upon which the RNC forwarded those contributions and the amounts of the contributions.

E. Please identify the person or persons within the RNC primarily responsible for the Victory '84 Alliance program and for any other RNC solicitation programs thorough which the Michigan Republican State Committee received contributions during 1984.

F. Please identify the person or persons associated with the Michigan Republican State Committee with whom the persons identified in answer to Question E were in contact with regard to the Victory '84 Alliance program and any other RNC solicitation program of benefit to that state committee during 1984.

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REQUESTS FOR DOCUMENTS

Please provide the following documents:

1. All documents related to Victory '84 Alliance fundraising events held in Washington, D.C. which resulted in contributions being forwarded to the Michigan Republican State Committee, including but not limited to invitations and solicitation materials, invoices received by the RNC, and cancelled checks representing payments by the RNC of the costs of such events.

2. All documents related to Victory '84 Alliance direct mail solicitations which resulted in contributions being forwarded to the Michigan Republican State Committee, including but not limited to solicitation letters plus invoices and cancelled checks related to expenses incurred by the RNC in connection with the solicitations.

3. All documents related to other RNC solicitation programs through which the Michigan Republican State Committee received contributions in 1984, including but not limited to solicitation letters plus invoices and cancelled checks related to expenses incurred by the RNC in connection with the solicitations.

4. All documents related to the forwarding to the Michigan Republican State Committee of contributions received by the RNC pursuant to the Victory '84 Alliance program and any other RNC solicitation program through which that state committee received contributions during 1984, including but not limited to any agreements between the RNC and the Michigan Republican State Committee concerning forwarding procedures and any letters which accompanied forwarded contributions.

5. All documents related to any payments by the Michigan Republican State Committee of portions of the costs of the Victory '84 Alliance program and of any other RNC solicitation programs through which that state committee received contributions during 1984, including but not limited to invoices sent to the State Committee and records of payments received.

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OGC 3310

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 JUL -3 PM 12:08

FOSTER, SWIFT, COLLINS & SMITH, P.C.

ATTORNEYS AT LAW
313 SOUTH WASHINGTON SQUARE
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OF COUNSEL
THOMAS G. McGURRIN, JR.
LAWRENCE E. LINDEMER
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TELECOPIER
(517) 372-1542

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 JUL -3 PM 4:58

June 30, 1989

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

RE: Request for Extension for Filing Answer To Request for Production of Documents and Interrogatories
No. MUR 2581

Dear Mr. McDonald:

We represent the Michigan Republican State Committee. Pursuant to your June 20, 1989 letter to Ronald D. Dahlke, Treasurer, enclosed for filing in the above matter is a completed "Statement of Designation of Counsel" form which has been executed by Committee Chairman E. Spencer Abraham.

The purpose of this letter is also to request an extension of 20 days for purposes of answering the Commission's inquiries. The basis for this request is that the information requested concerns activity which occurred more than five years ago. Additionally, the information requested is not the type of information which the Committee has, as a matter of day-to-day operations, kept in any easily retrievable form. The Committee also will be required to attempt to retrieve much of the information not only from storage, but from individuals who are no longer employed with the Committee. Due to the complexities of the matters which the Commission has requested and the seriously dated nature of the activity, the ability of the Committee to respond quickly is seriously hampered.

Your positive consideration of this request would be appreciated. Upon approval of this request, the filing deadline will become July 28, 1989.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague

David W. McKeague
Counsel for Respondent

/kjs
Enclosure
cc w/encl. Sue Wadel

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2581

NAME OF COUNSEL: David W. McKeague,

ADDRESS: Foster, Swift, Collins and Smith
313 South Washington
Lansing, MI 48933

TELEPHONE: (517) 372-5080

The above-named individual 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.

6/30/89
Date

E. Spencer Abraham
Signature E. Spencer Abraham, Chairman

RESPONDENT'S NAME: Michigan Republican State Committee

ADDRESS: 2121 East Grand River
Lansing, MI 48912

HOME PHONE:

BUSINESS PHONE: (517) 487-5413

9504332254

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

July 11, 1989

David W. McKeague, Esq.
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, MI 48933-8050

RE: MUR 2581
Michigan Republican State
Committee

Dear Mr. McKeague:

This is in response to your letter dated June 30, 1989, which we received on July 3, 1989, requesting an extension of 20 days to respond to our interrogatories and requests for production of documents. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 28, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
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89 JUL -6 PM 4:19

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OFFICE OF GENERAL COUNSEL

89 JUL -7 AM 8:17

Republican
National
Committee

Benjamin L. Ginsberg
Chief Counsel

Michael A. Hess
J. Courtney Cunningham
Deputy Chief Counsels

July 6, 1989

Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RE: MUR 2581
Republican National Committee

Dear Chairman McDonald:

As counsel for the respondents in the above-captioned Matter Under Review, the undersigned respectfully requests an extension in which to answer the Complaint received from the Commission. Pursuant to telephone conversations with Anthony Buckley of the General Counsel's Office, we request a 20-day extension. Respondents received notification from the Commission on June 21, 1989, so that the response will now be due on July 26, 1989.

This extension is needed in order to respond to the Commission's request for records from the 1984 election. Since 2 U.S.C. 432(d) requires the retention of records for three years from the date a report is filed, any records still in the RNC's possession are in storage and not easy to retrieve. The RNC will make a diligent search for the information requested by the Commission, but an extension is needed.

Thank you for your consideration.

Sincerely,

Benjamin L. Ginsberg

BLG:jd

cc: William J. McManus
Treasurer, RNC

Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
Telex: 701144 • FAX: 863-8820

9504332256

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2581

NAME OF COUNSEL: Benjamin L. Ginsberg

ADDRESS: Chief Counsel, Republican Nat'l Committee
310 First Street, S.E.
Washington, DC 20003

TELEPHONE: 202/863-8638

The above-named individual 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.

July 6, 1989
Date

Signature
Assistant Treasurer

RESPONDENT'S NAME: Republican National Committee

ADDRESS: 310 First Street, S.E.
Washington, DC 20003

HOME PHONE:

BUSINESS PHONE: 202/863-8638

9504363225 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1989

Benjamin L. Ginsberg, Chief Counsel
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 2581
Republican National Committee

Dear Mr. Ginsberg:

This is in response to your letter dated July 6, 1989, which we received on July 7, 1989, requesting an extension of 20 days to respond to our interrogatories and requests for production of documents. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 26, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504363225 8

DGC 3620
Buckley

FOSTER, SWIFT, COLLINS & SMITH, P. C.

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(517) 372-1542

July 26, 1989

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E. Street, NW
Washington, D.C. 20463

89 JUL 31 PM 5:03
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

RE: Request for Extension of Time for Filing Partial Answers to Request for Production of Documents and Interrogatories
MUR 2581

Dear Mr. McDonald:

Pursuant to my telephone conversation with Mr. Anthony Buckley of the General Counsel's office, I am writing to formally request an extension of time for filing the requested documents and the answers to interrogatories, as well as an answer to the Commission's Factual and Legal Analysis in the above matter. The specific request is for an additional 30 days from the July 28, 1989 filing date. The new deadline would become the close of business on August 28, 1989.

It is the intent that the Committee will be in a position to file a portion of the requested information by the July 28th deadline. However, the Committee is experiencing difficulty in locating both documents and accessing key individuals to provide all the information which has been requested.

Due to the fact that this activity occurred almost five years ago and the Commission has requested information in such specific detail and format not routinely kept by the Committee in its day-to-day operations, the assistance of individuals who were actually employed at the Committee and supervising these operations is imperative. Four of the five day-to-day supervisors are no longer with the Committee. One key staff member has agreed to return to the Committee but is unable to do so until the middle of August due to schedule conflicts and the fact that she now works out of state.

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The Committee is pursuing the information requested with appropriate diligence. Given the on-going nature of these types of proceedings, your positive consideration of this extension for filing would be sincerely appreciated.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague
General Counsel, Michigan Republicans

/kjs

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MUR 2581

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FEDERAL ELECTION COMMISSION
MAIL ROOM
89 JUL 31 PM 4:07

FOSTER, SWIFT, COLLINS & SMITH, P. C.

ATTORNEYS AT LAW
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ERIC E. DOSTER
MICHAEL W. PUERNER
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OF COUNSEL
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LAWRENCE B. LINDEMER
BRIAN A. KASER

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(517) 372-5422

July 28, 1989

VIA CERTIFIED MAIL

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG -1 PM 3:26

Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2581

Gentlemen:

Enclosed please find Answers to Interrogatories and Responses to Request for Production of Documents from the Michigan Republican State Committee. As you will note, the Committee has been unable to obtain the information or interview the necessary persons in order to answer all of the interrogatories. The Committee's efforts to obtain the requested information are continuing and will be furnished to the Federal Election Commission as soon as possible.

On July 27, 1989, we filed a motion on behalf of the Committee seeking an extension of time to provide the remaining information. Anticipating that this motion will be granted, we hope to be able to file this information by August 28, 1989.

Please call if you have any questions.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David McKeague

David W. McKeague

/kjs
Enclosures
cc w/encl. Anthony Buckley
E. Spencer Abraham

95043322561

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

ANSWERS TO INTERROGATORIES

NOW COMES, David W. McKeague, Attorney for Respondent, and files the following information and documents in response to Commission Interrogatories in the abovementioned matter.

Question A1. Describe in detail the contents of the MICHLIST in 1984 including, but not limited to, the number of names; any sub-headings used (e.g., precinct, legislative district, Congressional district, etc.); and the information provided for each name, (e.g., address, telephone number, employer, party registration, voting history, "swing voter," etc.). Describe the form of the MICHLIST, (e.g., printed list, microfilm, computer tape.)

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A2. Has the MICHLIST been periodically updated since 1984? If yes, please state the dates this has been done, whether Market Opinion Research has been responsible for such updates, the types of changes involved in list size and content, and the costs to the Committee of this procedure.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact

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that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A3. Specify the exact portions of the list which composed the 19% utilized in the 1984 VIP and GOTV programs at issue in MUR 2581, including the number of names involved in each portion.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A4. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1984 in addition to the VIP and GOTV programs at issue in MUR. State whether the entire list or portions thereof were used for each such additional program. If portions were used, specify which ones and describe by size and content.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A5. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether the entire list or portions thereof were used for each such program. If portions were used, specify which ones and describe by size

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and content.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A6. Provide detailed descriptions of all other uses to which the 19% of the MICHLIST used in the 1984 VIP and GOTV programs was put by the Michigan Republican State Committee in 1984. State whether all or portions of the 19% were used for these additional programs. If portions were used, specify which ones and describe by size and content.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A7. Provide detailed descriptions of all uses to which the 19% of the MICHLIST cited above was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether all or portions of the 19% were used for these additional programs. If portions, specify which ones and describe by size and content.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent,

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the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question A8. State whether the Committee and/or Market Opinion Research has rented all or portions of the MICHLIST to other committees, groups or individuals since its development in 1984. If yes, please specify:

a. Whether the Committee or Market Opinion Research was the renting entity;

b. The entities to which all such rentals have been made;

c. The numbers of names involved in each such rental and the percentage of the entire list involved;

d. The amounts charged for each such rental and the basis for each amount; and

e. Whether the amounts of such rentals have increased since 1984 and, if so, by how much.

It is the position of the Respondent that the developmental and update costs of MICHLIST are not required by the Act to be allocated among the candidates who received benefit from the VIP and GOTV programs operated by the Respondent in 1984 or in any subsequent year. However, the Respondent in an attempt to demonstrate its willingness to cooperate with the Commission is currently researching all relevant files. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently and will provide all relevant information to the Commission as soon as it is available.

Question B. Please provide a detailed explanation of the purposes of the $15,035.44 in expenditures cited at Section 2 of the Commission's Factual and Legal Analysis.

The Respondent is currently researching all 1984 files for the requested information. Due to the fact that personnel critical to the Respondent's ability to answer fully and accurately are no longer employed by the Respondent, the process has been extremely difficult. The Respondent is working diligently to produce the information and will provide it to the Commission as soon as it is available.

Question C. Please provide the following information:

Question C1. A detailed description of the RNC's

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Victory '84 Alliance Program as it impacted upon the Committee, including

a. the forms of all solicitation efforts undertaken by the RNC (e.g. fundraising dinners, direct mail solicitations)

It is the understanding of the Committee that the focus of the Victory '84 Program was a Washington based fundraiser which was held after the November 1984 election.

b. the methods used by the RNC to distribute the solicited contributions to the Committee (e.g., transmittal of contributor checks, use of RNC account); and

The contributions which the Committee received under this program, were individual personal checks. The committee's records do not indicate the method of transmittal of these checks by the contributors to the Committee.

c. the content of any agreement between the RNC and the Committee regarding the forwarding of contributions.

The Committee did not have any agreement with the RNC or individual or organization regarding the forwarding of contributions under a Victory '84 program.

Question C2. A list of all contributions received as a result of the RNC's Victory '84 Alliance program, including the name of each contributor and the amount and date of receipt by the Committee of each contribution.

The Committee believes that the contributions received on December 17 and 19, were received as a result of the Victory '84 Alliance Program. See Exhibit A for a list of all contributions received on December 17 and 19.

Question C3. Did the Committee receive contributions through the RNC during 1984 pursuant to programs other than the Victory '84 Alliance Program? If yes, please describe other programs, the total amount of contributions received through such other programs, the names of the contributors whose contributions were made through such other programs, and the amount and dates of receipt of the Committee of those contributions.

The Committee can find no evidence in its files nor are there any mangement recollections that the Committee received funds from the RNC under any other solicitation program in 1984.

Question 4. Was the Committee billed for any portion of the costs incurred by the RNC in connection with the Victory '84 Alliance Program or in connection with the RNC solicitation program through which the Committee received contributions during 1984? If yes, please state the amount billed, the date

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of the billing, the method of allocations used by the RNC, and the date of payment by the Committee.

The Committee is unable to find any evidence that the Committee was billed nor that it paid any amount in connection with any Victory '84 solicitation effort.

Question 5. Please identify the person or persons associated with the Committee primarily responsible for coordination with the RNC of the Committee's participation in the Victory '84 Alliance and other RNC solicitation programs during 1984.

The Committee does not possess detailed information regarding the solicitation process of the Victory '84 Program. The role of the Committee was to solicit Michigan donors for the Washington event. The Committee did not have one principal individual who was primarily responsible for coordinating its participation with the RNC for the event. E. Spencer Abraham is the individual at the Committee who appears to have had the most contact with the RNC in connection with this program.

Question 6. Please identify the person or persons within the RNC with whom representatives of the Committee coordinated the latter's participation in the Victory '84 Alliance and other RNC solicitation programs during 1984.

The Committee does not recall who, if anyone, at the RNC may have coordinated the Committee's participation in the Victory '84 program. The Committee did not participate in any other RNC solicitation program in 1984.

PRODUCTION OF DOCUMENTS

Please provide the following documents:

Request 1. All documents related to the Victory '84 Alliance program, including, but not limited to, any agreement between the RNC and the Committee concerning the distribution by the RNC of contributions received as a result of this program, copies of contributor checks received by the Committee, and lists of contributors to the Victory '84 Alliance program whose contributions were received by the Committee.

The copies of the checks received on December 17 and 19 of 1984 are attached and identified as Exhibit B. The list of contributions is attached and identified as Exhibit A.

Request 2. All documents related to other RNC solicitation programs through which the Committee received contributions during 1984.

None.

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Request 3. All documents related to any payments by the Committee of portions of the costs of the Victory '84 Alliance program and of any other RNC solicitation programs through which the Committee received contributions during 1984.

None.

Dated July 28, 1989

David W. McKeague
Foster, Swift, Collins and Smith

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EXHIBIT A

CONTRIBUTOR	DATE RECEIVED	AMOUNT
Mark Faigenblat	12/17/84	$ 250
Diego Alvarez	12/17/84	500
Albert W. Vilar	12/17/84	200
M.P. Johnson	12/17/84	25
Miles L. Woodcock	12/17/84	5
Henry Houng	12/17/84	100
Kennth J. Michel	12/17/84	100
Fletcher W. Gibson	12/17/84	100
G. Gerald Goldsmith	12/17/84	2,500
Patrick Barbolla	12/17/84	5,000
Pauline Yacktman	12/17/84	5,000
Farhad Azima	12/17/84	5,000
M. R. Williams	12/17/84	1,000
David Miller	12/17/84	1,000
Marlene M. Grissom	12/19/84	1,000
William Dobbins	12/19/84	250
Elaine Y. Wolf	12/19/84	1,000
Robert Gable	12/19/84	1,000
Ing. Jose Suarez	12/17/84	1,000
Hector C. Pages	12/17/84	1,000
Leon D. Elliott	12/17/84	5,000
L. Gurabo	12/17/84	300
Henry Curry	12/17/84	25
Peter Halmos	12/17/84	5,000
George Lawrence	12/17/84	500
Saul Goldweitz	12/17/84	500
L.V. Cradit	12/17/84	50
Lic. John Garcia	12/17/84	50
James DeMayo	12/17/84	500
Samuel Russell	12/17/84	100
Juan Bermudez	12/17/84	300

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1029

0700

MARK FAIGENBLAT
G.P.O. BOX 983
SAN JUAN, PR 00936

Fed

20062438

$250.00

950436322270

GT CHECK

CITIBA

Citibank, N.A.
PUERTO RICO

101-294
213

No. 6220198

11- 1 19 84

PAY TO THE ORDER OF VICTORY '84

250 DOLS 00

SIGNATURE

GPO BOX 983 - S.J. PR

ADDRESS

NOT VALID FOR OVER $2,000.00

⑈ 2ⁿ 6306 220198⑈ ⑆0 2150 2040⑆

KENNETH J. MICHEL
JANET M. MICHEL
[redacted]

2-3 84

2329

Victory '84

0700 One Hundred & 00/100 ——— 100**

Kenneth J Michel

[redacted]

Fed

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20062450

MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☑ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Kenneth J Michel

name KENNETH J. MICHEL

address 2 FARM ST.

city CANTON state MASS zip 02021

home phone [redacted] business phone N/A

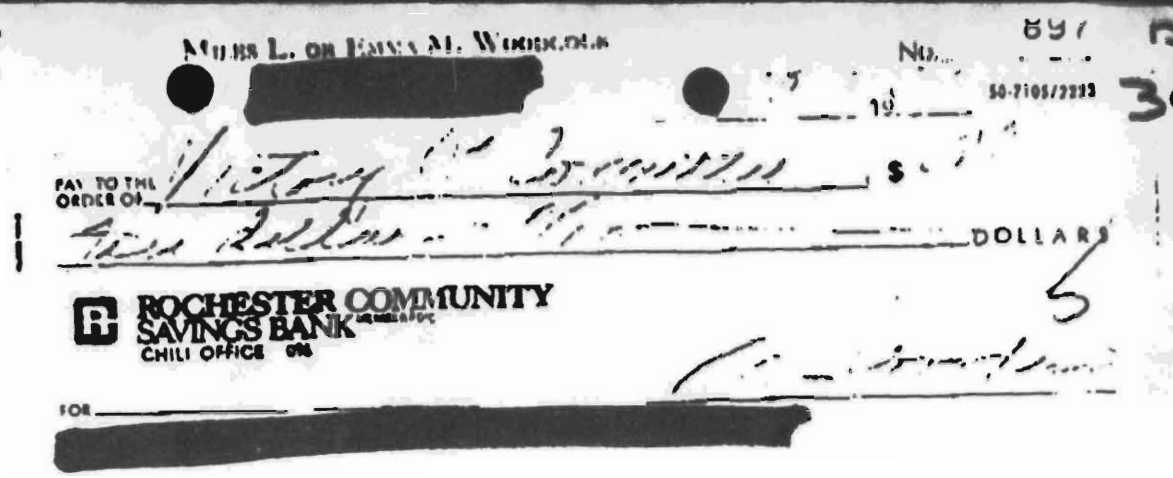
The Federal Election Commission requires that we request the following information:

occupation REAL ESTATE SYNDICATOR

employer N/A

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003



0700

Fed

Republican National Committee

MILES L. WOODCOCK
5 Queensberry Lane
Rochester, NY 14624

$15.00

20062451

95043063222722

8700

B
4829

CHEMICAL BANK
55 Water Street
New York, N.Y. 10041

Personal Money Order
Not Valid Over $1,000.00

1-12
210

No. 7907211

October 19, 19 84

Pay to the Order of VICTORY 84 COMMITTEE

CHEMICAL BANK 51 — 25 AND 00 CTS

m.p. johnson
Address 21-16 29th Street, LIC, NY, 11105

Signature

⑈7907211⑈ ⑆021000128⑆ 000⑈777048⑈

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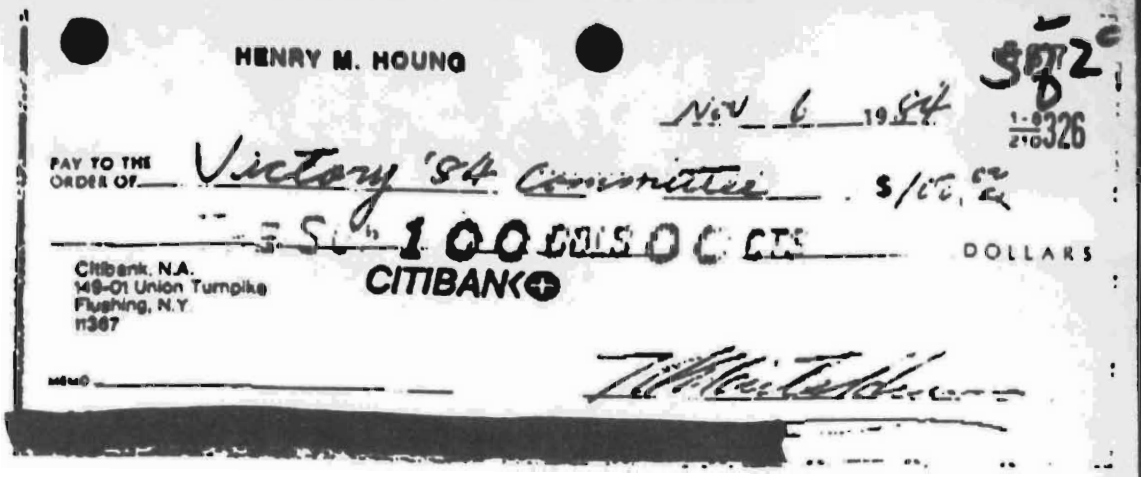

HENRY M. HOUNG

Nov 6 1984

PAY TO THE ORDER OF Victory '84 Committee $100.00

ONE HUNDRED DOLS 00 CTS DOLLARS

Citibank, N.A.
149-01 Union Turnpike
Flushing, N.Y.
11367

CITIBANK

MEMO

0700

Fed

Mr. Henry M. Houng

28062435

9504330322774

6829

ALBERT W. VILAR
BOX 328K
SAN JUAN, P.R. 00904

000

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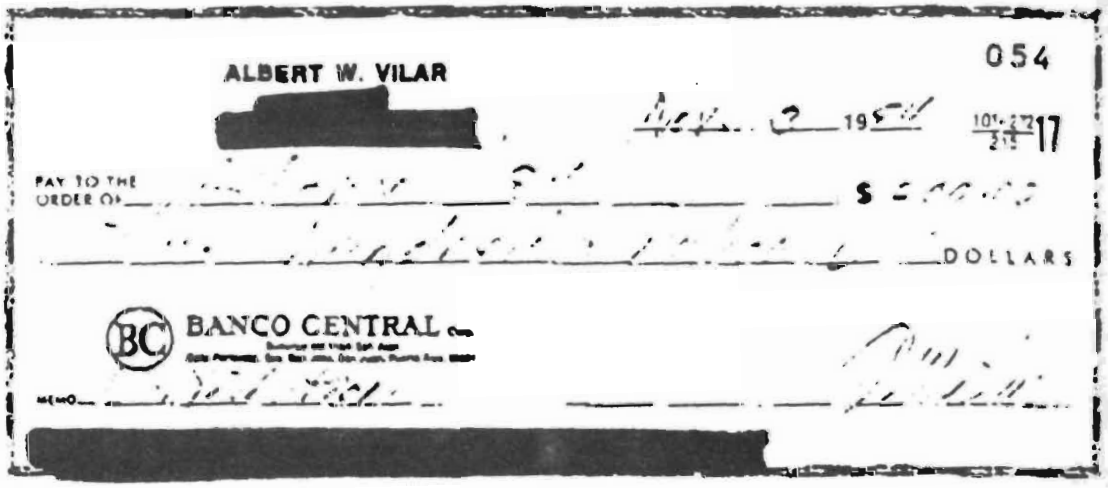
$200.00

·200624336



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7829

0702

Diego Perdomo Alvarez
Box 1981
Hato Rey, [illegible]

Fred

950436322776

PERSONAL MONEY ORDER

BANCO DE PONCE
PONCE, PUERTO RICO

No. 2939214

31 [illegible] 19[illegible]

PAY 26 BANCO [illegible]500.00

NOT VALID OVER $1,000.00

TO THE ORDER OF P.C.P Victory E.V

[illegible]
SIGNATURE
Box 1981 Hato Rey PR
ADDRESS

⑈2939214⑈ ⑆021502095⑆ 00⑈000616⑈

2806247

[redacted] HENRY L. CURRY 3-83

2 Nov. 1984 56-424/600 24

PAY TO THE ORDER OF "Victory '84" $ 25.00

Twenty-five 00/100 DOLLARS

1ST AMERICAN
FIRST AMERICAN BANK OF VIRGINIA

MEMO

[redacted]

Henry L. Curry

8829

0700

Fed

3666442

9504330322777

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000. I've filled in the information below to reserve my place at the Washington, D.C., event honoring Steering Committee members.

☒ I cannot join the Steering Committee, but I've enclosed my contribution for $ 25.00 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance at all events which the President will be attending.

name MR. HENRY L. CURRY

address 408 QUEEN STREET

city ALEXANDRIA state VA zip 22314

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

[redacted] 2/29 19 84

882

PAY TO THE ORDER OF VICTORY '84 NEW ENGLAND ALLIANCE $5,000.00

FIVE THOUSAND & 00/ DOLLARS

THE FINANCIAL MANAGEMENT ACCOUNT

PROVIDENT NATIONAL BANK
17TH & CHESTNUT STREETS PHILA PA

[redacted]

9782

20062441

0700

Fed

95043632273

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☒ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed [redacted]

name PETER HALMOS

address c/o SAFEGUARD SERVICES, INC. 4995 N. DIXIE HIGHWAY

city FT. LAUDERDALE state FL. zip 33316

home phone [redacted] business phone [redacted]

The Federal Election Commission requires that we request the following information:

occupation BUSINESS

employer HALMOS & CO., INC.

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

21-10/830 62

PAY TO THE ORDER OF Victory '84 $ 1000.00

One thousand and 00/100 DOLLARS

for

Citizens Fidelity Bank & Trust Company
LOUISVILLE, KENTUCKY 40201

Marlene M Grisson

[redacted]

SEC IN KEIT

B
10 of 29

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

- ☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.
- ☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name MARLENE M. GRISSON

address 13 RIVER HILL RD

city LOUISVILLE state KY zip 40207

home phone _____ business phone _____

The Federal Election Commission requires that we request the following information

occupation HOUSEWIFE

employer _____

please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

20062537

95043032279

11829

0700

ZULU ENTERPRISES
WILLIAM T. DOBBINS
6223 RICHMOND, SUITE 333 713-783-5770
HOUSTON, TEXAS 77057

2475

October 30 19 84

PAY TO THE ORDER OF VICTORY '84 $ **250.00**

***** Two Hundred Fifty & 00/100 ---------- DOLLAR

Political contribution

0981

W. T. Dobbins

Western Bank

"002475" :113001116: 0925966"01

95043632230

20062538

ZULU ENTERPRISES
WILLIAM T. DOBBINS
6223 RICHMOND
SUITE 333
HOUSTON, TX 77057

$250.00

LYLE F. WOLF
ELAINE Y. WOLF
[redacted]

6040

10/27 19 84 73-114/421

PAY TO THE ORDER OF "Victory '84" $ 1000.00

One Thousand 00/100 DOLLARS

Bank of Lexington & Trust Company
LEXINGTON, KENTUCKY

FOR [redacted] Elaine Y. Wolf

Remember: Must NOT be deposited or reported in Kentucky

⑆00625391

Lyle F. Wolf
2104 Island Point
Lexington, Kentucky
40502

$1000.00

⑈6040⑈ ⑆042203251⑆ 9504 3 2 2 1

B

1933 1392

0700 ROBERT E. GABLE [redacted] 10/30 19 84 23-114 481

$ 1000.00

Victory '84

[redacted]

Bank of Lexington & Trust Company

5-02

R E Gable

[redacted]

2006240

Mr. Robert E. Gable
410 W. Vine St.
Lexington, KY 40507

$ 1,000.00

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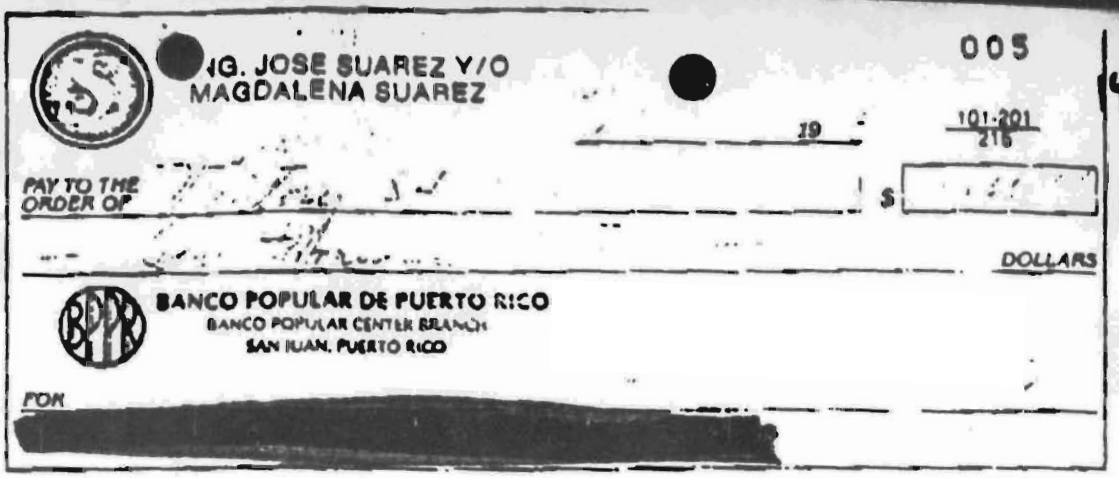


1482

0700

fed

ING. JOSE SUAREZ Y/O
MAGDALENA SUAREZ

-2006433

$1000.00

9504336322833

GEORGE H. LAWRENCE
MRS GEORGE H. LAWRENCE
[redacted]

5729 125

Nov. 1 19 84 10-4 640

PAY TO THE ORDER OF Reagan/Bush Victory 84 $500.00

Five hundred & 00/100---------- DOLLAR

UNION 1ST
Union First National Bank of Washington

FOR [redacted]

12/17

0700

Fed

20062428

9504330322334

MEMBERSHIP ACCEPTANCE
STEERING COMMITTE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network the will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campai contribution for $5,000. I've filled in the informatic below to reserve my place at the Washington, D.C event honoring Steering Committee members.

☒ I cannot join the Steering Committee, but I've enclosed my contribution for $ 500 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican F Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance to all even which the President will be attending.

name Mr. George H. Lawrence

address 8707 Eaglebrook Court

city Alexandria state VA zip 2230

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the e

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

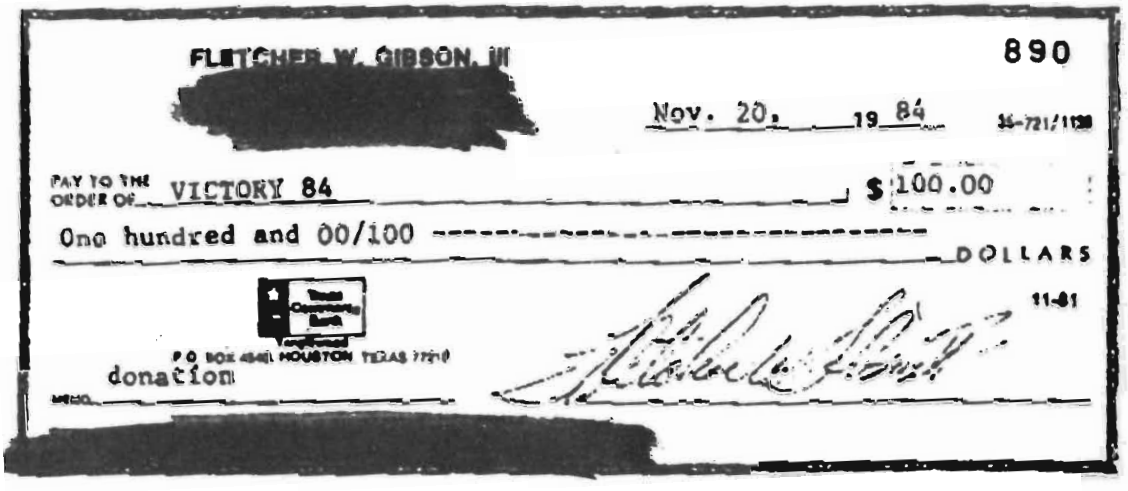
Paid for by the Victory '84 Alliance
a project of the Republican National Committe
310 First Street, SE
Washington, DC 20003

D
16 of 29

Fletcher W. Gibson
6524 Cedar Creek
Houston, TX 77057

0700
Fed

9504330322235


FLETCHER W. GIBSON, III
[redacted]
890
Nov. 20, 19 84
PAY TO THE ORDER OF VICTORY 84 $ 100.00
One hundred and 00/100 ---------- DOLLARS
Texas Commerce Bank
P O BOX 4641 HOUSTON TEXAS 77210
11-81
donation
[redacted]

20062449

Banco Popular de Puerto Rico
SAN JUAN, PUERTO RICO

1703

NOT VALID OVER $1,000

PERSONAL MONEY ORDER

ideal

NO. 2-030-257594 2 de noviembre de , 19 84

Pay **1,000 DOLLARS AND 00 CENTS

TO THE ORDER OF
Victory 84 Alliance

Mr. Héctor C. Pagés
Purchaser's Signature - Firma Comprador
218 Almirante Pinzón, Urb. el Vedado
Hato Rey, Puerto Rico 00918
Address Dirección

⑈030257594⑈ ⑆021502011⑆ 000⑈00002 7⑈

0700

HECTOR C. PAGES
218 ALMIRANTE PINZÓN, URB. EL VEDADO
HALTO REY, P.R. 00918

Fld

20062432

$1000.00

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18 5 29

L. & S. GURABO

No. _____

November 2, 19 84

101-7147
2216

PAY TO THE ORDER OF VICTORY '84 $ $300.00

THREE HUNDRED AND 00/100 DOLLARS

FIRST FEDERAL SAVINGS BANK
Bayamón Santurce
Ponce De León PDA 23 - Santurce, P. R.

FOR Contribution-Reagan/Bush [redacted]

0100

L. AND S. GURABO

Fed

200624 31

$300.00

9504330322317

C. GERALD GOLDSMITH

624

PAY TO THE ORDER OF Victory 84 — Feb 3 — 19 84 — 1-11/210/031

Five thousand five — $ 2500

Citibank, N.A. Citicorp Center 153 E. 53rd St. New York, N.Y. 10043 — Private Banking Division — CITIBANK — DOLLARS

MEMO POLITICAL

C. Gerald Goldsmith

0700

Fed

95043632238

20062448

B 19829

VICTORY 84 [illegible]

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

- ☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.
- ☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name C. GERALD GOLDSMITH

address 635 CREST ROAD

city PALM BEACH state FLA zip 33480

home ph[redacted] phone _____

The Federal Election Commission requires that we request the following information

occupation INVESTOR

employer _____

please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

BARNETT.

MR. OR MRS. PATRICK A. BARBOLLA

[redacted]

1

November 1 19 84

PAY TO THE ORDER OF VICTORY '84 $ 5,000

Five Thousand and no/100

MR. OR MRS. PATRICK A. BARBOLLA

Patrick A. Barbolla

[redacted]

AMERICAN BANK STATIONERY CO.

B

20 8 2C

0100

Fed

95043032289

20062447

☒ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Patrick A. Barbolla

name PATRICK A. BARBOLLA

address 4624 BRIARHAVEN Rd.

city FORT WORTH state TEXAS zip 76109

[redacted] business phone [redacted]

The Federal Election Commission requires that we request the following information:

occupation ATTORNEY

employer PATRICK A. BARBOLLA, P.C.

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

C'Ollins

PAULINE YACKTMAN [redacted] 106

10-26 19 84

Pay to the order of Victory '84 $ 5000.00

Five Thousand and no/100. . . . . Dollars

BANK ONE.
BANK ONE OF COLUMBUS, NA
Columbus, Ohio 43271

Memo [redacted]

Pauline Yacktman

B

21029

STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name Pauline Yacktman

address 2640 Golf Road

city Glenview state IL zip 60025

home phone [redacted] bus phone [redacted]

The Federal Election Commission requires that we request the following information:

occupation _____

employer VFX Corporation

☒ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

0100
Fed

95043632220

20062446

1047

FARHAD AZIMA

OCT 22, 1984

PAY TO THE ORDER OF VICTORY 84 $ 5000.00

Five Thousand and 00/100 DOLLARS

UNITED KANSAS BANK & TRUST

MEMO [redacted]

Farhad Azima

B 22929

0700

Fed

95043632221

20062445

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☑ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Farhad Azima

name FARHAD AZIMA

address 8716 MISSION RD.

city P.V. state KS. zip 66206

home phone [redacted] business phone [redacted]

The Federal Election Commission requires that we request the following information.

occupation Airline executive

employer CAPITOL HILL

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

DAVID B. MILLER [redacted]

887

October 22 19 84 80-31/515

PAY TO THE ORDER OF Victory '84 Alliance $ 1,000 00

One Thousand and 00/100 DOLLARS

Scranton NATIONAL BANK
SCRANTON · PENNSYLVANIA

FOR [redacted] David B. Miller attorney

95043032222

20062444

FILED

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $1,000 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed David B. Miller

name DAVID B. MILLER

address 600 Clay Ave

city Scranton state Pa zip 18510

[redacted]

The Federal Election Commission requires that we request the following information.

occupation Attorney

employer Self-employed

If please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

07 QB
23 Q 29

1327

M. R. WILLIAMS
EASTON, PA. 18042

GIRARD BANK
Philadelphia PA

9-3
3108

October 23 1984

PAY TO THE ORDER OF Republican Victory Committee - 1984 $1,000.00

One Thousand DOLLARS

FOR [redacted]

M R Williams

0700 B
24829

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance to all events which the President will be attending.

name Mr. M.R. Williams

address PINE SHADOWS MEADOWLAKES / ETRA RD.

city Hightstown state PA NJ zip 18020 08520

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

950433220203

Mr. M. R. Williams
Pine Shadows Meadowlakes
ETRA Road
Hightstown, N. J. 08520

Fed
20062434

B
25 & 29

0700

Fred

The FIRST National Bank of Amarillo

AMARILLO, TEXAS

No. 134833

October 85

PAY TO THE ORDER OF Victory '84

$ 500.00

Crabb Rev Trust

TRUST NO. 0549-01

DESCRIPTION Political Contribution

Regan-Bush Campaign

THE FIRST NATIONAL BANK OF AMARILLO
TRUST DEPARTMENT

Dr. L.V Crabb
Apt 412
1300 S. Jackson
Amarillo, TX
79101

28062453

B
26829

0700

LIC. JOHN M. GARCIA
117 ELEANOR ROOSEVELT
HATOREY, PUERTO RICO
00918

$600.00

Fld 200624129

LIC. JOHN M. GARCIA
[redacted]

21

November 2, 19 84

101-26

PAY TO THE ORDER OF ----------VICTORY 84---------- $ 600.00

----------SEISCIENTOS DOLARES CON ----------00/100 DOLLA

Las Américas Trust Company PLAZA LAS AMERICAS HATO REY, PUERTO RICO 00918

[redacted]

950433632275

0100

B

27827

3807

SAUL GOLDWEITZ

November 5, 19 84

6-183/110 04

PAY TO THE ORDER OF Reagan-Bush Victory '84 $ 500 00/100

Five Hundred and 00/xxx DOLLARS

United States Trust Company
Boston, Mass.

MEMO contribution

Saul Goldweitz

95043632226

200624/30

Fld

SAUL GOLDWEITZ

$500.00

B

28829

0700

JUAN J. BERMUDEZ
[redacted]

314

11-1 19 84 101-272/215

PAY TO THE ORDER OF Victory '84 $ 300.00

Three Hundred $ 00/100 DOLLARS

BC BANCO CENTRAL corp
Sucursal de Isla Nena
Isla Nena, Puerto Rico 00617

FOR [redacted]

Feb

JUAN J. BERMUDEZ
G.P.O. BOX 2491
SAN JUAN, P.R. 00936

20062439

$300.00

9550430322227

Republican
National
Committee

Benjamin L. Ginsberg
Chief Counsel

Michael A. Hess
J. Courtney Cunningham
Deputy Chief Counsels

July 31, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG -2 AM 11:25

HAND DELIVERED

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

RE: MUR 2581

Dear Chairman McDonald:

Pursuant to our meeting last Friday with Ann Weissenborn and Anthony Buckley of the General Counsel's staff, this letter requests an extension of time for the Republican National Committee (RNC) to respond to the above-captioned matter under review.

The RNC requests this extension since the matter arises from the 1984 election and, despite a diligent search, we have yet to find responsive documents or been able to identify the fundraising program described. Accordingly, the RNC formally requests the information upon which the FEC is basing its complaint so that we can identify whatever relevant records still exist and prepare a response.

Therefore, the RNC formally requests an extension of time until thirty days after the above-described information is made available. Thank you very much for your consideration.

Sincerely,

Benjamin L. Ginsberg

BLG:jd

cc: Ann Weissenborn
Anthony Buckley

9504332228

Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
Telex: 701144 • FAX: 863-8820

06C390D

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 AUG 30 PM 12:36

FOSTER, SWIFT, COLLINS & SMITH

ATTORNEYS AT LAW
313 SOUTH WASHINGTON SQUARE
LANSING, MICHIGAN 48933-2193
TELEPHONE (517) 372-8050

RICHARD B. FOSTER
THEODORE W. SWIFT
JOHN L. COLLINS
WEBB A. SMITH
ALLAN J. CLAYPOOL
DAVID W. MCREAGUE
GARY J. MCRAY
ROBERT J. MCCULLEN
DAVID VANDERHAAGEN
GEORGE M. BROOKOVER
STEPHEN I. JURMU
PATRICK R. VAN TIFLIN
JAMES D. ADKINS
WILLIAM R. FAHEY
STEPHEN O. SCHULTZ
WILLIAM R. SCHULZ
DAVID H. ALDRICH
SCOTT A. STOREY
CHARLES A. JANSSEN
CHARLES E. BARBIERI
JAMES B. JENSEN, JR.
STEVEN D. LOWE
SCOTT L. MANDEL
JAMES B. CROOM
SHERRY A. STEIN
KURTIS T. WILDER
BRENT A. TITUS
DAVID J. HOUSTON
STEPHEN J. LOWNEY
MICHAEL S. WELLMAN
TIMOTHY J. RAUBINGER
FRANK A. FLEISCHMANN
LOUIS K. NIGG
GLEN A. SCHMIEGE
RICHARD J. GARCIA
LYNN K. RICHARDSON
PATRICIA A. CALORE
KATHLEEN A. FEENEY
RANDAL A. JOHNSON
ELIZABETH R. VERHEY
KEVIN T. MCGRAW
MICHAEL J. BOMMARITO
DEANNA SWISHER
WILLIAM F. PETTIT
BRIAN J. SIMMONS
ERIC E. DOSTER
MICHAEL W. PUERNER
JAMES C. MASTERSON
OF COUNSEL
THOMAS G. MCGUIRRIN, JR.
LAWRENCE B. LINDEMER
BRIAN A. KAISER
TELECOPIER
(517) 372-1542

August 28, 1989

VIA FACSIMILE

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

RE: Request for Extension of Time for Filing Partial Answers to Request for Production of Documents and Interrogatories
MUR 2581

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 AUG 30 AM 3:59

9504322029

Dear Mr. McDonald:

We are general counsel for the Michigan State Republican Committee. By letter dated July 26, 1989, we requested an extension of time for filing the requested documents and the answers to interrogatories, as well as an answer to the Commission's Factual and Legal Analysis in the above matter. Our specific request was that the filing date of July 28, 1989 be extended to the close of business on August 28, 1989.

On July 28, 1989, we filed partial answers to the interrogatories and responses to the request for production of documents. These answers and responses indicated that the Committee had been unable to obtain the information or interview the necessary persons in order to answer all of the interrogatories. In our cover letter which accompanied the answers to interrogatories and responses to request for production of documents, we noted that we had filed a motion on behalf of the Committee for an extension of time, and anticipating that the motion would be granted, that we hoped to be able to file the remaining information by August 28, 1989.

Subsequent to the filing of the partial answers and responses in July, we were able to arrange for a former key staff member of the Committee to return to Lansing for an extensive interview and review of the Committee's records. Although this meeting was very helpful in reconstructing events and activities

that occurred over five years ago, the Committee has not completed its review of the records and now estimates that it will not be able to file the final answers to interrogatories and responses to request for production of documents until September 29, 1989. Please consider this letter as a formal request for an extension of time to September 29, 1989.

The Michigan Republican State Committee is continuing to pursue the information requested with appropriate diligence. Given the on-going nature and length of this audit, your approval of this request will be sincerely appreciated.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague
General Counsel
Michigan State Republican Committee

/kjs

9504336323300

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

89 SEP 12 AM 10: 17

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

September 12, 1989

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2581
Request for Extension of Time

By letter dated July 31, 1989, the Republican National Committee ("RNC") requested an extension of thirty days after the receipt of certain information from the Commission, in which to respond to the Commission's interrogatories and requests for production of documents. (Attachment 1) The letter explains that the information being requested is needed so that the RNC can identify whatever relevant records still exist with regard to its 1984 fundraising activities. The letter further explains that an extension of time is necessary so that the RNC can prepare a response after receiving the requested information. Such an extension would be in addition to one previously granted by this Office.

This Office is forwarding to the RNC copies of contribution cards which appear to be related to the fundraising activities on behalf of the Michigan State Republican Committee. One of these cards was cited in the referral to this Office which formed the basis for this matter.

The Office of the General Counsel recommends that the Commission grant the requested extension.

RECOMMENDATIONS

1. Grant an extension of thirty days after receipt of this letter to the Republican National Committee.

2. Approve the attached letter.

Attachments
1. Request for Extension
2. Letter

9504363230 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Republican National Committee) MUR 2581
Request for an Extension of Time)

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of September 19, 1989, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 2581:

1. Grant an extension of thirty days after receipt of the letter to the Republican National Committee attached to the General Counsel's Report dated September 12, 1989.

2. Approve the letter attached to the General Counsel's Report dated September 12, 1989.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for this decision; Commissioner Aikens recused.

Attest:

9/20/89
Date

Hilda Arnold
Hilda Arnold
Administrative Assistant
Office of the Secretariat

9504363230 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1989

Benjamin L. Ginsberg, Chief Counsel
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 2581
Republican National Committee

Dear Mr. Ginsberg:

This is in response to your letter dated July 31, 1989, requesting that the Federal Election Commission provide information upon which the Commission based its reason to believe finding in this matter, so that the Republican National Committee can identify whatever relevant records still exist. You also requested an extension of thirty days after receipt of such information in which to prepare a response. After considering the circumstances presented in your letter, the Commission has granted the requested extension. Accordingly, your response is due by the close of business thirty days after your receipt of this letter.

Enclosed you will find a copy of a contributor card for contributions for the Victory '84 Alliance, identified as a project of the Republican National Committee. This card was cited by the Commission in the Factual and Legal Analysis which was previously sent to you. Also enclosed is another style of contribution card, which instructed contributors to make their contributions payable to their state Republican Party Federal Account and allowed them to attend special events with President Reagan in Washington, D.C.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosures

9504332303

[redacted]

1[redacted]6 [redacted] 84 [redacted]

Pay to the order of Victory '84 $ 5000.00

Five Thousand and no/100 Dollars

BANK ONE. [redacted]

[redacted]

Pauline Yacktman

[redacted]

0700

STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

- ☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.
- ☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

Name Pauline Yacktman

address 2640 Golf Road

city Glenview state IL zip 60025

[redacted]

The Federal Election Commission requires that we request the following information:

occupation _____

employer VPX Corporation

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Stone

Attachment 3

32

9504336323.04

[redacted] HENRY L. CURRY 3-83

[redacted] 2 Mar 1984 21-436/500

PAY TO THE ORDER OF "Victory '84" $ 25 00

Twenty-five 00/100 DOLLARS

1st AMERICAN

[redacted] Henry L. Curry

8029

0700

Fed

DEC 6 3442

9550433232305

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $3,000. I've filled in the information below to reserve my place at the Washington, D.C. event honoring Steering Committee members.

☒ I cannot join the Steering Committee, but I've enclosed my contribution for $25.00 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for proper reporting to the Federal Election Commission and for other uses.

name Mr. Henry L. Curry

address 408 Queen Street

city Alexandria state VA zip 22314

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse's first name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT
89 SEP 12 AM 10:18

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

September 12, 1989

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2581
Request for Extension of Time

By letter dated August 28, 1989, the Michigan State Republican Committee ("the Committee") requested an extension until September 29, 1989 to respond to the Commission's interrogatories and requests for production of documents. (Attachment 1) The letter explains that an extension is necessary because the Committee has not completed its review of its records. Such an extension would be in addition to one previously granted by this Office.

The Office of the General Counsel recommends that the Commission grant the requested extension.

RECOMMENDATIONS

1. Grant an extension until September 29, 1989 to the Michigan State Republican Committee.

2. Approve the attached letter.

Attachments
1. Request for Extension
2. Letter

9504323006

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan State Republican Committee) MUR 2581
Request for an Extension of Time)

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of September 19, 1989, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 2581:

1. Grant an extension until September 29, 1989, to the Michigan State Republican Committee.

2. Approve the letter attached to the General Counsel's Report dated September 12, 1989.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for this decision; Commissioner Aikens recused.

Attest:

9/20/89
Date

Hilda Arnold
Administrative Assistant
Office of the Secretariat

9504632307

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1989

David W. McKeague, Esq.
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, MI 48933-2193

RE: MUR 2581
Michigan State Republican
Committee

Dear Mr. McKeague:

This is in response to your letter dated August 28, 1989, which we received on August 28, 1989, requesting an additional extension until September 29, 1989 to respond to our interrogatories and requests for production of documents. After considering the circumstances presented in your letter, the Federal Election Commission has granted the requested extension. Accordingly, your response is due by the close of business on September 29, 1989.

If you have any questions, please contact Anthony Buckley, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

9504363233 0 8

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 OCT -2 AM 11:27

OGC 4155

FOSTER, SWIFT, COLLINS & SMITH, P.C.
ATTORNEYS AT LAW
313 SOUTH WASHINGTON SQUARE
LANSING, MICHIGAN 48933-2193
TELEPHONE (517) 372-8650
FAX (517) 372-1542

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

89 OCT -2 PM 12:52

September 29, 1989

950433023 0 C P Y

Mr. Danny L. McDonald, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. McDonald:

RE: MUR 2581; Michigan Republican State Committee

Enclosed please find the Response by the Michigan Republican Party to the Factual and Legal Analysis of the Federal Election Commission and the Supplemental Answers to Interrogatories from the Michigan Republican State Committee.

Please call if you have any questions.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague

DWM:EED:skp
Enclosures
VIA FEDERAL EXPRESS

cc/enc: Anthony Buckley
E. Spencer Abraham

RESPONSE BY THE MICHIGAN REPUBLICAN PARTY TO THE FACTUAL AND LEGAL ANALYSIS OF THE FEDERAL ELECTION COMMISSION

RESPONDENTS: Michigan Republican State Committee
Ronald D. Dahlke, as Treasurer

MUR 2581

I. Introduction

This response is submitted by the Michigan Republican State Committee ("MRSC") in reply to the Factual and Legal Analysis dated June 20, 1989, issued by the Federal Election Commission ("Commission"). The Factual and Legal Analysis raised many issues; among them are the following:

A. Whether or not the development costs of MICHLIST should be allocated among the 1984 Michigan Republican candidates for federal office?

B. Whether or not the MRSC was correct in its decision not to allocate $21,000 in telephone call expenses related to the GOTV program?

C. Whether or not $15,035.44 in related expenditures made from the MRSC's federal account should be allocated among candidates?

D. Whether the District Committees and the County Party Committees are controlled by the MRSC and, therefore, all contributions by the State committees are subject to a common contribution ceiling?

E. Whether or not the MRSC complied with the Federal Election Campaign Act as a result of its receipt of 40 out-of-state contributions?

F. Whether or not the MRSC complied with the Federal Election Campaign Act by depositing transfers from unregistered committees into the MRSC's federal account?

These issues, in turn, will be discussed below.

9504323310

II. Allocation of MICHLIST Development Costs

A. Summary of Facts.

The MRSC contracted with Market Opinion Research in 1984 for the development of a statewide computerized voter registration list ("MICHLIST"). MICHLIST was used to make voter identification program ("VIP") telephone calls, as well as for many other purposes, including fundraising, direct mail and door-to-door visits. The MRSC continued these and other uses of MICHLIST in 1986 and 1988 and intends to continue to do so for the foreseeable future. It was never intended that MICHLIST be used only in 1984, nor has or will its use be limited to that year. MICHLIST is a permanent asset of the Michigan Republican Party. See, generally, Questions 1 through 8 of the Supplemental Answers to Interrogatories.

The Audit Staff of the Federal Election Commission asserts that part of the $282,000 total cost of developing the MICHLIST should be allocated among the Michigan Republican candidates for federal office in 1984. For the following reasons, the MRSC strongly opposes this contention.

B. MICHLIST as a Generic or Party Organizational Expense.

1. Clarification of MRSC's Position. On pages 4 and 5 of the Factual and Legal Analysis dated June 20, 1989, it is stated that the MRSC admits that 19 percent of the $282,000 total cost of developing the MICHLIST should be allocated among the 1984 Republican federal candidates because of the use of MICHLIST in the MRSC's Voter Identification Program ("VIP"). This is

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certainly not the MRSC's position. Instead, the MRSC vehemently asserts that no part of the development costs of MICHLIST are allocable to the 1984 federal candidates as the MRSC's Answers to Interrogatories demonstrate. The source of the number 19 percent appears to be a memorandum filed by the MRSC with the Commission dated September 7, 1985. A review of this memorandum indicates that the MRSC referenced the 19 percent figure to the Audit Division to illustrate that should development costs be allocable to candidates (the MRSC clearly stated that it did not agree with any such allocation), then 19 percent of the $282,000 total costs, as opposed to the entire $282,000, is the proper starting point for any such allocation. Furthermore, this 19 percent figure was itself inaccurate. Instead, only 17 percent of MICHLIST was the VIP universe. See Supplemental Answers to Interrogatories, Question 3.

2. MICHLIST Was Not Developed On Behalf of a Clearly Identifiable Candidate. The development costs for the MICHLIST should not be allocated among the 1984 candidates for federal office; rather, these costs should be classified as a generic or party organizational expense of the MRSC. According to 11 CFR § 106.1(c)(1):

> "Expenditures for rent, personnel, overhead, general administrative, fund-raising, and other day-to-day costs of political committees need not be attributed to individual candidates, unless these expenditures are made on behalf of a clearly identified candidate and the expenditure can be directly attributed to that candidate" (emphasis added).

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The development of the MICHLIST is properly characterized as a day-to-day cost of the MRSC. As set forth in 11 CFR § 100.14, the MRSC is "responsible for the day-to-day operation of the political party at the State Level." The development of a list of registered voters is an inherent and integral part of the day-to-day operation of the Michigan Republican Party. Thus, the MICHLIST should be characterized as a generic or party organizational expense of the MRSC.

Moreover, the expenditures for the development of the MICHLIST were not made on behalf of a "clearly identified candidate." As set forth in 11 CFR § 106.1(d), "clearly identified" means--

1. the candidate's name appears;
2. a photograph or drawing of the candidate appears; or
3. the identity of the candidate is apparent by unambiguous reference.

In the present case, there is nothing to clearly identify MICHLIST with any candidate for federal office. The MICHLIST is a computerized list of registered voters in Michigan. MICHLIST was not developed for the benefit of any particular candidate, nor is the identity of any particular candidate referenced by the MICHLIST. In fact, the identity of the 1984 candidates for federal office was not even known at the time MICHLIST was developed. Furthermore, as discussed in more detail in the Supplemental Answers to Interrogatories, MICHLIST was later used extensively in connection with the 1986 and 1988 elections and clearly was not developed on behalf of any particular 1984 candidate or candidates. Therefore, the development costs of MICHLIST are not allocable to any Michigan Republican candidates for federal office in 1984 or any other year.

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In Advisory Opinion 1975-87 (January 13, 1976), the Commission held that the costs of organizing a general forum on campaigning which was open to and intended to benefit all Republican Congressional candidates as a class, rather than the particular candidates within that class, was not attributable to those candidates who personally attended or sent representatives to the forum. Although the Commission recognized that each candidate benefited by the efforts of the National Republican Congressional Committee, the conference was not "planned and conducted for the benefit of a few particular candidates, as distinguished from Republican Congressional candidates generally." The development of MICHLIST is clearly analogous to a general campaign forum. Since MICHLIST was not "planned and conducted" for the benefit of any particular candidate, federal or non-federal, such development costs are not attributable to the 1984 Republican candidates for federal office who benefited from the use of MICHLIST.

3. MUR 2215. This Commission has previously recognized that the development costs of a computerized voter registration list are not to be allocated among candidates. In MUR 2215 (decided November 18, 1986), the Commission considered whether the sale of a computerized voter list by the affiliate of a labor union violated the Federal Election Campaign Act (the "Act"). MUR 2215 involved the formation of an affiliate by the Missouri State Labor Council to sell lists of the names of registered voters to candidates endorsed by the Labor Council. The complainant alleged that the respondents spent approximately $100,000 to $120,000 per year in compiling lists of registered voters which were in turn

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sold to various candidates. The Complainant further alleged that any use of such lists was a prohibited contribution by the Labor Council, in violation of 2 USC § 441b. In addition, the complaint alleged that the Labor Council was selling its lists for an amount less than the usual or normal charge, thus making a prohibited contribution to the purchasers/candidates. See General Counsel's Report dated October 31, 1986 (hereinafter referred to as the "Report"), pages 1 through 2.

In response, the Labor Council stated as follows:

> "Complainant's premise is that the fair market value of a paper voter list of registered Missouri voters sold by MRV [the Labor Council's affiliate] is the same as the fair market value of the computer tape from which that list is derived. But what MRV's customers are buying is use of the information on MRV's computer tape of registered voters in the form of "product" and not the computerized voter list itself. MRV's products, including paper voter lists, are sold subject to the understanding that the product may be used only for a particular agreed-upon purpose and that the information will not be transferred to anyone else or reproduced. Thus, buyers of MRV product do not acquire any proprietary interest in the information MRV's computer tape or in the tape itself. Furthermore, as we have demonstrated above, a paper voter list, even if the paper list contained all of the registered voters on MRV's computer tape, would not have the equivalent value of that tape since the paper list could not readily be translated into different formats, e.g., labels, phone cards, direct mail, without first being converted to a computer tape.
>
> Accordingly, the fair market value of a paper voter list or any other product sold by MRV cannot, as complainant argues, be derived from the Labor Council's cost of producing its list of registered AFL-CIO members or from the MRV's cost of producing its computer tape of registered Missouri voters but rather

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can only be ascertained from the "usual and normal charge" in the market for the goods and services which MRV sells." Response to Federal Election Commission, dated October 9, 1986, pages 11 through 12.

The Commission accepted the Labor Council's argument and adopted the position that the issue was whether the candidates were receiving the use of the voter list for an amount less than the "usual or normal charge." Since MRV was charging the candidates an amount approximating the "usual or normal charge," the Commission found that the Labor Council was not guilty of making a prohibited contribution in violation of 2 USC § 441b.

Based upon the Commission's analysis in MUR 2215, none of the development costs of MICHLIST are to be allocated among the 1984 candidates for federal office. In MUR 2215, where the activities of a labor union were in question, the price charged to the candidates, not the development cost, was the only relevant inquiry. If a labor union, which is prohibited from making political contributions, is not required to allocate voter list development costs to candidates, then certainly the MRSC, a political party that is allowed and expected to make contributions, is not required to allocate the development costs of MICHLIST among candidates. The Audit Division's attempt to allocate the MICHLIST development costs among the 1984 federal candidates wholly contradicts the Commission's position established in MUR 2215.

4. The Audit Division's Implementation of the Federal Election Campaign Act (the "Act") is Invalid.

(a) There is no way for the MRSC to accurately allocate the development costs of MICHLIST among the 1984 federal

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candidates. Any requirement that the MRSC allocate the MICHLIST development costs among the 1984 federal candidates effectively prevents the MRSC from complying with the Act. There is no way that the development costs for programs which are not designed for any identifiable candidate, will be used for a variety of activities (many of which are indisputably not allocable), and will be used over several election cycles can be allocated to specific candidates in a single election cycle. The MRSC is not capable of making an accurate allocation in any given year because it lacks at least three critical pieces of information:

(1) For any given year, the MRSC has no way of knowing how many non-allocable uses will be made of the names used for VIP/GOTV.

(2) In any given year, the MRSC has no way of knowing how many names from that year's allocable voter list will be "re-used" in subsequent election years.

(3) In any given year, the MRSC has no way of knowing what percentage of the voter list will be used for individual programs in subsequent election years.

If the MRSC complies with the Audit Division's recommendations and now allocates, some five years after the fact, the MICHLIST development costs among the 1984 federal candidates, then what amount would the MRSC allocate to the federal candidates in subsequent election cycles? According to the Audit Division's analysis, the candidates in future election cycles would either receive the benefits of an allocable cost without any allocation, or be allocated costs which have already been allocated to other candidates, either of which result certainly is contrary to the Act.

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The bottom line is this: In 1984, the MRSC had no way of allocating the development costs of MICHLIST among candidates because the subsequent use of MICHLIST makes such an allocation impossible. The MRSC, like any other political organization, has made every reasonable effort to comply with the Act. However, as demonstrated above, the MRSC could not make an accurate allocation of MICHLIST development costs in 1984 without knowing what subsequent use would be made of the names in the list.

(b) The application of the Act urged by the Audit Division violates MRSC's due process rights. In the present case, any allocation of the development costs of MICHLIST is not capable of determination until the list is no longer used by MRSC. The ongoing use of MICHLIST makes it impossible for the MRSC to comply with the Audit Staff's interpretation of the Act. The requirements of the Act are not as precise as the Audit Division has interpreted them. If the Audit Staff's interpretation of the intent of the Act is accepted by the Commission, the Act is clearly unconstitutionally vague because it is impossible to comply with the Act. See, e.g., Jordan v DeGeorge, 341 US 223 (1951).

(c) The legislative history of the Act indicates that party expenses such as the development costs of MICHLIST are not allocable to federal candidates. Congress has indicated that normal day-to-day activities of political parties are not allocable to candidates. Congressman Frenzel, during the final floor debate on the 1974 amendments to the Federal Election Campaign Act of 1971, made the following uncontroverted remarks:

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"There is general agreement among the conferees that the provisions placing limitations on contributions and expenditures should not require a multicandidate committee, ... the senatorial campaign committees, the congressional campaign committees, ... to credit to a candidate's limitations on expenditures and contributions or to otherwise attribute to any political candidates or his political committees a portion of their normal day-to-day expenses.

Any other interpretation would create an enormous amount of administrative busy work for all candidates and might cause wholesale violations of the law . . .

These day-to-day expenses should be deemed to include such items as research, speech writing, general party organization and travel, party publications, fundraising expenses, staff at various party headquarters in the field and national convention expenditures, provided such expenses do not contribute directly to any candidate's campaign effort. (Congressional Record, October 10, 1974, pp. H 10332-10333)."

The compiling of lists of registered voters is clearly a day-to-day activity of a political party. No party organization, whether state, district or local, can effectively operate today without lists of registered voters. This type of generic political activity simply cannot be allocated with any amount of certainty in any election cycle. The Audit Staff interpretation, if accepted by the Commission, will lead, as Congressman Frenzel predicted, to wholesale violations of the Act, a result which Congress clearly intended to avoid. Consequently, the tremendous difficulty in allocating the MICHLIST development costs among the 1984 candidates for federal office demonstrates that such expenses are not allocable to federal or state candidates.

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C. Valuation of Allocable MICHLIST Development Costs.

Assuming that part of the development costs of MICHLIST are deemed by the Commission to be made on behalf of a particular candidate for federal office in 1984, then the amount allocable certainly is not the entire $282,000 development cost of MICHLIST. If any of the development costs of MICHLIST are to be allocated among the 1984 Republican candidates for federal office, such allocation must properly reflect the following:

-- Only 17 percent of MICHLIST was utilized in the VIP program.

-- At least 20 to 25 percent of the costs related to he MICHLIST names used in the VIP program were wholly unrelated to the VIP program.

-- The MICHLIST database of names used for the VIP program was also used for a variety of other programs.

-- MICHLIST is an asset of the MRSC that has a useful life that extends beyond the 1984 election year.

-- The remaining MICHLIST development costs that are deemed to be made on behalf of particular candidates must be allocated among federal and non-federal candidates.

1. Only Seventeen percent of the MICHLIST database was used in the VIP program. Even before MICHLIST was undertaken, it was decided that only a small percentage of Michigan's registered voters should be contacted through the 1984 telephone program. Thus, while some voters' names were acquired for other purposes such as fundraising, direct mail, door-to-door visits, etc., only selected voters living in a narrow set of precincts were ever slated for or received VIP calls. In fact, as set forth in Question 3 of

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the Supplemental Answers to Interrogatories, of the total 6,337,960 voters in the MICHLIST database, only 1,080,272 were selected for such VIP calling. Therefore, only a maximum of 17 percent (not 19 percent) of the total MICHLIST development cost, or $47,940, can possibly be attributed to the VIP program.

2. At least 20 to 25 percent of the costs related to the MICHLIST names used in the VIP program were wholly unrelated to the VIP program. Any allocable portion of MICHLIST's development cost for the VIP program must be further reduced because a significant percentage of the development cost of the list of 1,080,272 names used for VIP calling were incurred to build information into the database which was irrelevant to the VIP program. For example, the cost pertaining to the inclusion of demographic information into the database played no role whatsoever in the VIP program. The demographic statistics were added to the database for purposes of triggering mass mail and party fundraising efforts, not for generating VIP phone lists. The MRSC estimates that at least 20 to 25 percent of the MICHLIST development cost involved such unrelated database development. Accordingly, it would be appropriate to further reduce the allocable share of MICHLIST's development costs for the phone program by a minimum of 20 percent, or $9,588, to $38,352.

3. The MICHLIST database of names used for the VIP program was also used for a variety of other programs. The amount of allocable MICHLIST development costs must be further reduced to reflect the fact that the portion of the MICHLIST database used for the VIP program was also used for a number of other functions.

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Although there were other countless possible uses of MICHLIST (see Question 4 of the Supplemental Answers to Interrogatories), there are five other uses which were made of the portion of the MICHLIST database used for the VIP program in 1984: mass mailings, fundraising, door-to-door voter contact, voter recruitment and voter telephone canvassing. The MRSC estimates the VIP program constituted no more than 20 percent of the uses made of these names in 1984. Consequently, any remaining share of MICHLIST costs allocated to the names involved in the VIP program must be reduced by 80 percent, or $30,682. Therefore, the allocable share of MICHLIST development costs attributable to the VIP program in 1984 becomes a maximum of $7,670.

4. The useful life of MICHLIST extends beyond the 1984 election year. The Audit Staff of the Federal Election Commission is attempting to allocate the total development cost of MICHLIST in 1984. Even if MRSC were to concede that the $7,670 of development costs of MICHLIST discussed above should be allocable among the 1984 federal candidates, it is unreasonable to attribute even these development costs to one election year or to require allocation among the candidates in one election. Such an allocation in 1984 incorrectly assumes that the useful life of MICHLIST does not extend beyond the 1984 elections. In fact, as indicated in Question 7 of the Supplemental Answers to Interrogatories, of the 1,080,272 names on MICHLIST in 1984, 1,004,633 names were on MICHLIST in 1986, and the MRSC believes that the vast majority of the 1984 were used again in 1988 and are expected to be used in 1990.

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As set forth in the Financial Accounting Standards Board's General Standards (1987), D40.101:

> ".101 The cost of an [asset] is one of the costs of the services it renders during its useful economic life. Generally accepted accounting principles require that this cost be spread over the expected useful life of the [asset] in such a way as to allocate it as equitably as possible to the periods during which services are obtained from the use of the [asset]. This procedure is known as **depreciation accounting**, a system of accounting that aims to distribute the cost or other basic value of tangible capital assets, less salvage (if any), over the estimated useful life of the unit (which may be a group of assets) in a systematic and rational manner. It is a process of allocation, not of valuation."

Consequently, any cost allocated to the 1984 Michigan Republican federal candidates should take the useful life of MICHLIST into account. Admittedly, this useful life may be difficult to determine. Nonetheless, the Financial Accounting Standards Board states that a "reasonable estimate of the useful life may often be based on upper and lower limits even though a fixed existence is not determinable." General Standards (1987), I60.109. Therefore, if part of the development costs of MICHLIST are to be attributable to the 1984 federal candidates, then this allocated sum of $7,670 should be further reduced to reflect the appropriate useful life of the MICHLIST. At most, one-third of these costs, or $2,557, would be allocable, based on the use of MICHLIST in 1984, 1986 and 1988.

5. Allocation among federal and non-federal candidates. Finally, any remaining MICHLIST development costs pertaining to the VIP program that are deemed to have been made on behalf of particular candidates in 1984 must be allocated among federal and

non-federal candidates. In Advisory Opinion 1982-5 (April 21, 1982), the Democratic National Committee held a conference for federal and non-federal participants. The Commission noted that the threshold issue was whether the conference expenditures were required to be allocated at all, since it did not appear that the conference was being held for the purpose of influencing, or in connection with, the specific election of any clearly identified candidate for federal office. Nonetheless, the Commission considered this issue but could not agree by the requisite four affirmative votes that the conference expenses were not required to be allocated to federal and non-federal elections. However, even assuming that such expenses were attributable to candidates, such expenses were required to be allocated between federal and non-federal elections. Thus, the remaining MICHLIST development costs that are deemed to be made on behalf of particular candidates must be allocated among federal and non-federal candidates by means of a reasonable allocation formula. See, Campaign Guide for Political Party Committees (1985), p. 15, for Commission-approved allocation methods. If the Commission accepts the Audit Division's contention that any of the developmental costs of MICHLIST are allocable, the MRSC estimates that one-third of such costs could be allocated to federal candidates, or $852. The maximum cost of the development of the MICHLIST program is $852. Therefore, when allocated to the VIP program, the total allocation of the VIP program should be $390,216.14 ($852 plus $389,364.14).

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III. GOTV Cost Allocations

On pages 2 and 4 of the Factual and Legal Analysis dated June 20, 1989, the Audit Division has alleged that the MRSC has failed to allocate among candidates $21,000 in telephone calls related to the GOTV program. Although the MRSC acknowledges that part of this $21,000 amount should be allocated among candidates, the MRSC disagrees with the allocation of all of these costs. According to 2 USC § 431(8)(A)(xii), costs of GOTV activities attributable to volunteers do not fall within the definition of a "contribution." The records of the MRSC indicate that a portion of the telephone calls made were in fact made by volunteer personnel. Supervisory personnel for the GOTV program estimate that roughly 30 of the 130 telephone lines were staffed with volunteer workers. See Exhibit C. Such amount represents 23 percent of the total work force to complete the GOTV program. Thus, the MRSC asserts that 23 percent, or $4,830, of the total cost of the telephone calls should be excluded from the allocation base. Therefore, the remaining balance of $16,170 in GOTV costs should be included in the allocation base.

IV. Allocations of Related Expenditures

On pages 2 and 4 of the Factual and Legal Analysis dated June 20, 1989, it is alleged that the MRSC failed to allocate $15,035.44 in related expenditures from its federal account among candidates. In response, the MRSC asserts that inclusion of the entire $15,035.44 amount into the allocation base is improper because most of this amount does not relate to expenditures for

specific candidates. As set forth in the Supplemental Answers to Interrogatories, Question B, only $5,522.58 of this amount should be allocated among candidates.

V. Allocation Base

On pages 1 through 7 of the Factual and Legal Analysis dated June 20, 1989, the Audit Division identified what it deemed to be the appropriate amount of phone bank-related expenditures which are allocable to federal, state, and local candidates. In response, it is the MRSC's contention that the following amounts should be allocated among the 1984 Republican candidates for federal office:

A.	$389,364.14	(expenditures involved to implement the VIP, excluding any development costs of MICHLIST);
B.	16,170.00	(cost of GOTV program);
C.	5,522.58	(allocation of related expenditures); and
D.	1,364.45	(mathematical error).
	$412,421.17	[1]

VI. Affiliation of the MRSC and the Various State Committees

A. Summary of Facts

The Federal Election Commission contends that the Michigan Republican State Committee ("MRSC"), the district committees and the county party committees are all affiliated for the purposes of the contribution limitations of 2 USC § 441a. See pages 6-7 of the Factual and Legal Analysis dated June 20, 1989.

Under the Act, if the local party committees are not independent from the MRSC, then any contribution from a county or

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1/ If the Commission allocates any of the development costs of MICHLIST to federal candidates, which MRSC continues to oppose, a maximum of $852 is allocable.

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other local unit of a party committee is to be counted toward the contribution limitations of the MRSC. 2 USC § 441a(a)(5). The MRSC asserts that the county party committees and the district committees are independent from the State Party and that any amounts contributed to a federal candidate by district and county committees should not be aggregated with contributions by the MRSC.

B. The Local Party Committees are Independent From the MRSC

11 CFR § 110.3(b)(3)(ii) provides that a "State committee and any subordinate committee able to demonstrate independence under the criteria of § 110.3(b)(2)(ii) may each contribute $1,000 ($5,000 if a multicandidate committee) to a candidate for each election." Consequently, according to 11 CFR § 110.3(b)(2)(ii):

> "(ii) All contributions made by the political committees established, financed, maintained, or controlled by a State party committee and by subordinate State party committees shall be presumed to be made by one political committee. This presumption shall not apply if--
>
> (A) The political committee of the party unit in question has not received funds from any other political committee established, financed, maintained, or controlled by any party unit; and
>
> (B) The political committee of the party unit in question does not make its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained, or controlled by another party unit."

Thus, each "subordinate committee of the [MRSC] which satisfies the stated criteria for avoiding application of the presumption would be entitled to its own contribution limits. A committee not satisfying the criteria would, under 2 U.S.C. § 441a(a)(5), be considered one

with the [MRSC]." Federal Election Commission Information Letter dated September 2, 1976; Fed. Election Camp. Fin. Guide (CCH) ¶ 6923.

In Advisory Opinion 1978-9 (July 21, 1978), the Federal Election Commission held that the local Republican party committees in Iowa were independent from the Iowa Republican State Committee for the purposes of the contribution limitations of 2 USC § 441a(a)(5). The Federal Election Commission found certain factors persuasive in its determination of this independent status; among them are the following:

1. Each county committee elected its own officers and adopted its own constitution and bylaws.

2. The State committee did not mandate or have any influence over the expenditures of the county central committee's funds, and any contributions from the county committees to federal candidates were not made in cooperation, consultation or concert with, or at the request or suggestion of, the State committee.

3. The State committee each year adopted a budget to fund party operations during the coming year, and a percentage of the budget was assigned to each county, not each "county committee."

4. The bulk of the State committee's receipts came from individuals residing within the various counties, not from the county committees.

5. The county committees did not receive funds from the State committee, with the exception of funds raised through joint fundraising, and in 1977, only $13,949 resulted from such fundraising and was transferred to county committees out of total State committee expenditures of over $393,000.

Utilizing the criteria set forth in Advisory Opinion 1978-9, it is clear that district and county party committees in Michigan are independent from the MRSC:

1. **Each county committee elected its own officers and adopted its own constitution and bylaws.**

In Michigan, each district and county committee, elects its own officers and adopts its own constitution and bylaws. The MRSC has no authority or ability to change the bylaws and constitution of any district or county party committee. See Exhibit A.

2. **The State committee did not mandate or have any influence over the expenditures of the county central committee's funds, and any contributions from the county committees to federal candidates were not made in cooperation, consultation or concert with, or at the request or suggestion of, the State committee.**

The MRSC does not have the authority to mandate the expenditures of district or county committee funds. No contributions of district or county party funds in 1984 were made in cooperation, consultation or concert with, or at the request or suggestion of, the MRSC in 1984.

3. **The State committee each year adopted a budget to fund party operations during the coming year, and a percentage of the budget was assigned to each county, not each "county committee."**

None of MRSC's budget is assigned to any county or county committee. The MRSC does, however, sponsor seminars and programs which are beneficial to organzations such as local party committees.

The bulk of the State committee's receipts came from individuals residing within the various counties, not from the county committees.

In 1983, total receipts for MRSC's federal account equaled $240,606.21, of which $24,960 came from county Republican committees. In 1984, total receipts into MRSC's federal account equaled $1,210,162.57, of which $38,765 came from county Republican committees. Therefore, for 1983-1984, the total amount received into MRSC's federal account was $1,450,768.78, of which $63,725, or 4 percent, of these receipts represented contributions from county Republican committees. See Exhibit B.

5. **The county committees did not receive funds from the State committee, with the exception of funds raised through joint fundraising, and in 1977, only $13,949 resulted from such fundraising and was transferred to county committees out of total State committee expenditures of over $393,000.**

In 1983-84, the MRSC made expenditures to local Republican party committees of only $6,501.75.

Accordingly, based on the criteria of Advisory Opinion 1978-9, the MRSC is not affiliated with any district or county committees for the purposes of 2 USC § 441a, and no contributions by district or county committees applied to the contribution limits of the MRSC in 1984.

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VII. The Receipt of 40 Out-of-State Contributions by the MRSC

A. Summary of Facts.

Between August 28, 1984, and December 19, 1984, the MRSC deposited into its account $79,155 from 40 out-of-state contributors. The Federal Election Commission alleges that the RNC may have been the initial recipient of as much as $74,155 of these contributions, which it then transferred to the MRSC. According to

the Commission, the MRSC violated 2 USC § 434(b)(2)(F) by failing to report the receipt of transfers from the RNC.

B. The MRSC's Receipt of 40 Out-of-State Contributions was Permissible Under the Act.

The 40 out-of-state contributions were permissible contributions under the Federal Election Campaign Act. Specifically, 11 CFR § 102.5(a)(2) states that the following types of contributions are permissible:

(i) Contributions designated for the federal account;

(ii) Contributions that result from a solicitation which expressly states that the contribution will be used in connection with a federal election; and

(iii) Contributions from contributors who are informed that all contributions are subject to the prohibitions and limitations of the Act.

According to MRSC's records, it appears that the 40 out-of-state contributors were informed that their contributions were to be used "in federal elections" as well as being subject to the prohibitions of the Act. See also, Advisory Opinion 1979-9 (May 3, 1979).

Although the 40 out-of-state contributions are valid, the question remains, however, as to whether the MRSC followed the appropriate method of reporting these contributions under the Act. The MRSC still does not possess sufficient facts upon which to respond to this complaint. The MRSC is still attempting to contact individuals who may be able to provide the necessary information to submit a response to this allegation and will do so as soon as possible.

VIII. Transfers from Unregistered Committees Into MRSC's Federal Account.

On pages 14 to 16 of the Factual and Legal Analysis dated June 20, 1989, it is asserted that the MRSC received transfers from unregistered party committees that are not permissible under the Act. The MRSC is working diligently to identify the source of the funds contributed by these unregistered party committees. The MRSC believes that when these sources are identified, it will be able to verify that there was no violation of the Act. As soon as this information becomes available, the MRSC will respond to this allegation.

Respectfully submitted,

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Attorneys for the Michigan
Republican State Committee

Dated: September 29, 1989

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EXHIBIT A

BY LAWS

Michigan Republican State Committee

As Amended December 3, 1983

ARTICLE I

Name

This Committee shall be identified as the Republican State Committee and for the purpose of these by-laws unless otherwise specified shall be designated as the Committee.

ARTICLE II

Purposes and Duties

The purposes of this Committee shall be as follows:

A. To perform all duties delegated to a State Committee by law, and such other duties not prohibited by law.

B. To direct, manage and supervise the affairs and business of the Republican Party in Michigan. This shall include but shall not necessarily be limited to:

1. work for the election of all nominees of the Republican Party in Michigan; and

2. work in close cooperation with other Republican state, district, and county organizations.

C. To adopt by-laws by which the Committee shall be governed.

ARTICLE III

Membership and Vacancies

A. The regular members of this Committee shall be the District Chairman and 2 men and 2 women nominated and elected from each Congressional District at the Spring State Convention; the Chairman and the First, Second, Third, Fourth, Fifth and Sixth Vice Chairmen, all of whom shall be nominated and elected at the Spring State Convention in odd-numbered years; the Secretary and the Treasurer of the Committee who shall be elected at the first meeting of the Committee following its election; and the National Committeeman and National Committeewoman selected according to law until their successors are elected.

B. Ex-officio members shall be 2 members named by Party caucus from the State Senate, 2 members named by Party caucus from the State House of Representatives, and 1 named by the Michigan Republican members of the United States Congress.

C. There shall also be 8 non-voting members each from the Michigan Republican Women's Federation, the Michigan Federation of Young Republicans, the Michigan Federation of College Republicans, the Michigan Black Republican Council, the Michigan Republican Nationalities Council, and the Republican National Hispanic Association of Michigan, with one member from each group to serve on a different Standing Committee.

D. Each regular member of the Committee shall be a registered voter in Michigan and in the case of District members, a resident of the Congressional District such member represents. Regular members shall have the right to vote on all matters which come before the Committee except as otherwise provided in these by-laws.

E. Permanent vacancies in District membership arising from any cause whatsoever shall be filled by the statutory Committee of the Congressional District in which the vacancy arises within 60 days after such vacancy arises. Notice in writing to the Chairman of the State Committee of the name and address of the person selected to fill the vacancy shall be signed by the Chairman of the Committee of the appropriate Congressional District.

F. If a District member is not present for a particular meeting and has not provided for a proxy, the District Chairman or in his absence the remaining members present from the absent member's Congressional District representation to the State Committee may select a registered voter from their Congressional District to fill the vacancy for that a meeting only. If the absent member should subsequently appear during the course of the meeting, said regular member shall regain full voting rights.

G. If any other regular member of the Committee is not present for a particular meeting and is not represented by proxy, that position shall not be filled by any other person.

H. The Committee shall have the authority and power to terminate the membership of any member of this Committee, should any such member be found guilty of any felony in any Court of Record. In such case, such membership can only be terminated and the member expelled by an affirmative vote of the majority of the entire committee. Such vote must be cast in person and not by proxy.

I. Should any such officer become a candidate for State or Federal elective office prior to a primary by announcing his or her candidacy or forming, or authorizing or acquiescing in the formation of, an exploratory or draft committee on his or her behalf, that officer shall immediately, effective upon the date of the announcement of such a candidacy effort, take a leave of absence from his or her office.

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During that sixty (60) day period, that officer shall have none of the titles, rights, powers, resources and perquisites of his or her office.

On or before the expiration of that sixty (60) day period, that officer shall notify the State Party Chairman (or the First Vice Chair, in the event the Chairman is the officer in question) of that officer's determination to continue or discontinue his or her candidacy.

Should that officer determine to discontinue his or her candidacy, then that officer shall immediately resume his or her office and all the rights, titles, powers, resources and perquisites of that office.

In the event that the officer determines to continue his or her candidacy, or fails to notify the Chairman (or First Vice Chair, in the event the Chairman is the officer in question), or refuses to comply with any of the terms of this Section, then that officer shall automatically be deemed a candidate and shall no longer have the titles, rights, powers, resources, and perquisites of his or her former office.

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ARTICLE IV

Officers

A. The Committee shall have the following officers:

1. Chairman.
2. First Vice Chairman, who shall be of the opposite sex to the Chairman.
3. Second Vice Chairman.
4. Third Vice Chairman, who when elected shall not have attained the age of 25.
5. Fourth Vice Chairman.
6. Fifth Vice Chairman, who when elected shall have attained the age of 60.
7. Sixth Vice Chairman.
8. Secretary.
9. Treasurer.

B. The Secretary and the Treasurer shall be elected by the Committee at the first regular meeting of the Committee after its election and they shall hold office until their successors are elected and qualified. They shall have the right to vote on all matters which come before the Committee except the election of its officers, including their successors, unless they be Convention-elected members.

C. In the event the office of Chairman becomes vacant, the First Vice Chairman shall become Acting Chairman until a successor is elected at the next meeting of the Committee. In the event the First Vice Chairman is unable to serve, the office of Acting Chairman shall pass to the Second, Third, Fourth, Fifth, and Sixth Vice Chairman, in that order.

D. In the event the office of Secretary or of any Vice Chairman becomes vacant, a successor shall be elected at the next meeting of the Committee, which meeting shall be in part called for that purpose.

E. In the event the office of Treasurer becomes vacant, the Secretary shall become the Acting Treasurer until a successor is elected at the next meeting of the Committee, which meeting shall be in part called for that purpose. In the event the Secretary is unable to become Acting Treasurer, the office shall pass to the First, Second, Third, Fourth, Fifth and Sixth Vice Chairman, in that order, until a successor is elected at the next meeting of the Committee.

ARTICLE V

Duties of Officers

A. Chairman: The Chairman shall preside at all meetings of the Committee, sign all contracts, agreements, and documents with the Treasurer, when authorized by the Committee [or the Policy Committee acting while the Committee is not in session], submit reports to the Committee at each meeting of the Committee and at such other meetings as the Committee, by resolution or motion may require, appoint and hire such employees with the approval of the Policy Committee as the business of the committee may require, serve ex-officio as a member of the Republican State Finance Committee, and shall perform such other duties as these By-Laws provide and as the Committee shall from time to time designate. The Chairman shall be an ex-officio member of all standing committees and of all sub-committees.

B. First Vice Chairman: The First Vice Chairman shall be a registered voter [and in his/her absence the Second Vice Chairman], shall have like power as the Chairman in the absence of the Chairman, both shall serve ex-officio as members of the Republican State Finance Committee, and shall perform such other duties as the Committee may determine. The Vice-Chairman shall be an ex-officio member of all committees of which the Chairman serves as an ex-officio member. One Vice-Chairman, providing the office be held by a woman, shall be designated to be in charge of all women's activities of the Party organization.

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C. Second Vice Chairman: shall have like power as the Chairman in the absence of the Chairman and First Vice Chairman, shall serve ex-officio as a member of the Republican State Finance Committee and of all other committees, and shall perform such other duties as the Committee may determine. The Second Vice Chairman shall also supervise and direct all activities of the Party concerning the National Black Republican Council and related groups.

D. Third Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all youth activities of the Party, and shall perfo such other duties as the Committee may determine.

E. Fourth Vice Chairman: shall serve ex-officio as a memeber of all committees, shall supervise and direct all non-Hispanic ethnic activities of the Party, and shall perform such other duties as the Committee may determine.

F. Fifth Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all activities of the Party concerning Senior Citizen organizations, and shall perform such other duties as the Committee may determine.

G. Sixth Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all Hispanic activities of the Party, and shall perform such other duties as the Committee may determine.

H. Secretary: The Secretary shall keep an accurate record of the minutes of each meeting of the Committee and of the reports of the sub-committees, shall give notice to the membership of all meetings by sending same to the post office address of the member recorded with the Committee, make written report to the Committee at each meeting, perform such other duties as these By-Laws provide and as this Committee shall from time to time require. The Secretary need not be a duly selected or elected member of the Committee from a Congressional District.

I. Treasurer: The Treasurer shall comply with all applicable laws and receive all monies paid to the Committee and deposit the same in the name of the Committee in a bank designated by the Budget Committee, pay all bills charged to the Committee when authorized by the Chairman or in his/her absence the First Vice-Chairman of the Committee, sign and execute contracts, agreements and documents with the Chairman in the manner set forth in paragraph (A) above, keep an accurate account of all receipts and disbursements in proper books, which books shall at all times be open to inspection and examination of the Budget Committee or any member of the State Committee, shall render statements of the financial condition of the Committee to the Committee at each meeting, make an annual statement and report to the Committee at each meeting of the year, have books audited for each preceding fiscal year by certified public accountants designated by the Budget Committee. and shall give surety bond to the Committee at its expense in such amount as the Budget Committee may designate within forty-eight hours after accepting office.

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The Treasurer shall turn over to his successor all funds, money and books, accounts, files, letters, papers and other property pertaining to or associated with the affairs and business of the Committee. The Treasurer shall be a non-voting member of the Budget Committee.

ARTICLE VI

Meetings

A. The first meeting of this Committee after its members have been elected shall be called by the Chairman within 24 hours after the state convention is adjourned. There shall be at least 5 meetings of the Committee in each calendar year.

B. Special meetings of the Committee may be called by the Chairman when the business of the Committee requires the same and the Chairman shall call a special meeting of the Committee on written request of one-third of the members of the Committee, jointly or severally, within 15 days after such written request has been filed with the Chairman. Upon failure to do so, any such member can give notice 5 days before such meeting. Notices of special meetings shall state the purpose of such meetings.

C. A majority of the total membership of the Committee present in person shall constitute a quorum to transact all business of the Committee except where the action of the Committee requires a larger number of members as specifically set forth in these By-Laws.

D. Those authorized to vote may vote in person or by proxy at any meeting of the Committee provided that such person shall be allowed to cast only one vote on each item of business transacted. Any person voting a proxy of a District member must be a qualified elector from that member's Congressional District. Any person voting a proxy of any other regular member must be a qualified electo of the State of Michigan.

ARTICLE VII

Committees

A. There shall be appointed the following standing committees at the first regular meeting of this Committee:

1. Policy Committee: This committee shall consist of one member from each Congressional District, no more than half of which members may be District Chairmen. This committee shall make recommendations to the State Chairman, recommend party policy, and establish programs for implementation by the other standing committees. This committee shall review and recommend staff positions and shall cooperate with staff personnel to implement policies set by the State Committee. Members who are not District Chairmen shall be of the opposite gender of the District Chairmen.

2. Budget Committee: This committee shall consist of one member from each Congressional District, no more than half of which members may be District Chairmen. This committee shall exert budget control, review and approve financial spending and maintain sound fiscal policy.

3. Candidate Assistance Committee: This committee shall work with local party organizations to provide candidates for all offices and to provide them with direct and indirect campaigning resources.

4. Communications Committee: This committee shall work to design and develop party communication materials, including training manuals and newsletters.

5. Data Committee: This committee shall be responsible for overseeing and assisting with the state-wide voter file, list development projects and the building of the Party political data base.

6. Events Committee: This committee shall work with the Republican State Committee to plan political events and fundraisers, including National Convention activities, for the State Committee.

7. Involvement Committee: This committee shall develop in the private sector volunteer programs sponsored by the Republican Party on the state and national levels. (Disbanded)

8. Outreach Committee: This committee shall work with the Vice-Chairmen to develop programs and materials to assist in the recruitment of blacks, minorities, seniors, union members, young voters and other key interest groups.

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B. The State Chairman shall appoint the duly elected members from each Congressional District to serve on a committee, with no more than 1 member from any 1 District on any 1 committee. The elected members from each Congressional District shall, within 7 days following their election, indicate their preference for committee assignments to the State Chairman, who shall then make appointments as specified above.

C. Each standing committee shall, as soon as possible after the date of their appointment, be called together by the State Chairman for the purpose of organizing such committee and electing its Chairman, Vice Chairman, who shall then make appointments as specified above.

D. The Chairman of each standing committee shall preside at all meetings of the committee, appoint sub-committees as deemed necessary, and shall perform such other duties as these By-Laws provide. The Vice Chairman shall have like power as the Chairman in the absence of the Chairman, may serve on all other committees in like capacity when the Chairman cannot attend, and shall perform such other duties as the committee may determine. The Secretary shall keep an accurate record of the minutes of each meeting, make a written report to the committee at each meeting, and perform such other duties as the committee may determine. Each standing committee shall have the right to adopt its own rules and procedure not inconsistent with these rules and with Robert's Rules of Order, Newly Revised.

E. Notice of subsequent meetings of each standing committee shall be mailed to each member thereof at least 5 days before the date of the meeting by the Secretary thereof. Postage, paper and letterheads shall be furnished each standing committee by the State Committee and such cost shall be placed in the annual budget. Such meetings may be called by the Chairman of the standing committee or by any 5 members of that committee.

F. Each standing committee shall have the authority and power to appoint sub-committees which may include others than State Committee members. Each such sub-committee so appointed shall include in its membership a person or persons from the standing committee who shall report directly to the standing committee.

G. It shall be necessary to have a quorum present at every standing committee meeting, consisting of not less than two-fifths of the membership of such committee present in person, before any standing committee business may be transacted.

H. Committees for certain definte purposes may be appointed from time to time in the manner provided by any adopted resolution of the State Committee or any standing committee.

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ARTICLE VIII

Resolutions

Prior to action by the Republican State Committee, a resolution must first be submitted in writing to the appropriate standing committee not less than 14 days prior to said committee meeting, by delivery of a copy of said resolution to the Chairman or Secretary of said committee, and to the State Chairman. A copy thereof shall be mailed to all State Committee members not less than 7 days prior to their next meeting, provided that the foregoing provisions may be waived by a majority vote of the respective committee. After action by the appropriate standing committee, a resolution shall be presented to the State Committee separate from the committee's report.

ARTICLE IX

National Committee

A. The Committee shall maintain a good working relationship with the Republican National Committee and shall assist that Committee in the achievement of its goals.

B. The Republican National Committeeman and Committeewoman from Michigan shall be elected by and at the same State Convention which elects delegates to the Republican National Convention. They shall serve until their successors are elected and qualified. They shall be qualified electors of Michigan.

C. In the event that either office becomes vacant prior to the convening of a state convention to elect national-convention delegates, this Committee shall elect a successor at the next meeting of the Committee, which meeting shall be in part called for that purpose.

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ARTICLE X

Parliamentary Authority

Robert's Rules of Order, Newly Revised, shall govern the conduct of all meetings of the Committee and its standing committees, except as provided in these By-Laws or by law.

ARTICLE XI

Amendment

A. All proposed amendments to these By-Laws shall be first submitted in writing to the Policy Committee.

B. Each member of the Committee shall be notified in writing of the context of any proposed amendment at least thirty days before the date on which such proposed amendment is to be voted on.

C. No amendment shall pass until it has received a 60-percent favorable vote of the Committee present and voting, provided there is a quorum present, and such favorable 60-percent vote must be made in person by such members and not by proxy.

ARTICLE XII

Effective Date of Rules

These rules are hereby declared to be in full force and effect on the date of the election of the 1983 State Committee. Each member of said committee shall receive a copy of these By-Laws within ten days following their election.

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EXHIBIT B

As the attached documents indicate, of the total receipts into MRSC's federal account in 1983-1984, only about 4 percent of these receipts came from county Republican committees. This information is already on file with the Commission.

MRSC/RESPONSE/D
239;EED/DOCS

9504330323

For a Political Committee Other than an Authorized Committee

(Summary Page)

ALIGN AREA I

1. Name of Committee (In Full)

"ICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

ALIGN AREA

4. TYPE OF REPORT (Check appropriate boxes)

(a) [X] April 15 Quarterly Report [ ] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

[ ] Thirtieth day report following the General Election

on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 1-1-83 through 3-31-83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 325.67	
(c) Total Receipts (from Line 18)	$ 50,611.00	$ 50,611.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 50,936.67	$ 50,936.67
7. Total Disbursements (from Line 28)	$ 19,487.98	$ 19,487.98
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 31,448.69	$ 31,448.69
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 30,000.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

4 Sept 83

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (2/80)

ACCT NO	CONTRIBUTOR	DATE	AMOUNT	YTD AGGREGATE
529294	ST. JOSEPH COUNTY REPUBLICANS	2/23/83	600.00	
	RICHARD IMGRUND	3/21/83	600.00	
	501 E. HOFFMAN	TOTALS	1200.00**	1200.00**
	THREE RIVERS MI 49093			
**	COUNTY CHAIRMAN **			
901114	BERRIEN COUNTY REPUBLICANS	1/03/83	650.00	
	MS. CHARLOTTE WENHAM	3/14/83	650.00	
	3612 LAKESHORE DRIVE	TOTALS	1300.00**	1300.00**
	ST JOSEPH MI 49085			
**	COUNTY CHAIRMAN **			
901301	HILLSDALE COUNTY REPUBLICANS	1/03/83	750.00	
	MRS. SYLVIA LEUTHEUSER	TOTALS	750.00**	750.00**
	52 SOUTH BROAD STREET			
	HILLSDALE MI 49242			
	GRAND TOTALS		3250.00**	3250.00**

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA | | ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report
[X] July 15 Quarterly Report [ ] January 31 Year End Report
[ ] July 31 Mid Year Report (Non-Election Year Only)
[ ] Monthly Report for _____
[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
[ ] Thirtieth day report following the General Election on _____ in the State of _____
[ ] Termination Report

(b) Is this Report an Amendment?
[X] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 4-1-83 through 6-30-83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 31,448.69	
(c) Total Receipts (from Line 18)	$ 11,450.00	$ 62,061.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 42,898.69	$ 62,386.67
7. Total Disbursements (from Line 28)	$ 28,715.29	$ 48,203.27
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 14,183.40	$ 14,183.40
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 30,000.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

9 Sep 85
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

Line 11b

06/83 MICHIGAN REPUBLICAN STATE COMMITTEE PAGE 1
FEDERAL REPORT
REPORT PERIOD FROM 4/01/83 THROUGH 6/30/83

ACCT NO	CONTRIBUTOR	DATE	AMOUNT	YTD AGGREGATE
901114	BERRIEN COUNTY REPUBLICANS	4/19/83	50.00	
	MS. CHARLOTTE WENHAM	6/17/83	650.00	
	3612 LAKESHORE DRIVE	TOTALS	700.00**	2000.00**
	ST JOSEPH MI 49085			
**	COUNTY CHAIRMAN **			
901123	BRANCH COUNTY REPUBLICANS	6/29/83	1000.00	
	JOHN KEESLER	TOTALS	1000.00**	1000.00**
	26 HULL STREET			
	COLDWATER MI 49036			
**	COUNTY CHAIRMAN **			
901332	INGHAM COUNTY REPUBLICANS	4/12/83	150.00	
	MR. DAVID MC KEAGUE	TOTALS	150.00**	150.00**
	313 S. WASHINGTON SQ.			
	LANSING MI 48933			
**	COUNTY CHAIRMAN **			
901464	LENAWEE COUNTY REPUBLICANS	6/08/83	1500.00	
	MS. EMILY KACKSTETTER	TOTALS	1500.00**	1500.00**
	2649 SOUTH LAKE DRIVE			
	ADRIAN MI 49221			
0036703	LIVINGSTON COUNTY REPUBLICANS	4/18/83	5000.00	
	JOSEPH L. RICHARDS	TOTALS	5000.00**	5000.00**
	570 CHICAGO DRIVE			
	HOWELL MI 48843			
**	COUNTY CHAIRMAN **			
	GRAND TOTALS		8350.00**	11600.00**

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA | ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [X] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

[ ] Thirtieth day report following the General Election

on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[X] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7-1-83 through 9-30=83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 14,183.40	
(c) Total Receipts (from Line 18)	$ 29,826.00	$ 91,887.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 44,009.40	$ 92,212.67
7. Total Disbursements (from Line 28)	$ 43,245.04	$ 91,448.31
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 764.36	$ 764.36
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 40,100.31	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

Denzil L. Hammond
SIGNATURE OF TREASURER

10-20-83
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523 4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3A (5/83)

ACCT NO	CONTRIBUTOR	DATE	AMOUNT	YTD AGGREGATE
529294	ST. JOSEPH COUNTY REPUBLICANS	7/12/83	2800.00	
	RICHARD IMGRUND	8/24/83	1000.00	
	501 E. HOFFMAN	TOTALS	3800.00**	5000.00**
	THREE RIVERS MI 49093			
	** COUNTY CHAIRMAN **			
901114	BERRIEN COUNTY REPUBLICANS	8/23/83	650.00	
	VIRGINIA ANTONSON	TOTALS	650.00**	2650.00**
	5337 SCOTTDALE			
	ST. JOSEPH MI 49085			
	** COUNTY CHAIRMAN **			
901331	EATON COUNTY REPUBLICANS	7/26/83	300.00	
	STEPHEN STOHL	9/13/83	510.00	
	927 LONDON DRIVE	TOTALS	810.00**	810.00**
	LANSING MI 48917			
	** COUNTY CHAIRMAN **			
901301	HILLSDALE COUNTY REPUBLICANS	7/19/83	1000.00	
	HERBERT HINE	TOTALS	1000.00**	1750.00**
	68 WESTWOOD DRIVE			
	HILLSDALE MI 49242			
936144	JACKSON COUNTY REPUBLICANS	9/13/83	1875.00	
	JOE FILIP	TOTALS	1875.00**	1975.00**
	330 SEMINOLE PLACE			
	JACKSON MI 49202			
00036707	MANISTEE COUNTY REPUBLICANS	9/27/83	200.00	
	LEE MAC GREGOR	TOTALS	200.00**	200.00**
	376 SECOND STREET			
	MANISTEE MI 49660			
	GRAND TOTALS		8335.00**	19935.00**

$335.-

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report

[ ] July 15 Quarterly Report [X] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

[ ] Thirtieth day report following the General Election on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-1-83 through 12-31-83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 764.36	
(c) Total Receipts (from Line 18)	$ 148,719.26	$ 240,606.26
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 149,483.62	$ 240,931.93
7. Total Disbursements (from Line 28)	$ 114,423.83	$ 205,872.14
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 35,059.79	$ 35,059.79
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 46,772.45	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

For further information contact:
Federal Election Commission
Toll Free 800 424-9530
Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
St. Joseph County Republicans Richard Imgrund 501 E. Hoffman Three Rivers, MI 49093	Occupation	10-27-83	$1,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 1,000.00		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030	Occupation	10-04-83	$2,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 2,000.00		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jackson County Republicans Joe Filip 330 Seminole Place Jackson, MI 49202	Occupation	12-22-83	$625.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 625.00		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Otsego County Republicans Gordon Doule Rt. #1, Box 160 Gaylord, MI 49735	Occupation	12-08-83	$500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 500.00		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Marquette County Republicans Peggy Frazier 3 Marquette Drive Marquette, MI 49855	Occupation	12-22-83	$250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 250.00		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Presque Isle County Republicans Mr. R. Wally Peltz P.O. Box 215, 451 Road Rogers City, MI 49779	Occupation	12-31-83	$300.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 300.00		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Arenac County Republicans Thad Zylka Box 506 Standish, MI 48658	Occupation	11-28-83	$250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 250.00		

SUBTOTAL of Receipts This Page (optional) $4,925.00

TOTAL This Period (last page this line number only) . . . . .

SCHEDULE A — ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Sterling Heights Republican Club Marcia Herbst 43451 Vinsetta Sterling Heights, MI 48078 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12-7-83	Amount of Each Receipt this Period $100.00
B. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			$100.00
Total This Period (last page this line number only)			$5,025.00

OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [XX] April 15 Quarterly Report [ ] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

[ ] Thirtieth day report following the General Election

on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 1-1-84 through 3-31-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 35,059.79	
(c) Total Receipts (from Line 18)	$ 213,173.43	$ 213,173.43
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Line 6(a) and 6(c) for Column B)	$ 248,233.22	$ 248,233.22
7. Total Disbursements (from Line 28)	$ 121,750.87	$ 121,750.87
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 126,482.35	$ 126,482.35
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

4/30/84

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3B are obsolete and should no longer be used.

FEC FORM 3X (3/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 2 for
LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
* Berien County Republican Committee Virginia Antonson 5337 Scottsdale St. Joseph, MI 49085		1-06-84 3-14-84	$650.00* 650.00* (see below)
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,300.00		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
* St. Joseph County Republican Committee Richard Imgrund 501 E. Hoffman Three Rivers, MI 49093		1-30-84	$3,000.00* (see below)
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 3,000.00		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
* These contributions were deposited into the Federal Account, and since then it has been determined that these committees are no longer Federally reporting. The transfer to correct this transaction will be reported in the July 15 quarterly report, since it was not detected until the first quarter had ended.			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030		3-13-84	$1,600.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,600.00		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Hillsdale County Republicans Herbert Hine 68 Westwood Drive Hillsdale, MI 49242		2-07-84	$1,200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,200.00		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Ingham County Republicans Dennis Hurst 535 Edison Lansing, MI 48910		3-14-84	$500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 500.00		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Kent County Republicans Tom Koernke 5650 Foremost Drive, S.E. Grand Rapids, MI 49506		1-30-84	$1,500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 1,500.00		

SUBTOTAL of Receipts This Page (optional)	$9,100.00
TOTAL This Period (last page this line number only)	

SCHEDULE A

ITEMIZED RECEIPTS

(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Jackson County Republicans Joe Filip 330 Seminole Place Jackson, MI 49202 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 750.00	Date (month, day, year) 2-06-84	Amount of Each Receipt this Period $750.00
B. Full Name, Mailing Address and ZIP Code Ottawa County Republicans Mr. Dan Krueger 14117 Brooklane Holland, MI 49423 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 500.00	Date (month, day, year) 1-10-84	Amount of Each Receipt This Period $500.00
C. Full Name, Mailing Address and ZIP Code Midland County Republicans Mr. Walter Rupprecht, Jr. 1201 Airfield Lane Midland, MI 48640 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 3,500.00	Date (month, day, year) 3-01-84 3-30-84	Amount of Each Receipt This Period $2,500.00 1,000.00
D. Full Name, Mailing Address and ZIP Code 6th Congressional District Republican Committee 2415 Demby Drive Drayton Plains, MI 48020 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 200.00	Date (month, day, year) 1-12-84	Amount of Each Receipt This Period $200.00
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			$4,050.00
TOTAL This Period (last page this line number only)			$14,050.00

9504323455

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number
C 00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report

[XX] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

[ ] Thirtieth day report following the General Election on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 4-1-84 through 6-30-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 126,482.35	
(c) Total Receipts (from Line 18)	$ 308,348.80	$ 521,522.23
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 434,831.15	$ 555,582.02
7. Total Disbursements (from Line 28)	$ 421,455.53	$ 543,206.40
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 13,375.62	$ 13,375.62
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date 7-15-84

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

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All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

SCHEDULE A — ITEMIZED RECEIPTS

Page 1 for LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Manistee County Republican Committee Manistee, MI 49660	Political committee	4-23-84	$200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 200.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030	Occupation	4-06-84	$2,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 3,600.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Lenawee County Republicans Ms. Emily Kackstetter 2649 South Lake Drive Adrian, MI 49221	Occupation	4-02-84	$1,800.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 1,800.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Newaygo County Republicans Graydon Dimkoff 9 East Main Fremont, MI 49412	Occupation	4-06-84	$750.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 750.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Allegan Republican Women's Club KATY EDGERTON, PRES. 413 W. BRIDGE STREET PLAINWELL, MI 49080	Occupation	5-9-84	$100.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 100.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Republican 15th Congressional District Committee - GERALD MC KELVEY 12803 EVELYN COURT BELLEVILLE, MI 48111	Occupation	4-13-84	$200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 200.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			5,050.00

95043032357

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

Michigan Republican State Committee

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

00041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☒ October 15 Quarterly Report
☐ July 15 Quarterly Report ☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non-Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
☐ Thirtieth day report following the General Election
on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☒ YES ☐ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7/1/84 through 9/30/84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 13,375.62	
(c) Total Receipts (from Line 18)	$ 343,206.10	$ 864,728.33
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 356,581.72	$ 899,788.12
7. Total Disbursements (from Line 28)	$ 226,495.22	$ 769,701.62
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 130,086.50	$ 130,086.50
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

Denzil L. Hammond
SIGNATURE OF TREASURER

9 Sep 84
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523 4068

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All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

95043238

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of - / for
LINE NUMBER IIb
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Kent County Republicans 5650 Foremost Drive, S.E. Grand Rapids, MI 49506	Tom Koernke, Chrmn.	9/6/84	$1000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Political Organization	Aggregate Year-to-Date—$ 2500.00	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jackson County Republicans 330 Seminole Place Jackson, MI 49202	Joe Filip, Chairman	7/9/84	750.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Political Organization	Aggregate Year-to-Date—$ 1500.00	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Livingston County Republicans 570 Chicago Drive Howell, MI 48843	Joseph L. Richards, Chrmn	9/10/84	4350.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Political Organization	Aggregate Year-to-Date—$ 4350.00	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

SUBTOTAL of Receipts This Page (optional)	
TOTAL This Period (last page this line number only)	$100.00

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☒ Twelfth day report preceding General Election (Type of Election) election on Nov. 6, 1984 in the State of Michigan

☐ Thirtieth day report following the General Election on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☐ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-1-84 through 10-17-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 130,086.50	
(c) Total Receipts (from Line 18)	$ 119,720.00	$ 984,448.33
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 249,806.50	$ 1,019,508.12
7. Total Disbursements (from Line 28)	$ 201,279.97	$ 970,981.59
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 48,526.53	$ 48,526.53
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date 10-25-84

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202 523-4068

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All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (2/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page ____ of ____
LINE NUMBER ____
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Michigan REpublican State Committee

A. Full Name, Mailing Address and ZIP Code Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, Michigan 49030	Name of Employer	Date (month, day, year) 10-15-84	Amount of Each Receipt this Period 250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation County Chairman		
	Aggregate Year-to-Date—$ 3,850.00		
B. Full Name, Mailing Address and ZIP Code Eaton County Republicans Stephen Stohl 927 London Drive Lansing, Michigan 48917	Name of Employer	Date (month, day, year) 10-9-84	Amount of Each Receipt This Period 600.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation County Chairman		
	Aggregate Year-to-Date—$ 600.00		
C. Full Name, Mailing Address and ZIP Code Oakland County Republicans Joseph K. Knollenberg 245 South Woodward Birmingham, Michigan 48011	Name of Employer	Date (month, day, year) 10-5-84	Amount of Each Receipt This Period 200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation County Chairman		
	Aggregate Year-to-Date—$ 200.00		
D. Full Name, Mailing Address and ZIP Code Kent County Republicans Tom Koernke 5650 Foremost Grand Rapids, Michigan 49506	Name of Employer	Date (month, day, year) 10-17-84	Amount of Each Receipt This Period 2500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation County Chairman		
	Aggregate Year-to-Date—$ 5,000.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
SUBTOTAL of Receipts This Page (optional)			3550.00
TOTAL This Period (last page this line number only)			3,550.00

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REPORT OF RECEIPTS AND DISBURSEMENTS
For a Politi[redacted]ommittee Other Than an Authorized Commi[redacted]

(Summary Page)

ALIGN AREA | ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report
[ ] July 15 Quarterly Report [ ] January 31 Year End Report
[ ] July 31 Mid Year Report (Non-Election Year Only)
[ ] Monthly Report for _____
[ ] Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
[XX] Thirtieth day report following the General Election
on Nov. 6, 1984 in the State of Michigan
[ ] Termination Report

(b) Is this Report an Amendment?
[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-18-84 through 11-26-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 48,526.53	
(c) Total Receipts (from Line 18)	$ 162,209.24	$ 1,146.657.57
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 210,735.77	$ 1,181,717.36
7. Total Disbursements (from Line 28)	$ 137,290.67	$ 1,108,272.26
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 73,445.10	$ 73,445.10
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

Denzil L. Hammond
SIGNATURE OF TREASURER

Feb 15
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

2 3 2 3 6 3 3 2 3 5 0 4 3 9 5

SCHEDULE A

ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt this Period
A. Kent County Republican Committee 250 Michigan Street, N.E. Grand Rapids, MI 49503 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political organization Aggregate Year-to-Date—$ 500.00 ✓	10-25-84 11-5-84 10-26-84	$ 500.00 500.00 2,500.00
B. 14th District Republican Committee P.O. Box 36721 Grosse Pointe, MI 48236 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization Aggregate Year-to-Date—$ 500.00 ✓	11-5-84	$ 500.00
C. Oakland County Republican Committee 1377 Orchard Lake Road #104 Pontiac, MI 48238 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political organization Aggregate Year-to-Date—$ 3,000.00 ✓	11-15-84 10-23-84 10-30-84	$ 500.00 2,000.00 500.00
D. Grosse Pointe Women Lynda F. Webster 110 Meadow Lane, Grosse Pte Farms, MI ~~48236~~ Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization Aggregate Year-to-Date—$ 450.00 ✓	10-23-84	$ 450.00
E. HOUGHTON COUNTY REPUBLICAN COMMITTEE MARILYN JUKURI STURGEON RIVER ROAD CHASSELL, MI 49916 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political organization Aggregate Year-to-Date—$ 100.00 ✓	10-25-84	$ 100.00
F. Midland County Republican Committee Robert Walters 1908 IVY LANE, MIDLAND, MI 48640 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization Aggregate Year-to-Date—$ 3,790.00 ✓	10-25-84	$ 290.00
G. REPUBLICAN WOMEN'S CLUB HOUGHTON/KEWEENAW MARILYN JUKURE STURGEON RIVER ROAD, CHASSELL, MI 49916 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Aggregate Year-to-Date—$ 75.00	10-25-84	$ 75.00
SUBTOTAL of Receipts This Page (optional)			$7,915.00
TOTAL This Period (last page this line number only)			

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 2 for
LINE NUMBER 11b
(Use seperate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Women's Republican Club of Indian Village ADDRESS INFORMATION REQUESTED Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 10-22-84	Amount of Each Receipt this Period $200.00
B. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period

SUBTOTAL of Receipts This Page (optional) $200.00

TOTAL This Period (last page this line number only) $2,115.00

ALIGN AREA

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

Michigan Republican State Committee

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

000041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☒ YES ☐ NO

SUMMARY

5. Covering Period 11/27/84 through 12/31/84

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6.(a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 73,445.10	
(c) Total Receipts (from Line 18)	$ 63,505.00	$ 1,210,162.57
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 136,950.10	$ 1,245,222.36
7. Total Disbursements (from Line 28)	$ 36,854.44	$ 1,185,126.70
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 60,095.66	$ 60,095.66
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 37,704.82	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Harmond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

For further information contact:
Federal Election Commission
Toll Free 800 424-9530
Local 202 523 4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of [illegible]

All previous versions of FEC FORM 3 and FEC FORM 3A are obsolete and should no longer be used.

FEC FORM 3A (1/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1
LINE NUMBER 1.b
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Jackson County Republican Committee P.O. Box 1276 Jackson, MI 49204	Faith Kline, Treasurer	12/17/84	$1500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization		
	Aggregate Year-to-Date—$3,000.00		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Eaton County Republican Committee Charlotte, MI 48813	Eldon Dymond, Treasurer	12/14/84	400.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,000.00 ✓		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

19660D

EXHIBIT C

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of) MUR 2581

AFFIDAVIT OF CARLA J. REUTER HILLS

I, Carla J. Reuter Hills, being first duly sworn, hereby state:

1. That I was an employee of the Michigan Republican State Committee and the supervisor for the 1984 Michigan Republican State Committee Voter Identification and Get Out The Vote Programs operated from a 130 line telephone facility in Dearborn, Michigan.

2. That the operation which I supervised consisted of two distinct programs -- Voter Identification and Get Out The Vote.

3. That the Voter Identification Program was conducted exclusively with paid telephone callers.

4. That I was on-site at the telephone center during the Get Out The Vote program and have personal knowledge of the activity.

5. That approximately 30 of the 130 telephone lines at the telephone center were operated by volunteers during the entire Get Out The Vote program.

6. That the script which was used by the volunteer telephone callers expressly encouraged voters to go to the polls and vote for Ronald Reagan and George Bush.

Further, the affiant sayeth not.

September 29, 1989
Date

Carla J. Reuter Hills
Carla J. Reuter Hills

STATE OF MICHIGAN)
) ss
County of Ingham)

On the 29th day of September, 1989, before me, a Notary Public, in and for said County, personally appeared Carla J. Reuter Hills to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be her free act and deed.

Lauri L. Benac, Notary Public
Shiawassee County, Acting in
Ingham County, Michigan
My Commission Expires: 11-5-89

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

SUPPLEMENTAL ANSWERS TO INTERROGATORIES

NOW COMES, the Michigan Republican State Committee and in answer to the Commission Interrogatories and states as follows:

QUESTION #1. Describe in detail the contents of the MICHLIST in 1984 including, but not limited to, the number of names; any subheadings used (i.e. precinct, legislative district, congressional district, etc.); and the information provided for each name, (i.e. address, telephone number, employer, party registration, voting history, "swing voter", etc.). Describe the form of the MICHLIST, (i.e. printed list, microfilm, computer tape.)

ANSWER. The 1984 MICHLIST was a statewide list of Michigan residents. The subheadings used on MICHLIST 84 were statewide status, congressional district, legislative district, county, township, precinct and city. In addition, each precinct was assigned codes based on past Republican vote history, the vote tendency, the 1980 Reagan vote percentage and precinct predictability (a statistical assessment of the extent to which voting behavior remains constant). Publicly available census information from 1980 was also merged with the file.

Each individual within the file had full name, designation as head of household, if applicable, street and city address including zip code, carrier routes and geographic codes required for mailing. Telephone numbers, if available, were also included. MICHLIST 84 was maintained on magnetic tape.

QUESTION #2. Has MICHLIST been periodically updated since 1984? If yes, please state the dates this has been done, whether Market Opinion Research has been responsible for such updates, the types of changes involved in list size and content, and the costs to the Committee of this procedure.

ANSWER. MICHLIST has been updated each election cycle since 1984. Market Opinion Research has been the list development consultant and has engaged the services of other sub-contrac-

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tors. The process of update for the 1986 cycle began in March of 1986 and concluded in September of 1986. The update process for 1988 began in April of 1988 and concluded in October of 1988. The cost to the Committee of update was 157,748.94 in 1986 and $81,514.71 in 1988.

The process of updating the MICHLIST file has consisted of acquiring the names of newly registered voters from local government offices, adding those individuals to the files, and deleting those individuals no longer registered, moved or deceased. In 1986, additional demographic data was added to the file as well as the results of the 1984 VIP program.

In 1988, age information was added to each individual file as well as any responses produced through the 1986 VIP. Although voters have changed within the file, the total size of the MICHLIST file has not changed substantially over the three election cycles. In 1984, the total number of names was approximately 6,337,960; in 1986, the total number of names was approximately 6,173,332; and in 1988, it was approximately 6,386,155.

QUESTION #3. Specify the exact portions of the list which composed the 19% utilized in the 1984 VIP and GOTV programs at issue in MUR 2581, including the number of names involved in each portion.

ANSWER. The estimated number of names which were used in connection with the 1984 VIP and GOTV programs was 1,080,272, or 17% of the entire MICHLIST file. These names consisted of those individuals residing in precincts with certain past Republican voting history.

QUESTION #4. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1984 in addition to the VIP and GOTV programs at issue in MUR 2581. State whether the entire list or portions thereof were used for such additional programs. If portions were used, specify which ones and describe by size and content.

ANSWER. The Committee has, to the best of its ability, attempted to reconstruct the uses of MICHLIST during 1984 other than the VIP and paid/GOTV program. The programs which the Committee instituted during the 1984 cycle included volunteer GOTV, mass mailings, county commission mailings, state legislative mailings, fundraising, and third party use. Each program has as its universe a portion of MICHLIST. That portion of MICHLIST which consitutes the VIP universe will be hereinafter referred as the "VIP subset." It is possible that additional uses of MICHLIST were made in 1984 or that the number of names produced for a program is unknown. These programs are described in detail below.

VOLUNTEER GOTV - This program was conducted by county parties

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and their volunteers with lists generated from two sources. One portion of the universe was based on VIP telephone results prior to a cut-off date. The balance of the volunteer GOTV program was directed at individuals in precincts with a certain past Republican voting history and for which MICHLIST did not contain a telephone number. These lists were produced and volunteers looked up the telephone numbers. It is estimated that the number of household names within this program was 283,647. It is also estimated that of the 283,647 households selected from MICHLIST, 276,805 were derived from the VIP subset.

MASS MAILINGS - The Committee produced several mass mailings on behalf of its 1984 candidates. The total number of labels produced from MICHLIST which can be identified was a minimum of 985,630 from a universe of voters with certain Republican voting history and approximately 192,552 of those were from the VIP subset.

STATE LEGISLATIVE CANDIDATE ASSISTANCE - The Committee, during the 1984 election, targeted several House of Representatives seats for mailings. The Committee produced labels from MICHLIST. The total number of labels was approximately 3,095,346 based upon certain past Republican voting history. Of that total, 1,809,190 labels are estimated to have been consistent with the VIP subset.

COUNTY COMMISSION CANDIDATE ASSISTANCE - The Committee, during the 1984 election, targeted several local county commission seats for mailings. The universe was registered voters in precincts with a certain past Republican voting history in several county commission districts. The total number of labels is approximated at 109,190. The selection for these labels was from the entire MICHLIST universe, including the VIP subset but the total number from that subset is unknown.

FUNDRAISING - During 1984, the Committee ordered labels for the purpose of raising funds. At a minimum, three orders for names from the MICHLIST file appear to have been made. One order for approxiamtely 73,190 names was from the VIP subset. A second order was made for 36,627 names of registered voters in precincts with certain past Republican voting history. The final order appears also to have been made for registered voters in precincts with certain past Republican voting history for an estimated total of 362,774.

THIRD PARTY MICHLIST USE - The Committee has made MICHLIST available to other Republican organizations and candidates. MICHLIST may be employed for a number of uses such as door-to-door canvassing, GOTV, fundraising, telephone canvassing, mailing, etc. During 1984, the Committee estimates that third parties purchased a minimum of 3,385,267 labels or lists from MICHLIST. It is further estimated that 1,489,239 were names included within the 1984 VIP subset.

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QUESTION #5. Provide detailed descriptions of all uses to which the MICHLIST was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether the entire list or portions thereof were used for each such program. If portions were used, specify which ones and describe by size and content.

ANSWER.

A. 1985-86

In 1985, the Committee participated in three special elections for state legislative seats. Each race is discussed below:

VIP TELEPHONE PROGRAM - The Committee conducted a VIP Program in two special State Senate elections. A total of 159,391 names were printed from MICHLIST based on past Republican voting history and the 1984 VIP telephone results.

ABSENTEE BALLOT MAILING - The Committee conducted an absentee ballot mailing for two special State Senate elections and one special State House election. Approximately 55,008 labels from MICHLIST in precincts with certain past Republican voting history were used in one special election. Approximately 19,240 labels were used in another special election based on past Republican voting history. The approximate number of labels generated in the third special election was 7,588 but the universe is unknown.

VOLUNTEER IDENTIFICATION DOOR TO DOOR - The Committee conducted a voter indentification program in two special elections using walking lists. The number of names produced for the walking list from MICHLIST for one election was approximately 78,294 and the universe was precincts with certain past Republican voting history. The universe and number of names from MICHLIST for the other election are unknown.

VOLUNTEER GOTV/TELEPHONE - The Committee also conducted a GOTV Program for two special elections. In one election, the committee used volunteers to call voters and walk precincts on election day to encourage them to go to the polls to vote. The GOTV universe was based on the VIP telephone results as well as the "walk list" favorables. The number included in this project was approximately 42,434. Some names within this universe were from the 1984 VIP universe; however, the total is not known. In the second election, the universe and the number of names on the walk list are unknown.

AUTOMATED GOTV CALLING - The Committee conducted an automated calling program using a portion of the responses produced by the VIP Telephone Program. The number of names ordered from MICHLIST was 13,266. The exact universe is not known but would have contained some 1984 VIP names.

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CANDIDATE MAILINGS - Multiple mailings were made on behalf of the candidates in two of the special elections. It is believed that the labels were generated from three sources: 1. 1984 VIP telephone responses; 2. voters in precincts with certain past Republican voting history; and 3. 1985 VIP telephone responses. At least 174,525 labels were produced. The exact number of 1984 VIP names included is not known.

MISCELLANEOUS USE - In addition to the special election activity outlined above, the information which was produced in the 1985 special election Telephone Bank was used for fundraising on behalf of the Party. The universe for the telephone lists was precincts with certain past Republican voting history and the number of names produced was approximately 25,701. Additionally, one other local candidate for a School Board seat placed a MICHLIST order. The exact number of records ordered and the universe selected is unknown.

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During the 1986 cycle, the Committee added "vote frequency" to a portion of the voters in certain precincts. The programs which the Committee instituted during the 1986 cycle were Volunteer GOTV, Volunteer GOTV/Door-to Door-Campaign, mass mailings, county commission candidate assistance, state legislative candidate assistance, VIP Telephone Program, paid GOTV/advocacy calling, and third party MICHLIST use.

VOLUNTEER GOTV - The program was conducted by county parties and their volunteers with lists generated from two sources. All registered voters in certain precincts based on past Republican voting history and the results of the 1984 and 1986 telephone responses were given to counties for volunteer GOTV programs. The estimated number of volunteer calls for 1986 was 406,578.

VOLUNTEER GOTV/DOOR-TO-DOOR CAMPAIGN - A state-wide "walk list" was printed and distributed to counties. The list was based on certain vote frequency and past Republican voting history. The total number of names printed on the walk lists was approximately 272,000 - 275,000.

MASS MAILINGS - The Committee produced several mailers on behalf of 1986 candidates. The total number of labels is estimated to have been 2,047,168 with individual universes based upon past republican vote frequency and voting history.

COUNTY COMMISSION CANDIDATE ASSISTANCE - The Committee, during the 1986 election, targeted a number of local county commission seats for mailings. The universe varied per district. All labels were produced from MICHLIST. The total label count was 44,786.

STATE LEGISLATIVE CANDIDATE ASSISTANCE - The Committee, during the 1986 election, targeted several state legislative seats for mailings. The total number of labels generated was

approximately 1,808,489. A minimum of 29,878 of the labels were generated from the VIP subset.

VIP TELEPHONE PROGRAM - The Committee repeated the telephone identification program of 1984. The universe was based on certain past Republican voting history and included newly registered voters. The estimated universe of the 1986 VIP Program was 405,385.

PAID GOTV/ADVOCACY - The Committee engaged in paid advocacy and GOTV calls. The calls were made only on behalf of state candidates. The total number of GOTV/ADVOCACY calls that were made was approximately 115,310. The universe was results from the VIP program plus voters with certain Republican voting history.

THIRD PARTY MICHLIST USE - The Committee made MICHLIST available to other Republican organizations and candidates. The products may be employed for a number of uses such as door-to-door canvassing, GOTV, fundraising, telephone canvassing, mailing, etc. During 1986, the Committee estimates that third parties purchased a minimum of 4,870,548 lists/labels from MICHLIST.

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B. 1987-88

The programs which the Committee instituted during the 1987-88 cycle were VIP Program, party building/state candidate voter identification, volunteer GOTV, paid GOTV, mass mailings, legislative candidate assistance, county candidate assistance, and third party MICHLIST use.

VIP TELEPHONE PROGRAM - The Committee repeated the telephone identification program of 1984 and 1986. The universe was again registered voters in precincts with a certain past Republican voting history and included newly registered voters since 1986. The estimated universe for the 1988 telephone program was 571,845.

PARTY BUILDING/STATE CANDIDATE VOTER IDENTIFICATION - The Committee implemented a new party building/state candidate voter identification program in 1988 which was targeted to precincts with a certain past Republican voting history. The estimated number of names produced from MICHLIST was approximately 378,970.

VOLUNTEER GOTV - The Committee implemented the same basic volunteer GOTV program which it implemented in 1986. The voters in precincts with a certain past Republican voting history were sent out to the county parties along with certain voters from the VIP telephone program. The estimated number of volunteer GOTV calls drawn from MICHLIST was approximately 550,000-600,000.

PAID GOTV - The Committee conducted a paid GOTV program. The estimated number of calls made from the telephone center was approximately 79,098. The universe for the calls was certain voters reached by the VIP telephone program.

MASS MAILINGS - The Committee, during 1988, made several mailings on behalf of its candidates. The Committee estimates that it produced 7,781,030 labels from MICHLIST. The universe was based upon past Republican voting history.

COUNTY CANDIDATE ASSISTANCE - The Committee, during the 1988 election, targeted many local races for mailings. The MICHLIST universe was based on certain past Republican voting history and the total number of labels produced was estimated at 100,034.

STATE LEGISLATIVE ASSISTANCE - The Committee, during the 1988 election, targeted several state legislative seats for mailings. The Committee produced labels from MICHLIST. The total number was approximately 1,845,656.

THIRD PARTY MICHLIST USE - The Committee made MICHLIST available to other Republican organizations and candidates. The products may be employed for a number of uses such as door-to-door canvassing, GOTV, fundraising, telephone canvassing, mailing, etc. During 1988, the Committee estimates that third parties purchased a minimum of 990,646 labels and lists from MICHLIST.

QUESTION #6. Provide detailed descriptions of all other uses to which the 19% of the MICHLIST used in the 1984 VIP and GOTV programs was put by the Michigan Republican State Committee in 1984. State whether all or portions of the 19% were used for these additional programs. If portions were used, specify which ones and describe by size and content.

ANSWER. The Committee respectfully refers the Commission to the response in question number four.

QUESTION #7. Provide detailed descriptions of all uses to which the 19% of the MICHLIST cited above was put by the Michigan Republican State Committee in 1985-86 and 1987-88. State whether all or portions of the 19% were used for these additional programs. If portions, specify which ones and describe by size and content.

ANSWER. The Committee has been unable to reconstruct its records to the extent that it can determine the exact use of the 1984 VIP universe in either 1986 or 1988. The Committee has been able to estimate that the number of 1984 VIP names which remained in the 1986 file was approximately 1,004,633. The Committee does not have the records to further identify how many of the 1984 VIP universe remained in the 1988 file. The Committee does not have records which would enable it to identify to what extent each order from MICHLIST included the

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1984 universe. It is clear, however, that the 1984 VIP universe was used extensively in both 1986 and 1988 in programs other than the VIP.

QUESTION #8. State whether the Committee and/or Market Opinion Research has rented all or portions of the MICHLIST to other committees, groups or individuals since its development in 1984. If yes, please specify:

ANSWER. a. Whether the Committee or Market Opinion Research was the renting entity.

The Committee, by its user policy, has ultimate control over which Republican candidates or organizations have access to MICHLIST. All purchasers of products from MICHLIST must have the approval of the Committee. The original contract with Market Opinion Research gave that consultant a one time use of the list. The Committee does not know whether Market Opinion Research ever exercised that option.

b. The entities to which all such rentals have been made;

ANSWER. The Committee respectfully refers the Commission to the responses in questions four and five.

c. The numbers of names involved in each such rental and the percentage of the entire list involved;

ANSWER. The Committee respectfully refers the Commission to the responses in questions four and five.

d. The amounts charged for each such rental and the basis for each amount; and

ANSWER. Two charges are made on each purchase of products from MICHLIST. The user is charged a set-up fee and a fee per thousand records requested. The following fee structures were in place during the period the subject of this inquiry.

1984	Set-up	Cost/Thousand
Vendor		
Market Opinion Research	$250	$10/M - Lists $11/M - Labels
Technicom Graphics, Inc.	$250	$10/M - Lists $11/M - Labels
1986		

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Market Opinion Research	$200	Same as 1984
Technicom Graphics, Inc.	$285	Same as 1984

1988

Market Opinion Research	$190	Same as 1984
Technicom Graphics, Inc.	$200	Same as 1984

e. Whether the amounts of such rentals have increased since 1984 and, if so, by how much.

Answer. The Committee respectfully refers the Commission to the answer immediately above.

QUESTION B. Please provide a detailed explanation of the purposes of the $15,035.44 in expenditures cited at Section 2 of the Commission's Factual and Legal Analysis.

ANSWER. The Committee acknowledges that the following invoices previously omitted from the allocation base were, in fact, actual expenses of the Voter Identification Program:

1.	Michigan Bell - Deposit on telephone service	$1250.00
2.	Able Rental Services - Rental of equipment	$1702.04 $1711.32
3.	Federal Express - Express Mail	12.50
4.	Imperial Business Products* Papermate Fine Point Markers	$ 846.72
	Total	$5522.58

The balance of the invoice to Imperial Business Products was for supplies which were not used in the Voter Identifcation Program. The amount of $1,284.48 is more appropriately labeled general office supplies.

The $279.88 noted for a voter list was actually for the Kent County Republicans campaign effort. It was a list of Reagan undecideds from the telephone center which was provided to Kent County for their volunteer programs and not in anyway used in the VIP effort.

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The invoice to Market Opinion Research for $7,948.50 was for programs other than allocable VIP/GOTV. The invoices consisted of charges for individual candidate products as well as volunteer GOTV list purchases.

MICHIGAN REPUBLICAN STATE COMMITTEE

By: David J. Doyle
David J. Doyle
Executive Director of the
Michigan Republican Party

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

On this 29th day of September, 1989, before me personally appeared David J. Doyle, Executive Director of the Michgian Republican Party, and made oath that he has read the foregoing Supplemental Answers to Interrogatories by him subscribed, and knows the contents thereof, and that the same are true upon information and belief.

Laura L. Benac
Laura L. Benac
Notary Public
Shiawassee County, Michigan acting in
Ingham County, Michigan
My Commission Expires: 11-05-89

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Republican
National
Committee

Benjamin L. Ginsberg
Chief Counsel

Michael A. Hess
J. Courtney Cunningham
Deputy Chief Counsels

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OGC #44164

November 3, 1989

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2581
Republican National Committee

Dear Mr. Noble:

Enclosed are the RNC's Responses to Interrogatories and Request for Production of Documents in the above-captioned matter, together with a position brief in response to the General Counsel's Factual and Legal Analysis. Pursuant to my discussion with Mr. Anthony Buckley, this submission has been delayed beyond the scheduled response date. As I explained to Mr. Buckley, the individual who seemed to have the best personal knowledge of the activities at issue is now a resident of California, and could only arrange to meet with us on October 30 and 31 to review documents and prepare an affidavit. We appreciate your consideration in this matter.

Sincerely,

Benjamin L. Ginsberg

Enclosures

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Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
Telex: 701144 • FAX: 863-8820

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

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RESPONDENTS' BRIEF IN RESPONSE TO FACTUAL AND LEGAL ANALYSIS

I. Timeliness of MUR

As an initial matter, respondents assert that the commencement of this matter at this time -- five years after the activities under review -- contradicts at least the spirit of the period of limitations set out in 2 U.S.C. 455(a). Furthermore, the Republican National Committee ("RNC"), in good-faith reliance on the three-year record-preservation requirements of 11 CFR 102.9(c), has only fragmentary documentation from the period under review. Respondents were unable to even determine the nature of the Commission's inquiry until requesting additional information from the Commission. In response to a request for the information upon which the General Counsel based its reason to believe finding, the Office of General Counsel provided copies of two response cards representing contributions to the Michigan Republican State Committee in 1984. These cards were useful to the RNC in identifying the nature of the Commission's inquiry, and enabled the RNC to locate what few documents from that period remain in the RNC's files and storage warehouse.

Since the events in question took place five years ago, it has been extremely difficult to locate individuals with actual knowledge or complete recollection of the activities under review. Nearly all of the individuals with personal knowledge of facts that are the subject of this matter are no longer employed by or associated with the RNC.

While the RNC wishes to cooperate with the Commission's investigation in good faith, it appears that any conclusions drawn in this matter can only be based on a partial record and cloudy recollections. At the very least, such a result violates fundamental fairness considerations and ensures a decision based on less than complete information.

II. Factual and Legal Analysis

While the Respondents' documentation is understandably incomplete, it does indicate that the General Counsel's factual analysis in this matter is not an accurate characterization of the Victory '84 Alliance program. In its analysis, the General Counsel suggests that certain contributions from persons made in connection with the Victory '84 program were actually contributions to the RNC which were then transferred to the Michigan Republican State Committee. As a result, the Commission has found reason to believe that Respondents violated 2 U.S.C. 434(b)(2)(A) by failing to report the receipt of contributions from persons other than political committees and 2 U.S.C. 434(b)(4)(C) by failing to report transfers to the Michigan Republican State Committee. The analysis also suggests that if the RNC solicited the contributions in question for particular state party committees, the costs involved in the solicitation would have constituted reportable contributions to the ultimate beneficiaries under 2 U.S.C. 431(8)(A). These analyses and conclusions are based on a misunderstanding of the nature of the Victory '84 program and the transactions under review.

A. Failure to Report Receipt of Contributions

The General Counsel appears to have based its reason to believe finding that a violation of 2 U.S.C. 434(b)(2)(A) occurred on the incorrect assumption that the Victory '84 program involved both a direct mail solicitation by the RNC and a fundraiser, perhaps a joint fundraiser, taking place in Washington, D.C. In fact, there is no record of any such direct mail solicitation by the RNC in connection with the Victory '84 program. Furthermore, there is no evidence that the RNC ever conducted any joint fundraising event with the Michigan State Committee, or any other State Committee, in connection with the Victory '84 Alliance program. It appears that the "fundraiser" alleged to have been held was, in fact, a "thank you" meeting and visit with President Reagan held in March, 1985 at the Shoreham Hotel in Washington, D.C. See Response to Interrogatory 2, attached.

The contributions in question appear to have been generated by volunteer fundraisers for the Michigan State Committee. See Responses to Interrogatories 2 and 4. These fundraisers were specifically advised not to send any such contributions to the RNC, but rather to the State Committee. See Exhibit 10. Despite the RNC's best efforts, however, and given the nature of volunteer activities, it appears that some of the contributions intended for the Michigan State Committee were mistakenly sent by these volunteer fundraisers to the RNC. See Affidavit of Philip S. Smith, Exhibit 9, para. 7. As demonstrated in the enclosed responses and documentation, it was the policy of the RNC to return immediately these contributions to the intended recipient, the State Committee. Id.

Since these contributions were not solicited for nor intended for the RNC, and were returned promptly to the intended recipient, the RNC had no obligation to report the receipt of such

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contributions. See 2 U.S.C. 434(b). In addition, the statute and regulations pertaining to earmarked contributions specifically apply only to contributions forwarded to candidate committees, not state party committees. 2 U.S.C. 441(a)(7),(8); 11 C.F.R. 110.6. The regulatory definition of earmarking is quite explicit in this regard:

> For purposes of this section, earmarked means a designation, instruction, or encumbrance (including those which are direct or indirect, express or implied, oral or written) which results in all or any part of a contribution or expenditure being made to, or expended on behalf of, a clearly identified candidate or a candidate's authorized committee." 11 C.F.R. 110.6(b). (Emphasis supplied.)

Furthermore, the fact that these contributions appear to have been intended for deposit in the State Committee non-federal account would further obviate an FEC reporting obligation. See Response to Interrogatory 4; Affidavit of Philip S, Smith, Exhibit 9, para. 9; Exhibit 16.

B. Failure to Report Transfers to State Committee

The attached documentation indicates that the contributions at issue: were not intended for the RNC but, rather, for the State Committee; were not deposited in RNC accounts; were not earmarked contributions for candidates (11 C.F.R. 110.6); and were intended for deposit in the State Committee's non-federal account. See Responses to Interrogatories 2 and 4; Affidavit of Philip S. Smith, Exhibit 9. As a result, the RNC was not required to report any such transfer to the State Committee.

C. Failure to Report Costs of Solicitation

The enclosed documents indicate that no direct mail solicitation was undertaken by the RNC as part of the Victory '84 Alliance program. See Response to Interrogatory 3; Affidavit of Philip S. Smith, Exhibit 9, para. 4. The RNC appears to have provided consulting, logistical and other support to volunteer Victory '84 fundraisers, but any solicitations, direct mail or otherwise, would have been undertaken by state Republican committees and their volunteer fundraisers. Accordingly, since the RNC did not incur any such solicitation costs, it was under no requirement to report.

D. Transmittal by Reagan-Bush '84

The General Counsel's Factual and Legal Analysis refers to "a check in the amount of $5,000 which had been forwarded to the State Committee by Reagan-Bush '84." Respondents have no information relating to this transaction.

E. Direct Mail Activites

The Factual and Legal Analysis also concludes "that there was a direct mail component to the Victory '84 Alliance program." As indicated supra, Respondents have no evidence supporting that

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conclusion, and enclose evidence to the contrary. The RNC has no information or records regarding direct mail solicitations made by state and local party committees, the costs of which would have been paid by those committees.

III. Conclusion

For the reasons set forth herein, and further explained and documented in the enclosed Response to Interrogatories and Request for Production of Documents, Respondents submit that a probable cause to believe finding would be unwarranted.

Respectfully submitted,

Benjamin L. Ginsberg

Michael A. Hess

Counsel for Respondents

Dated: November 3, 1989

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

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RESPONSE TO INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS

Respondents and, in particular, the Republican National Committee ("RNC"), through their counsel, hereby submit this response to the Interrogatories and Request for Production of Documents in the above-referenced Matter Under Review.

INTERROGATORIES

A. Please provide the following information:

1. A detailed description of the RNC's Victory '84 Alliance program, [including]

RESPONSE: The Victory '84 Alliance, also known as Victory '84, was a project of the Republican National Committee, and state and local Republican Party organizations designed to generate volunteer activities to maximize Republican electoral turnout at the 1984 general election. The program was run in conjunction with Republican campaigns on the federal and state level, including Reagan-Bush '84. The term "Victory '84" was used by state and local Republican party organizations as a generic or umbrella term for all federal, state and local political activity in preparation for the 1984 general elections.

Exhibit 1 is an October 8, 1984 memorandum from E. Mark Braden, then-Chief Counsel of the RNC, explaining the objectives and limitations of the Victory '84 program to Republican National Committee Members. A related memorandum, dated September 21, 1984 from Mr. Braden to Sherrie Cooksey, then in the Office of White House Counsel, explaining the legal bases for the program is enclosed as Exhibit 2. An undated program synopsis describing the purposes, goals, and proposed implementation of Victory '84 is attached as Exhibit 3. This synopsis was prepared by Philip S. Smith, then-Executive Director of the Republican National Finance Committee. Exhibit 4 is another general memorandum from Mr. Braden

(hand dated October, 1984), which was meant to respond to general questions on Victory '84 fundraising. Although not prepared by the RNC, Exhibit 5 was found in the RNC's files and is responsive to the interrogatory; it is an October 4, 1984 memorandum to all Reagan-Bush '84 Staff and Volunteers, prepared by Ron Robertson, Chief Counsel to Reagan-Bush '84, describing Victory '84.

a. the forms of all solicitation efforts undertaken (e.g., fundraising dinners, direct mail solicitations);

RESPONSE: In support of state Republican Party committee efforts to raise funds that could be used for the Victory '84 activities described supra, the RNC apparently paid for the design, development, and production of a fundraising brochure for state and local Victory '84 activities. Respondents have been unable to locate an actual copy of the brochure as finally produced. The best recollection of former RNC Victory '84 employees is that the brochure was designed by Lewis & Company, Inc., but further inhibiting Respondents' efforts to locate a copy of the actual brochure is the fact that Lewis & Company is no longer in business.

It appears that the brochures, together with pledge/response cards, were distributed by the RNC Victory '84 Alliance program beginning in late August/early September, 1984. Enclosed as Exhibit 6 is a memorandum from Lynn Collins-Urbanski, a consultant to the RNC's Victory '84 program, to volunteer state Victory '84 chairmen indicating that copies of the brochures and cards were enclosed for their use. The memorandum indicates that "the brochure instructs the contributor to send their contribution to their State Party organization." Also enclosed as Exhibit 7 is a copy of a memorandum from Ms. Collins-Urbanski and Lee Johnson, Director of the RNC's Victory '84 Alliance program, to Republican Party State Chairmen. This memorandum also refers to brochures and cards for distribution by the state Republican Party chairmen.

Exhibit 8 is copies of the response cards mentioned in Ms. Collins-Urbanski's memoranda. The response cards were provided by the Commission in response to Respondents' request for further information in this matter, and were helpful in understanding the nature of the Commission's inquiry. Apparently, a second version of the response card, which mentions a "Washington, D.C. event," was distributed when plans for a "thank you" meeting, discussed infra, were concluded. An original of the second response card has been located and is included in this exhibit. Respondents have been unable to determine why two different response cards were prepared and distributed.

The brochure was not distributed as part of a mass or direct mail program, but was an element of a fundraising program conducted by volunteer state Victory '84 fundraisers. The RNC did not conduct a mass or direct mail solicitation for Victory '84. Affidavit of Philip S. Smith ("Smith Aff."), at 4 (attached as Exhibit 9).

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b. the policies governing the allocation of solicited contributions among state party committees;

RESPONSE: The solicitations described supra were not solicitations for contributions to the RNC, but, as is evident on their face, solicitations for state Republican Party Victory '84 programs. From the records located by the Respondents, it is apparent that every effort was made to ensure that solicited funds went directly to these state party programs. Smith Aff. at 5-8.

Exhibit 10 is copies of two memoranda from Ms. Collins-Urbanski that were part of a regular series she sent to the volunteer Victory '84 chairmen in each state. One memorandum, dated August 31, 1984, makes it clear that the volunteer state chairmen were instructed to solicit Victory '84 funds directly for their state party, not the RNC. A subsequent memorandum, dated September 7, 1984, specifically sets out the policy of the RNC Victory '84 program in this regard:

> "Additionally, when you are collecting your Victory '84 Alliance checks, please do not send your money to Washington. Once you have recorded your results from your efforts, please send the money at once to your State Party Chairman at your State Party Headquarters." [Emphasis in original.]

c. the methods used to distribute the solicited contributions (e.g., transmittal of contributor checks, use of RNC account); [and]

RESPONSE: As Exhibits 9 and 10 demonstrate, contributions solicited by volunteer state Victory '84 fundraisers were solicited for and intended to be sent to their state's Republican Party Victory '84 program. While volunteer fundraisers relied heavily upon contributions from individuals within their own state, many of these fundraisers also relied upon personal contacts from out-of-state. Smith Aff. at 5 (attached as Exhibit 9). In some instances, this resulted in out-of-state contributions to a state's Victory '84 program. Id. at 6. According to the Smith affidavit, individuals solicited by volunteer Victory '84 fundraisers were informed that their contributions would be directed to a particular state's Victory '84 program. Id.

In some instances, either volunteer fundraisers or contributors sent to the RNC checks which were, in fact, intended for a state's Victory '84 program. Id. at 7. It was the RNC's policy to return immediately these checks to the intended recipient state. Id. It was the policy of the RNC Victory '84 finance program to return all such checks as soon as they were received. Id. at 8. The RNC did not deposit such checks in any RNC account, nor did it report such contributions since the Victory '84 program was designed so that the RNC would not receive Victory '84 contributions, nor exercise control over the intended recipient of the contributions. Id.

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d. the content of any agreements between the recipient state party committees and the RNC regarding the distribution of solicited contributions.

RESPONSE: No record of any such agreements has been located and there is no evidence that Respondents can find that one ever existed.

2. A detailed description of the fundraising event(s) held in Washington, D.C., in 1984 as part of the Victory '84 Alliance program as a result of which the Michigan Republican State Committee received contributions, including

a. any explanation of the purpose and financial goals of the event(s) presented to potential contributors;

b. the number of persons who attended the fundraising event;

c. the payees to which those solicited were instructed to write any checks; and

d. a listing of the state party committees intended to be benefited.

RESPONSE: No such "fundraising" event or events occurred. This interrogatory is apparently based upon the mention of a "Washington, D.C. event" on the response card in Exhibit 8, supra.

The RNC's records indicate that a Victory '84 "kick-off meeting" was held in Washington in October, 1984. This was not a fundraiser but, apparently, a small meeting among key volunteer fundraisers for state Victory '84 programs with Drew Lewis, the volunteer National Chairman of the Victory '84 Alliance.

The Victory '84 "event" mentioned on the response card in Exhibit 8, which was not actually held until March 25-26, 1985, was not a fundraiser, but rather a "thank-you" meeting for contributors who had given $5,000 to their state party's Victory '84 program. Individuals who had contributed $5,000 were designated as "Steering Committee Members," a designation used in many of Respondent's exhibits.

A copy of "Steering Committee Guidelines" distributed to volunteer state Victory '84 chairmen is attached as Exhibit 11. There is no information as to the author of the guidelines. The guidelines state:

> "[The] express purpose of this project is to help raise new money for the Victory '84 program in your state....Steering Committee membership is obtained through a $5,000 contribution to a state Republican Party Federal Account. This contribution must be made after August 24, 1984, and before the meeting of the Steering Committee in Washington....Steering Committee

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membership will allow a contributor to attend the Washington event accompanied by a spouse or guest...."

According to the guidelines, state party chairmen were provided with "verification cards." Upon receiving a $5,000 contribution for Steering Committee membership, the Chairmen were to sign the card for that person, and return it to the RNC. The guidelines further provide that only persons whose names had been received via this verification card process would be allowed to attend the meeting with the President. Presumably because the meeting was originally scheduled for early October, 1984, the guidelines stated that cards were to be received by the RNC by October 5, 1984. An example of a completed verification card is attached as Exhibit 12.

Exhibit 13 is a September 28, 1984 "Progress Report Update" from Lynn Collins-Urbanski to state Victory '84 chairmen indicating that the Steering Committee meeting, originally scheduled for October 8, 1984 had been moved to October 23. Also included in this Exhibit is an October 5 update from Ms. Collins-Urbanski, indicating that the deadline for invitations to the White House meeting had been extended to October 19. A subsequent memorandum from Ms. Collins-Urbanski, dated October 12, 1984, and also included as part of this Exhibit, indicates that, because the President was on the campaign trail away from Washington, the date for the meeting was changed until after the election -- November 19. The same memorandum indicates an extension of the cut-off time for recruiting Steering Committee members, which, according to an October 26 memorandum, also enclosed, was finally set for November 5, 1984, the day before the election. Ms. Collins-Urbanski's "Final Progress Report" to state Victory '84 chairmen," dated November 16, 1984 and enclosed with this exhibit, indicates that, due to a conflict with the President's schedule, the November 19 meeting would have to be rescheduled for January, 1985.

The documents enclosed as Exhibit 14 indicate that the meeting for the Steering Committee members finally took place on March 25-26, 1985, at the Shoreham Hotel in Washington, D.C., and also included a visit with President Reagan at the White House. These documents include the agenda for that meeting.

Respondents have no records nor knowledge of the number of individuals who actually attended the meeting. Because of the mistaken assumption upon which this Interrogatory is based, Respondents have no information relevant to 2(a),(c),or (d), other than to the extent the Steering Committee meeting has been discussed supra.

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3. A description of all Victory '84 Alliance program direct-mail solicitations carried out in 1984 as a result of which the Michigan Republican State Committee received contributions, including

a. the dates of the solicitations;

b. the numbers of persons solicited;

c. the payees to which those solicited were instructed to write any checks;

d. and all state party committees intended to be benefited.

RESPONSE: The RNC has no record of any direct mail solicitations conducted by the RNC in connection with the Victory '84 Alliance program. The affidavit of Philip S. Smith, supra at Exhibit 9, para. 4 reflects his recollection and belief that no such solicitation occurred.

4. A listing of all contributors to the Victory '84 Alliance program whose contributions were forwarded to the Michigan Republican State Committee, and of the amounts of those forwarded contributions.

RESPONSE: In general, Respondents cannot provide a complete listing of such contributors, since most of the records of the program in question no longer exist. However, Exhibit 15 includes those records which could be located including the following:

An October 9, 1984 memorandum from Philip S. Smith to Spencer Abraham, Chairman of the Michigan Republican State Committee, transmitting checks totalling $20,000 for the Michigan Victory '84 program that were incorrectly sent to the RNC. Copies of the relevant checks are also included, as is a memorandum to Phil Smith from Betsy Gehring indicating that the checks in question had been received the previous day from John Gnau, a volunteer fundraiser in Michigan.

An October 22, 1984 memorandum from Philip S. Smith to Kris Wolf, RNC Regional Political Director, returning checks totalling $40,000 for Michigan's Victory '84 program, of which $10,000 was indicated for deposit into the Michigan Republican State Committee's federal account. No individual names or check copies have been located in connection with this memorandum.

An October 30, 1984 memorandum from Philip S. Smith to Kris Wolf, RNC Regional Political Director, returning checks totalling $40,000 for Michigan's Victory '84 program, of which $25,000 was directed for deposit into the Michigan Republican State Committee's federal account. No individual names or check copies have been located in connection with this transmittal.

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One additional transmittal letter from Mr. Smith to Mr. Abraham, dated December 14, 1984, has been located and is attached as Exhibit 16. The letter indicates that it accompanied checks totalling $35,655, which had been generated by volunteer Victory '84 fundraisers, but received at the RNC after election day. As a result, Mr. Smith indicated that these checks were intended "for the specific purpose of funding [State] Senate Special Election races" in Michigan. Also enclosed as part of this exhibit are copies of checks which were located near, but not attached to, the cover memorandum in the RNC's files. The total amount of these checks is $35,880. Respondents have determined that all but one of the contributions listed on the Michigan Republican State Committee's 1984 year-end report as having been received on December 17 are included among these checks. Respondents have no knowledge or information on the differences in the amount stated on the memorandum and the amount reported by the State Committee on December 17.

5. A statement of the total costs incurred by the RNC in connection with those portions of the Victory '84 Alliance program through which the Michigan Republican State Committee received contributions.

RESPONSE: Since the RNC's records in this 5-year-old matter are fragmentary, no such statement of costs can be developed.

B. Did the recipient state party committees pay shares of the costs of the Victory '84 [Alliance] solicitations? If yes, please describe the procedures used in allocating those costs and in collecting the committees' respective shares.

RESPONSE: This Interrogatory is apparently predicated on the incorrect assumption reflected in previous Interrogatories that there were direct mail solicitations and a Washington, D.C., fundraiser. Since neither of these activities occurred, the Interrogatory loses much relevance. The RNC apparently paid the costs for some brochures and response cards used by volunteer fundraisers, as described supra. There is no record of any allocation of any costs relating to the Victory '84 program. Respondents have no information or records regarding solicitations made by state and local party committees, the costs of which would have been paid by those committees. Furthermore, because these programs were run by volunteers, there would be no way practicable to determine fully solicitation costs on the part of state and local party committees, even if relevant records did exist.

C. If the state party committees did not pay shares of the costs of the portions of the Victory '84 Alliance program through which the Michigan Republican State Committee received contributions, please provide a reasonable allocation among the committees benefited of those costs.

RESPONSE: See response to interrogatory A(5), supra.

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D. Did the Michigan Republican State Committee receive contributions through the RNC during 1984 pursuant to programs other than the Victory '84 Alliance program? If yes, please describe those other programs, and provide the names of the contributors whose contributions were forwarded, the dates upon which the RNC forwarded those contributions and the amounts of the contributions.

RESPONSE: Other than the transactions described in the responses to Interrogatory A, supra, Respondents are unaware of any such contributions forwarded to the Michigan Republican State Committee.

E. Please identify the person or persons within the RNC primarily responsible for the Victory '84 Alliance program and for any other RNC solicitation programs through which the Michigan Republican State Committee received contributions during 1984.

RESPONSE: Frank J. Fahrenkopf, Jr., as Chairman of the RNC during the period under review, had ultimate responsibility for the Victory '84 program within the RNC. William Lacy, as Political Director of the RNC at the time in question, was responsible for the political aspects of the program. Philip S. Smith, Executive Director of the Republican National Finance Committee during the period in question, had responsibility for the financial portion of the RNC's Victory '84 program.

F. Please identify the person or persons associated with the Michigan Republican State Committee with whom the persons identified in answer to Question E were in contact with regard to the Victory '84 Alliance program and any other RNC solicitation program of benefit to that state committee during 1984.

RESPONSE: Spencer Abraham was the Chairman of the Michigan Republican State Committee at the time in question and would have had overall authority for Victory '84 activities in Michigan. The individuals identified in the Response to Interrogatory E would also have been in contact with RNC political field staff with responsibility for Michigan; volunteer fundraisers in the State of Michigan; and Reagan-Bush '84 staff.

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REQUESTS FOR DOCUMENTS

Please provide the following documents:

1. All documents related to Victory '84 Alliance fundraising events held in Washington, D.C., which resulted in contributions being forwarded to the Michigan Republican State Committee, including but not limited to invitations and solicitation materials, invoices received by the RNC, and cancelled checks representing payments by the RNC of the costs of such events.

RESPONSE: All requested documents are submitted as exhibits attached in response to Interrogatory A(2), supra.

2. All documents related to Victory '84 Alliance direct mail solicitations which resulted in contributions being forwarded to the Michigan Republican State Committee, including but not limited to solicitation letters plus invoices and cancelled checks related to expenses incurred by the RNC in connection with the solicitations.

RESPONSE: Please see Response to Interrogatory A(3), supra.

3. All documents related to other RNC solicitation programs through which the Michigan Republican State Committee received contributions in 1984, including but not limited to solicitation letters plus invoices and cancelled checks related to expenses incurred by the RNC in connection with the solicitations.

RESPONSE: Please see Response to Interrogatory D, supra.

4. All documents related to the forwarding to the Michigan Republican State Committee of contributions received by the RNC pursuant to the Victory '84 Alliance program and any other RNC solicitation program through which that state committee received contributions during 1984, including but not limited to any agreements between the RNC and the Michigan Republican State Committee concerning forwarding procedures and any letters which accompanied forwarded contributions.

RESPONSE: All relevant existing documents have been produced in response to Interrogatory 4, supra. No documents regarding any such agreements between the RNC and the Michigan Republican State Committee are known to exist.

5. All documents related to any payments by the Michigan Republican State Committee of portions of the costs of the Victory '84 Alliance program and of any other RNC solicitation programs through which that state committee received contributions during 1984, including but not limited to invoices sent to the State Committee and records of payments received.

RESPONSE: No such documents can be identified or are known to exist.

Respectfully submitted,

Benjamin L. Ginsberg

Michael A. Hess

Counsel for Respondents

Dated: November 3, 1989

25543623

EXHIBIT 1

9504322

Republican
National
Committee

E. Mark Braden
Chief Counsel

Catherine E. Gensior
Michael A. Hess
Deputy Chief Counsels

October 8, 1984

TO: Republican National Committee Members

FROM: E. Mark Braden, Chief Counsel EMB

SUBJ: Volunteer Activities/Victory '84

9504360230

State and local party committees have two unique advantages under the Federal Election Campaign Act.

1. Registered party committees are the only organizations which can make unlimited expenditures for volunteer activities in cooperation with and on behalf of Republican federal candidates, and

2. After the National Convention, only party committees can raise and spend unlimited funds for volunteer activities directly on behalf of the President's campaign. In contrast, following the Convention, Reagan-Bush '84 will receive strictly limited public financing and is precluded from raising any further funds for campaign activities.

The Victory '84 program is an effort to assist and encourage state and county committees to utilize these advantages. Victory '84 is a party program. A state party's Victory '84 program can be, and should be, conducted in cooperation with Republican candidates' campaigns, but must remain the party's program.

Victory '84 volunteer activities are bound only by your committee's ingenuity and ability in raising funds and recruiting volunteers, provided certain constraints are observed:

a. Costs of such activities for federal candidate(s) are paid for from unearmarked contributions subject to limitations and restrictions of the Federal Election Campaign Act (FECA).

b. Funds received from the national party committees are not used.

Federal law permits three types of activity: 1. volunteer materials, 2. mass mailings, and 3. phone banks (presidential).

1. Volunteer Materials. A state or local party committee may make unlimited expenditures for campaign materials such as buttons, bumper stickers, handbills, brochures, posters, tabloids, yard signs etc., for use in connection with volunteer activity. These campaign materials may be prepared on behalf of any of the party's nominees and in total coordination with their campaigns. These exempt volunteer materials, however, do not include advertising using radio, TV, billboards, or newspapers.

2. Mass Mailings. State and local party committees may make mass mailings, but not direct mail of volunteer campaign materials without the cost of the materials or mailing being considered a contribution to, or an expenditure for, any federal candidate.

Direct mail means mailing by commercial vendors or from leased or purchased commercial lists. Mass mailings are mailings by volunteers from non-commercial lists. Lists obtained from public offices, such as voter registration lists, are not commercial lists. Mass

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mailings by party committees from lists developed by the state and local party are not direct mail. Examples of lists developed by political parties are:

a. lists of contributors to the party,
b. lists of volunteers who have worked for the party, and/or
c. any list developed as a result of substantial volunteer activity on behalf of a party committee.

In order to qualify as a mass mailing, a substantial volunteer effort must be present. Volunteers must play an active and substantial role in these mailings by performing such functions as stuffing envelopes, sorting envelopes by zip code, and perhaps even licking stamps. The mere depositing of mail bags by volunteers at the post office is not substantial volunteer effort. Commercial vendors may print the letters and the envelopes without affecting the volunteer character of the mailing.

Party organizations may prepare materials in total cooperation with the Presidential or other candidates' campaigns; i.e., similar graphics, language, etc. The State Committee may use its non-profit bulk mailing rate for substantial postage savings in mailing these materials.

3. Phone Banks. State, county, and local party committees may have a volunteer Victory '84, voter identification (ID), or get-out-the-vote (GOTV) phone bank specifically on behalf of the Presidential campaign.

The costs incurred by state and local parties in using phone banks specifically for the Presidential campaign are not contributions to, or expenditures for, his campaign when the phone banks are

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operated by volunteer workers. Furthermore, providing travel, subsistence, or token payments to volunteers does not alter their volunteer status. Payments incurred by state and local parties in the use of paid professionals to design the phone bank system, develop calling instructions, or train supervisors, are also not contributions and do not alter the volunteer nature of a phone bank.

The use of the phone bank must be predominantly for the presidential campaign. Any reference to a candidate for the House or Senate must be incidental to the overall phone bank activity; otherwise, the cost that is attributable to a Congressional candidate is considered a contribution to that candidate. Clearly, a reference to a Congressional or Senatorial candidate is incidental only if it is not a predominant purpose or substance of the phone call. Of course, a Congressional, Senatorial, or other campaign may participate fully in a phone bank by sharing in its costs.

Your state or county committee can open volunteer Victory `84 party headquarters for the re-election of the President and the remainder of the Republican ticket making it the firm base for the grass roots/ volunteer ingredient of the campaign. The law makes your Victory `84 party committee the logical focal point of state and local campaign efforts.

If you have any questions, please do not hesitate to contact this office.

EMB:jd

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EXHIBIT 2

9504363227

Republican
National
Committee

E. Mark Braden
Chief Counsel

Catherine E. Gensior
Michael A. Hess
Deputy Chief Counsels

September 21, 1984

TO: Sherrie Cooksey

FROM: Mark Braden

SUBJ: **VICTORY `84**

9504362323

Victory `84 is a joint project of Reagan-Bush `84, the Republican National Committee, and state and local Republican Party organizations. It is a program to identify and turn out Republican supporters on Election Day. An important portion of any political program, including this one, must be fundraising. For a number of years, the Republican National Committee has conducted extensive efforts to assist state parties in their fundraising. A large segment of our field staff is devoted exclusively to fundraising activities on behalf of state and county party organizations. As part of this ongoing effort and VICTORY `84, we are assisting state parties in their efforts to raise funds for their purchase of volunteer campaign materials and get-out-the-vote activities on behalf of the Republican ticket. A purpose of our efforts is to ensure that state and county organizations have raised sufficient funds to conduct volunteer activities.

The FECA, as amended, by H.R. 5010 provides that certain disbursements and activities by a state or local committee of a political party on behalf of the party`s nominees are not contributions to or expenditures for a specific federal candidate`s campaign. These party activities or volunteer materials purchased on behalf of federal candidates must be paid for with funds raised under the restrictions and limitations of the Federal Election Campaign Act. Additionally, Federal Election Commission regulation imposes limitations on the ability of the National Party Committees to transfer funds to finance these activities. The regulations state in part:

> "(vii) Campaign materials purchased by the national committee of a political party and delivered to a State or local party committee, or materials purchased with funds donated by the national committee to such State or local committee for the purchase of such materials, shall not

qualify under this exemption. Rather, the cost of such materials shall be subject to the limitations of 2 USC 441a(d) and 11 CFR 110.7. (See 11 CFR 100.7(b)(15).

"(vii) Payments made from funds donated by a national committee of a political party to a State or local party committee for voter registration and get-out-the-vote activities shall not qualify under this exemption. Rather, such funds shall be subject to the limitations of 2 USC 441a(d) and 11 CFR 110.7. (See 11 CFR 100.7(b)(17)."

The express language of these regulations prohibits our transfer of money directly for these activities but in no way impairs our ability to assist state or local party committees in their raising of funds for these volunteer activities. The National Committee is using its expertise and financial resources for this purpose. No funds transferred from any account or fund of the RNC to any state or local party shall be used to purchase campaign materials for volunteer activities on behalf of our nominees or for registration or get-out-the-vote activities for our nominees.

If you should have further questions, please do not hesitate to contact me.

EMB:jd

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EXHIBIT 3

9504324

Republican
National
Finance
Committee

Philip S. Smith
Executive Director

950430-24001

VICTORY '84 ALLIANCE
PROGRAM SYNOPSIS

Purpose: Assist Republican State Party Committees in the planning, coordination and implementation of fund-raising projects for "5010" or "federal" accounts.

Goals: (a) Augment existing "Victory '84" fund-raising activities through surrogate scheduling assistance with logistics and development of promotional materials and donor lists; (b) work with local fund-raising leadership to produce "high ticket" state events during a 45 day period in order to generate a total of $2 million nationally for state "5010" accounts; (c) provide targeted state parties with a reward mechanism for contributors of $5,000 or more (during the general election period) for the purpose of creating an additional $2.5 to $3 million in state 5010 revenues

Implementation: A. A series of fund-raising meetings and events, featuring the President, Vice President, members of the Cabinet and celebrities will be held in each of 26 targeted states during September and early October. As noted above, these events will serve to assist State Victory '84 committees in meeting their current 5010 commitments as well as provide additional revenues for this account. Participation in these events will require a minimum of $1,000 contribution per couple (minimum may be increased at the discretion of the event leadership). The Victory '84 Alliance will provide the speaker, identify and appoint volunteer leadership, provide promotional materials and invitations, and assist solicitation efforts of state party finance leadership and Victory '84 committees.

B. In addition to state and regional events, the Victory '84 Steering Committee will be created for donors of $5,000 or more who contribute to state Victory '84 accounts after August 1, 1984 The primary means of recruiting Steering Committee members will be through personal efforts on the part of state party chairmen, Finance Chairmen and Victory '84 Volunteer Leadership. In addition, a limited "high quality" direct mail campaign will be launched in late August, utilizing the files of contributors to state party organizations and can-

didates. A "boiler" room operation involving volunteer leadership will be organized in late September to follow-up with prospective members. It should be noted that funds raised through this program may not be counted toward previous Victory '84 commitments

The sole purpose of this program, as stated earlier, is to raise significant additional funds ($2.5 to 3 million) for the 5010 accounts.

The incentive to Steering Committee contributors will be a White House meeting and reception with the President and Mrs. Reagan in October. Additional activities on the day of the meeting will include briefing sessions with members of the Cabinet and a formal dinner-dance.

Guidelines

A. Victory '84 Alliance will provide the following resources and services:

1. Event organization and planning
2. Surrogate scheduling
3. Event coordination, including logistics
4. Staff (when requested)
5. Victory '84 promotional materials (limited number)
6. Materials for event invitations (limited number)

7 Speaker travel expenses (with the exception of Vice Presidential events -- Then costs will be shared on a 50/50 basis) (LA Presidential Event costs billed directly to state account)

B. State Party organizations and Victory '84 committees who participate in the Victory '84 Alliance will be responsible for the following:

1. Direct event costs (i.e. food, entertainment, photography, etc.) - (Alliance will pay for D.C. event)
2. Mailing costs (postage, mail shop)
3. Daily/weekly reporting of receipts (copies of deposit slips verifying event revenues) - (copies of checks/ application forms for Steering Committee memberships)
4. Weekly synopsis of 5010 account activity
5. Lists of prospective event and steering

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committee contributors (state organizations will have the sole responsibility for compiling lists and mailing solicitations. The Alliance does not wish to have access to these lists; however, if requested, the Alliance will assist in list compilation and mailing with the understanding that mailing costs will be absorbed by the state party organization.

6. Receipts and thank you letters for contributions

Organization

A. Republican National Committee

B. Leadership '84

C. State Finance Committees

D. State Victory '84 Committees

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EXHIBIT 4

9504532404

Republican
National
Committee

E. Mark Braden
Chief Counsel

Catherine E. Genslor
Michael A. Hess
Deputy Chief Counsels

Oct. 1984

FROM: Mark Braden MB

SUBJ: **VICTORY `84 FUNDRAISING**

Victory `84 is a program to encourage state and local party committees to activate grass roots volunteer efforts on behalf of the Presidential campaign and the rest of the Republican ticket. State and local party committees have the unique ability under the Federal Election laws to make unlimited expenditures in cooperation with, and on behalf of, the Presidential campaign and the rest of the Republican ticket.

The funds which state parties spend for these Victory `84 volunteer activities on behalf of the Presidential campaign or any federal candidate must be paid for exclusively from unearmarked funds raised under the limitations and restrictions of the Federal Election Campaign Act. Attached is a brief outline describing these limitations.

Corporate contributions may not be used for party volunteer activities on behalf of the Presidential, or any, federal candidate.

If you have any questions concerning this, please do not hesitate to contact me.

EMB:jd
Enclosure

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Republican
National
Committee

E. Mark Braden
Chief Counsel

Catherine E. Gensior
Michael A. Hess
Deputy Chief Counsels

October 9, 1984

FROM: E. Mark Braden EMB

SUBJECT: Outline of Campaign Financing Law

Following is a very brief outline of the Federal Election Campaign Act (FECA).

I. Individuals may contribute to committees or candidates as follows:

A. To Senate and House candidates - $1,000 per election (election means any primary or general election).

B. To the RNC - $20,000 per year.

C. To any state party federal committee (Victory '84 account) - $5,000 per year.

D. An individual may not contribute more than $25,000 per calendar year to all Federal candidates and committees. Contributions to state candidates, state party nonfederal accounts, the RNC Building Fund, or the Republican National State Elections Committee, do not count toward the annual federal limit. Spouses and adult children with their own resources all have a separate annual contribution limit.

E. An individual may contribute an unlimited amount, unless state law is contra, to state and local candidates or the state account of a state or

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county party, but these funds cannot be used for Victory '84 federal activities.

II. Prohibitions

A. Corporate contributions to Federal candidates or Victory '84 federal activities.

B. Contributions by non-U.S. citizens

C. Receipt of contributions or solicitations on Federal property

D. Cash contributions of more than $100

EMB:jd

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REAGAN-BUSH '84
MEMORANDUM

To: To All Reagan-Bush '84 Staff and Volunteers

From: Ron Robertson
Chief Counsel

Re: Victory '84 - Summary Analysis

Date: October 4, 1984

I. INTRODUCTION

Under the Federal Election Campaign Act of 1971, as amended ("FECA"), state and local Republican party committees that are registered with the Federal Election Commission are permitted to undertake certain types of "exempt" activities (often called "5010" activities) directly on behalf of candidates for federal office including President Reagan and Vice President Bush. With respect to campaign activities by these committees on behalf of President Reagan and Vice President Bush, the term "exempt" simply means that expenditures made for these activities will not be allocated to Reagan-Bush '84, i.e. these costs will not be charged against the Reagan-Bush '84 limit. There are four key requirements with respect to these exempt activities:

a) Only State and Local Parties Have the Exemption.
These exempt activities can only be undertaken by state and local parties. These exemptions are not available to any one else.

b) Must Use FECA Dollars.
Funds used for these activities must meet the contribution requirements of the FECA.

c) Must Use Volunteers.
Activities will only be exempt if there is substantial volunteer involvement.

d) No Mass Media.
Any use of newspapers, magazines, radio, television or billboards is not exempt.

II. WHAT IS VICTORY '84?

Victory '84 is the term generally adopted by the federally registered committees of the state and local Republican parties to describe their exempt activities projects. Note that Victory '84 is not a separate political committee or committees but merely characterizes certain exempt projects being undertaken by party committees. Funds raised by a party for these activities and expenditures made by a party to carry out these activities

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may, but need not, be deposited in and paid out of a separate bank account opened by a party's federal committee under the name of Victory '84.

III. WHAT ARE THE VICTORY '84 ACTIVITIES?

A Victory '84 project of a federal committee of a state or local party, may include virtually every type of campaign activity directly on behalf of the re-election of President Reagan, and other candidates for federal office, except the use mass media, so long as there is a significant volunteer component involved with these activities. For instance, Victory '84 may purchase campaign materials advocating the re-election of President Reagan such as bumperstrips, buttons, posters and tabloids and the expenditure for these materials is exempt if these materials are distributed by volunteers. Victory '84 may also conduct mailings by volunteers using the party's mailing lists. In addition, Victory '84 may conduct voter registration and get out the vote drives on behalf of President Reagan and Vice President Bush through phone bank or by other means if these activities are volunteer intensive. However, as was stated above, Victory '84 may not purchase air time on television or radio nor run ads in newspapers or magazines of general circulation if the advertisements relate to the Presidential election.

IV. WHAT ARE THE RESTRICTIONS ON CONTRIBUTING TO VICTORY '84?

Since Victory '84 funds are used to influence federal elections, the raising and spending of such money is regulated by the FECA. Individuals may contribute up to $5,000 per calendar year per unaffiliated party committee, up to an annual maximum for all federal committees of $25,000. No corporate contributions may be made. Contribution checks should be made out to a state or local party or simply to Victory '84. The check should not indicate that it is to be used on behalf of President Reagan or any other specific federal candidate.

V. WHAT IS THE RELATIONSHIP BETWEEN REAGAN-BUSH '84 AND VICTORY '84?

Reagan-Bush '84 is the President's authorized campaign committee, while Victory '84 is a part of the activities of completely separate and distinct state and local Republican party committees.

a. What Reagan-Bush '84 Can Do

Reagan-Bush '84 personnel can communicate and fully coordinate with state and local party officials involved in developing and implementing Victory '84 activities.

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b. What Reagan-Bush '84 Should Not Do

Reagan-Bush '84 should not contribute to, nor make expenditures on behalf of Victory '84. Thus, while Reagan-Bush '84 can work closely with state and local party officals with respect to Victory '84 volunteer projects, Reagan-Bush '84 should not contribute its funds to Victory '84. In addition Reagan-Bush '84 full time staff members should work on Victory '84 projects only as volunteers and only on their own time.

VI. FOLLOWING ARE ANSWERS TO SOME OF THE MOST COMMONLY ASKED QUESTIONS REGARDING VICTORY '84.

1. Q. May a Reagan-Bush '84 official sign a Victory '84 letter?

   A. A Reagan-Bush '84 official may sign a Victory '84 letter provided that he or she does not sign in his or her capacity as a representative of Reagan-Bush '84.

2. Q. Whose stationery may be used for Victory '84 letters?

   A. State or local party stationery must be used for such letters. Reagan-Bush '84 stationery may not be used for Victory '84 letters.

3. Q. Whose disclaimer must be used on Victory '84 campaign materials and letters?

   A. The disclaimer on Victory '84 campaign materials and letters must be that of the state or local party which pays for such materials. The disclaimer may read "Paid for by Victory '84, a project of (name of state or local party) Republican Party" or it may merely say "Paid for by (name of state or local party) Republican Party."

4. Q. Can a Victory '84 fundraising rally or other event, be advertised as a Reagan-Bush '84 event?

   A. No. Victory '84 events must be advertised as events sponsored by the state or local party which pays for the event. Under no circumstances should these events be characterized as Reagan-Bush '84 events, even if Reagan-Bush '84 officials are participating in the events.

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EXHIBIT 6

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MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski

RE: Update on Program

DATE: August 31, 1984

Now that the Republican National Convention is over, the Reagan-Bush campaign has moved into full swing. We have only nine weeks left until election day, and much needs to be done.

As you can see, the brochures are now in. You will find 50 brochures and pledge cards in your packet. Please note that the pledge cards have the return address of the RNC, even though the brochure instructs the contributor to send their contribution to their State Party organization. In order to keep an accurate account of the money you have raised for reporting purposes, you should include your name and address on the bottom of the card, or even place your personal return address label over the RNC address, and ask people to send their contribution directly to you. This way, you know how much money is being raised through your efforts as well as your being able to deliver the money personally to your State Party Chairman. Also, please remember to send in your bi-weekly reports so we can include them with our progress reports to the campaign leadership.

In addition, please keep in close contact with your State Party Chairman regarding your plans and activities. In an election year as important as this one, everyone needs to be well-informed of all happenings throughout the State so that the programs we hope to implement will all run smoothly. What we are able to build on today will only enhance our position for future elections.

I have also enclosed for your review an article about the voter registration program NAACP is running. Also, with the recent developments between Mondale and Jackson, our job is only going to get tougher. We must raise the money now so that we too can organize our troops to counteract what the Democrats hope to do within the next few weeks.

In the meantime, if there is anything I can do for you at this end, please let me know.

cc: Joe M. Rodgers

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EXHIBIT 7

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MEMORANDUM

TO: Republican State Party Chairmen

FROM: Lynn Collins-Urbanski
Lee Johnson

RE: Victory "84 Alliance Brochures

DATE: September 6, 1984

Enclosed, please find 25 Victory '84 Alliance Brochures and pledge cards. These Brochures have been sent to each of the Victory '84 Alliance Finance Chairmen in those States where a Committee has been set up as well as all of the Republican National Committee Field Staff.

It is our hope that these will prove beneficial to you in your efforts in raising money for your Federal/5010 accounts.

If you have any questions, please do not hesitate to call.

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EXHIBIT 8

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MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000. I've filled in the information below to reserve my place at the Washington, D.C., event honoring Steering Committee members.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance to all events which the President will be attending.

name _____

address _____

city _____ state _____ zip _____

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

9504306 24117

[redacted] PAULINE YACKTMAN

10-25 19 84

Pay to the order of Victory '84 $ 5000.00

Five Thousand and no/100. . . . . Dollars

BANK ONE. [redacted]

Memo [redacted] Pauline Yacktman

[redacted]

STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name Pauline Yacktman

address 2640 Golf Road

city Glenview state IL zip 60025

[redacted]

The Federal Election Commission requires that we report the following information:

occupation _____

employer VPX Corporation

☒ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

[redacted]

Attachment 3

3.2

0700

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[redacted] RY L. CURRY 3-62

[redacted]

2 Nov. 1984 55-424/500 24

8829

PAY TO THE ORDER OF "Victory '84" $ 25.00

Twenty-five and 00/100 DOLLARS

1ST AMERICAN

[redacted]

Henry L. Curry

0700

Fed

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DEC 0244Z

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000. I've filled in the information below to reserve my place at the Washington, D.C., event honoring Steering Committee members.

☒ I cannot join the Steering Committee, but I've enclosed my contribution for $ 25.00 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for us to credit your contribution and to contact you if necessary.

name MR. HENRY L. CURRY

address 408 QUEEN STREET

city ALEXANDRIA state VA zip 22314

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member must bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

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EXHIBIT 9

BEFORE THE FEDERAL ELECTION COMMISSION
MUR 2581

AFFIDAVIT OF PHILIP S. SMITH

Philip S. Smith, being duly sworn, deposes and says:

1. I reside at 4033 Via Marina, in the City of Marina del Rey, and State of California.

2. I am aware of the nature of the issues raised by the above-referenced MUR. I served the Republican National Committee (RNC) as Executive Director of the Republican National Finance Committee, from September 18, 1981 to September 30, 1985.

3. During the period at issue in this MUR, my duties included coordination of the financial portion of the RNC's Victory '84 program. As part of that activity, I consulted with members of the RNC political staff, state volunteer Victory '84 fundraisers, and state Republican Party staff.

4. To the best of my recollection and belief, the RNC engaged in no joint fundraisers with state Republican Parties in connection with the Victory '84 Alliance program. It is my further recollection and belief that the RNC conducted no direct mail solicitation in connection with its Victory '84 program.

5. The Victory '84 Alliance program was designed to assist Republican State Party Committees in the planning, coordination, and implementation of fundraising for the 1984 general election, with particular emphasis on grass roots volunteer efforts on behalf of the Presidential campaign and the rest of the Republican ticket. In general, fundraising for each state's Victory '84 program was conducted by state Republican Party volunteers within each state. These volunteers relied upon personal contacts with potential contributors for much of the financial support of their state's program. In addition, many state Republican parties conducted fundraising events within their states for their Victory '84 programs. The RNC often provided logistical support for such fundraisers and, in particular, helped arrange for administration, congressional and other public figures to appear at these events.

6. Contributions solicited by volunteer state Victory '84 fundraisers were solicited for and intended to be sent to each state's Republican Party Victory '84 program. While volunteer fundraisers relied heavily upon contributions from individuals within their own state, many of these fundraisers also relied upon personal contacts from out-of-state. In some instances, this

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resulted in out-of-state contributions to a state's Victory '84 program. It is my understanding and belief that when individuals were solicited by volunteer Victory '84 fundraisers, they were informed that their contributions would be directed to a particular state's Victory '84 program.

7. In some instances, either volunteer fundraisers or contributors sent to the RNC checks which were, in fact, intended for a state's Victory '84 program. It was the RNC's policy to immediately send these checks back to the intended recipient state.

8. It was the policy of the RNC Victory '84 finance program to return all such checks to the intended state party committees as soon as they were received. The RNC did not report such contributions since the Victory '84 program was designed so that the RNC would not receive Victory '84 contributions, nor exercise control over the intended recipient of the contributions.

9. To the best of my recollection, the RNC did receive a number of checks from volunteer fundraisers some time after the 1984 general election. These checks had been collected by volunteer fundraisers within the states, but for reasons unknown had not been forwarded to their state Republican Party in a timely manner. It is my recollection that funds were raised in particular for the Michigan Republican State Party because Michigan was a priority or "targeted" state at and near the time of the election. Consistent with the RNC's policy of immediately forwarding such checks to the state in question, I forwarded a total of $35,655 to the Michigan Republican State Party on December 14, 1984, shortly after the receipt of these checks at the RNC. Because these checks had been delayed in reaching the RNC, the Michigan Republican State Party was informed by accompanying memorandum that the checks should be deposited in their state Victory '84 account, rather than their federal account.

In witness whereof, I have hereunto set my hand and seal on this 31st day of October, 1989.

Phillip S. Smith

Subscribed and sworn to before me this 31st day of October, 1989.

Notary Public

My Commission Expires June 14, 1991

9504362422

EXHIBIT 10

9504324

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski

RE: Update on Program

DATE: August 31, 1984

Now that the Republican National Convention is over, the Reagan-Bush campaign has moved into full swing. We have only nine weeks left until election day, and much needs to be done.

As you can see, the brochures are now in. You will find 50 brochures and pledge cards in your packet. Please note that the pledge cards have the return address of the RNC, even though the brochure instructs the contributor to send their contribution to their State Party organization. In order to keep an accurate account of the money you have raised for reporting purposes, you should include your name and address on the bottom of the card, or even place your personal return address label over the RNC address, and ask people to send their contribution directly to you. This way, you know how much money is being raised through your efforts as well as your being able to deliver the money personally to your State Party Chairman. Also, please remember to send in your bi-weekly reports so we can include them with our progress reports to the campaign leadership.

In addition, please keep in close contact with your State Party Chairman regarding your plans and activities. In an election year as important as this one, everyone needs to be well-informed of all happenings throughout the State so that the programs we hope to implement will all run smoothly. What we are able to build on today will only enhance our position for future elections.

I have also enclosed for your review an article about the voter registration program NAACP is running. Also, with the recent developments between Mondale and Jackson, our job is only going to get tougher. We must raise the money now so that we too can organize our troops to counteract what the Democrats hope to do within the next few weeks.

In the meantime, if there is anything I can do for you at this end, please let me know.

cc: Joe M. Rodgers

9504362424

VICTORY '84 ALLIANCE

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski

RE: Update on Program

DATE: September 7, 1984

With only 8 weeks left until the General Election, there is still much left to be done. Over half of the State Parties' will not be able to set up their Telephone Bank Operations as planned because they do not have the necessary money in their federal/5010 accounts to cover the basic costs. Please start urging your friends, neighbors and business associates to give now so that we can begin to identify voters and get them out to vote on Election Day!

Additionally, when you are collecting your Victory '84 Alliance checks, please do not send your money to Washington. Once you have recorded your results from your efforts, please send the money at once to your State Party Chairman at your State Party Headquarters. If you should need that address, I will be able to provide it. Do not forget to send me a copy of your results so that we can credit your efforts as well. Next week we will be mailing out the bi-monthly status reports.

If you have not yet set up a fundraising committee, you may want to begin to now. Unfortunately, in many instances we are only given a few days notice on many of the Administration Officials traveling schedules. Where it is convenient, the Surrogate Speakers Office will try to place these officials in States to do Victory '84 events. We realize that we are demanding quite a lot from you when we ask you to put together a fundraising event with only a few days notice and to raise a large sum of money. Believe me, we are aware of this and it does not go without notice. With a Finance Committee in place, it will make the job easier to raise money. In addition, these events that will be held with Administration Official are to be high dollar events ($1,000 a couple) as set forth by the Republican National Committee unless special consideration is taken and an agreement is reached by the State Party Chairman and the RNC. Please remember, the Administration Officials' time is very limited, thus it must be "worth" their time to send them out to these events. Don't forget to coordinate with your State Party Chairman and Committee to maintain a smooth running operation.

As always, if you have any questions, suggestions, or whatever, please do not hesitate to call. Thanks for all your help on the tremendous and important job you are doing!

cc: Joe Rodgers

310 First Street S.E. Washington, D.C. 20003

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EXHIBIT 11

C. STEERING COMMITTEE GUIDELINES

The following are guidelines for Steering Committee membership. For any questions or problems with these guidelines, please contact the RNC Regional Political Director or Regional Finance Director for your state. You may also contact the Victory '84 Alliance office in Washington, at (202) 662-1370, directed by Lee Johnson.

Given that the express purpose of this project is to help raise new money for the Victory '84 program in your state, the RNC will try to cooperate in every possible way to respond to the particular circumstances in your area.

1. Steering Committee membership is obtained through a $5,000 contribution to a state Republican Party Federal Account. This contribution must be made after August 24, 1984, and before the meeting of the Steering Committee in Washington.

2. If an individual has contributed to the State Party Federal Account prior to August 24, 1984, membership may still be obtained if the contributor and his or her spouse contribute a total of $5,000 between them within the same time restrictions. Alternatively, an individual's spouse may contribute $5,000 and qualify for membership. Steering Committee membership will allow a contributor to attend the Washington event accompanied by a spouse or guest.

3. If an individual who has contributed to the State Party Federal Account prior to August 24, 1984, is unmarried, then that individual must reach his or her maximum contribution limit of $5,000 and obtain two additional contributors to the state party federal account of $5,000 each.

4. If an individual has reached his or her maximum contribution limit of $5,000 to the state party federal account prior to August 24, 1984, that individual may obtain Steering Committee membership by contributing $5,000 to a federal account maintained by a county Republican Party in his or her state. The county Republican Party which receives such a contribution must be one which is involved with the Victory '84 program.

5. In the alternative, by special arrangement with the state Republican Party Chairman, a $5,000 contribution may be made to the state party account. The state Republican Party Chairman may designate certain individuals for Steering Committee membership if, for each individual so designated, an additional $5,000 is committed to the Victory '84 program for that state by the State Republican Party Chairman.

Each State Party Chairman will be provided a number of Verification cards by separate mail. These will be sent shortly. Upon receiving a $5,000 contribution for Steering Committee membership, the State Party Chairman should sign the Verification card for that person and return it to the RNC, Victory '84 Alliance, 310 First Street S.E., Washington, D.C. 20003. For people who are designated to attend by the Republican State Party Chairman, and for whom a transfer will be made from a separate federal account to a Victory '84 account, a Verification card must also be prepared and sent. Information is also required for the Steering Committee member's spouse and guest.

Only persons whose names have been received via Verification cards submitted by the Republican State Party Chairman will be allowed to attend the event with the President. All cards must be received by Friday, October 5, 1984.

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EXHIBIT 1.2

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VICTORY '84 ALLIANCE

Contribution Verification Form

I Allan C. Levey (State Chairman), hereby certify that John C. York (Contributor Name)

has contributed 5,000.00 on 10 (Day), 10 (Month) 1984, to become a Steering Committee

Member from the state of Maryland.

Please fill out contributor and Secret Service information on the back of this card, and return immediately to **Victory '84 Alliance**, 310 First St. S.E., Washington, D.C. 20003

Allan C. Levey
Signature

9504524

Name John C. York Occupation _____

Address 8803 Bellmart Rd. Place of Business York Associates

City Potomac, Home Phone _____

State Maryland Office Phone 362-1400

Zip 20854 Social Security # _____

Date of Birth _____ Place of Birth _____

Each Steering Committee member may bring a spouse or guest to the event.

Spouse or Guests' Name Gerry Social Security # _____

Date of Birth _____ Place of Birth _____

9 5 0 4 3 6 2 4 1 0

EXHIBIT 13

9504324 1

VICTORY '84
ALLIANCE

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski

RE: Progress Report Update

DATE: September 28, 1984

With five and one-half weeks left until Election Day, there is still much that we must accomplish to ensure the President and Vice President an overwhelming victory on November 6th.

As you can see from the Progress Report, there are still quite a number of states who either have not started their Victory '84 fundraising, or else they have failed to make their reports to Joe Rodgers. If the latter is the case, please let me emphasize the importance of sending in your reports to me today. Due to great amounts of money that are still needed in all states to carry out the political plan of voter identification, get-out-the-vote and ballot integrity, Joe has been meeting regularly with Senator Laxalt and Drew Lewis and we certainly don't want to list your state amount inaccurately when Joe reports to them.

An important note: all Victory '84 events held in your state are not Reagan-Bush events, but State Party events. By law, there should never be a Reagan-Bush disclaimer on any correspondence or invitation mailed out.

Again, let me emphasize the importance of raising your Victory '84 funds early. In many states, the polls are quite close and the money you raise to get voters to the polls can make a tremendous difference. The attached Dewey/Truman article proves it. Ensuring an overwhelming victory for the President can also make the difference in many Senatorial, Congressional and State Legislative races as well. Your efforts will assist all Republican candidates across the board and can make a tremendous impact in the direction this country will follow for the next four years.

In the event you have not yet been notified, please note that the Steering Committee event planned for October 8th has been moved to October 23rd. Please try to push this program with your donors as it will play an important role in your fundraising. In addition, those who contribute $5,000 will enjoy an afternoon briefing with Cabinet members followed by a White House Reception with President and Mrs. Reagan and a

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Dinner/Dance afterwards to be held at a nearby location. Be sure to give those $5,000 checks to your State Party Chairman so that he can send verification to the Republican National Committee. Please try to get your checks to the State Party Chairman by October 9th so that people can receive their White House invitations in time.

Again, thank you for the tremendous job you are doing to raise these necessary funds. We know it is extremely hard work, but the results on November 6th will tell all!

cc: Joe Rodgers
Drew Lewis
Senator Laxalt

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VICTORY '84
ALLIANCE

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski lcu

RE: Progress Report Update

DATE: October 5, 1984

As the countdown to Election Day draws closer, with only four and a half weeks left, we must not rely on what the polls are saying. Granted, they are looking very good for the President, but remember the debates are still to come and will play an important role in the few weeks ahead.

Our major concern today is voter complacency. There are too many Republicans and Independents that feel that the President has the election locked-up and will stay at home and not vote on November 6th. We cannot let this happen! The Democrats have been very active in registering low-income and unemployed people, not to mention Jesse Jackson's campaigns on college campuses. As it has been emphasized, anything can happen in four weeks.

So you are aware, campaign budgets for every State were developed back in the early days of the campaign. Many of you are aware of what is needed in your State to complete your campaign plan. The Republican National Committee and the Reagan-Bush Campaign have partially funded your State Parties' efforts to ensure that many of the programs are implemented, but now they need to rely on you and your committee to raise the remainder of the funds needed to guarantee a successful campaign operation.

The crucial areas that still need funding today are the Get-Out-The-Vote and Ballot Integrity Programs. More importantly, not only are these programs key to the President and Vice President, but also to many U. S. Senators up for re-election and those Republican challengers who stand a very good chance of unseating a Democrat incumbent or filling a vacant seat. We stand the best chance we have ever had for increasing our margin in the House of Representatives by a sizeable number -- maybe even gaining control -- if we don't let up and if we get those last minute funds raised which are so crictical to our success. Basically, your efforts in funding these key programs could make a difference all around - State Houses, Governorships, U. S. House and the U. S. Senate, not to mention the Supreme Court. You may think this is a pipe dream, but remember

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how well we did only 4 years ago when Ronald Reagan was proclaimed the winner by 8:00 p.m. Eastern time. The "trickle down theory" does work and the momentum of the President's campaign will help tremendously!

Please remember that the Steering Committee ($5,000 contributors to Victory '84) is a very important program and an excellent way to fulfill your goal and also entitle the giver to a memorable day of Cabinet level briefings, a White House Reception with the President and Mrs. Reagan, and a dinner dance following at a nearby location. If you have individuals who are interested, please be sure that your State Party Chairman is notified immediately so they will receive their White House invitation. The deadline is October 19th for the White House invitations.

Thank you again for all your efforts. You will reap the benefits come Election Day!

cc: Joe Rodgers
Drew Lewis
Senator Laxalt

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VICTORY '84
ALLIANCE

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski lcu

RE: Progress Report Update

DATE: October 12, 1984

Over these past few months, I have begun to feel like your personal "Election Day Countdown Official". Here we go again, but there is only 25 days left until November 6th! Without repeating myself, you know what that means.

As I am sure you are aware, alot has happened since last week. Unfortunately, the President did not fare as well as we had hoped in the debates and we have seen a tightening in the polls and we will continue to see this up until Election Day. The good news is that Mondale's support and gain in the polls seem to come from those undecided voters who wer more than likely to vote Democrat anyway. We are confident that the President will out-do Mondate in the second debate, but we must ensure that all our bases are covered for Election Day. As we see it, it is late into the third quarter, and the Democrats would seriously have to score four more touchdowns to defeat the President. However, the likelihood of that is not so far-fetched. As you know, in politics and football anything can happen.

As we have stressed, our major concern is voter complacency. We must raise money now to guarantee that all fifty States will deliver the maximum Republican voter turnout. After the President wins the debate on October 21st, and if the necessary funds are raised, the results on November 6th will definitely be astounding and you will have yourselves to congratulate.

I do want to thank all of you for all the hard work you have been doing over the last few weeks. The money situation in many States has been turned around drastically, and much of this has been because of your diligent efforts. Believe me, this has not gone unrecognized and is deeply appreciated by all. Not to let up, but we still have a long way to go! Please remember to send in your reports and notify me as soon as possible so that I can maintain accurate records. What will you do without my weekly memos?

Please note, the Steering Committee Program for $5,000 donors which was to hold their event here in Washington on October 23rd has been moved to November 19th - for sure. As I am confident you have

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surmised, the campaign has moved to put the President out on the campaign trail, which as drastically cut his time in Washington, D.C. The same format for the meeting, as well as the Reception, will stand as is. The good news is that you will have a little more time to collect more $5,000 donors. A cut-off date for receiving these checks has not yet been assigned, but it will definitely be prior to the Election.

Again, many thanks for all your hard work. I look forward to hearing from you all soon.

cc: Joe M. Rodgers
Drew Lewis
Senator Laxalt

9504360243 7

VICTORY '84
ALLIANCE

MEMORANDUM

TO: Victory '84 Chairmen

FROM: Lynn Collins-Urbanski

RE: Progress Report Update

DATE: October 26, 1984

In less than a week and a half, all that we have worked for over the past year will be determined as voters go to the polls to select their choice for President and Vice President as well as the many other important races at stake. Still, the all-important question that remains is, will people exercise their right and privilege to vote on November 6th?

Although we are confident that the President will win on Election Day, we are uncertain as to how large his margin will be. History shows that this race should be a "squeaker", but polls today say that we will win by a comfortable margin. With 12 days left, anything can still happen to narrow that margin and, more importantly, polls won't tell us who will vote and who will not vote until after the election is over. The most significant contribution that you can make today is to urge your friends, neighbors and business associates to vote on November 6th! The larger the margin of victory is for President Reagan, the more chances we have of gaining seats in the Senate and the House. There are a number of very close Senate seats and the possibility of losing these seats is not far from reality. How well the President does at the polls will play a major role in determining the outcome of these races as well. That is why the money you have been raising for your State Party's Victory '84 account is so crucial for this election. The President's success in each state will rest on the Get-Out-The-Vote effort your State Party. Our main concern is that voter complacency will set in with the President leading by a comfortable margin. Believe me, he is not winning in every state and in some states it is only by a very narrow lead. In addition, the Democrats are uniting and Gary Hart, Jesse Jackson, the labor unions, NEA and many others are out all across the country urging Democrats "not to desert the Party". We have too much at stake and have come to far to let up now.

Another crucial area that still needs to be funded, is the ballot integrity program. For the first time, we have targeted areas where voter fraud is known to exist and have hired our own poll watchers. Mass mailings into these prevalent areas have also been done to pull non-eligible, deceased, etc... persons off of voter lists. As you can see, much is being done to ensure a large margin of victory and your help is still needed.

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Again, please remember to send in your reports for Victory '84 as soon as possible. The last report will be sent out directly after the election.

Do not forget that November 5th will be the cut-off date for all Steering Committee members. If you know of anyone who is interested in giving $5,000 to your State Party's Victory '84 account, please notify your State Party Chairman immediately. The event will still be held on November 19th with afternoon sessions with cabinet and administration officials, with a White House reception with President and Mrs. Reagan followed by a dinner/dance at a nearby location.

Again, many thanks for all your hard work. Let's keep our fingers crossed for an outstanding Victory on November 6th!!

cc: Joe M. Rodgers
Drew Lewis
Senator Laxalt

9504336 24 19

VICTORY '84
ALLIANCE

MEMORANDUM

TO: Victory '84 Finance Chairmen

FROM: Lynn Collins-Urbanski

RE: Final Progress Report

DATE: November 16, 1984

Congratulations on a job well done! Your efforts in raising the necessary funds for your State Party's Victory '84 Program enabled your State to Get-Out-The-Vote on election day. The results were overwhelming and President Ronald Reagan and Vice President George Bush enjoyed the largest margin of victory ever for any Presidential candidate.

As promised, I have enclosed the final Progress Report of your efforts during the last six months. The figures speak for themselves and you should feel very proud of the tremendous job you have done and the important part you have played in this crucial election year.

Please note: The Republican National Committee's Steering Committee event scheduled for November 19th was cancelled due to a last minute conflict with the President's schedule. The event will be rescheduled in January and the same format for the meetings, reception and dinner/dance will remain. We are sorry if this has caused any inconvenience and do look forward to seeing you in January. More information regarding the new date will be forthcoming from the RNC.

Again, it has been a real pleasure to work with all of you during this election year. You were a fantastic team and should be commended for all your continuous hard work. I look forward to seeing you in Washington for the Inaugural and hope that we may have the chance to work together again.

cc: Joe M. Rodgers

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EXHIBIT 14

MEMORANDUM

Republican National Finance Committee

From: Tim Fermoile

Date: 2/12/85

To: Bill Phillips

Re:

Thru: Phil Smith

Attn: Bob Schmermund

As you may be aware, on Friday Feb. 8th we received word from the White House that our White House reception for Steering Committee members of Victory '84 has been scheduled for Tuesday, March 26, 1985 from 4:00 - 5:30pm.

In addition to this reception, we are planning briefing sessions with members of the Administration beginning at 1:30pm as well as a dinner following the reception. Locations, times and details of these events have not as yet been determined but we would like to request the Chairman's participation in all activities.

Please let me know if this will be possible or if you have any questions and I will keep you updated as more details become available.

9504362472

VICTORY '84
ALLIANCE

File V '84

March 1, 1985

MEMORANDUM

To: Victory '84 Alliance Members
From: Drew Lewis
Re: Washington Event

As the March 26th Victory '84 Event approaches, I know you are anxious to hear about our final plans.

Enclosed is up-to-date information regarding registration and Victory '84 Alliance events. We have reserved a special block of rooms for Victory '84 members at the Shoreham Hotel 202/234-0700 and the Sheraton Washington 202/328-2000. Please call the hotels directly and identify yourself as being with the Victory '84 group. If you have any questions, or have not R.S.V.P.'d please call Peggy Schmidt at 202/863-8643 by March 20th. We will not accept reservations after this date.

My sincere thanks for your vital support, and we're looking forward to seeing you on the 26th of March.

9504367243

310 First Street, S.E. Washington, D.C. 20003
Paid for by the Republican National Committee

TENTATIVE AGENDA
VICTORY '84 ALLIANCE
WASHINGTON EVENT - MARCH 26, 1985 - THE SHOREHAM HOTEL

March 25

5:00 - 8:00 p.m.	Registration - Forum Room
5:00 - 8:00 p.m.	Hospitality Suite - Hosted by Frank Fahrenkopf and Drew Lewis, Cabinet Room.

March 26

9:00 a.m. - 7:00 p.m.	Registration - Forum Room
9:00 a.m. - 1:30 p.m.	Hospitality Suite - Cabinet Room
1:30 p.m. - 3:15 p.m.	Briefing Sessions - Ambassador Room
1:30 - 1:45	Frank J. Fahrenkopf - Chairman, RNC
1:50 - 2:10	The Honorable James Baker, III - Secretary of the Treasury
2:15 - 2:35	The Honorable Ed Rollins - Assistant to the President for Political Affairs
2:40 - 3:00	Speaker #3 - to be announced
3:00 - 3:15	Closing remarks
3:30 p.m.	Board buses at Hotel lobby entrance for White House Reception with the President and Mrs. Reagan (Return back to hotel at approximately 5:45 p.m.)
7:00 - 11:00 p.m. Business Suit, Cocktail Dress	Cocktails and Dinner Dance - Garden Court and Blue Room

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EXHIBIT 15

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Republican
National
Finance
Committee

Philip S. Smith
Executive Director

MEMORANDUM

To: Spence Abraham
From: Phil Smith
Date; October 9, 1984
Subj: Contributions for Michigan Victory '84 Account

Enclosed herewith are checks totalling $20,000 for deposit into the Michigan Federal account for the specific purpose of funding Victory '84 programs in Michigan.

These contributions were raised by John Gnau as a part of the national Victory '84 fund-raising effort chaired by Drew Lewis.

As soon as these funds have been deposited in your account, please send acknowledgements to those individuals making the contributions. For your convenience, contributor information has been attached to the enclosed checks.

Please call me if you have any questions.

cc: Drew Lewis
Frank Fahrenkopf
Bill Harris
Bill Lacy

9504360246

VICTORY ALLIANCE

October 9, 1984

MEMORANDUM

TO: PHIL SMITH

FM: BETTY GEHRING

RE: ENCLOSED MICHIGAN CHECKS

Enclosed are the checks received yesterday from John Gnau for the Michigan State Party. I think that it is best if these checks, and all others that come in are distributed to the appropriate accounts via your office. As the checks continue to come in, please send me a copy of the contribution card and check on a daily basis. This will enable me to keep tabs on the progress of our fundraisers.

Thank you.

9504360 24417

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

Y I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

KENNETH MEADE

415 FISHER

GROSSE PT mich 48230

_____ _____

_____

_____

Y

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

KENNETH G. MEADE 1744

September 19 84 74-1744

Pay to the order of Michigan Republican Party Federal Account $ 5,000.00

five thousand dollars and 00/100 DOLLARS

COMERICA Bank-Grosse Pointe
Fisher - St. Paul Office
415 Fisher
Grosse Pointe, Michigan 48230

For Donation [redacted]

9504330324483

THE MEADE GROUP

NAME: Mr. Kenneth Guy Meade

RESIDENCE: 181 Ridge Road
Grosse Pointe Farms,
Michigan 48236

OCCUPATION: Chairman of the Board
Meade Group
130 Kercheval Ave.
Grosse Pointe Farms,
Michigan 48236

SOCIAL SECURITY:

DATE OF BIRTH:

NAME: Jane Walker Meade

RESIDENCE: 181 Ridge Road
Grosse Pointe Farms,
Michigan 48236

OCCUPATION: Housewife

SOCIAL SECURITY:

DATE OF BIRTH:

95043032419

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☒ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name ALFRED CYTACKI

address 15608 WINDMILL POINTE

city GROSSE PT state MICH zip 48230

home phone _____ business phone _____

The Federal Election Commission requires that we request the following information:

[redacted]

Victory '84 Alliance
National Committee
Street, SE
DC 20003

9504332450

ALFRED W. CYTACKI
HARRIET K. CYTACKI
[redacted]
Michigan Republican Party
Federal Account

No. 186
October 2 84
14-1251/724
$ 5,000.00
Five Thousand and no/100 DOLLARS

Michigan National Bank of Macomb
12

[redacted]

JOHN C. LOUISELL
45 S. DUVAL
GROSSE POINTE SHORES, MICHIGAN 48236

Alfred W. Cytacki
1100 Windmill Pointe Drive
Grosse Pointe Park, Mich. 48236

[redacted]

Harriet K. Cytacki

9504300324511

950432452

MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I will support the grass roots campaign network that will reelect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

X I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' stiff party state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

Name J MARSHALL ROBBINS

Address 2641 INDIAN MOUND S

City BIRMINGHAM State MICH Zip 48010

[redacted] Business phone _____

The Federal Election Commission requires that we request the following information:

Occupation MINISTER

Employer [redacted]

[redacted]

The Republican National Committee
310 First Street, SE
Washington, DC 20003

J. Marshall Robbins [redacted] Oct. 2, 84 1040

Pay to the order of Victory '84 $ 5000.00

Five thousand and 00/100 Dollars

MANUFACTURERS NATIONAL BANK
39

Memo [redacted]

Remember Robbins!

MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I would be proud to help the GOP's campaign to knock that will reelect President Reagan and Vice President Bush and keep Republican leadership at every level of government.

X I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

JACQUE H. GORMAN
135 HAMILTON
BIRMINGHAM MICH. 48010
[redacted]

The Federal Election Commission requires that we request the following information

OCCUPATION ADMINISTRATOR

EMPLOYER [redacted] RACING CO.

Victory '84 Alliance
Republican National Committee
310 First Street, SE
Washington, DC 20003

DENY OR JACQUE GORMAN
[redacted]
No. 3389
Victory '84
Pay to the Order of Jacque H. Gorman $ 5,000.00
Five Thousand dollars & 00/00
Michigan National Bank
[redacted]
Jacque H. Gorman

9504532453

Republican
National
Finance
Committee

Phillip S. Smith
Executive Director

VIA FEDERAL EXPRESS

MEMORANDUM

To: Kris Wolf
From: Phil Smith
Date: October 22, 1984
Subj: Victory '84 Funds for Michigan

Attached hereto are checks totalling $40,000 to be used in Michigan for the Victory '84 program. These monies were raised through a national fund-raising effort chaired by Drew Lewis.

Please note that $30,000 of this amount (Lugosch contribution) should be deposited into the Michigan non-federal account, and used for ballot security programs, pursuant to Bill Lacy's instructions. The remaining $10,000 is to be deposited into the Federal account.

I would very much appreciate your assistance in making certain these individuals receive personal acknowledgements from the state chairman for their most generous contributions. Thanks.

cc: Bill Harris
Bill Lacy
Norm Rankin
Betsy Gehring

9504362454

VIA FEDERAL EXPRESS

MEMORANDUM

To: Kris Wolfe
From: Phil Smith
Date: October 30, 1984
Subj: Victory '84 Funds for Michigan

Attached hereto are checks totalling $40,000 to be used in Michigan for the Victory '84 program. These monies were raised through a national fund-raising effort chaired by Drew Lewis.

Please note that the Papadopoulos' $25,000 contribution should be deposited into the Michigan non-federal account.

I would very much appreciate your assistance in making certain these individuals receive a personal acknowledgment from the state chairman for their most generous contributions.

Thanks and please call me if you have any questions.

cc: Frank Fahrenkopf
Bill Harris
Bill Lacy
Norm Rankin
Betsy Gehring

9504336 24455

EXHIBIT 16

9504324506

Republican
National
Finance
Committee

Philip S. Smith
Executive Director

December 14, 1984

Mr. E. Spencer Abraham
Chairman
Michigan Republican State Committee
2121 E. Grand River
Lansing, MI 48912

Dear Spence:

Enclosed herewith are checks totalling $35,655.00 which were generated through the Victory '84 fund-raising program. We had hoped to make these funds available to you prior to the election; however, those checks were received after election day.

Frank Fahrenkopf has designated Michigan to receive these funds for the specific purpose of funding Senate Special Election races. Kris Wolfe, our Regional Political Director, will be in contact with you in the very near future concerning the application of these funds.

Sincerely,

Phil

Philip S. Smith

PSS/ps

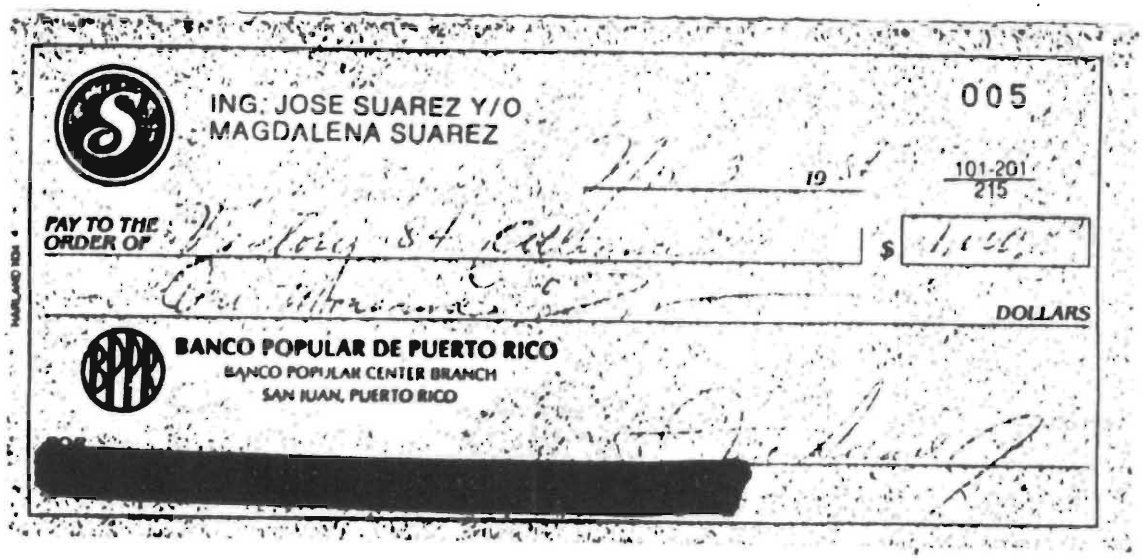
cc: Chairman Fahrenkopf
Bill Lacy

9504362457

9 5 0 4 3 6 3 2 4 5 8

ING. JOSE SUAREZ Y/O
MAGDALENA SUAREZ

$1000.00



HECTOR C. PAGES
218 ALMIRANTE PINZÓN, URB. EL VEDADO
HATO REY, P.R. 00918

$1000.00

Banco Popular de Puerto Rico
SAN JUAN, PUERTO RICO

101-201
215

NOT VALID OVER $1,000

PERSONAL MONEY ORDER
ideal

NO. 2-030-257594 2 de noviembre de , 19 84

Pay ***-***-*******1,000 DOLLARS AND 00 CENTS
TO THE ORDER OF:
Victory 84 Alliance

Mr. Héctor C. Pagés
Purchaser's Signature Firma Comprador
218 Almirante Pinzón, Urb. el Vedado
Hato Rey, Puerto Rico 00918
Address Dirección

⑈030257594⑈ ⑆021502011⑆ 000⑈0000 27⑈

MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Leon D Elliott

name Leon D Elliott

address 5 Hanson Circle

city Wyman state MA zip 01940

[redacted]

The Federal Election Commission requires that we request the following information:

occupation Avian Associates

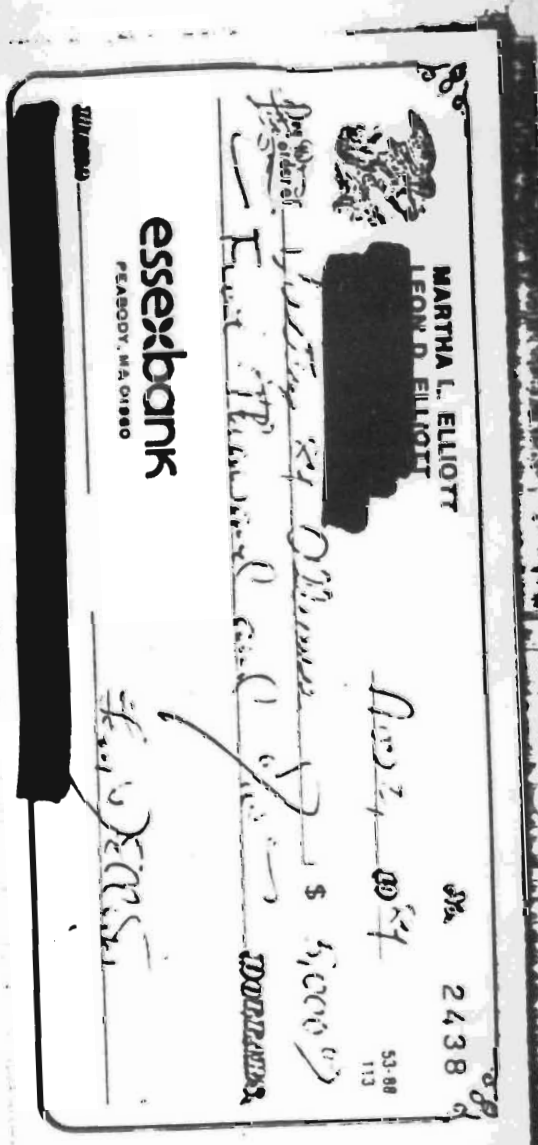
employer _____

☒ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Collins

95043032450



9 5 0 4 3 6 3 2 4 5 1

L. AND S. GURABO

[redacted]

$300.00

L. & S. GURABO

No._____

November 2, 19 84

101-7147
2215

PAY TO THE ORDER OF VICTORY'84 ---------- $ $300.00

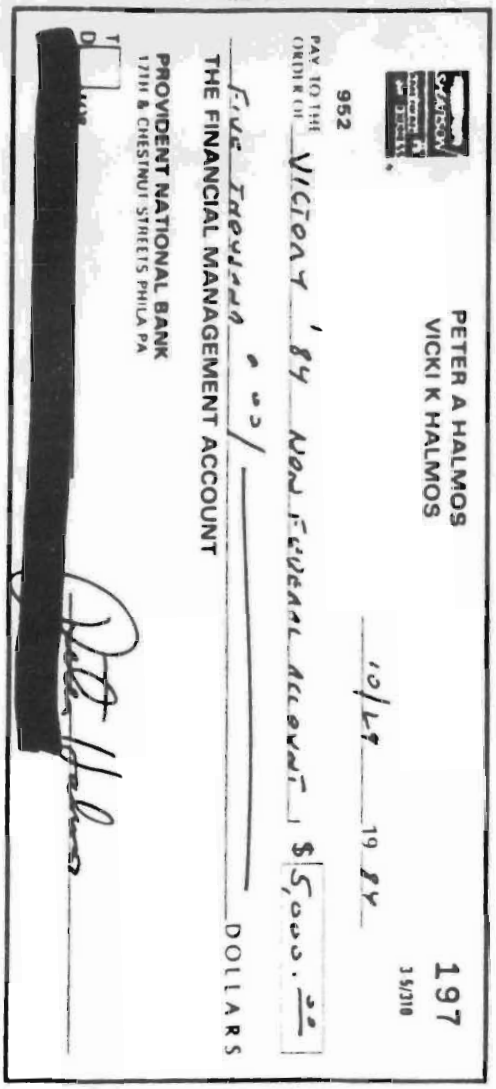
THREE HUNDRED AND 00/100 DOLLARS---------- DOLLARS

FIRST FEDERAL SAVINGS BANK
Ponce De León PDA 23 • Santurce, P. R.

FOR Contribution-Reagan/Bush

[redacted]

Luis M. Gurabo



PETER A HALMOS
VICKI K HALMOS

952

10/17 19 84

PAY TO THE ORDER OF VICTORY '84 NON FEDERAL ACCOUNT $ 5,000.00

FIVE THOUSAND AND 00/ DOLLARS

THE FINANCIAL MANAGEMENT ACCOUNT

PROVIDENT NATIONAL BANK
17TH & CHESTNUT STREETS PHILA PA

197

3 5/310

TO

[redacted]

Peter Halmos

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

X I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Peter Halmos

name PETER HALMOS
c/o SAFECARD SERVICES, INC.
address 2995 N. DIXIE HIGHWAY

city FT. LAUDERDALE state FLA. zip 33316

[redacted]

The Federal Election Commission requires that we request the following information:

occupation BUSINESS

employer HALMOS & CO., INC.

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Thompson

95043032422

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000. I've filled in the information below to reserve my place at the Washington, D.C., event honoring Steering Committee members.

☒ I cannot join the Steering Committee, but I've enclosed my contribution for $ 500 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance to all events which the President will be attending.

name Mr George H. Lawrence

address 3707 Eaglebrook Court

city Alexandria state VA zip 22308

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

GEORGE H. LAWRENCE
MRS. GEORGE H. LAWRENCE
[redacted]

1252

Nov. 1 1984 15-4/540

PAY TO THE ORDER OF Reagan/Bush Victory 84 $500.00

Five hundred & 00/100---------- DOLLARS

UNION 1ST
Union First National Bank of Washington

FOR _____

[redacted]

95043032463

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name C. GERALD GOLDSMITH

address 635 CREST ROAD

city PALM BEACH state FLA zip 33480

[redacted] phone _____

The Federal Election Commission requires that we request the following information:

occupation JEWELER

employer _____

✓ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

PAYMENT.

C. GERALD GOLDSMITH 624

PAY TO THE ORDER OF Victory 84 Oct 2 19 84

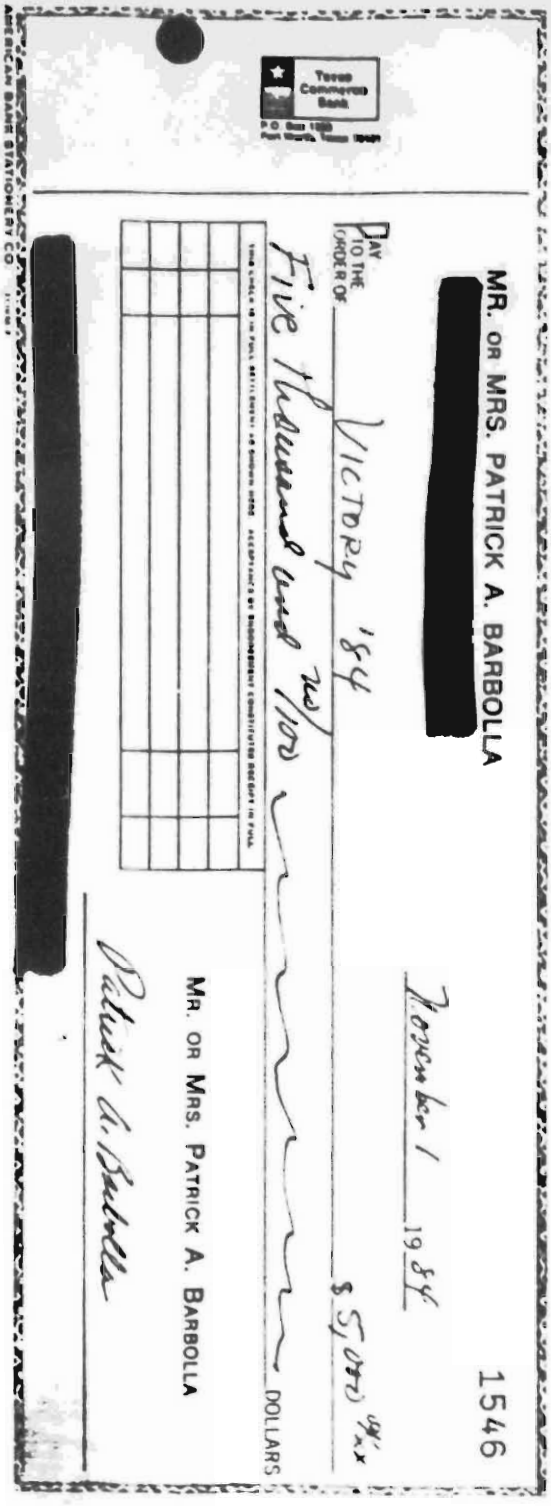
Luis Horsepuckies $ 2500 00 DOLLARS

Citibank, N.A. Citicorp Center 153 E. 53rd St. New York, N.Y. 10043 Private Banking Division CITIBANK

MEMO Contribution [redacted]

1-9/210/037

95043032444



MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

X I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Patrick A. Barbolla

name PATRICK A. BARBOLLA

address 4624 BRIARHALEN Rd.

city FORT WORTH state TEXAS zip 76109

[redacted]

home phone _____ business phone _____

The Federal Election Commission requires that we request the following information:

occupation ATTORNEY

employer PATRICK A. BARBOLLA, P.C.

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Collins

9504332455

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

- ☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.
- ☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed _____

name Pauline Yacktman

address 2640 Golf Road

city Glenview state IL zip 60025

[redacted]

The Federal Election Commission requires that we request the following information.

occupation _____

employer VPX Corporation

X please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Stace

9504330324416

[redacted]

Merrill Lynch Cash Management Account®

106

10-26 19 84 25-80 440

Pay to the order of Victory '84 $ 5000.00

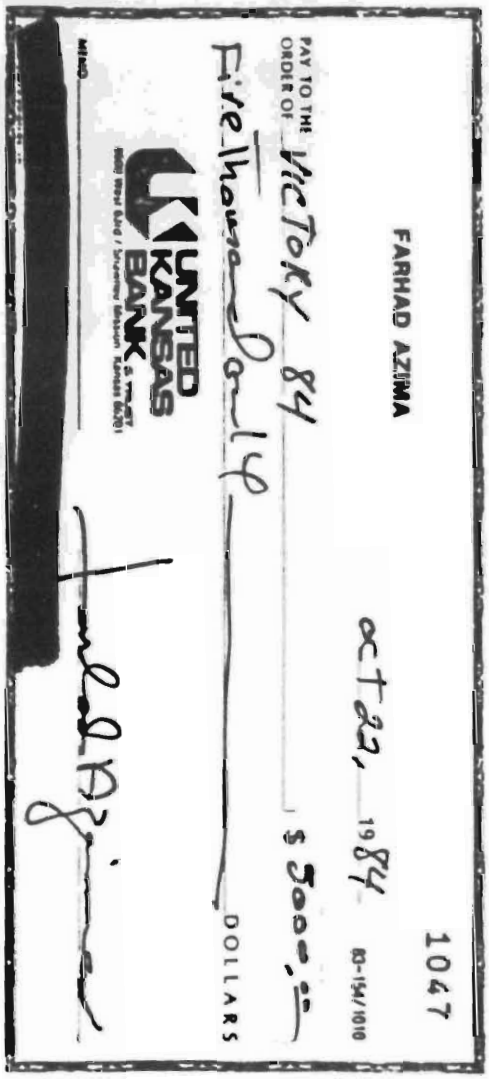
Five Thousand and no/100 Dollars

BANK ONE
BANK ONE OF COLUMBUS, NA
Columbus, Ohio 43271

Memo _____

[redacted]

Pauline Yacktman



FARHAD AZIMA

1047

PAY TO THE ORDER OF Victory 84 — oct 22, 1984 — $ 5000.00

DOLLARS

UNITED KANSAS BANK

MEMO Fire Thomas Rally

Farhad Azima

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☑ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Farhad Azima

name FARHAD AZIMA

address 8714 MISSION RD.

city P.V. state KS. zip 66206

[redacted]

The Federal Election Commission requires that we request the following information:

occupation Airline executive

employer CAPITOL AIR

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Thompson

95043032447

M. R. WILLIAMS
EASTON, PA. 18042

GIRARD BANK
Philadelphia PA

1327

3-3
3108

PAY TO THE ORDER OF Republican National Committee $1000.00

DOLLARS

FOR 1984

950433032463

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000. I've filled in the information below to reserve my place at the Washington, D.C., event honoring Steering Committee members.

☐ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to my state Republican Party Federal Account.

Sincerely,

Signed _____

The following information is necessary for security clearance to all events at which the President will be attending.

name Mr. M R Williams

address PINE SHADOWS HEADQUARTERS / RT 20

city EASTON state PA NJ zip 18042 08520

home phone _____ business phone _____

social security number _____

date of birth _____ place of birth _____

Each Steering Committee member may bring a spouse or guest to the event.

spouse/guest name _____

social security number _____

date of birth _____ place of birth _____

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

MEMBERSHIP ACCEPTANCE

STEERING COMMITTEE

VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will re-elect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

- ☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.
- ☐ I cannot join the Steering Committee, but I've enclosed my contribution for $ 1000 to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed David B Miller

name DAVID B. MILLER

address 600 Clay Ave

city Scranton state Pa zip 18510

[redacted]

The Federal Election Commission requires that we request the following information:

occupation Attorney

employer Self-employed

✓ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

[redacted]

887

DAVID B. MILLER ATTY.

SC [redacted]

Oct 22 19 84 60-11/313

PAY TO THE ORDER OF Victory '84 Alliance $ 1,000 00 DOLLARS

Scranton NATIONAL BANK SCRANTON · PENNSYLVANIA

FOR [redacted]

David B Miller Atty

950430324179

95043032470

⑈0702 0519⑈ ⑆0202 9803⑆ 2⑈

NOT VALID FOR OVER $2,000.00

SIGNATURE

ADDRESS

PAY TO THE ORDER OF VICTORY 1/84

250 00/100 $

11-1 19 84

No. 6220198

CITIBANK

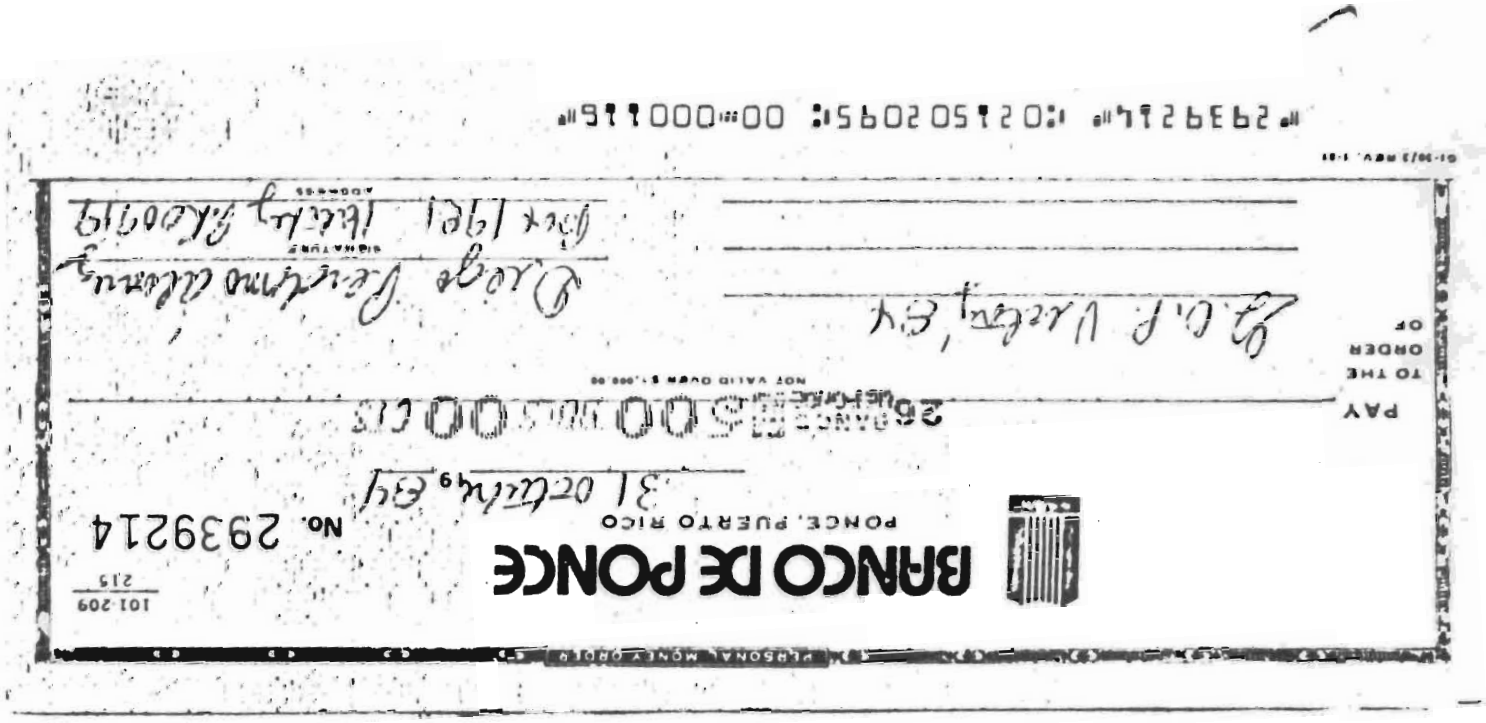
Citibank, N.A.
PUERTO RICO

101-204
213

MARK FAIGENBLAT
G.P.O. BOX 983
SAN JUAN, PR 00936

250.00

9 5 0 4 3 6 3 2 4 7 1



Diego Perdomo Alvarez
Box 1981
Hato Rey, PR 00919

$500.00

950432472

SAUL GOLDWEITZ

3807

SAUL GOLDWEITZ

Monday Sept 19 84 5-133/110 04

PAY TO THE ORDER OF Klagsbrun-Bach Holiday '84 $ 500.00

Five Hundred and xxx DOLLARS

United States Trust Company
Boston, Mass.

[redacted]

$500.00

950433247 3

LIC. JOHN M. GARCIA

[redacted]

212

November 2, 19 84

101-287/215

PAY TO THE ORDER OF ----------VICTORY 84 ---------- $ 600.00

----------SEISCIENTOS DOLARES CON ----------00/100 DOLLARS

Las Américas Trust Company PLAZA LAS AMERICAS HATO REY, PUERTO RICO 00918

[redacted]

$600.00

LIC. JOHN M. GARCIA
117 ELEANOR ROOSEVELT
HATO REY, PUERTO RICO
00918

9 5 0 4 3 0 3 2 4 7 4

$500.00

Mr. James V. De Mayo

Paseo De Don Juan, 88

Condado, P.R. 0907

JAMES V. DE MAYO AND/OR
LYNNE C. DE MAYO
[redacted]

076

101-204
215

PAY TO THE ORDER OF Victoria

Mar 19 1984

$ 500.00

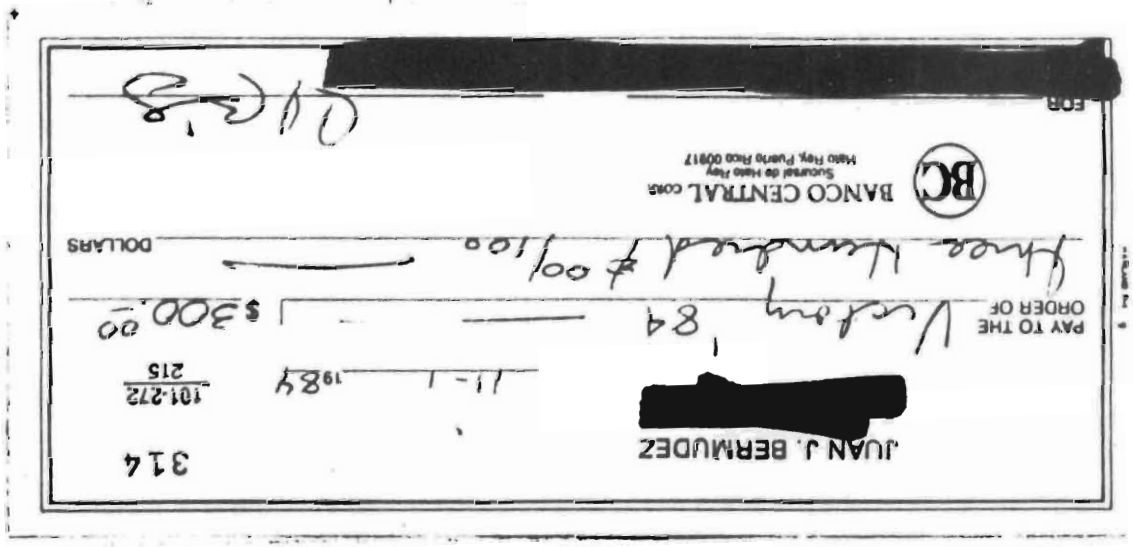
Five Hundred Dollars and 00 DOLLARS

CITIBANK
Citibank, N.A.
Condado, P.R. 00908

FOR [redacted]

James De Mayo

9 5 0 4 3 6 3 2 4 7 5



JUAN J. BERMUDEZ
G.P.O. BOX 2491
SAN JUAN, P.R. 00936

$300.00

9 5 0 4 3 6 3 2 4 7 6

Fletcher W. Gibson
6524 Cedar Creek
Houston, TX 77057

FLETCHER W. GIBSON, III
[redacted]

890

Nov. 20, 19 84

35-721/1130

PAY TO THE ORDER OF VICTORY 84 $ 100.00

One hundred and 00/100 ---------- DOLLARS

Texas Commerce Bank Tanglewood
P.O. BOX 6540 HOUSTON, TEXAS 77210

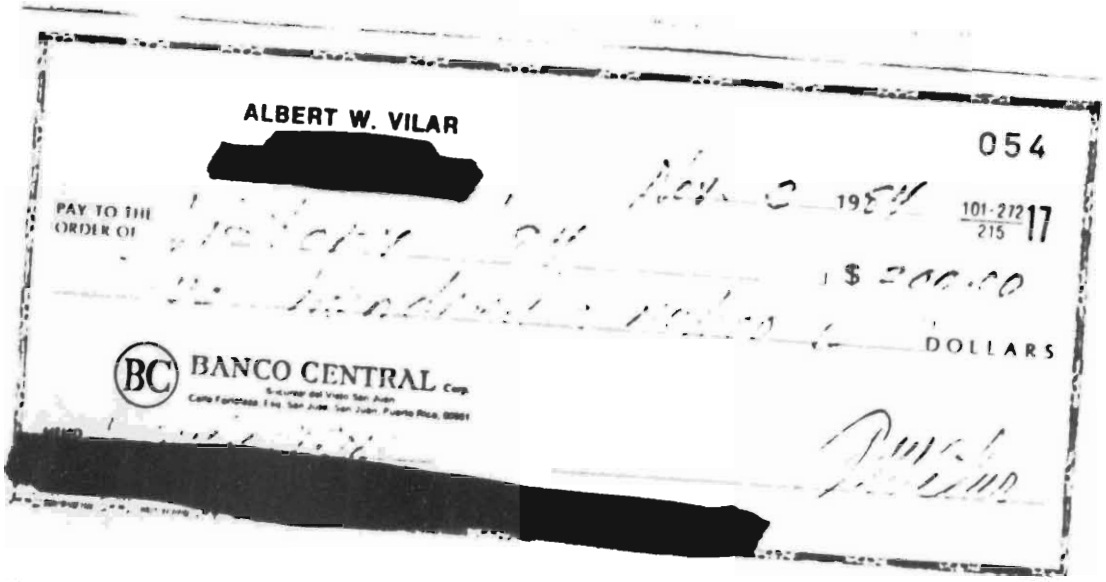
11-81

donation

MEMO [redacted]

ALBERT W. VILAR
BOX 3284
SAN JUAN, P.R. 00904

$200.00



9 5 0 4 3 6 3 2 4 7 7

CHEMICALBANK
55 Water Street
New York, N.Y. 10041

Personal Money Order
Not Valid Over $1,000.00

1-12
210

No. 7907211

October 19, 19 84

Pay to the Order of VICTORY 84 COMMITTEE

CHEMICAL BANK 51 — 25 AND 00 CTS

m.p. johnson

Address 21-16 29th Street,LIC,NY;11105 Signature

⑈7907211⑈ ⑆021000128⑆ 000⑈7770 48⑈

(albeit humble) thanks.

Thanks,

Mike Johnson

9 5 0 4 3 2 4 7 8

MILES L. OR EMMA M. WOODCOCK [redacted] No 897

[redacted]

ROCHESTER COMMUNITY SAVINGS BANK
CHILI OFFICE 096

[redacted]

Republican National Committee

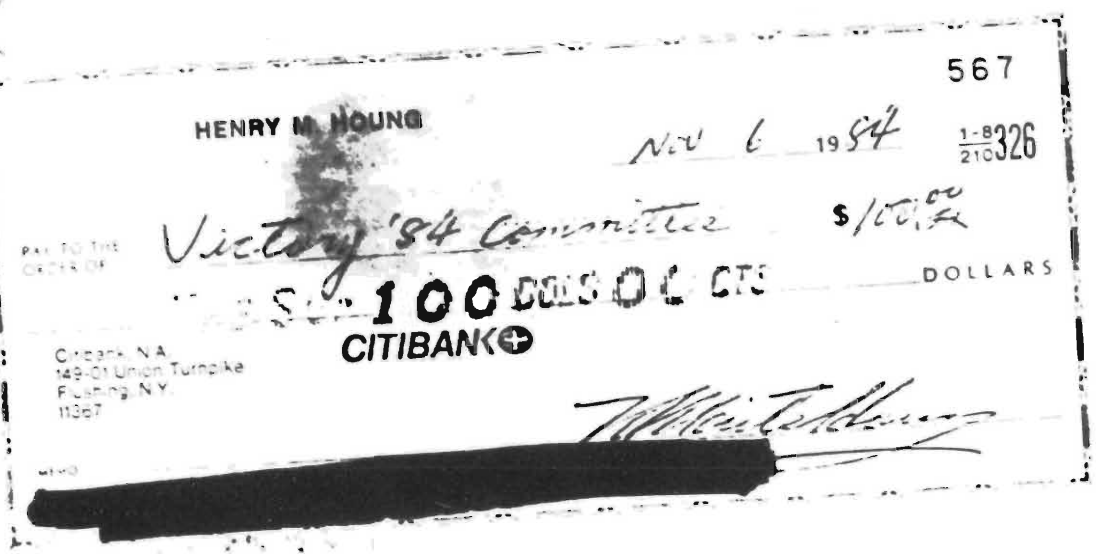
MILES L. WOODCOCK
5 Queensberry Lane
Rochester, NY 14624

$15.00

9504330324779

95043563224330

Mr. Henry M. Houng



567

HENRY M. HOUNG

Nov 6 1984 1-8/210 326

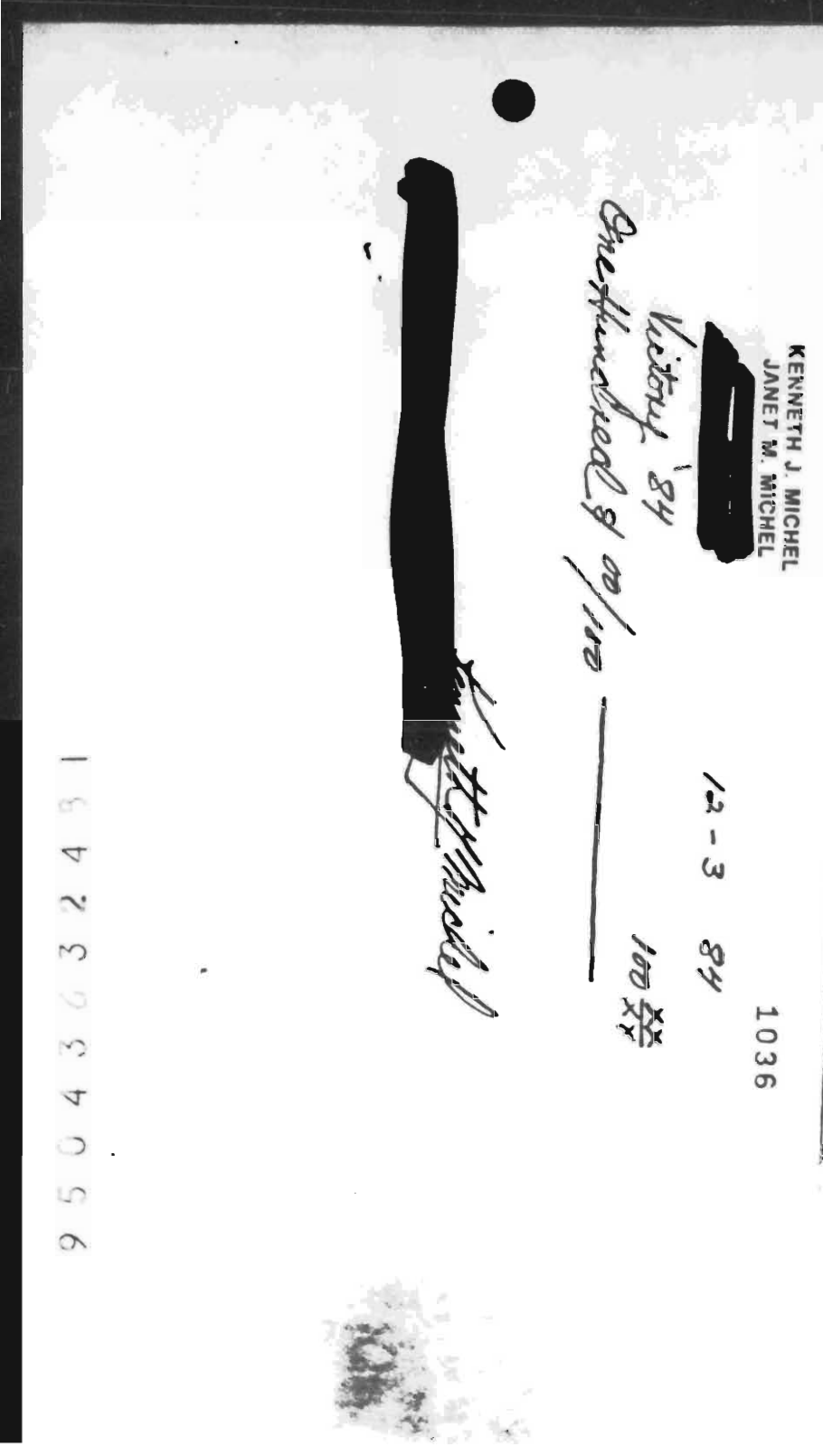
PAY TO THE ORDER OF Victory '84 Committee $ 100.00

$ 100 DOLS 00 CTS DOLLARS

CITIBANK

Citibank, N.A.
149-01 Union Turnpike
Flushing, N.Y.
11367

MEMO



KENNETH J. MICHEL
JANET M. MICHEL

[redacted]

Victory '84
Breakfast 8/10/84 — 100 XX

12-3-84

1036

MEMBERSHIP ACCEPTANCE
STEERING COMMITTEE
VICTORY '84 ALLIANCE

I want to support the grass roots campaign network that will reelect President Reagan and Vice President Bush and expand Republican leadership at every level of government.

☐ I accept the invitation to serve on the Victory '84 Steering Committee and have enclosed my campaign contribution for $5,000.

☑ I cannot join the Steering Committee, but I've enclosed my contribution for $_____ to help counter the Democrats' state-by-state campaign machine.

I've made my check payable to Victory '84.

Sincerely,

Signed Kenneth J. Michel

name KENNETH J. MICHEL

address 2 FARM ST.

city CANTON state MASS zip 02021

[redacted]

The Federal Election Commission requires that we request the following information:

occupation REAL ESTATE SYNDICATOR

employer N/A

☐ please check if self-employed

Paid for by the Victory '84 Alliance
a project of the Republican National Committee
310 First Street, SE
Washington, DC 20003

Collins

9504336324931

9 5 0 4 3 6 3 2 4 3 2

The FIRST National Bank of Amarillo

AMARILLO, TEXAS

No 134833

October 25, 1984

PAY TO THE ORDER OF Victory 34 $50.00

DOLLARS

TRUST NO 0543-01 NAME Dr. L.V. Cradit Rev. Trust

DESCRIPTION Political Contribution to Regan-Bush Campaign $50.00

THE FIRST NATIONAL BANK OF AMARILLO
TRUST DEPARTMENT

AUTHORIZED SIGNATURE

⑈133⑈ ⑆113009451⑆ ⑈9100252⑈

Dr. L.V. Cradit
Apt 412
1500 S. Jackson
Amarillo, TX
79101

Mr. Samuel Russell
400 N. Cousins Ln No. 96
Arlington, TX 76012

$100.00

SAMUEL V. OR MATTIE B. RUSSELL [redacted] 449

10-23 19 84 [redacted] 791 1119

PAY TO THE ORDER OF Victory '84 $ 100.00

one hundred ——— DOLLARS

AMERICAN BANK OF ARLINGTON
P.O. BOX 1488 ARLINGTON, TEXAS 76010
Metro 817/265-0111 277-7661

FOR [redacted] Samuel V Russell

⑆111903791⑆ [redacted] ⑈449

SCHEDULE A **ITEMIZED RECEIPTS**

Page 2 of 5
Line Number 11-B
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Jose Suarez [illegible]0 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt this Period [illegible]
B. Full Name, Mailing Address and ZIP Code Hector C. Pages 219 Almirante Pinzon, Urb. el Vedado Hato Rey, Puerto Rico 00918 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 1000.00
C. Full Name, Mailing Address and ZIP Code Leon D. Elliott 5 Hampton Court Lynnfield, MA 01940 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Quinn Associates Occupation Self Employed Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 5000.00
D. Full Name, Mailing Address and ZIP Code L. Curabo Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 500.00
E. Full Name, Mailing Address and ZIP Code [illegible] L. Curry [illegible] Queen Street Alexandria, VA 22314 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 25.00
F. Full Name, Mailing Address and ZIP Code Peter Halmos [illegible] Management Services, Inc. [illegible] S. Dixie Hwy, Ft. Lauderdale, FL 33316 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Halmos & Co., Inc. Occupation Business Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period [illegible]
G. Full Name, Mailing Address and ZIP Code [illegible] M. Lawrence [illegible] Carlbrook Court [illegible], VA 22308 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period [illegible]
SUBTOTAL of Receipts This Page (optional)			[illegible]
TOTAL This Period (last page this line number only)			

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[redacted]

SCHEDULE A **ITEMIZED RECEIPTS**

Page 3 of 5 For Last Filing
Also attach schedule(s) for each category of the Detailed Summary Page

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Fletcher W. Gibbs 6524 Cedar Creek Houston, TX 77057	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt this Period 100.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
B. Full Name, Mailing Address and ZIP Code G. Gerald Goldsmith 635 Crest Road Palm Beach, FL 33480	Name of Employer Self-Employed Occupation Investor Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 2500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
C. Full Name, Mailing Address and ZIP Code Patrick A. Barbolla 5624 Briarhaven Road Fort Worth, TX 76109	Name of Employer Patrick A. Barbolla, P.C. Occupation Attorney Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 5000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
D. Full Name, Mailing Address and ZIP Code Pauline Yacktman [illegible] Golf Road Glenview, IL 60025	Name of Employer VPX Corporation Occupation Self Employed Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 5000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
E. Full Name, Mailing Address and ZIP Code [illegible] Azima [illegible] Mission [illegible], KS 66206	Name of Employer Capitol Air Occupation Airline Executive Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 5000.00
Receipt For ☐ Primary ☐ General ☐ Other (specify):			
F. Full Name, Mailing Address and ZIP Code Mr. W. R. Williams Pine Shadows Meadowlakes, ETRA Road Mt. Holly, NJ 08520	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 1000.
Receipt For ☐ Primary ☐ General ☐ Other (specify):			
G. Full Name, Mailing Address and ZIP Code Avit B. Miller [illegible] Olive Avenue Scranton, PA 18510	Name of Employer Scranton Electric Bldg Suite 415 Scranton, PA 18503 Occupation Attorney/Self Employed Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 1000.
Receipt For ☐ Primary ☐ General ☐ Other (specify):			
SUBTOTAL of Receipts This Page (optional)			17,100
TOTAL This Period (last page this line number only)			

92334301024 8 5

SCHEDULE A **ITEMIZED RECEIPTS**

Page 4 of 5 for Line Number 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (In Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Mark Faigenblat P.O. Box 983 San Juan, Puerto Rico 00936 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt this Period 250.00
B. Full Name, Mailing Address and ZIP Code Diego Perdomo Alvarez Box 1981 Hato Rey, Puerto Rico 00919 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 500.00
C. Full Name, Mailing Address and ZIP Code Albert W. Vilar Box 3294 San Juan, Puerto Rico 00904 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 200.00
D. Full Name, Mailing Address and ZIP Code M. P. Johnson 21-16 29th Street Lic., NY 11105 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 25.00
E. Full Name, Mailing Address and ZIP Code Miles L. Woodcock 5 Queensberry Lane Rochester, NY 14624 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period 5.00
F. Full Name, Mailing Address and ZIP Code [illegible] M. Houng Receipt For ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period [illegible]
G. Full Name, Mailing Address and ZIP Code Kenneth J. Michel 2 Farm Street Canton, MA 02021 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer N/A Occupation Real Estate Syndicator Aggregate Year-to-Date—$	Date (month, day, year) 12/17/84	Amount of Each Receipt This Period [illegible]
SUBTOTAL of Receipts This Page (optional)			1130.00
TOTAL This Period (last page this line number only)			

24736 24736 24736

[redacted]

Page 5 of 5 pages
(Line Number)
File separate schedules for each category of the Detailed Summary Page

SCHEDULE A **ITEMIZED RECEIPTS**

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Name of Committee (In Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
B. Full Name, Mailing Address and ZIP Code Saul Goldweitz	Name of Employer / Occupation / Aggregate Year-to-Date	12/17/84	500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
C. Full Name, Mailing Address and ZIP Code Dr. L. V. Cradit 1300 S. Jackson, Apt 412 Amarillo, TX 79101	Name of Employer / Occupation: Doctor / Aggregate Year-to-Date	12/17/84	50.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
D. Full Name, Mailing Address and ZIP Code Lic. John M. Garcia 117 Eleanor Roosevelt Hato Rey, Puerto Rico 00918	Name of Employer / Occupation / Aggregate Year-to-Date	12/17/84	600.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
E. Full Name, Mailing Address and ZIP Code James V. Delfayo Paseo De Don Juan, Apt. 3-E Condado, Puerto Rico 00907	Name of Employer / Occupation / Aggregate Year-to-Date	12/17/84	[illegible]
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
F. Full Name, Mailing Address and ZIP Code Samuel V. Russell 400 N. Cousins Ln., No. 46 Arlington, TX 76012	Name of Employer / Occupation / Aggregate Year-to-Date	12/17/84	[illegible]
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
G. Full Name, Mailing Address and ZIP Code Juan J. Bermudez P.P.O. Box 2491 San Juan, Puerto Rico 00936	Name of Employer / Occupation / Aggregate Year-to-Date	12/17/84	[illegible]
Receipt For: ☐ Primary ☐ General ☐ Other (specify):			
SUBTOTAL of Receipts This Page (optional)			2050.00
TOTAL This Period (last page this line number only)			[illegible]

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)

Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Bell Telephone Co. P.O. Box 5030 Saginaw, MI 48663	phone charges Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-20-84	7041.38
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
The Wall Street Journal 200 Burnett Rd. Chicopee, MA 01021	newspaper Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-20-84	101.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Postmaster Lansing, MI	postage meter Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-21-84	1000.00
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Bell Telephone Co. P.O. Box 5030 Saginaw, MI 48663	phones Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-21-84	5888.20
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Bell Telephone Co. P.O. Box 5030 Saginaw, MI 48663	phones Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-21-84	4968.45
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Republican State Committee payroll account	12-21-84 payroll Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-21-84	20000.00
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: ☐ Primary ☐ General ☐ Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			3,949.
TOTAL This Period (last page this line number only)			36,54

[redacted]

SCHEDULE A **ITEMIZED RECEIPTS**

Page 1 of 5 Forms
Last Number
Also complete schedule(s) for each category of the Detailed Summary Page

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Marlene M. Griscom 13 River Hill Road Louisville, KY 40207		12/19/84	1000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Housewife		
	Aggregate Year-to-Date—$		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
William T. Dobbins 6223 Richmond, Ste 333 Houston, TX 77057	Zulu Enterprises	12/19/84	250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Business		
	Aggregate Year-to-Date—$		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Elaine Y. Wolf 2104 Island Point Lexington, KY 40502		12/19/84	1000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Homemaker		
	Aggregate Year-to-Date—$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Robert E. Gable 410 W. Vine Street Lexington, KY 40507	The Stearns Company	12/19/84	1000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

SUBTOTAL of Receipts This Page (optional)	3250.00
TOTAL This Period (last page this line number only)	

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Page 1 of 1 for Line Number 10c
(Use separate schedule(s) for each category of the Detailed Summary Page)

SCHEDULE A **ITEMIZED RECEIPTS**

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code National Republican Congressional Comm. 320 First St., S.E. Washington, D.C. 20003 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Political Comm. Aggregate Year-to-Date—$	Date (month, day, year) 12-24-84	Amount of Each Receipt this Period 2700.00
B. Full Name, Mailing Address and ZIP Code Jackson County Republican Comm. P.O. Box 1276 Jackson, MI 49204 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Faith Kline, Treasurer Occupation Political Comm. Aggregate Year-to-Date—$	Date (month, day, year) 12-17-84	Amount of Each Receipt This Period 1500.00
C. Full Name, Mailing Address and ZIP Code Republican National Committee 310 First St., S.E. Washington, D.C. 20003 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Political Comm. Aggregate Year-to-Date—$	Date (month, day, year) 12-14-84	Amount of Each Receipt This Period 20000.00
D. Full Name, Mailing Address and ZIP Code Eaton County Republican Comm. Charlotte, MI 48813 Eldon Dymond, Treasurer Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Political Comm. Aggregate Year-to-Date—$	Date (month, day, year) 12-14-84	Amount of Each Receipt This Period 400.00
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			24,600.00
TOTAL This Period (last page this line) number only)			24,600.00

[redacted]

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)

Name of Committee (in Full): MICHIGAN REPUBLICAN STATE COMMITTEE

Report Covering the Period: From 12-17-84 To 12-31-84

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
I. RECEIPTS			
11 CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	39505.00	577489.57	11(a)
(Memo Entry Unitemized $ _____)			
(b) Political Party Committees			11(b)
(c) Other Political Committees	24000.00	445345.00	11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	63505.00	1122834.57	11(d)
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES		4050.00	12
13 ALL LOANS RECEIVED			13
14 LOAN REPAYMENTS RECEIVED			14
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		2693.77	15
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17 OTHER RECEIPTS (Dividends, Interest, etc.)		1472.42	17
18 TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	63505.00	1131978.76	18
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES	86854.44	1104004.20	19
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		80000.00	20
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		7000.00	21
22 INDEPENDENT EXPENDITURES (use Schedule E)			22
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)			23
24 LOAN REPAYMENTS MADE			24
25 LOANS MADE			25
26 REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees			26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			26(d)
27 OTHER DISBURSEMENTS			27
28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	86854.44	1191004.20	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	63505.00	1122834.57	29
30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)	-0-	-0-	30
31 NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	63505.00	1122834.57	31
32 TOTAL OPERATING EXPENDITURES from Line 19	86854.44	1104004.20	32
33 OFFSETS TO OPERATING EXPENDITURES from Line 15	-0-	2694.77	33
34 NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	86854.44	1101309.43	34

C 00 25 04 34 03 2 4 8 2 1

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1 Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate box)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report
☐ July 15 Quarterly Report ☒ January 31 Year End Report
☐ July 31 Mid Year Report (Non-Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☐ YES ☒ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5 Covering Period 11-27-84 through 12-31-84		
6 (a) Cash on hand January 1, 19 84		$ 35,174.09
(b) Cash on Hand at Beginning of Reporting Period	$ 47697.12	
(c) Total Receipts (from Line 18)	$ 63505.00	$ 1,179,978.76
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 111202.12	$ 1,215,152.85
7 Total Disbursements (from Line 28)	$ 86854.44	$ 1,191,004.20
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 24374.68	$ 24347.08
9 Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$	
10 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct, and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

Signature of Treasurer

1-31-85
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523-4068

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (1/80)

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1 Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

3. ☐ This committee qualified as a multicandidate committee during the Reporting Period on _____ (date)

4. TYPE OF REPORT (Check appropriate box)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

☐ Thirtieth day report following the General Election on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☒ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5 Covering Period 11-27-84 through 12-31-84		
6 (a) Cash on hand January 1, 19 84		$ 35,174.09
(b) Cash on Hand at Beginning of Reporting Period	$ 47697.12	
(c) Total Receipts (from Line 18)	$ 63505.00	$ 1,179,978.76
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 111202.12	$ 1,215,152.85
7 Total Disbursements (from Line 28)	$ 86854.44	$ 1,191,004.20
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 24374.68	$ 24347.68
9 Debts and Obligations Owed TO This Committee (Itemize all on Schedule C or Schedule D)	$	
10 Debts and Obligations Owed BY this Committee (Itemize all on Schedule C or Schedule D)	$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete

Denzil L. Hammond

Type or Print Name of Treasurer

Denzil L. Hammond

SIGNATURE OF TREASURER

1-31-85

Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORMS 3 and FEC FORMS 3a are obsolete and should no longer be used.

FEC FORM 3X (1 80)

SCHEDULE B

ITEMIZED DISBURSEMENTS

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Name of Committee (In Full)

Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Republican State Committee Payroll Account	Wages Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	11-17-84	25000.00
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Michigan Republican State Committee Payroll Account	wages Disbursement for: ☒ Primary ☐ General ☐ Other (specify):	12-11-84	12000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Xerox Corporation 1250 Fairwood Ave, Columbus, OH 43067	Copier payments Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-14-84	1609.72
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Odell, Roper, & Associates 7316 Wisconsin Ave, Suite 057 Bethesda, MD 20814	Consulting fee Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-14-84	2000.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
James Alexander 700 E. Maple, Suite 400 Birmingham, MI 48011	consultant Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-14-84	1500.00
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Capitol Hill Club Washington, D.C.	banquet charges Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-14-84	512.41
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
The Universal Companies 2801 E. Beltline N.E. Grand Rapids, MI 49505	Nat'l Committeeman Exp. Reimb. Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-14-84	87.14
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Blue Cross & Blue Shield Of Mich. P.O. Box 64113 , Detroit, MI 48264	Jan. health insurance Disbursement for: ☐ Primary ☐ General ☐ Other (specify):	12-20-84	2479.64
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Pitney Bowes P.O. Box 30390 Louisville, KY 40233	machine purchase & maint. Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	12-20-84	2866.50
SUBTOTAL of Disbursements This Page (optional)			47,[illegible]
TOTAL This Period (last page this line number only)			

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	MUR 2581
Michigan Republican State Committee	)	
Ronald D. Dahlke, as treasurer	)	
Republican National Committee	)	
William J. McManus, as treasurer	)	**SENSITIVE**

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, and the Republican National Committee, and William J. McManus, as treasurer, based on the assessment of the information presently available.

1/9/91
Date

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

January 24, 1991

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2581

Attached for the Commission's review are two briefs stating the positions of the General Counsel on the legal and factual issues in the above-captioned matter. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause to believe were mailed on January 24, 1991. Following receipt of the respondents' replies to these notices, this Office will make a further report to the Commission.

Attachments
Briefs (2)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 24, 1991

David W. McKeague, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, Michigan 48933-2193

RE: MUR 2581
Michigan Republican State Committee
Ronald D. Dahlke, as treasurer

Dear Mr. McKeague:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on May 23, 1989, the Federal Election Commission found reason to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, had violated 2 U.S.C. §§ 434(b)(2)(F), 441la(f), and 441b and 11 C.F.R. §§ 102.5 and 102.6, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	MUR 2581
Michigan Republican State Committee Ronald D. Dahlke, as treasurer	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF CASE

Pursuant to 2 U.S.C. § 438(b), the Federal Election Commission conducted an audit of the 1983-84 records for the federal account of the Michigan Republican State Committee ("MRSC"). Following the referral to the Office of the General Counsel of certain issues raised during the audit, the Commission, on May 23, 1989, found reason to believe that the MRSC and Ronald D. Dahlke, as treasurer, had violated 2 U.S.C. §§ 434(b)(2)(F), 441a(f), and 441b and 11 C.F.R. §§ 102.5 and 102.6.

II. ANALYSIS

A. Violations of 2 U.S.C. § 441a(f)

2 U.S.C. § 441a(f) prohibits any candidate or political committee from accepting contributions or making expenditures in excess of the limitations established by this section. 2 U.S.C. § 441a(d)(3) establishes limitations upon the totals of expenditures which a state party committee may make in connection with the general election campaign of a candidate

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affiliated with that party for the office of United States Senator or of United States Representative. 2 U.S.C. § 44la(a)(1)(C) limits to $5,000 the amount which any individual may contribute to a state party committee in a calendar year, while 2 U.S.C. § 44la(a)(2)(A) limits to $5,000 the amount which a multicandidate committee, including a state party committee, may contribute to a candidate and his or her authorized committee. 11 C.F.R. § 106.1 requires that expenditures made on behalf of more than one candidate be allocated among those candidates in proportion to the benefits derived.

a. **Excessive expenditures pursuant to 2 U.S.C. § 44la(d)**

At the time of the Commission's reason to believe determination, it appeared, as a result of the audit, that the MRSC had made a total of $459,995.72 in allocable expenditures related to its operation of a voter identification program ("VIP") and get-out-the-vote program ("GOTV") undertaken to benefit both federal and non-federal candidates during the 1984 general election campaign. This figure differed from the allocable total calculated by the MRSC in several ways. First, the Commission included in its total 9.5% of the $282,000 which the MRSC had spent on the development of the MICHLIST, a list of registered voters in Michigan prepared for the MRSC by Market Opinion Research ("MOR") in 1984 and used in the MRSC's 1984 GOTV and VIP activities. The MRSC included no list development costs. Also included in the Commission's figure, but not in the MRSC's, were $21,000 in GOTV telephone costs and $15,035.44 in

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apparently related expenditures. The Commission identified $1,364.45 in mathematical errors in the MRSC's calculations.

Further, and again contrary to the committee's approach, the Commission included contributions made by local party committees apparently affiliated with the MRSC in determining the total amounts of contributions made by the MRSC to federal candidates for purposes of determining whether there remained any portions of the MRSC's Section 441a(a) limitations to offset any excessive Section 441a(d) expenditures. See 11 C.F.R. § 110.3(b)(2)(ii). The Commission agreed to the allocation of a full share of the VIP and GOTV program costs to the MRSC itself and to the allocation of only 45% of a full share to the Lousma for Senate Committee.

The Commission found reason to believe that the MRSC had violated 2 U.S.C. § 441a(f) by exceeding its Section 441a(d) coordinated expenditure limitation by $11,424.44 with respect to Jack Lousma for U.S. Senate and by $1,012.74 with respect to the Bill Schuette for Congress Committee.

1. MICHLIST Costs: Development and Rental

Although the MRSC did not agree during the audit process that a portion of the MICHLIST development costs would be allocable, it offered the figure of 19% of such costs as a potential fall-back figure, this figure being based upon the percentage of names from the MICHLIST used for the programs at issue. The Commission determined, at the time it found reason to believe, to include the figure of 9 1/2%, or half of 19%, of

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development costs in the total of allocable VIP and GOTV expenditures. This decision to include a portion of development costs was based upon the fact that the provision of MICHLIST names by the MRSC had been of value to the candidates involved in the 1984 VIP and GOTV programs. The development costs approach was necessitated by the absence of information as to the fair market value of the portions of the MICHLIST used for those programs. In its response to the Commission's reason to believe determination, the MRSC continued to disagree with the inclusion of any development costs, and lowered its fallback figure to 17%.

In his notarized supplemental response to the Commission interrogatories, David J. Doyle, Executive Director of the MRSC, has stated that the 1984 MICHLIST was "a statewide list of Michigan residents" subdivided by "statewide status, congressional district, legislative district, county township, precinct and city." Codes were assigned to each precinct "based on past Republican vote history, the vote tendency, the 1980 Reagan vote percentage and precinct predictability . . . ." Each individual was identified by "full name, designation as head of household, if applicable, street and city address including zip code, carrier routes and geographic codes required for mailing. Telephone numbers, if available, were also

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included. MICHLIST '84 was maintained on magnetic tape."[1]

As noted above, the MRSC has stated that 17%, not 19% as first estimated, of the 1984 MICHLIST was used in the MRSC's 1984 GOTV and VIP activities. The MRSC asserts that this 17% consisted of approximately 1,080,272 names. Mr. Doyle's supplemental response regarding other utilizations of the MICHLIST in 1984 and later years shows that such other use has been extensive.[2]

The committee also has explained the schedule of charges for the use of the MICHLIST by third parties. In 1984 any purchasers of lists of names or of mailing labels from the two vendors with access to MICHLIST, Market Opinion Research ("MOR") and Technicom Graphics ("TG"), were charged a set-up fee of $250

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1. According to MRSC, the MICHLIST has been periodically updated by MOR to add names of new voters and to delete those "no longer registered, moved or deceased." In 1986 additional demographic data was added, and in 1988 age information was put in, as were responses received as a result of the 1986 VIP program. The size of the list has not, however, changed substantially.

2. In 1984 this included "volunteer GOTV, mass mailings, county commission mailings, state legislative mailings, fundraising and third party use." Varying numbers of names of individuals contacted during the 1984 VIP program were also used for the other activities undertaken that same year; e.g., of 283,647 households selected from the MICHLIST to be contacted as part of the volunteer GOTV program, 276,805 were derived from the VIP subset. For mass mailings in 1984 approximately 192,552 out of 985,630 labels produced from the MICHLIST were from the VIP subset, while approximately 1,809,190 labels out of 3,095,346 used for mailings on behalf of candidates for state legislative seats were consistent with the VIP subset. In 1985 the MRSC participated in three special elections for state legislative seats with varying uses of the MICHLIST; in one instance involving a VIP telephone program for two special state senate elections, a total of 159,391 MICHLIST names were used "based on past Republican voting history and the 1984 VIP telephone results." In 1986, 1987 and 1988 the MRSC again utilized the MICHLIST for a number of programs.

plus $10/thousand names for lists and $11/thousand names for labels. In 1986 the set-up fees were changed to $200 by MOR and $285 by TG, while in 1988 these fees were $190 and $200 respectively. The charges per thousand names did not change. As noted above, the Commission's utilization of the 9 1/2% development cost figure was the result of the absence of information as to what the candidate committees, which benefited from the 1984 VIP and GOTV programs, would have had to expend if they had chosen to obtain relevant portions of the MICHLIST directly. With the figures for the purchase of portions of the list now in hand, namely a $250 set-up cost plus $10 per thousand names for a list, the following differences emerge between the application of the development cost approach and that of the rental price approach with regard to particular campaigns.

Given the total of 1,080,212 calls made throughout the state in 1984, the costs for the direct use of the MICHLIST for the 1984 general election would have been approximately $11,060 for Reagan-Bush (full-share)[3] and $4,977 (45% of a full share) for the Lousma committee. By contrast, the Reagan-Bush campaign's share of 9 1/2% of the $282,000 in development costs, or $26,790, would be $5,416.94, while the Lousma campaign's share of the 9 1/2% would be $2,437.62. A total of 72,315 calls were made in the 10th Congressional District in which Bill Schuette was a candidate; thus, the Schuette campaign would have

3. $10.00 X 1080 thousand = $10,810 + $250 start-up = $11,060.

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had to pay approximately $970 if it had obtained MICHLIST names directly.[4] The Schuette campaign's share of the $26,790 figure would be $361. Each of the other House candidates involved would also be allocated an additional $600 or so if the rental cost approach is used.[5] Thus, the application of the rental costs approach, rather than that of 9 1/2% of development costs, results in a somewhat higher allocation for each candidate committee. Assuming a average $600 increase for each Congressional, state and county candidate of which there were 45,[6] and adding increases of $5,643 for the Reagan-Bush campaign and of $2,339 for the Lousma campaign, the total of allocable MRSC expenditures would increase by approximately $35,000 if the rental cost approach is used.

2. $21,000 in Telephone Bank Costs

The MRSC has not included in its allocation of GOTV expenditures $21,000 in telephone bank costs. Counsel has stated that the MRSC "acknowledges that part of this $21,000 amount should be allocated among candidates," but disagrees that the entire amount is allocable. Counsel cites 2 U.S.C.

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4. $10.00 X 72 thousand = $720 + $250 start-up = $970.

5. Shares of the $26,790 in development costs have been calculated for each candidate by determining each district's percentage of the $26,790 (the lowest being .2% and the highest 8.9%) and dividing that percentage by 5.45 (a full share each for the MRSC, Reagan-Bush, the congressional candidate, the state candidate and the county candidate, and a 45% share for the Lousma committee.). (In the case of the 10th District [Schuette] the division is by 5.11).

6. In the Thirteenth District only 1829 calls were made, not the 50,000 or more made in other districts; hence, the Thirteenth has not been included.

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§ 431(8)(A)(xii) which exempts from the definition of "contribution" costs of GOTV activities conducted by state parties on behalf of Presidential candidates using volunteers. The MRSC estimates that about 30 of the 130 telephone lines used for this project, or 23%, were staffed by volunteers, and asserts therefore that 23% of the $21,000, or $4,830, should be excluded from the allocable amount.

Neither the statute nor the Commission's regulations at 11 C.F.R. § 100.7(b)(17)(v) provide for the pro-rating of expenditures depending upon the numbers of volunteers versus paid staff involved. As was stated by Representative Frank Thompson during the floor debate on the 1979 amendments to the Federal Election Campaign Act, this particular exemption would apply when a telephone bank is "completely run by . . . volunteers . . . . The Committee's intent in creating this registration and get-out-the-vote exemption . . . was to help State and local political parties play a much needed larger role . . . through the increased use of volunteers." (125 Cong. Rec. H.R. 23815 (September 10, 1979)). Therefore, it appears that the exception at Section 431(8)(A)(ix) was not intended to apply to a situation involving a mix of paid staff and volunteers. Thus, the entire cost of the MRSC's GOTV telephone bank should be allocated to the candidates involved.

3. $15,035.44 in Other Expenditures

The Committee did not allocate $15,035.44 in expenditures from its federal account which appeared to have been related to the VIP and GOTV programs. These payments included $1,250 to

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Michigan Bell as a deposit, $1,702.04 reported as being for VIP phone bank equipment rental, $279.88 to a graphics company for "generation" of a voter list, $7,948.50 to MOR for lists for a GOTV program, $2,131.20 for VIP supplies, $12.50 for VIP shipping and $1,711.32 for VIP phone table rental.

The MRSC has more recently acknowledged that the $1,250 paid to Michigan Bell, the $1,702.04 and $1,711.32 for equipment rentals, and the $12.50 for shipping were for the VIP program, as was $846.72 of the $2,131.20 paid for supplies, for an allocable total of $5,522.58. In his supplemental response cited above, Mr. Doyle argues that the $7,948.50 paid to MOR for lists "was for programs other than allocable VIP/GOTV. The invoices consisted of charges for individual candidate products as well as volunteer GOTV list purchases." This argument is credible given information supplied by the MRSC regarding the many other uses of the MICHLIST in 1984. Mr. Doyle further asserts that the $279.88 was for a county volunteer effort, not for the VIP program, and that $1,284.48 of the $2,131.20 for supplies was for "general office supplies," not ones related to the VIP undertaking. This Office recommends acceptance of the subtraction of the amounts which the MRSC asserts were not part of the VIP program, thereby lowering the original figure of $15,035.44 for additional allocable expenditures by $9,512.86 to $5,522.58.

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4. Inclusion of local party committee contributions

In its calculations of any remaining Section 44la(a) contribution limitations available to the MRSC as offsets to excessive Section 44la(d) expenditures, the Audit Division included the following contributions made by presumably affiliated county party committees to the Lousma campaign in 1984: $999.99 from the St. Joseph County Republican Committee ("St. Joseph"), $200 from the Hillsdale County Republican Executive Committee ('Hillsdale"), and $1,250 from the Branch County Republicans ("Branch").

Branch reported $3,000 in "transfers" to the MRSC in 1983 plus $3,600 in such transfers in 1984, with the purpose given being "Annual Quota" and "Pmt on Annual Quota." The MRSC reported the receipt of contributions totaling $6,850 from Branch in 1983 and 1984. The MRSC also reported receiving contributions totaling at least $9,000 from St. Joseph during 1983 and 1984. St. Joseph reported another $200 as have been sent to the "Michigan State Republican Party" for the "1984 Quota." In 1984 St. Joseph listed the MRSC on its Statement of Organization in the block headed "connected organization or affiliated committee." Hillsdale reported a $1,000 transfer to the Michigan State Republican Central Committee in 1983 for "General Use" and one of $1,200 in 1984 for the same purpose, plus a $283 transfer-in from the MRSC in 1984, while the MRSC reported a total of $2,950 in contributions from Hillsdale in 1983 and 1984.

The Audit Division included $4,300 in contributions made by the Midland Co. Republican Party Committee ("Midland") to the Schuette committee in the calculation of MRSC contributions to that

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candidate committee. Midland had reported among its operating expenditures a number of disbursements to state Republican entities in 1983 and 1984, including a $2,500 expenditure to "Michigan Republicans" for "state quota." MRSC reports show that in 1984 Midland sent a total of $3,790 to the MRSC which was reported by the latter as contributions.

The auditors also included $850 in contributions to the committee of Jacqueline McGregor (District 3) from St. Joseph and the Eaton County Republican Committee ("Eaton") in their calculations of MRSC contributions to that committee. Other county party contributions to congressional candidates included $150 from St. Joseph and Midland to the Paul Henry campaign (District 5) and $1,650 from the Ingham County Federal Finance Fund ("Ingham") to the Tom Ritter campaign (District 6). The MRSC reported receiving during 1983 and 1984 $650 from Ingham and $1,810 from Eaton.

Subordinate state party committees are presumed to be affiliated with state party committees for purposes of the contribution limitations at 2 U.S.C. § 441a(a)(2)(A). 11 C.F.R. § 110.3(b)(3). The presumption of affiliation may be rebutted, however, "if the political committee of the party unit in question has not received funds from any other political committee established, financed, maintained or controlled by any party unit", and does not "make its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained or controlled by another party unit." 11 C.F.R. § 110.3(b)(3)(i) and (ii) (formerly 11 C.F.R. § 110.3(b)(2)(ii)(A) and (B)).

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The MRSC has objected to the inclusion of local party contributions to the above-cited candidate committees in the total of contributions made by the MRSC to those campaigns during 1984. Counsel for MRSC asserts, based primarily on Advisory Opinion 1978-9, that the committee has met the test for defeating the presumption of affiliation with the local party committees which made the contributions at issue.

AO 1978-9 involved the relationship of local Republican Party committees in Iowa to the Iowa Republican State Committee. In this opinion the Commission determined that the presumption at 11 C.F.R. § 110.3 had been rebutted based upon the facts that the Iowa county committees' contributions were not made "in cooperation, consultation, or concert with, or at the request or suggestion of, the State Committee and that the county committees receive no funds from the State Committee (with the exception of the transfer of funds raised through joint fundraising). . . ." Further, the Commission determined that because the Iowa county committees had been established by statute, not by the State Committee, and because each county committee elected its own officers and adopted its own constitution, the county committees were separate political committees for the purpose of the contribution limitations.

Based upon these criteria, the MRSC argues that the county committees in Michigan in 1984 were independent because each elects its own officers and adopts its own constitution and bylaws, the State party committee does not "have the authority to mandate expenditures of district or county committee funds," nor were "contributions of district or county party funds in 1984

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. . . made in cooperation, consultation or concert with, or at the request or suggestion of, the MRSC in 1984." Further, "(n)one of MRSC's budget is assigned to any county or county committee." The MRSC also argues that

> the bulk of the State committee's receipts came from individuals residing within the various counties, not from the county committees . . . . In 1983, total receipts for MRSC's federal account totaled $240,606.21 of which $24,960 came from county Republican committees. In 1984, total receipts into MRSC's federal account equaled $1,210,12.57, of which $38,765 came from county Republican committees. Therefore, for 1983-1984, the total amount received into MRSC's federal account was $1,450,768.78, of which $63,725, or 4 percent, of these receipts represented contributions from county Republican committees.

In response to a follow-up inquiry from the Office of the General Counsel, counsel for the MRSC has explained that the state party solicits or requests particular amounts from county party committees each year, depending upon each county's relative abilities to raise funds; however, if a county committee does not pay the amount requested nothing is done because the state committee does not have the authority to require such payment. Thus, while the amounts paid by the county committees are reported as "quotas," they assertedly are actually solicited or requested contributions.[7]

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7. In 1984 the Commission addressed in MUR 1781 issues involving transfers from certain Michigan county committees to the MRSC. (See discussion below.) As part of its response in that matter, the Marquette County Republican Committee provided a copy of minutes of its December 5, 1983, meeting which contain the following discussion of its "quota:"

> The quota due State Central is $500. The membership list will not be released by State Central unless

In 1984 St. Joseph named the MRSC as its "Connected Organization or Affiliated Committee" on its statement of organization. This and the other county committees involved reported disbursements to the MRSC in 1983 and 1984, some as "contributions" and some as "transfers." The MRSC reported the receipt of contributions from these county committees during the same period. Counsel for the MRSC emphasizes that only 4% of that committee's receipts in 1983-84 were from county committees and that the MRSC made expenditures to local party committees of only $6,501.75 during those years. As noted above, 11 C.F.R. § 110.3(b)(3) states that the presumption of affiliation of party committees may be overcome "if the political committee of the party unit in question has not received funds from any other political committee established, financed, maintained or controlled by any party unit." The MRSC apparently interprets this to mean that the exception applies if the amount of funds flowing between committees is relatively small; however, the regulation does not make distinctions based upon the amounts of contributions or transfers. Nor is voluntariness a determining factor.

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(Footnote 7 continued from previous page)

> money is released from the county. Discussion followed as to whether to pay the money, or how much to pay of the amount requested. Bill Lyons moved that we make out [sic] quota $50 and pay this amount. Blane Hoffman seconded. Motion carried with P. Menacheck opposed. Bob Davis, Jr. will contact State Central Finance Chairman to negotiate this lesser amount and get the membership list released.

It thus appears that the state committee had leverage over the county committee in the form of the membership list, but that there was no requirement that the county committee pay a "quota" equal to that requested by the state committee.

Because of the movement of monies between the MRSC and the county committees involved, the presumption of affiliation with the MRSC has not been rebutted. Therefore, the contributions made by these county committees to candidate committees involved with the VIP and GOTV programs here at issue must be taken into account when determining whether there remain portions of MRSC's Section 44la(a) contribution limitations to offset any excessive Section 44la(d) expenditures.

5. Revised Figures

By eliminating any MICHLIST development costs from allocable VIP program costs, reducing the allocable GOTV program costs from $21,000 to $16,170, allocating only $5,522.58 of "related expenses and agreeing to include the mathematical errors cited by the auditors, the MRSC has arrived at a total figure of $412,421.17 to be allocated among that committee and the candidate committees benefited by the 1984 VIP and GOTV programs here at issue. As discussed above at page 8, this Office recommends that the Commission accept the MRSC position with regard to the deduction of $9,512.86 from the category of "related expenses." After deducting $9,512.86 from the $459,995.72 found to have been allocable by the Commission at the reason to believe stage, and retaining the contributions received by candidate committees from county committees, a comparison of the figures which result from the 9 1/2% list development cost approach with those derived from the application of the list rental cost approach produces the following results:

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	Development Costs Approach	Rental Costs Approach
Reagan/Bush '84		
allocated costs VIP/GOTV	$91,087.63	$96,730.63
reimbursements from candidate committee	(50,000.00)	(50,000.00)
	(32,737.00)	(32,737.00)
	(20,000.00)	(20,000.00)
unreimbursed costs/excessive portion	($11,649.37)	($6,006.37)
Lousma for U.S. Senate		
allocated costs VIP/GOTV	$40,989.44	$43,528.78
unused portion § 441a(d) limitation	(4,073.42)	(4,073.42)
reimbursements from candidate committee	(8,000.00)	(8,000.00)
	(6,000.00)	(6,000.00)
	(10,000.00)	(10,000.00)
unreimbursed costs/excessive § 441a(d) expenditures	$12,916.02	$15,455.36
contributions from county party committees	2,449.99	2,449.99
unused portion § 441a(a) limitation	(4,800.90)	(4,800.90)
remaining excessive § 441a(d) expenditures	$10,565.11	$13,104.49
Jacqueline McGregor District 3		
allocated costs VIP/GOTV	$ 6,033.99	$ 6,655.99
unused portion § 441a(d) limitation	(2,260.30)	(2,260.30)
unreimbursed costs/excessive § 441a(d) expenditures	$ 3,773.69	$ 4,395.69
contributions from county party committees	850.00	850.00
unused portion § 441a(a) limitation	(5,000.00)	(5,000.00
remaining excessive § 441a(d) expenditures	($ 376.31)	$ 245.69

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	Development Costs Approach	Rental Costs Approach
Paul Henry District 5		
allocated costs VIP/GOTV	$ 5,620.70	$ 6,206.67
unused portion § 441a(d) limitation	(2,454.33)	(2,454.33)
unreimbursed costs/excessive § 441a(d) expenditures	$ 3,166.37	3,752.34
contributions from county party committees	150.00	150.00
unused § 441a(a) limitation	(5,000.00)	(5,000.00)
remaining excessive § 441a(d) expenditures	($ 1,683.63)	($ 1,097.66)
Tom Ritter District 6		
allocated costs VIP/GOTV	$5,372.73	$5,953.73
unused portion § 441a(d) limitation	(900.46)	(900.46)
reimbursement by candidate committee	(1,500.00)	(1,500.00)
	(1,500.00)	(1,500.00)
	(9.24)	(9.24)
unreimbursed costs/excessive § 441a(d) expenditures	$1,463.03	$2,044.03
contributions from county party committees	1,350.00	1,350.00
unused § 441a(a) limitation	(5,000.00)	(5,000.00)
remaining excessive §441a(d) expenditures	($2,186.97)	($1,605.97)
Bill Schuette District 10		
allocated costs VIP/GOTV	$6,082.84	$6,690.84
unused portion § 441a(d) limitation	(1,790.05)	(1,790.05)
reimbursement from NRSC on behalf of committee	(2,700.00)	(2,700.00)
unreimbursed costs/excessive § 441a(d) expenditures	1,592.79	2,200.79
contributions from county party committees	4,300.00	4,300.00
unused § 441a(a) limitation	(5,000.00)	(5,000.00)
remaining excessive § 441a(d) expenditures	$ 892.79	$1,500.79

Given the MRSC's continued and extensive use of the MICHLIST since 1984 as detailed at footnote 2 above, a market value approach to valuation of the use of the list for the programs here

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at issue appears to be more appropriate than the development cost approach. As is also shown above, the Commission's decision to allocate 9 1/2% of the developmental costs of MICHLIST to the candidates participating in the MRSC's GOTV and VIP programs underestimated the actual value these candidates received from the MRSC programs.

Based upon the above calculations using the rental value of the list, it is clear that the MRSC made the following excessive coordinated expenditures on behalf of candidate committees:

Lousma for U.S. Senate	$13,104.49
Schuette for Congress	1,500.79
McGregor for Congress	245.69
	$14,850.97

Therefore, the General Counsel recommends that the Commission find probable cause to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f).

b. Receipt of Excessive Contributions from Individuals

The Commission also found reason to believe that the MRSC had violated 2 U.S.C. § 441a(f) by accepting contributions in excess of the limitations at 2 U.S.C. § 441a(a)(1)(A) totaling $5,550 from three individuals. The excessive amounts were transferred to the MRSC's non-federal account during the audit of this committee. In his response to the Commission's reason to believe determinations counsel stated that the MRSC is unable to provide any additional information concerning these violations. Therefore, The General Counsel recommends that the Commission find probable cause to believe that the Michigan Republican State Committee, and Ronald D.

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B. Non-Reporting of Transfers; Mis-Deposits into Federal Account

2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(ii) provide for transfers without limit between a national party committee and a state party committee. 2 U.S.C. § 434(b)(2)(F) requires political party committees to report the receipt of transfers from other political party committees. As stated above, 11 C.F.R. § 102.5(a)(2) provides that only contributions designated for a federal election may be deposited into a federal account; further, such contributions must result from solicitations which expressly state that proceeds will be used in connection with a federal election.

The Commission's findings of reason to believe that the MRSC violated 2 U.S.C. § 434(b)(2)(F) involve the apparent receipt by the MRSC from the RNC of 40 checks totaling $79,155 from non-Michigan contributors. All of these checks were deposited into the MRSC federal account.

According to information available to the Audit Division during the audit process, it appeared that approximately $40,000 of the above $79,155 had been received as a result of a solicitation by the Victory '84 Alliance, a project of the RNC. An additional $35,150 had apparently been received by the MRSC on December 17, 1984, in the form of 19 checks dated between October 22, 1984, and November 5, 1984, which were made payable to payees other than the MRSC, including, inter alia, "Victory '84," "GOP Victory '84," and "Victory '84 Alliance." The MRSC received an additional $5,000 in the form of a check from an individual

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forwarded to the MRSC by the Reagan-Bush '84 Committee. The MRSC reported all of these receipts as contributions from the individual contributors, not as transfers from another committee.

The MRSC has stated that it considered the deposit of the contributor checks into its federal account to be permissible since, "[a]ccording to MRSC's records, it appears that the 40 out-of-state contributors were informed that the contributions were to be used in federal elections as well as being subject to the prohibitions of the Act." However, the MRSC also has stated that it has insufficient facts in hand to respond to the Commission's finding of reason to believe that the MRSC violated 2 U.S.C. § 434(b)(2)(F) by improperly reporting its receipt of these contributions. No additional information has been received by this Office in this regard.

The Victory '84 Alliance, or Victory '84, was a fundraising program developed and overseen by the RNC, the purpose of which was to generate contributions to Republican state parties. In an affidavit, Philip S. Smith, Executive Director of the RNC Finance Committee from 1981 to 1985, has stated,

> The Victory '84 Alliance program was designed to assist Republican State Party Committees in the planning, coordination and implementation of fundraising for the 1984 general election, with particular emphasis on grass roots volunteer efforts on behalf of the Presidential campaign and the rest of the Republican ticket. In general, fundraising for each state's Victory '84 program was conducted by state Republican Party volunteers within each state. These volunteers relied upon personal contacts with potential contributors for much of the financial support of their state's program.

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According to a Reagan-Bush '84 memorandum, "Victory '84 is the term generally adopted by the federally registered committees of the state and local Republican parties to describe their exempt activities projects," such "exempt" activities being the voter registration and get-out-the-vote programs permitted state and local parties on behalf of presidential and vice-presidential candidates pursuant to 2 U.S.C. § 431(8)(B)(xii).

The RNC asserts that the MRSC, along with other state party committees, was responsible for the actual execution of the program. The RNC's Victory '84 Alliance Program Synopsis stated that the RNC was offering to provide event organization assistance, speakers and some speaker-related travel, "limited numbers" of promotional materials, staff, and incentives for contributors of $5,000 or more in the form of membership on the Victory '84 Steering Committee. On the other hand, some contributor cards supplied by the RNC for use by Victory '84 Alliance fundraisers identified the RNC, not the state parties, as the sponsor of the Victory '84 Alliance project. [8]

Volunteer fundraisers in the various states were to solicit money for their respective state parties and were supposed to forward checks immediately to the relevant state party committee. The RNC has supplied memoranda prepared by the RNC legal counsel, and by individuals responsible for the operation of the Victory '84 Alliance program, instructing individual fundraisers to

8. Some of the cards contained the printed statement, "I've made my check payable to my state Republican Party Federal Account," while others stated, "I've made my check payable to 'Victory '84'."

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transmit checks directly to the state party for which they were soliciting funds and not to send checks to the RNC.[9] According to the RNC, certain volunteer fundraisers associated with the MRSC erroneously sent checks to the RNC which, in turn, forwarded the checks to the appropriate state party such as the MRSC - the intended recipient.

Regarding the receipt of contributions from individuals outside a particular state, Philip S. Smith has stated in his affidavit:

> Contributions solicited by volunteer state Victory '84 fundraisers were solicited for and intended to be send to each state's Republican Party Victory '84 program. While volunteer fundraisers relied heavily upon contributions from individuals within their own states, many of these fundraisers also relied upon personal contacts from out-of-state. . . . It is my understanding and belief that when individuals were solicited by volunteer Victory '84 fundraisers, they were informed that their contributions would be directed to a particular state's Victory '84 program.

The RNC has been unable to develop a statement of its Victory Alliance '84 costs or an allocation of those costs among the committees benefited due to the "fragmentary" state of its records. The RNC has denied that it undertook any mass or direct mail solicitations on behalf of the state parties.

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9. In a August 31, 1984, memorandum to Victory '84 chairmen the consultant, Lynn Collins-Urbanski, stated, "Please note that the pledge cards have the return address of the RNC, even though the brochure instructs the contributor to send their contribution to their State Party organization. In order to keep an accurate account of the money you have raised for reporting purposes, you should include your name and address on the bottom of the card, or even place your personal return address label over the RNC address, and ask people to send their contribution directly to you." (Emphasis in original).

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It is acknowledged that the RNC provided brochures and contributor cards for state party use; the contributor cards included in the MRSC and RNC responses all contain a disclaimer stating that the RNC had paid for them.[10] However, the numbers of brochures and cards involved appear to have been small; the August 31, 1984 memorandum to state Victory '84 chairmen enclosing such brochures and pledge cards stated that 50 of each were being forwarded, while a second memorandum to Republican state party chairmen dated September 6, 1984, enclosed 25 of each. The RNC argues that these items were "an element of a fundraising program conducted by volunteer state Victory '84 fundraisers." Although the RNC offered to provide other, potentially more expensive services to state parties for their Victory '84 fundraising, there is no evidence that Michigan availed itself of those services; e.g., there is no evidence of a fundraising event in Michigan or elsewhere for which the RNC furnished a speaker.[11] Therefore, any expenditures by the RNC on behalf of the Michigan Victory '84 fundraising effort would appear to have been generally limited to the brochures and contributor cards and to have been small.

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10. No copy of the brochure has been located by the RNC.

11. Based upon information available to the Audit Division, it appeared that a portion of the funds forwarded to the MRSC by the RNC had been raised at a Washington, D.C. fundraiser held after the 1984 election. In response to interrogatories, the RNC has explained that this event was not a fundraising event but, rather, a "thank you" visit with the president arranged for individuals who had contributed $5,000 to the Victory '84 Alliance program. The RNC has stated that, because of scheduling conflicts, this event was not held until March, 1985, and that no solicitation for contributions was made.

The RNC has provided specific information about the receipt by the RNC, and subsequent transfer to the MRSC between October and December, 1984, of a total of $135,655 in contributions. Four transfers have been identified by the RNC: $20,000 on October 9, $40,000 on October 22, $40,000 on October 30, and $35,655 on December 17.

According to the RNC, the $20,000 transfer on October 9, 1984, involved four contributions of $5,000 each from four Michigan contributors who apparently intended them for the MRSC's Victory '84 project;[12] these four checks were not included in the 40 identified by the Audit Division as being from out-of-state contributors.

Memoranda from the RNC which accompanied the October 22 and October 30, 1984, transfers state that $30,000 of the first and $25,000 of the second were intended for the Michigan party's state account, leaving $10,000 and $15,000 respectively for its federal account. The RNC has stated that it is unable to provide copies of the contributor checks or other contributor information related to these two transfers; nor were such checks included in the MRSC records examined by the Audit Division. However, according to the MRSC's reports and bank records, the MRSC federal account received two contributions of $5,000 each on October 24 and three of $5,000 each on October 31 from out-of-state contributors. It also appears from the MRSC reports that the October 22 transfer was

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12. According to a memorandum which accompanied the four checks involved, these contributions were raised by John Gnau, a Michigan resident. Two of the checks were made payable to the Michigan Republican Party Federal Account and two to Victory '84.

made up of contributions from Joan M. Canes of Holland, Pennsylvania, and Werner Fricker of Horsham, Pennsylvania, while the October 30 transfer consisted of contributions from Coenraad H. Everhard of South Orange, New Jersey, George S. Tong of Washington, D.C., and James G. Keller of San Francisco, California. During the audit the contributor cards apparently completed by these five contributors were located; on each card there is the statement, "I've made my check payable to Victory '84," while the disclaimer at the bottom reads, "Paid for by the Victory '84 Alliance a project of the Republican National Committee." Nothing on the cards indicates that the contributors intended to make contributions to the MRSC.

The last transfer identified by the RNC, that on December 17, 1984, was composed of checks totaling $35,655 from 27 out-of-state contributors. The checks supplied by the RNC as apparently being those included in this transfer were made payable to "Victory '84," "GOP Victory '84," "Victory '84 Non-Federal Account,"[13] "Victory '84 Alliance," "Reagan/Bush Victory '84," "Republican Victory Committee 1984," or "Victory '84 Committee."

Again, none of the checks included in the December 17 transfer contained any indication of intent to give to the MRSC in general, or to the MRSC federal account in particular. However, in this case the cover memorandum which accompanied the transfer stated, "Frank Fahrenkopf has designated Michigan to receive these funds for the specific purpose of funding Senate Special Election

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13. This particular contribution was the subject of a separate reason to believe finding. See Subsection C.

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races." In his affidavit cited above, Philip Smith has stated,

> To the best of my recollection, the RNC did receive a number of checks from volunteer fundraisers some time after the 1984 general election. . . . It is my recollection that funds were raised in particular for the Michigan Republican State Party because Michigan was a priority or "targeted" state at and near the time of the election. Consistent with the RNC's policy of immediately forwarding such checks to the state in question, I forwarded a total of $35,655 to the Michigan Republican State Party on December 14, 1984, shortly after the receipt of these checks at the RNC. Because these checks had been delayed in reaching the RNC, the Michigan Republican State Party was informed by accompanying memorandum that the checks should be deposited in their state Victory '84 account, rather than their federal account.

It therefore appears that, of the $79,155 in contributions from out-of-state contributors identified by the Audit Division, $35,655 was transferred to the MRSC by the RNC in December, 1984, but was intended by the RNC for deposit into the MRSC's state account. The MRSC instead deposited these contributions into its federal account.

There is no indication on the checks making up the $35,655 that the contributors themselves shared the RNC's intent to send them to the MRSC, or intended them for the MRSC federal account. Given this lack of evidence of intent on the part of the contributors to make contributions to Michigan, it appears that these contributions should have been treated as contributions to the RNC which it later transferred to the MRSC's state account.

Because these contributions were intended by the RNC to go into the MRSC state account, they should not be included in any finding of probable cause to believe that the MRSC violated

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2 U.S.C. § 434(b) by not reporting them as transfers from the RNC; however, there was apparently a misdeposit on the part of the MRSC of the full $35,655. The General Counsel recommends that the Commission find probable cause to believe that the MRSC violated 11 C.F.R. § 102.5 by depositing into its federal account $35,655 not expressly solicited for that purpose and in fact intended by the transferor to be deposited into the MRSC's non-federal account.

Regarding the $10,000 and $15,000 sent to the MRSC by the RNC on October 22 and October 30, the evidence in hand indicates that the RNC intended these contributions to be placed in the MRSC's federal account. In his affidavit cited above, Philip Smith stated, "The RNC did not report such contributions since the Victory '84 program was designed so that the RNC would not receive Victory '84 contributions, nor exercise control over the intended recipient of the contributions." There is, however, no indication, beyond Mr. Smith's stated understanding quoted on page 22 above, that the individual out-of-state contributors involved knew about the RNC's intent as to the ultimate destination of their contributions. Nor is there evidence that the contributors involved with the $10,000 and $15,000 had earmarked their contributions for the Michigan Party. Rather, it appears that these contributions were meant for the RNC itself. Thus, the General Counsel recommends that the Commission find probable cause to believe that the Michigan Republican State Committee, and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 434(b)(2)(F)

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when it failed to report the receipt of these contributions as transfers from the RNC.

As noted above, $5,000 of the $79,155 in out-of-state contributions identified by the Audit Division was forwarded to the MRSC by Reagan-Bush '84, not the RNC.[14] The remaining $13,500 in out-of-state checks, of the $74,500 identified by the Audit Division as having possibly come to the MRSC through the RNC, has not been identified by the RNC as having been initially received by that committee, and there is no other evidence in hand to support that scenario. Therefore, the $13,500 is not included here as part of the reporting violations on the part of the MRSC, nor is there evidence that it was mis-deposited into the MRSC federal account.[15]

C. Deposit into Federal Account of Contribution Designated for State Account

The Audit Division noted that a check for $5,000 designated for the "Victory '84 Non-Federal Account" had been deposited into the MRSC's federal account. It is now clear that this check is one of the 27 checks included in the December 17 transfer of $35,655 discussed above. Thus, no separate recommendation is needed

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14. According to documentation made available to the auditors, the contributor involved was a resident of Minnesota, not Michigan. There is nothing on either the check or the contribution card indicating intent to give to the Michigan Victory '84 program. The check is made payable to "Victory '84;" however, the cover letter from Reagan-Bush '84 states that the check was "for Michigan." In any event, it appears that the check definitely did not go through the RNC.

15. This $13,500 was composed of seven checks, two for $5,000 each received by the MRSC on August 28, 1984, one for $250 received October 9, three in the amounts of $5,000 each received on December 19, and one for $250 also received on December 19.

regarding the receipt of this check and its deposit into the MRSC's federal account.

D. Receipts and Transfers from Unregistered Committees

2 U.S.C. § 441a establishes limitations upon the amount of contributions which a political committee may accept from individuals and from other political committees. 2 U.S.C. § 441b prohibits the receipt by political committees of contributions from corporations or labor organizations. 11 C.F.R. § 102.5(a)(1) requires political organizations involved in both federal and non-federal activity to either establish a separate federal account into which only funds subject to the prohibitions and limitations of the Act may be deposited, or to establish a committee which will only accept permissible contributions. Although it is legal for federal committees to accept contributions from unregistered committees, such contributions may be made only from separate accounts into which funds permissible under the Act have been deposited, or from accounts that the donor committees can demonstrate have received sufficient funds subject to the prohibitions and limitations of the Act. See 11 C.F.R. § 102.5(b). Michigan law permits contributions from labor organizations.

As noted above, 11 C.F.R. § 102.6(a) permits unlimited transfers of funds between affiliated party committees. Such transfers must, however, be made from permissible funds.

a. Transfers from Unregistered Party Committees

The Audit Division identified eighteen unregistered party committees from which the MRSC had received transfers in 1983 and

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1984 totaling $17,458. In response to the Interim Audit Report, the MRSC produced affidavits from seven of these committees stating that they had received no contributions from corporations or labor organizations. The amount of the contributions to the MRSC from these seven committees totaled $1,675, leaving the origins of $15,783 unclear. The latter amount was transferred by the MRSC to its state account, $9,400 on May 1, 1984, $500 on August 19, 1985, and $5,883 on January 7, 1987.

The Commission found reason to believe that the Committee had violated 2 U.S.C. § 441b by depositing $15,783 in prohibited funds into its federal account and 11 C.F.R. § 102.6 by depositing into its federal account $17,458 which was not permissible under the Act. At the time of its response to the Commission's findings of reason to believe in the present matter the MRSC, through counsel, stated that it was attempting to identify the sources of the funds transferred by the remaining unregistered committees.

More recently, counsel noted during a telephone conversation that these same transfers were addressed in MUR 1781. An examination of that earlier matter has confirmed that transfers totaling $14,450 from seven of the unregistered committees involved in the present matter were in fact addressed in MUR 1781 and found not to have been made with impermissible funds.[16] Therefore, of the

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16. These seven unregistered committees were St. Joseph County Republicans, Berrien County Republicans, Marquette County Republicans, Manistee County Republicans, Ostego County Republicans, Presque Isle County Republicans, and Newaygo County Republicans. All seven of these committees furnished affidavits stating that they had accepted no corporate or labor organizations contributions, while six provided detailed answers to interrogatories including evidence that their transfers to the

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$15,783 in transfers involved in the present matter, the sources of $1,333 from five unregistered committees remain unknown.[17]

The General Counsel recommends that the Commission find probable cause to believe that the MRSC and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441b and 11 C.F.R.. § 102.6 by depositing $1,333 from unregistered party committees into its federal account.

b. Transfers from Unregistered Non-Party Committees

The Audit Division also identified receipts from five unregistered non-party committees totaling $750 which had been deposited into the MRSC federal account.[18] All of this amount was subsequently transferred to the MRSC's state account. No additional information regarding the sources of the funds making up these receipts has been received. Therefore the General Counsel recommends that the Commission find probable cause to believe that the MRSC and Ronald J. Dahlke, as treasurer, violated 2 U.S.C. § 441b and 11 C.F.R. § 102.5 by depositing $750 in receipts from unregistered non-party committees into its federal account.

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(Footnote 16 continued from previous page)
MRSC had been composed of small contributions from individuals.

17. These committees are The Eastonia, A Republican Club of Michigan; the Fourteenth District Republican Committee; the Houghton County Republican Committee; the Republican National State Election Committee - Michigan; and the Women's Republican Club of Indian Village.

18. These committees were the ReElect Dan Murphy Committee, MAD PAC, Michigan Optometric PAC, Michigan Beer and Wine Wholesalers PAC, and Security Bank and Trust PAC.

III. RECOMMENDATION

Find probable cause to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(F), 441a(f), and 441b and 11 C.F.R. §§ 102.5 and 102.6.

1/23/91
Date

Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 24, 1991

Benjamin L. Ginsberg, Chief Counsel
Republican National Committee
310 First Street, S.E.
Washington, D.C. 20003

RE: MUR 2581
Republican National Committee
William J. McManus, as treasurer

Dear Mr. Ginsberg:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, on May 23, 1989, the Federal Election Commission found reason to believe that the Republican National Committee ("RNC") and William J. McManus, as treasurer, had violated 2 U.S.C. §§ 434(b)(2)(A) and 434(b)(4)(C) and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	MUR 2581
Republican National Committee	)	
William J. McManus, as treasurer	)	

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF CASE

Pursuant to 2 U.S.C. § 438(b), the Federal Election Commission conducted an audit of the federal account of the Michigan Republican State Committee ("MRSC"). Following a referral to the Office of the General Counsel, the Commission, on May 23, 1989, found reason to believe that the Republican National Committee ("the RNC"), and William J. McManus, as treasurer, had violated 2 U.S.C. §§ 434(b)(2)(A) and 434(b)(4)(C).

II. ANALYSIS

2 U.S.C. § 441a(a)(4) and 11 C.F.R. § 102.6(a)(ii) provide for transfers without limit between a national party committee and a state party committee. 2 U.S.C. § 434(b)(2)(A) requires political committees to report contributions received from persons other than political committees and 2 U.S.C. § 434(b)(4)(C) requires political party committees to report transfers made to other political party committees.

The Commission's findings of reason to believe that the Republican National Committee ("RNC") violated 2 U.S.C. § 434 involve the apparent receipt by the MRSC from the RNC of 40 checks totaling $79,155 from non-Michigan contributors. All of these checks were deposited into the MRSC federal account.

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According to information available to the Audit Division during the audit process, it appeared that approximately $40,000 of the above $79,155 had been received as a result of a solicitation by the Victory '84 Alliance, a project of the RNC. An additional $35,150 had been received by the MRSC on December 17, 1984, in the form of 19 checks dated between October 22, 1984, and November 5, 1984, which were made payable to payees other than the MRSC, including, inter alia, "Victory '84," "GOP Victory '84," and "Victory '84 Alliance." The RNC did not report the receipt of any of these checks or their subsequent transfers to the MRSC. The RNC has explained that the Victory '84 Alliance, or Victory '84, was a fundraising program developed and overseen by the RNC, the purpose of which was to generate contributions to Republican state parties. In an affidavit, Philip S. Smith, Executive Director of the RNC Finance Committee from 1981 to 1985, has stated,

> The Victory '84 Alliance program was designed to assist Republican State Party Committees in the planning, coordination and implementation of fundraising for the 1984 general election, with particular emphasis on grass roots volunteer efforts on behalf of the Presidential campaign and the rest of the Republican ticket. In general, fundraising for each state's Victory '84 program was conducted by state Republican Party volunteers within each state. These volunteers relied upon personal contacts with potential contributors for much of the financial support of their state's program.

A Reagan-Bush '84 memorandum supplied by the RNC stated, "Victory '84 is the term generally adopted by the federally registered committees of the state and local Republican parties to describe their exempt activities projects," such "exempt" activities being

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the voter registration and get-out-the-vote programs permitted state and local parties on behalf of presidential and vice-presidential candidates pursuant to 2 U.S.C. § 431((8)(B)(xii).

The RNC has also asserted that the MRSC, along with other state party committees, was responsible for the actual execution of the program. An RNC Victory '84 Alliance Program Synopsis stated that the RNC was offering to provide event organization assistance, speakers and some speaker-related travel, "limited numbers" of promotional materials, staff and incentives for contributors of $5,000 or more in the form of membership on the Victory '84 Steering Committee. On the other hand, some contributor cards supplied by the RNC for use by Victory '84 Alliance fundraisers identified the RNC, not the state parties, as the sponsor of the Victory '84 Alliance project.[1]

Volunteer fundraisers in the various states were to solicit money for their respective state parties and were supposed to forward checks immediately to the relevant state party committee. The RNC has supplied memoranda from a consultant to the Victory '84 Alliance program instructing individual Victory '84 chairmen to have their fundraisers transmit checks directly to the state party for which they were soliciting funds and not to send checks

1. Some of the cards contained the printed statement, "I've made my check payable to my state Republican Party Federal Account," while others stated, "I've made my check payable to 'Victory '84'."

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to the RNC.[2] According to the RNC, some volunteer fundraisers erroneously sent checks to the RNC which, in turn, forwarded the checks to the appropriate state party committee - the intended recipient.

Regarding the receipt of contributions from individuals outside a particular state, Philip S. Smith has also stated in his affidavit:

> Contributions solicited by volunteer state Victory '84 fundraisers were solicited for and intended to be send to each state's Republican Party Victory '84 program. While volunteer fundraisers relied heavily upon contributions from individuals within their own states, many of these fundraisers also relied upon personal contacts from out-of-state. . . . It is my understanding and belief that when individuals were solicited by volunteer Victory '84 fundraisers, they were informed that their contributions would be directed to a particular state's Victory '84 program.

The RNC has assertedly been unable to develop a statement of its Victory Alliance '84 costs or an allocation of those costs among the committees benefited due to the "fragmentary" state of its records. The RNC has denied that it undertook any mass or direct mail solicitations on behalf of the state parties. It is acknowledged that the RNC provided brochures and contributor cards for state party use; the contributor cards included in the MRSC

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2. An August 31, 1984, memorandum to Victory '84 chairmen from the consultant, Lynn Collins-Urbanski, stated, "Please note that the pledge cards have the return address of the RNC, even though the brochure instructs the contributor to send their contribution to their State Party organizations. In order to keep an accurate account of the money you have raised for reporting purposes, you should include your name and address on the bottom of the card, or even place your personal return address label over the RNC address, and ask people to send their contribution directly to you." (Emphasis in original).

and RNC responses all contain a disclaimer stating that the RNC had paid for them.[3] However, the numbers of brochures and cards involved appear to have been small; the August 31, 1984, memorandum to state Victory '84 chairmen enclosing such brochures and pledge cards stated that 50 of each were being forwarded, while a second memorandum to Republican state party chairmen dated September 4, 1984, enclosed 25 of each. The RNC argues that these items were "an element of a fundraising program conducted by volunteer state Victory '84 fundraisers." Although the RNC offered to provide other, potentially more expensive services to state parties for their Victory '84 fundraising, there is no evidence that Michigan availed itself of these services; e.g., there is no evidence of a fundraising event in Michigan or elsewhere for which the RNC furnished a speaker.[4] Therefore, any any expenditures by the RNC on behalf of the Michigan Victory '84 fundraising effort would appear to have been generally limited to the brochures and contributor cards and to have been small.

The RNC has provided specific information about the receipt by the RNC, and subsequent transfer to the MRSC between October and December, 1984, of a total of $135,655 in contributions. Four

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3. No copy of the brochure has been located by the RNC.

4. Based upon information available to the Audit Division, it appeared that a portion of the funds forwarded to the MRSC by the RNC had been raised at a Washington, D.C. fundraiser held after the 1984 election. In response to interrogatories, the RNC has explained that this event was not a fundraising event but, rather, a "thank you" visit with the president arranged for individuals who had contributed $5,000 to the Victory '84 Alliance program. The RNC has stated that, because of scheduling conflicts, this event was not held until March, 1985, and that no solicitation for contributions was made at this event.

transfers have been identified by the RNC: $20,000 on October 9, $40,000 on October 22, $40,000 on October 30, and $35,655 on December 17.

According to the RNC, the $20,000 transfer on October 9, 1984, involved contributions of $5,000 each from four Michigan contributors who apparently intended them for the MRSC's Victory '84 project;[5] these four checks were not included in the 40 identified by the Audit Division as being from out-of-state contributors.

Memoranda from the RNC which accompanied the October 22 and October 30, 1984, transfers state that $30,000 of the first and $25,000 of the second were intended for the Michigan party's state account, leaving $10,000 and $15,000 respectively for its federal account. The RNC has stated that it is unable to provide copies of the contributor checks or other contributor information related to these two transfers; however, according to the MRSC's reports, the MRSC federal account did receive two contributions of $5,000 each on October 24 and three of $5,000 each on October 31 from out-of-state contributors. It also appears from the MRSC reports that the October 22 transfer was made up of contributions from Joan M. Canuso of Holland, Pennsylvania, and Werner Fricker of Horsham, Pennsylvania, while the October 30 transfer consisted of contributions from Coenraad H. Everhard of South Orange, New Jersey, George S. Tong of Washington, D.C., and James G. Keller of

5. According to a memorandum which accompanied the four checks involved, these contributions were raised by John Gnau, a Michigan resident. Two of the checks were made payable to the Michigan Republican Party Federal Account and two to Victory '84.

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San Francisco, California. During the audit the contributor cards related to these five contributions were located; on each card there is the statement, "I've made my check payable to Victory '84," while the disclaimer at the bottom reads, "Paid for by the Victory '84 Alliance a project of the Republican National Committee." Nothing on the cards indicates that the contributors intended to make contributions to the MRSC.

The last transfer identified by the RNC, that on December 17, 1984, was composed of checks totaling $35,655 from 27 out-of-state contributors. The checks supplied by the RNC as apparently being those included in this transfer were made payable to "Victory '84," "GOP Victory '84," "Victory '84 Non-Federal Account," "Victory '84 Alliance," "Reagan/Bush Victory '84," "Republican Victory Committee 1984," or "Victory '84 Committee."

Again, none of the checks included in the December 17 transfer contained any indication of intent to give to the MRSC in general, or to the MRSC federal account in particular. However, in this case the cover memorandum which accompanied the transfer stated, "Frank Fahrenkopf has designated Michigan to receive these funds for the specific purpose of funding Senate Special Election races." In his affidavit Philip S. Smith has stated,

> To the best of my recollection, the RNC did receive a number of checks from volunteer fundraisers some time after the 1984 general election. . . . It is my recollection that funds were raised in particular for the Michigan Republican State Party because Michigan was a priority or "targeted" state at and near the time of the election. Consistent with the RNC's policy of immediately forwarding such checks to the state in question, I forwarded a total of $35,655 to the Michigan Republican State Party on December 14, 1984,

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> shortly after the receipt of these checks at the RNC. Because these checks had been delayed in reaching the RNC, the Michigan Republican State Party was informed by accompanying memorandum that the checks should be deposited in their state Victory '84 account, rather than their federal account.

It therefore appears that, of the $79,155 in contributions from out-of-state contributors identified by the Audit Division, $35,655 was transferred to the MRSC by the RNC in December, 1984, but was intended by the RNC for deposit into the MRSC's state account. The MRSC instead deposited these contributions into its federal account. Thus, there appears to have been no violation by the RNC of 2 U.S.C. § 434(b) as to these particular contributions.

Regarding the $10,000 and $15,000 sent to the MRSC by the RNC on October 22 and October 30, the evidence in hand indicates that the RNC intended these contributions to be placed in the MRSC's federal account. In his affidavit cited above, Philip S. Smith stated, "The RNC did not report such contributions since the Victory '84 program was designed so that the RNC would not receive Victory '84 contributions, nor exercise control over the intended recipient of the contributions." There is, however, no indication, beyond Mr. Smith's stated understanding quoted on page 4 above, that the individual contributors knew about the RNC's intent as to the ultimate destination of their contributions and no evidence that the contributors involved with the $10,000 and $15,000 had earmarked their contributions for Michigan. Thus, the General Counsel recommends that the Commission find probable cause to believe that the Republican National Committee and

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William J. McManus, as treasurer, violated 2 U.S.C. §§ 434(b)(2)(A) and 434(b)(4)(C) when they failed to report the receipt of this $25,000 in contributions and its transfer to the MRSC.

An additional violation by the RNC arises in light of its failure to report the above $25,000 as contributions to itself. 2 U.S.C. § 103.3 requires that committees deposit contributions into a committee account within ten days of receipt. The RNC never deposited the $25,000 at issue into its account. Therefore, the General Counsel recommends that the Commission find probable cause to believe that the RNC violated 11 C.F.R. § 103.3.

The remaining $13,500 of the $74,500 identified by the Audit Division as having possibly come to the MRSC through the RNC has not been identified by the RNC as having been initially received by that committee, and there is no other evidence in hand to support that scenario. Therefore, there appears to have been no reporting failure by the RNC as to this $13,500 in contributions.[6]

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the Republican National Committee and William J. McManus, as treasurer, violated 2 U.S.C. § 434(b)(2)(A), 2 U.S.C. § 434(b)(4)(C), and 11 C.F.R. § 103.3.

1/23/91
Date

Lawrence M. Noble
General Counsel

6. This $13,500 was composed of seven checks, two for $5,000 each received by the MRSC on August 28, 1984, one for $250 received October 9, three in the amounts of $5,000 each received on December 19, and one for $250 also received on December 19.

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91 FEB -8 PM 12:27

Republican
National
Committee

Benjamin L. Ginsberg
Chief Counsel

Michael A. Hess
Janice P. Lacy
Deputy Chief Counsels

February 7, 1991

Mr. Lawrence Noble
General Counsel
Federal Election Commission
999 E Street NW
Washington, D.C. 20463

Re: MUR 2581
Republican National
Committee

Dear Mr. Noble:

We are in receipt of your letter dated January 24, 1991 which permits us to submit a brief by February 9, 1991, fifteen days from our receipt of the letter.

We respectfully request an extension of thirty days, until March 9, 1991, to submit a brief. Because this matter arises from events which occurred in 1984, over six years ago, we need additional time to prepare an adequate response. We also request additional time due to the work and travel schedules of our legal staff.

Thank you for your consideration.

Sincerely,

Benjamin L. Ginsberg

9504363255 12

Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
Telex: 701144 • FAX: (202) 863-8820

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 14, 1991

Benjamin L. Ginsberg
Chief Counsel
Republican National Committee
Dwight D. Eisenhower Republican Center
310 First Street Southeast
Washington, D.C. 20003

RE: MUR 2581
Republican National Committee

Dear Mr. Ginsberg:

This is in response to your letter dated February 7, 1991, which we received on February 8, 1991, requesting an extension until March 9, 1991, to respond to the General Counsel's Brief in MUR 2581. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on March 9, 1991.

If you have any questions, please contact Anne Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9504336325413

OGC. 0038

FOSTER, SWIFT, COLLINS & SMITH, P.C.

ATTORNEYS AT LAW

313 SOUTH WASHINGTON SQUARE

LANSING, MICHIGAN 48933-2193

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MARK J. BURZYCH

OF COUNSEL
THOMAS G. McGURRIN, JR.
LAWRENCE B. LINDEMER
BRIAN A. RASER

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(517) 372-1842

February 6, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 FEB -8 PM 4:00

Ms. Anne Weissenborn
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Weissenborn:

RE: MUR 2581; Request for Extension for Filing Responsive Brief

The purpose of this letter is to request an extension of twenty (20) days for purposes of filing a responsive brief. The basis for this request is that our ability to prepare an adequate response to the General Counsel's Brief has been severely hindered by the length of time taken to answer the response by the Michigan Republican Party to the Factual and Legal Analysis of the Federal Election Commission, which was filed on September 29, 1989.

Your positive consideration of this request would be appreciated. Since we did not receive Mr. Noble's letter until January 28, 1991, the original filing deadline became February 12, 1991. Upon approval of this request, the filing deadline will be March 4, 1991.

Sincerely yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric Doster

Eric E. Doster

EED:ska

cc: David J. Doyle
Sue E. Wadel

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

February 14, 1991

Eric E. Doster, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, Michigan 48933-2193

RE: MUR 2581
Michigan Republican State
Committee

Dear Mr. Doster:

This is in response to your letter dated February 6, 1991, which we received on February 8, 1991, requesting an extension of 20 days to respond to the General Counsel's Brief in MUR 2581. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on March 4, 1991.

If you have any questions, please contact Anne Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9504336325415

00-C 0222

FOSTER, SWIFT, COLLINS & SMITH, P.C.

ATTORNEYS AT LAW

313 SOUTH WASHINGTON SQUARE

LANSING, MICHIGAN 48933-2193

TELEPHONE (517) 372-8050

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OF COUNSEL
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LAWRENCE B. LINDEMER

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March 1, 1991

Ms. Anne Weissenborn
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

91 MAR -4 PM 12:21

RECEIVED
FEDERAL ELECTION COMMISSION

Dear Ms. Weissenborn:

RE: MUR 2581; Request for Extension for Filing Responsive Brief

The purpose of this letter is to request an extension of twenty (20) days for purposes of filing a responsive brief. Once again, the basis for this request is that our ability to prepare an adequate response to the General Counsel's Brief has been severely hindered by the length of time taken to answer the response by the Michigan Republican Party to the Factual and Legal Analysis of the Federal Election Commission, which was filed on September 29, 1989. While we have made much progress in this matter, more time is needed.

Your positive consideration of this request would be appreciated. Upon approval of this request, the filing deadline will be March 25, 1991.

Sincerely yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric Doster

Eric E. Doster

EED:ska

cc: David J. Doyle
Sue E. Wadel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 6, 1991

Eric E. Doster, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, Michigan 48933-2193

RE: MUR 2581

Dear Mr. Doster:

This is in response to your letter dated March 1, 1991, which we received on March 4, 1991, requesting an additional extension of 20 days or until March 25, 1991, to respond to the General Counsel's Brief in the above-cited matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on March 25, 1991.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

9504336325417

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Republican
National
Committee

Benjamin L. Ginsberg
Chief Counsel

Michael A. Hess
Janice P. Lacy
Deputy Chief Counsels

91 MAR 12 AM 4:42

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FEDERAL ELECTION COMMISSION

March 11, 1991

Ms. Marjorie W. Emmons
Secretary of the Commission
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2581
Republican National Committee
and William J. McManus, as
treasurer

Dear Ms. Emmons:

Attached please find ten copies of Respondents' Brief in the above-captioned matter. We also are submitting three copies of the Brief to the Office of the General Counsel.

If you have any questions regarding this submission, please contact Janice Lacy of my staff at 863-8638.

Sincerely,

Benjamin L. Ginsberg

Enclosure
cc: OGC (3)

Dwight D. Eisenhower Republican Center • 310 First Street Southeast • Washington, D.C. 20003 • (202) 863-8638
Telex: 701944 • FAX: (202) 863-8820

9504332518

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter of	)	
	)	MUR 2581
Republican National Committee and	)	
William J. McManus, as treasurer	)	

BRIEF OF RESPONDENTS

I. STATEMENT OF CASE

At issue are five checks which the Republican National Committee (RNC) received and forwarded to the intended recipient of the checks, the Michigan State Party, in 1984. Each check is made by a non-Michigan resident in the amount of $5,000; however, the payees of the checks are unknown because the checks, or copies of the checks, were never located. After a thorough search of its records, the RNC did locate and make available to the Commission the pledge cards corresponding to the five checks, which direct contributors to make checks out to "Victory '84."

Victory '84 refers to the federally-registered committees of the state and local Republican parties which support local exempt activities projects, and was a state committee program. Robertson Memorandum, Exhibit 5, Response to Interrogatories, at 1. The various state committees funded and operated their own Victory '84 accounts. Id.; Affadavit of Philip S. Smith ("Smith Aff."), Exhibit 9, Response to Interrogatories, at para. 5. While the RNC provided logistical support for Victory '84 fundraisers, id., the RNC never had its own Victory'84 account, see id. at para. 8.

Fundraising for Victory '84 was conducted by volunteers who raised funds both in- and out-of-state, depending on their personal contacts. Id. at para. 6. When soliciting funds, these volunteers informed contributors that their funds would be directed to a particular state's Victory '84 program, id., and, in some instances, used pledge cards as a response device for contributions to their state Victory '84 accounts. See Collins-Urbanski Memorandum, Exhibit 6, Response to Interrogatories. These pledge cards were sent to the Victory '84 state chairmen, who were to place their return addresses on the pledge cards so that the Victory '84 checks and pledge cards could be returned to them, and the checks deposited in the intended Victory '84 state account. See id. When, on occassion, the RNC would mistakenly receive a Victory '84 check and pledge card, the RNC's policy was to immediately forward the check to the intended recipient. Smith Aff. at para. 8. Consistent with this policy, when the

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RNC mistakenly received the five checks in question, it forwarded these checks to the Michigan State Party, the apparent intended recipient. See Phil Smith Memoranda dated October 22 and October 30, 1984, Exhibit 16, Response to Interrogatories.

The Federal Election Campaign Act requires records to be kept for three years. 2 U.S.C. §432 (d). The Commission first questioned the RNC about these checks in 1989, five years after the election for which these checks were written. Even though five years had passed, the RNC still had some records of the Victory '84 program, which the RNC forwarded to the Commission. These records contain the pledge cards, but not any of the contributors' checks.

II. ANALYSIS

2 U.S.C. § 432(b)(2)(B) requires every person who receives a contribution over $50.00 for a political committee which is not an authorized committee to forward the contribution to the intended recipient. From time-to-time, the RNC would be mistakenly sent Victory '84 contributions intended for the state parties. Smith Aff. at para. 7. The RNC instituted a policy to follow Section 432(b)(2)(B) whereby it would forward contributions to the intended Victory '84 state party accounts. Id. at para. 7, 8.

It appears that in the matter at hand, the RNC received five checks by mistake, and consistent with RNC policy and with Section 432(b)(2)(B), forwarded these contributions to the Michigan State Party, the intended recipient. There is no evidence that the RNC failed to follow its procedures or failed to comply fully with Section 432(b)(2)(B). Accordingly, the Commission has presented no evidence that the RNC committed a violation of the Federal Election Campaign Act.

Nonetheless, the Commission claims that the RNC broke the law on the theory that the RNC must have been the intended recipient of the checks, and should have deposited the checks in its own account, instead of forwarding the checks to the Michigan State Party. At issue is whether the RNC or the Michigan State Party was the intended recipient of the checks. The Commission leaps to the conclusion that the RNC is the intended recipient without ever producing any credible evidence which would prove the contributors did, in fact, intend the RNC to be the recipient of their checks. Indeed, the Commission makes its entire case without ever producing the contributors' checks, which are the conclusive proof of intent.

Moreover, the Commission's conclusion that the RNC was the intended recipient is based on only one piece of evidence, the pledge card, which on its face

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proves nothing: these cards simply direct contributors to make their checks payable to "Victory '84," and state no instructions to write checks payable to the RNC. Since "Victory '84" is a state program, only the state parties had "Victory '84" accounts. Occasionally, checks would mistakenly be sent to the RNC's address, but since the RNC had no Victory '84 account, it would forward such checks to the intended state party, see Smith Aff. at para. 8, which could probably be determined by examining the checks or through inquiries to the contributors or volunteer fundraisers. The sole fact that the RNC received five pledge cards which directed contributors to make checks payable to "Victory 84" is hardly sufficient evidence to support a probable cause finding that the RNC was the intended recipient of the funds, and should have deposited the checks in an RNC account. Moreover, this sole piece of evidence the Commission does have is not inconsistent with the RNC's view of the checks as intended for the Michigan State Party.

Rather than asking whether these pledge cards are enough evidence to support a probable cause finding that the RNC was the intended recipient of the checks, the Commission instead asks whether there is enough evidence to prove the RNC did not violate the law. In a flip-flop of American jurisprudence, this approach finds the RNC guilty unless it can prove itself innocent; in effect, this probable cause recommendation means that if the RNC cannot produce conclusive evidence that we were not the intended recipient, we must be guilty. All of the RNC's diligent efforts, however, to produce this evidence have not, and will not, reconstruct events seven years after the fact: people have left, documents (including checks) are gone, memories have faded. Moreover, this approach is inconsistent with the federal election laws which govern the preservation of records that could serve as exculpatory evidence. These laws require us to keep records for only three years which, in this matter, tolled in 1987. 2 U.S.C. § 432(d). The Commission made its reason to believe finding five years later, in 1989. The result is that the RNC is prejudiced by the Commission's late demand to produce exculpatory evidence and yet cannot vindicate itself unless it produces such evidence; in other words, the RNC is prosecuted for an absence of evidence the Commission failed to request for five years and does not now have. Instead, the simple question should be whether there is enough evidence on the record to show probable cause that the RNC was the intended recipient of the funds, not whether the RNC can produce enough evidence to show it is not the intended recipient of the funds. As we have already demonstrated, the Commission does not have sufficient evidence to support a probable cause finding.

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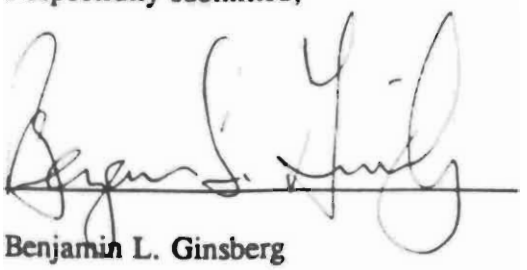
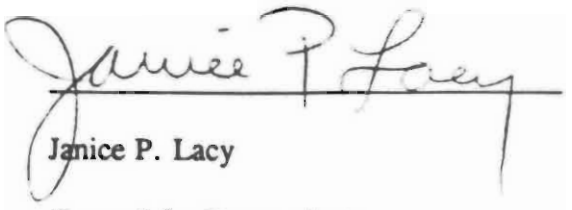
III. CONCLUSION

For the reasons stated above, Respondents submit that the Commission does not have sufficient evidence to find probable cause that the RNC violated the Act.

Respectfully submitted,



Benjamin L. Ginsberg



Janice P. Lacy

Counsel for Respondents

Dated: March 11, 1991

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FOSTER, SWIFT, COLLINS & SMITH, P.C.

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FEDERAL ELECTION COMMISSION

March 22, 1991

Ms. Anne Weissenborn
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Weissenborn:

RE: MUR 2581; Request for Extension for Filing Responsive Brief

The purpose of this letter is to request an extension of fifteen (15) days for purposes of filing a responsive brief. The basis for this request is that our ability to obtain information relating to events so long ago is limited. In particular, we are waiting to receive information from certain vendors and such information must be retrieved from storage. While we appreciate your positive consideration of our earlier extension requests, more time is still needed.

Your positive consideration of this request would also be appreciated. Upon approval of this request, the filing deadline will be April 9, 1991.

Sincerely yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric E. Doster

EED:ska

cc: David J. Doyle
Sue E. Wadel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

March 29, 1991

RECEIVED
FEDERAL ELECTION COMMISSION
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MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2581
Request for Additional Extension of Time

By letter dated March 22, 1991, counsel for the Michigan Republican State Committee requested an additional extension of fifteen days in which to respond to the General Counsel's Brief in the above-cited matter. (Attachment 1.) This committee has already been granted two earlier extensions of twenty days each. The letter explains that a further extension is necessary because of difficulties in securing certain information from vendors.

In light of the complexities of this matter, the Office of the General Counsel recommends that the Commission grant the requested additional extension.

RECOMMENDATIONS

1. Grant an extension of 15 days to the Michigan Republican State Committee.

2. Approve the appropriate letter.

Attachment
Request for Extension

Staff Assigned: Anne Weissenborn

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Michigan Republican State Committee - Request for Additional Extension of Time.	)	MUR 2581

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 3, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 2581:

1. Grant an extension of 15 days to the Michigan Republican State Committee, as recommended in the General Counsel's Memorandum dated March 29, 1991.

2. Approve the appropriate letter, as recommended in the General Counsel's Memorandum dated March 29, 1991.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

April 3, 1991
Date

Delores Harris
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat:	Fri.,	March 29, 1991	12:28 p.m.
Circulated to the Commission:	Mon.,	April 1, 1991	11:00 a.m.
Deadline for vote:	Wed.,	April 3, 1991	11:00 a.m.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 9, 1991

Eric E. Doster, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, Michigan 48933-2193

RE: MUR 2581
Michigan Republican State Committee

Dear Mr. Doster:

This is in response to your letter dated March 22, 1991, which we received on March 27, 1991, requesting an additional period of 15 days in which to respond to the General Counsel's Brief in the above-cited matter. Recognizing the complexities of this matter, the Commission has granted this further extension of time. Accordingly, your response is now due by the close of business on April 9, 1991.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

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FOSTER, SWIFT, COLLINS & SMITH, P.C.

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April 18, 1991

Mr. John W. McGarry, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

91 APR 25 PM 3:42

RE: MUR 2581; Michigan Republican State Committee

Dear Mr. McGarry:

Enclosed please find the Response by the Michigan Republican State Committee to the General Counsel's Brief. At this time, it is our intention to file a Supplemental Response concerning the allocation of MICHLIST development costs. Please call if you have any questions.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague

David W. McKeague

DWM/EED/kem
Enclosure
cc w/encl.: Anne A. Weissenborn
David J. Doyle
Sue E. Wadel

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RESPONSE BY THE MICHIGAN REPUBLICAN STATE COMMITTEE TO THE GENERAL COUNSEL'S BRIEF

RESPONDENTS: Michigan Republican State Committee MUR 2581
Ronald D. Dahlke, as Treasurer

By: David W. McKeague (P17459)
Eric E. Doster (P41782)
FOSTER, SWIFT, COLLINS & SMITH, P.C.
313 South Washington Square
Lansing, Michigan 48933
Telephone: (517) 371-8100

Dated: April 18, 1991

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RESPONSE BY THE MICHIGAN REPUBLICAN STATE COMMITTEE TO THE GENERAL COUNSEL'S BRIEF

RESPONDENTS: Michigan Republican State Committee MUR 2581
Ronald D. Dahlke, as Treasurer

I. INTRODUCTION

This response is submitted by the Michigan Republican State Committee ("MRSC") in reply to the General Counsel's Brief dated January 23, 1991 (hereinafter referred to as the "General Counsel's Brief"), concerning MUR 2581. The General Counsel's Brief raised many issues; among them are the following:

A. Whether or not the development costs of MICHLIST should be allocated among the 1984 Michigan Republican candidates for federal office?

B. Whether or not the volunteer exemption of 11 CFR § 100.7(b)(17)(v) applies only where 100 percent of the telephone lines are staffed by volunteers?

C. Whether the District Committees and the County Party Committees are controlled by the MRSC and, therefore, all contributions by the State committees are subject to a common contribution ceiling?

D. Whether or not the MRSC utilized its best efforts to comply with the Federal Election Campaign Act in connection with its receipt of certain out-of-state contributions?

E. Whether or not the MRSC complied with the Federal Election Campaign Act in connection with certain transfers from unregistered committees into the MRSC's federal account?

These issues, in turn, will be discussed below.

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II. ALLEGATIONS CONCERNING 2 USC § 441a(f)

The General Counsel alleges that the MRSC made excessive coordinated expenditures totaling $14,850.97 on behalf of three candidate committees. General Counsel's Brief, p. 18.[1] To arrive at the $14,850.97 amount, the General Counsel has made the following assumptions, all of which are incorrect:

1. That 9.5 percent of the development costs of MICHLIST should be allocated to candidates participating in the MRSC's GOTV and VIP programs.

2. That $21,000, the entire cost of the GOTV program, is allocable.

3. That contributions received by candidate committees from county committees should be attributed to the MRSC.

The MRSC has thoroughly analyzed the above-referenced assumptions and allegations. After a careful review of the General Counsel's contentions, the MRSC submits that the following amounts should be allocated among the 1984 Republican candidates for federal office:

1.	$389,364.14	(expenditures involved to implement the VIP, excluding any development costs of MICHLIST);
2.	16,170.00	(cost of GOTV program);
3.	5,522.58	(allocation of related expenditures); and
4.	1,364.45	(mathematical error).
	$412,421.17[2]	

As the above list indicates, the General Counsel and the

1/ In the Factual and Legal Analysis dated June 20, 1989, it was alleged that the MRSC apparently made excessive contributions totaling $12,437.29 to two candidate committees.

2/ If the Federal Election Commission should decide that any of the development costs of MICHLIST is to be allocated to federal candidates, which the MRSC continues to oppose, a maximum of $639 is allocable, as shall be demonstrated.

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MRSC are in agreement with the $5,522.58 and $1,364.45 amounts. The remainder of this section will analyze those amounts that the General Counsel and the MRSC disagree upon.

A. Allocation of MICHLIST Development Costs

1. Summary of Facts. The MRSC contracted with Market Opinion Research in 1984 for the development of a statewide computerized voter registration list ("MICHLIST"). MICHLIST was used to make voter identification program ("VIP") telephone calls, as well as for many other purposes, including fundraising, direct mail and door-to-door visits. The MRSC continued these and other uses of MICHLIST in 1986, 1988, and 1990, and intends to continue to do so for the foreseeable future. As documentation previously supplied to the General Counsel indicates, MICHLIST is a permanent asset of the Michigan Republican Party.

The General Counsel asserts that part of the $282,000 total cost of developing the MICHLIST should be allocated among the Michigan Republican candidates for federal office in 1984. General Counsel's Brief, pp. 3-7. For the following reasons, the MRSC strongly opposes this contention.

2. MICHLIST as a Generic or Party Organizational Expense.

(a) Clarification of MRSC's Position. On page 3 of the General Counsel's Brief, it is stated that the MRSC offered the figure of 19 percent of the $282,000 total cost of developing the MICHLIST to be allocated among the 1984 Republican federal candidates because of the use of MICHLIST in the

MRSC's Voter Identification Program ("VIP"). This is certainly not the MRSC's position. Instead, the MRSC vehemently asserts that no part of the development costs of MICHLIST are allocable to the 1984 federal candidates as the MRSC's Answers to Interrogatories demonstrate. The source of the number 19 percent appears to be a memorandum filed by the MRSC with the Federal Election Commission (hereinafter referred to as the "Commission") dated September 7, 1985. A review of this memorandum indicates that the MRSC referenced the 19 percent figure to the Audit Division to illustrate that should development costs be allocable to candidates (the MRSC clearly stated that it did not agree with any such allocation), then 19 percent of the $282,000 total costs, as opposed to the entire $282,000, is the proper starting point for any such allocation. Furthermore, this 19 percent figure was itself inaccurate. Instead, only 17 percent of MICHLIST was the VIP universe. See Supplemental Answers to Interrogatories filed by the MRSC, Question 3, dated September 29, 1989.

(b) MICHLIST was not Developed on Behalf of a Clearly Identifiable Candidate. The development costs for the MICHLIST should not be allocated among the 1984 candidates for federal office; rather, these costs should be classified as a generic or party organizational expense of the MRSC. According to 11 CFR § 106.1(c)(1):

> "Expenditures for rent, personnel, overhead, general administrative, fund-raising, and other day-to-day costs of political committees need not be attributed to individual candi-

dates, unless these expenditures are made on behalf of a clearly identified candidate and the expenditure can be directly attributed to that candidate" (emphasis added).

The development of the MICHLIST is properly characterized as a day-to-day cost of the MRSC. As set forth in 11 CFR § 100.14, the MRSC is "responsible for the day-to-day operation of the political party at the State level." The development of a list of registered voters is an inherent and integral part of the day-to-day operation of the Michigan Republican Party. Thus, the MICHLIST should be characterized as a generic or party organizational expense of the MRSC.

Moreover, the expenditures for the development of the MICHLIST were not made on behalf of a "clearly identified candidate." As set forth in 11 CFR § 106.1(d), "clearly identified" means--

1. the candidate's name appears;
2. a photograph or drawing of the candidate appears; or
3. the identity of the candidate is apparent by unambiguous reference.

In the present case, there is nothing to clearly identify MICHLIST with any candidate for federal office. The MICHLIST is a computerized list of registered voters in Michigan. MICHLIST was not developed for the benefit of any particular candidate, nor is the identity of any particular candidate referenced by the MICHLIST. In fact, the identity of the 1984 candidates for federal office was not even known at the time MICHLIST was developed. Furthermore, as discussed in more detail in the Supplemental Answers to Interrogatories filed by the MRSC

dated September 29, 1989, MICHLIST was later used extensively in connection with the 1986 and 1988 elections (as well as the 1990 elections) and clearly was not developed on behalf of any particular 1984 candidate or candidates. Therefore, the development costs of MICHLIST are not allocable to any Michigan Republican candidates for federal office in 1984 or any other year.

In Advisory Opinion 1975-87, Fed. Election Camp. Fin. Guide (CCH), ¶ 5178 (January 13, 1976), the Commission held that the costs of organizing a general forum on campaigning which was open to and intended to benefit all Republican Congressional candidates as a class, rather than the particular candidates within that class, was not attributable to those candidates who personally attended or sent representatives to the forum. Although the Commission recognized that each candidate benefited by the efforts of the National Republican Congressional Committee, the conference was not "planned and conducted for the benefit of a few particular candidates, as distinguished from Republican Congressional candidates generally." The development of MICHLIST is clearly analogous to a general campaign forum. Since MICHLIST was not "planned and conducted" for the benefit of any particular candidate, federal or non-federal, such development costs are not attributable to the 1984 Republican candidates for federal office who benefited from the use of MICHLIST.

(c) MUR 2215. This Commission has previously recognized that the development costs of a computerized voter registration list are not to be allocated among candidates. In

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MUR 2215 (decided November 18, 1986), the Commission considered whether the sale of a computerized voter list by the affiliate of a labor union violated the Federal Election Campaign Act (the "Act"). MUR 2215 involved the formation of an affiliate by the Missouri State Labor Council to sell lists of the names of registered voters to candidates endorsed by the Labor Council. The Complainant alleged that the respondents spent approximately $100,000 to $120,000 per year in compiling lists of registered voters which were in turn sold to various candidates. The Complainant further alleged that any use of such lists was a prohibited contribution by the Labor Council, in violation of 2 USC § 441b. In addition, the complaint alleged that the Labor Council was selling its lists for an amount less than the usual or normal charge, thus making a prohibited contribution to the purchasers/candidates. See General Counsel's Report dated October 31, 1986 (hereinafter referred to as the "Report"), pp. 1-2.

In response, the Labor Council stated as follows:

> "Complainant's premise is that the fair market value of a paper voter list of registered Missouri voters sold by MRV [the Labor Council's affiliate] is the same as the fair market value of the computer tape from which that list is derived. But what MRV's customers are buying is use of the information on MRV's computer tape of registered voters in the form of "product" and not the computerized voter list itself. MRV's products, including paper voter lists, are sold subject to the understanding that the product may be used only for a particular agreed-upon purpose and that the information will not be transferred to anyone else or reproduced. Thus, buyers of MRV product do not acquire any proprietary

> interest in the information MRV's computer tape or in the tape itself. Furthermore, as we have demonstrated above, a paper voter list, even if the paper list contained all of the registered voters on MRV's computer tape, would not have the equivalent value of that tape since the paper list could not readily be translated into different formats, e.g., labels, phone cards, direct mail, without first being converted to a computer tape.
>
> Accordingly, the fair market value of a paper voter list or any other product sold by MRV cannot, as complainant argues, be derived from the Labor Council's cost of producing its list of registered AFL-CIO members or from the MRV's cost of producing its computer tape of registered Missouri voters but rather can only be ascertained from the "usual and normal charge" in the market for the goods and services which MRV sells." Response to Federal Election Commission, dated October 9, 1986, pp. 11-12.

The Commission accepted the Labor Council's argument and adopted the position that the issue was whether the candidates were receiving the use of the voter list for an amount less than the "usual or normal charge." Since MRV was charging the candidates an amount approximating the "usual or normal charge," the Commission found that the Labor Council was not guilty of making a prohibited contribution in violation of 2 USC § 441b.

Based upon the Commission's analysis in MUR 2215, none of the development costs of MICHLIST are to be allocated among the 1984 candidates for federal office. In MUR 2215, where the activities of a labor union were in question, the price charged to the candidates, not the development cost, was the only relevant inquiry. If a labor union, which is prohibited from making political contributions, is not required to allocate voter

list development costs to candidates, then certainly the MRSC, a political party that is allowed and expected to make contributions, is not required to allocate the development costs of MICHLIST among candidates. The General Counsel's attempt to allocate the MICHLIST development costs among the 1984 federal candidates wholly contradicts the Commission's position established in MUR 2215.

(d) The General Counsel's Implementation of the Federal Election Campaign Act (the "Act") is Invalid.

(i) There is no way for the MRSC to accurately allocate the development costs of MICHLIST among the 1984 federal candidates. Any requirement that the MRSC allocate the MICHLIST development costs among the 1984 federal candidates effectively prevents the MRSC from complying with the Act. There is no way that the development costs for programs which are not designed for any identifiable candidate, will be used for a variety of activities (many of which are indisputably not allocable), and will be used over several election cycles can be allocated to specific candidates in a single election cycle. The MRSC is not capable of making an accurate allocation in any given year because it lacks at least three critical pieces of information:

1. For any given year, the MRSC has no way of knowing how many non-allocable uses will be made of the names used for VIP/GOTV.

2. In any given year, the MRSC has no way of knowing how many names from that year's allocable voter list will be "re-used" in subsequent election years.

3. In any given year, the MRSC has no way of knowing what percentage of the voter list will be used for individual programs in subsequent election years.

If the MRSC complies with the General Counsel's recommendations and now allocates, some five years after the fact, the MICHLIST development costs among the 1984 federal candidates, then what amount would the MRSC allocate to the federal candidates in subsequent election cycles? According to the General Counsel's analysis, the candidates in future election cycles would either receive the benefits of an allocable cost without any allocation, or be allocated costs which have already been allocated to other candidates, either of which result certainly is contrary to the Act.

The bottom line is this: In 1984, the MRSC had no way of allocating the development costs of MICHLIST among candidates because the subsequent use of MICHLIST makes such an allocation impossible. The MRSC, like any other political organization, has made every reasonable effort to comply with the Act. However, as demonstrated above, the MRSC could not make an accurate allocation of MICHLIST development costs in 1984 without knowing what subsequent use would be made of the names in the list.

(ii) The application of the Act urged by the General Counsel violates the MRSC's due process rights. In the present case, any allocation of the development costs of MICHLIST is not capable of determination until the list is no longer used by MRSC. The ongoing use of MICHLIST makes it impossible for the MRSC to comply with the General Counsel's interpretation of the

Act. The requirements of the Act are not as precise as the General Counsel has interpreted them. If the General Counsel's interpretation of the intent of the Act is accepted by the Commission, the Act is clearly unconstitutionally vague because it is impossible to comply with the Act. See, e.g., Jordan v DeGeorge, 341 US 223 (1951).

(iii) The legislative history of the Act indicates that party expenses such as the development costs of MICHLIST are not allocable to federal candidates. Congress has indicated that normal day-to-day activities of political parties are not allocable to candidates. Congressman Frenzel, during the final floor debate on the 1974 amendments to the Federal Election Campaign Act of 1971, made the following uncontroverted remarks:

> "There is general agreement among the conferees that the provisions placing limitations on contributions and expenditures should not require a multicandidate committee, ... the senatorial campaign committees, the congressional campaign committees,... to credit to a candidate's limitations on expenditures and contributions or to otherwise attribute to any political candidates or his political committees a portion of their normal day-to-day expenses.
>
> Any other interpretation would create an enormous amount of administrative busy work for all candidates and might cause wholesale violations of the law....
>
> These day-to-day expenses should be deemed to include such items as research, speech writing, general party organization and travel, party publications, fundraising expenses, staff at various party headquarters in the field and national convention expenditures, provided such expenses do not contribute directly to any candidate's campaign

effort. (Congressional Record, October 10, 1974, pp. H 10332-10333)."

The compiling of lists of registered voters is clearly a day-to-day activity of a political party. No party organization, whether state, district or local, can effectively operate today without lists of registered voters. This type of generic political activity simply cannot be allocated with any amount of certainty in any election cycle. The General Counsel interpretation, if accepted by the Commission, will lead, as Congressman Frenzel predicted, to wholesale violations of the Act, a result which Congress clearly intended to avoid. Consequently, the tremendous difficulty in allocating the MICHLIST development costs among the 1984 candidates for federal office demonstrates that such expenses are not allocable to federal or state candidates.

3. Valuation of Allocable MICHLIST Development Costs. Assuming that part of the development costs of MICHLIST are deemed by the Commission to be made on behalf of a particular candidate for federal office in 1984, then the amount allocable certainly is not the entire $282,000 development cost of MICHLIST. If any of the development costs of MICHLIST are to be allocated among the 1984 Republican candidates for federal office, such allocation must properly reflect the following:

-- Only 17 percent of MICHLIST was utilized in the VIP program.

-- At least 20 to 25 percent of the costs related to the MICHLIST names used in the VIP program were wholly unrelated to the VIP program.

-- The MICHLIST database of names used for the VIP program was also used for a variety of other programs.

-- MICHLIST is an asset of the MRSC that has a useful life that extends beyond the 1984 election year.

-- The remaining MICHLIST development costs that are deemed to be made on behalf of particular candidates must be allocated among federal and non-federal candidates.

(a) Only 17 Percent of the MICHLIST Database was Used in the VIP Program. Even before MICHLIST was undertaken, it was decided that only a small percentage of Michigan's registered voters should be contacted through the 1984 telephone program. Thus, while some voters' names were acquired for other purposes such as fundraising, direct mail, door-to-door visits, etc., only selected voters living in a narrow set of precincts were ever slated for or received VIP calls. In fact, as set forth in Question 3 of the Supplemental Answers to Interrogatories, of the total 6,337,960 voters in the MICHLIST database, only 1,080,272 were selected for such VIP calling. Therefore, only a maximum of 17 percent (not 19 percent) of the total MICHLIST development cost, or $47,940, can possibly be attributed to the VIP program.

(b) At Least 20 to 25 Percent of the Costs Related to the MICHLIST Names Used in the VIP Program were Wholly Unrelated to the VIP Program. Any allocable portion of MICHLIST's development cost for the VIP program must be further reduced because a significant percentage of the development cost of the list of 1,080,272 names used for VIP calling were incurred to build information into the database which was irrelevant to the

VIP program. For example, the cost pertaining to the inclusion of demographic information into the database played no role whatsoever in the VIP program. The demographic statistics were added to the database for purposes of triggering mass mail and party fundraising efforts, not for generating VIP phone lists. The MRSC estimates that at least 20 to 25 percent of the MICHLIST development cost involved such unrelated database development. Accordingly, it would be appropriate to further reduce the allocable share of MICHLIST's development costs for the phone program by a minimum of 20 percent, or $9,588, to $38,352.

(c) The MICHLIST Database of Names Used for the VIP Program was also Used for a Variety of Other Programs. The amount of allocable MICHLIST development costs must be further reduced to reflect the fact that the portion of the MICHLIST database used for the VIP program was also used for a number of other functions. Although there were other countless possible uses of MICHLIST (see Question 4 of the Supplemental Answers to Interrogatories dated September 29, 1989), there are five other uses which were made of the portion of the MICHLIST database used for the VIP program in 1984: mass mailings, fundraising, door-to-door voter contact, voter recruitment and voter telephone canvassing. The MRSC estimates the VIP program constituted no more than 20 percent of the uses made of these names in 1984. Consequently, any remaining share of MICHLIST costs allocated to the names involved in the VIP program must be reduced by 80 percent, or $30,682. Therefore, the allocable share of MICHLIST development

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costs attributable to the VIP program in 1984 becomes a maximum of $7,670.

(d) The Useful Life of MICHLIST Extends Beyond the 1984 Election Year. The Audit Staff of the Federal Election Commission is attempting to allocate the total development cost of MICHLIST in 1984. Even if MRSC were to concede that the $7,670 of development costs of MICHLIST discussed above should be allocable among the 1984 federal candidates, it is unreasonable to attribute even these development costs to one election year or to require allocation among the candidates in one election. Such an allocation in 1984 incorrectly assumes that the useful life of MICHLIST does not extend beyond the 1984 elections. In fact, as indicated in Question 7 of the Supplemental Answers to Interrogatories dated September 29, 1989, of the 1,080,272 names on MICHLIST in 1984, 1,004,633 names were on MICHLIST in 1986, and the MRSC believes that the vast majority of the 1984 were used again in 1988 and 1990 and are expected to be used in 1992.

As set forth in the Financial Accounting Standards Board's General Standards (1987), D40.101:

> ".101 The cost of an [asset] is one of the costs of the services it renders during its useful economic life. Generally accepted accounting principles require that this cost be spread over the expected useful life of the [asset] in such a way as to allocate it as equitably as possible to the periods during which services are obtained from the use of the [asset]. This procedure is known as **depreciation accounting,** a system of accounting that aims to distribute the cost or other basic value of tangible capital assets, less salvage (if any), over the estimated useful life of the unit (which may be a group

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> of assets) in a systematic and rational manner. It is a process of allocation, not of valuation."

Consequently, any cost allocated to the 1984 Michigan Republican federal candidates should take the useful life of MICHLIST into account. Admittedly, this useful life may be difficult to determine. Nonetheless, the Financial Accounting Standards Board states that a "reasonable estimate of the useful life may often be based on upon upper and lower limits even though a fixed existence is not determinable." General Standards (1987), I60.109. Therefore, if part of the development costs of MICHLIST are to be attributable to the 1984 federal candidates, then this allocated sum of $7,670 should be further reduced to reflect the appropriate useful life of the MICHLIST. At most, one-fourth of these costs, or $1,918, would be allocable, based on the use of MICHLIST in 1984, 1986, 1988, and 1990.

(e) Allocation Among Federal and Non-Federal Candidates. Finally, any remaining MICHLIST development costs pertaining to the VIP program that are deemed to have been made on behalf of particular candidates in 1984 must be allocated among federal and non-federal candidates. In Advisory Opinion 1982-5, Fed. Election Camp. Fin. Guide (CCH), ¶ 5659 (April 21, 1982), the Democratic National Committee held a conference for federal and non-federal participants. The Commission noted that the threshold issue was whether the conference expenditures were required to be allocated at all, since it did not appear that the conference was being held for the purpose of influencing, or in connection with,

the specific election of any clearly identified candidate for federal office. Nonetheless, the Commission considered this issue but could not agree by the requisite four affirmative votes that the conference expenses were not required to be allocated to federal and non-federal elections. However, even assuming that such expenses were attributable to candidates, such expenses were required to be allocated between federal and non-federal elections. Thus, the remaining MICHLIST development costs that are deemed to be made on behalf of particular candidates must be allocated among federal and non-federal candidates by means of a reasonable allocation formula. See, Campaign Guide for Political Party Committees (1989), p. 7, for Commission-approved allocation methods. If the Commission accepts the General Counsel's contention that any of the developmental costs of MICHLIST are allocable, the MRSC estimates that one-third of such costs could be allocated to federal candidates, or $639. The maximum cost of the development of the MICHLIST program is $639. Therefore, when allocated to the VIP program, the total allocation of the VIP program should be $390,003.14 ($639 plus $389,364.14).

B. GOTV Cost Allocations

On pages 7-8 of the General Counsel's Brief, the General Counsel argues that the MRSC should be required to allocate among candidates $21,000 in telephone calls related to the GOTV program. Although the MRSC acknowledges that part of this $21,000 amount should be allocated among candidates, the MRSC disagrees with the allocation of all of these costs. According to 2 USC

§ 431(8)(A)(xii), costs of GOTV activities attributable to volunteers do not fall within the definition of a "contribution." The records of the MRSC indicate that a portion of the telephone calls made were in fact made by volunteer personnel. Supervisory personnel for the GOTV program estimate that roughly 30 of the 130 telephone lines were staffed with volunteer workers. See Exhibit A. Such amount represents 23 percent of the total work force to complete the GOTV program. Thus, the MRSC asserts that 23 percent, or $4,830, of the total cost of the telephone calls should be excluded from the allocation base. Therefore, the remaining balance of $16,170 in GOTV costs should be included in the allocation base.

This position is entirely reasonable. The concept of "allocation" is a fundamental principle of the Act and the Commission's regulations. See, e.g., 11 CFR §§ 106.1-106.4. To allocate, or distinguish, between "volunteer" and "non-volunteer" phone banks accurately identifies the level of volunteer activity that falls within the exemption of 11 CFR § 100.7(b)(17)(v).

The General Counsel argues, however, that the volunteer exemption of 11 CFR § 100.7(b)(17)(v) provides for an "all or nothing" approach. According to the General Counsel, it "appears that the exception at Section 431(8)(A)(ix) was not intended to apply to a situation involving a mix of paid staff and volunteers" (General Counsel's Brief, p. 8) (emphasis added). In support of such a hesitant conclusion, the General Counsel cites a single statement by a Congressman during the floor debate of the 1979

amendments to the Act. In this regard, the Commission is advised that courts conclude that the remarks of a single legislator, even an influential one, are not controlling in analyzing the legislative history of a statute. General Electric Company v United States, 610 F2d 730 (Ct Cl, 1979). Moreover, any ambiguities in the Act must be "liberally interpreted in favor" of the MRSC. United States v Hankin, 607 F2d 611, 615 (CA 3, 1979).[3] The rationale behind construing ambiguities in favor of the MRSC is partially based on the fact that the Act affects First Amendment rights. See Buckley v Valeo, 424 US 1, 77 (1976). Thus, the MRSC's position must be accepted since neither the Act nor the Commission's regulations prevent allocation beween volunteers and paid staff in connection with 11 CFR § 100.7(b)(17)(v).

To further illustrate the error in the General Counsel's logic, the MRSC may very easily take the position that there are two phone banks involved in the present case--one "volunteer" phone bank and one "non-volunteer" phone bank. There is no single definition of a "phone bank" for the purposes of 11 CFR § 100.7(b)(17)(v). One can envision having several phone banks within a single room. Consequently, in the present situation, where 130 telephone lines are involved, 30 telephone lines were dedicated to the volunteer phone bank and 100 telephone lines were dedicated to the non-volunteer phone bank.

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[3]/Although the Hankin case dealt with the criminal enforcement of the Act, the general rule of construction of penal statutes also applies to statutes providing for fines, and such statutes are to be strictly construed. See generally, 36A C.J.S. Fines, § 2 (1961).

To accept the General Counsel's position would deny the use of 11 CFR § 100.7(b)(17)(v), where only one paid staffperson operates a telephone line in a single phone bank of 100 volunteers. Such a result contradicts the very purpose of a provision intended "'to help State and local political parties play a much needed larger role...through the increased use of volunteers'" (General Counsel's Brief, p. 8, citing 125 Cong. Rec. H.R. 23815 (September 10, 1979)).

Accordingly, although the MRSC acknowledges that part of the $21,000 in telephone calls related to the GOTV program should be allocated among candidates, the MRSC disagrees with the allocation of all of these costs. As previously indicated, $4,830 of the total cost of the telephone calls should be excluded from the allocation base. Therefore, the remaining balance of $16,170 in GOTV costs should be included in the allocation base.

C. Affiliation of the MRSC and the Various State Committees

1. Summary of Facts. The General Counsel contends that the MRSC, the district committees, and the county party committees are all affiliated for the purposes of the contribution limitations of 2 USC § 441a. General Counsel's Brief, pp. 10-15.

Under the Act, if the local party committees are not independent from the MRSC, then any contribution from a county or other local unit of a party committee is to be counted toward the contribution limitations of the MRSC. 2 USC § 441a(a)(5). The MRSC asserts that the county party committees and the district committees are independent from the State Party and that any

amounts contributed to a federal candidate by district and county committees should not be aggregated with contributions by the MRSC.

2. The Local Party Committees are Independent From the MRSC. According to 11 CFR § 110.3(b)(3):

> "(3) All contributions made by the political committees established, financed, maintained, or controlled by a State party committee and by subordinate State party committees shall be presumed to be made by one political committee. This presumption shall not apply if--
>
> (i) The political committee of the party unit in question has not received funds from any other political committee established, financed, maintained, or controlled by any party unit; and
>
> (ii) The political committee of the party unit in question does not make its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained, or controlled by another party unit."

Thus, each "subordinate committee of the [MRSC] which satisfies the stated criteria for avoiding application of the presumption would be entitled to its own contribution limits. A committee not satisfying the criteria would, under 2 U.S.C. § 441a(a)(5), be considered one with the [MRSC]." Federal Election Commission Information Letter dated September 2, 1976; Fed. Election Camp. Fin. Guide (CCH) ¶ 6923.

In Advisory Opinion 1978-9, Fed. Election Camp. Fin. Guide (CCH), ¶ 5330 (July 21, 1978), the Federal Election Commission held that the local Republican party committees in Iowa were independent from the Iowa Republican State Committee for the

purposes of the contribution limitations of 2 USC § 441a(a)(5). The Federal Election Commission found certain factors persuasive in its determination of this independent status; among them are the following:

1. Each county committee elected its own officers and adopted its own constitution and bylaws.

2. The State committee did not mandate or have any influence over the expenditures of the county central committee's funds, and any contributions from the county committees to federal candidates were not made in cooperation, consultation or concert with, or at the request or suggestion of, the State committee.

3. The State committee each year adopted a budget to fund party operations during the coming year, and a percentage of the budget was assigned to each county, not each "county committee."

4. The bulk of the State committee's receipts came from individuals residing within the various counties, not from the county committees.

5. The county committees did not receive funds from the State committee, with the exception of funds raised through joint fundraising, and in 1977, only $13,949 resulted from such fundraising and was transferred to county committees out of total State committee expenditures of over $393,000.

Utilizing the criteria set forth in Advisory Opinion 1978-9, it is clear that district and county party committees in Michigan are independent from the MRSC:

1. **Each county committee elected its own officers and adopted its own constitution and bylaws.**

In Michigan, each district and county committee elects its own officers and adopts its own constitution and bylaws. The MRSC has no authority or ability to change the bylaws and

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constitution of any district or county party committee. See Exhibit B.

2. **The State committee did not mandate or have any influence over the expenditures of the county central committee's funds, and any contributions from the county committees to federal candidates were not made in cooperation, consultation or concert with, or at the request or suggestion of, the State committee.**

The MRSC does not have the authority to mandate the expenditures of district or county committee funds. No contributions of district or county party funds in 1984 were made in cooperation, consultation or concert with, or at the request or suggestion of, the MRSC in 1984.

3. **The State committee each year adopted a budget to fund party operations during the coming year, and a percentage of the budget was assigned to each county, not each "county committee."**

None of MRSC's budget is assigned to any county or county committee. The MRSC does, however, sponsor seminars and programs which are beneficial to organizations such as local party committees.

4. **The bulk of the State committee's receipts came from individuals residing within the various counties, not from the county committees.**

In 1983, total receipts for MRSC's federal account equaled $240,606.21, of which $24,960 came from county Republican committees. In 1984, total receipts into MRSC's federal account equaled $1,210,162.57, of which $38,765 came from county Republican committees. Therefore, for 1983-1984, the total amount received into MRSC's federal account was $1,450,768.78, of which

$63,725, or 4 percent, of these receipts represented contributions from county Republican committees. See Exhibit C.

5. **The county committees did not receive funds from the State committee, with the exception of funds raised through joint fundraising, and in 1977, only $13,949 resulted from such fundraising and was transferred to county committees out of total State committee expenditures of over $393,000.**

In 1983-84, the MRSC made expenditures to local Republican party committees of only $6,501.75.

Accordingly, based on the criteria of Advisory Opinion 1978-9, the MRSC is not affiliated with any district or county committees for the purposes of 2 USC § 441a, and no contributions by district or county committees applied to the contribution limits of the MRSC in 1984.

Significantly, the General Counsel did not, and could not, disagree with the MRSC's analysis under Advisory Opinion 1978-9. Perhaps more significantly, the General Counsel did not dispute the following crucial point:

> The MRSC does not have the authority to mandate the expenditures of district or county committee funds. No contributions of district or county party funds in 1984 were made in cooperation, consultation or concert with, or at the request or suggestion of, the MRSC in 1984. (Response by the Michigan Republican Party to the Factual and Legal Analysis of the Federal Election Commission, dated September 29, 1989, p. 20.)

Instead, the General Counsel concludes that "[b]ecause of the movement of monies between the MRSC and the county committees involved, the presumption of affiliation with the MRSC has not been rebutted." General Counsel's Brief, p. 15.

The mere "movement of monies" is not, by itself, sufficient evidence to conclude that the MRSC is affiliated with any district or county committees for the purpose of 2 USC § 441a(a)(5). In this regard, 11 CFR § 102.6(a)(1)(ii) provides as follows:

> "(ii) Transfers of funds may be made without limit on amount between or among a national party committee, a State party committee and/or any subordinate party committee whether or not they are political committees under 11 CFR 100.5 and whether or not such committees are affiliated" (emphasis added).

As 11 CFR § 102.6(a)(1)(ii) indicates, a transfer of funds may be made between party committees without such committees being deemed affiliated. Under the General Counsel's contention, the phrase "whether or not such committees are affiliated" of 11 CFR § 102.6(a)(1)(ii) would not exist since the mere "movement of monies" automatically means that the committees are affiliated. Therefore, the General Counsel's "movement of monies" argument contradicts the express language of 11 CFR § 102.6(a)(1)(ii).

The General Counsel's "movement of monies" argument disregards the very purpose of 2 USC § 441a(a)(5). As recognized by the Commission in Advisory Opinion 1978-9, the intent of 2 USC § 441a(a)(5) is to prevent the vertical proliferation of political committees. See also Senate Report No. 94-677, 94th Cong., 2d Sess., 9-10 (1976). In other words, "all political committees set up by a State political party or by county or city parties would be treated as a single political committee for the purposes

of...[contribution limitations]." House Report No. 94-917, 94th Cong., 2d Sess., 6 (1976); Advisory Opinion 1978-9, n. 2.

Simply put, the MRSC is not in violation of the anti-proliferation requirements of 2 USC § 441a(a)(5). The MRSC is not funneling funds to county parties in an attempt to avoid contribution limitations. In fact, with one minor exception,[4] all of the county parties in question sent funds to the MRSC. General Counsel's Brief, pp. 10-11.

Accordingly, the MRSC asks the Commission to adhere to its own ruling in Advisory Opinion 1978-9, and not lose sight of the anti-proliferation purpose of 2 USC § 441a(a)(5). The MRSC is not affiliated with any district or county committees for the purposes of 2 USC § 441a(a)(5).

III. THE RECEIPT OF CERTAIN OUT-OF-STATE CONTRIBUTIONS BY THE MRSC

The MRSC utilized its best efforts to comply with the Act in connection with its receipt of certain out-of-state contributions. 2 USC § 432(i) provides that if "best efforts have been used to obtain, maintain, and submit the information required by this Act for the political committee," then "any report or any records of such committee shall be considered in compliance with this Act...." 11 CFR § 102.9 and 11 CFR § 104.7 also reaffirm this "best effort" requirement. As the following reconstruction

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4/The MRSC sent $283 to the Hillsdale County Republican Executive Committee in 1984. However, the General Counsel acknowledges that the MRSC reported a total of $2,950 in contributions from Hillsdale in 1983 and 1984. General Counsel's Brief, p. 10.

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of the seven-year-old events in this matter indicates, the MRSC utilized its best efforts to comply with the Act.

In an effort to reconstruct what happened seven years ago, the General Counsel indicates that the Republican National Committee (RNC) was the recipient of $35,655 worth of checks. These checks were forwarded to the MRSC. Although the General Counsel concludes that it was the apparent intent of the RNC that these checks be deposited in the MRSC's non-federal account, the MRSC deposited these checks into its federal account and reported these checks as being received from the individual contributors. General Counsel's Brief, pp. 20, 26-27. Based on this recollection of events, the General Counsel concluded that the "MRSC violated 11 C.F.R. § 102.5 by depositing into its federal account $35,655 not expressly solicited for that purpose and in fact intended by the transferor to be deposited into the MRSC's non-federal account." General Counsel's Brief, p. 27.

It must be emphasized that the $35,655 in contributions were permissible under the Act. Specifically, 11 CFR § 102.5(a)(2) states that the following types of contributions are permissible:

(i) Contributions designated for the federal account;

(ii) Contributions that result from a solicitation which expressly states that the contribution will be used in connection with a federal election; and

(iii) Contributions from contributors who are informed that all contributions are subject to the prohibitions and limitations of the Act.

According to MRSC's records, it appears that the out-of-state contributors were informed that their contributions were to be used "in federal elections" as well as being subject to the prohibitions of the Act. See also, Advisory Opinion 1979-9, Fed. Election Camp. Fin. Guide (CCH), ¶ 5400 (May 3, 1979).

If it was the subjective intent of the RNC that the MRSC deposit these checks into its non-federal account, this the MRSC is not in a position to determine. In 1984 the MRSC reported and deposited these checks in what it felt was the appropriate manner. In 1991 the MRSC is in no position to "second-guess" itself. If the Commission decides that the $35,655 should have been deposited in the MRSC's non-federal account, the MRSC shall willingly cooperate and immediately transfer $35,655 from its federal to its non-federal account.

In reference to the $10,000 and $15,000 sent to the MRSC by the RNC on October 22, 1984, and October 30, 1984, the General Counsel concludes that the MRSC "violated 2 U.S.C. § 434(b)(2)(F) when it failed to report the receipt of these contributions as transfers from the RNC." General Counsel's Brief, pp. 27-28. Since the MRSC received this $25,000 in checks from individual contributors, the MRSC reported these contributions as being from the individual contributors, not the RNC. General Counsel's Brief, p. 20. Therefore, even if the Commission shall conclude that the MRSC should have reported the contributions as transfers from the RNC, the available facts indicate that the MRSC exercised its best efforts to comply with the Act.

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IV. TRANSFERS FROM UNREGISTERED COMMITTEES INTO THE MRSC'S FEDERAL ACCOUNT

On pages 29-31 of the General Counsel's Brief, it is asserted that the MRSC received transfers from unregistered committees that are not permissible under the Act. Although it is legal for federal committees to accept contributions from unregistered committees, such contributions must be made from accounts that can be demonstrated to have received sufficient funds subject to the prohibitions and limitations of the Act. See 11 CFR § 102.5(b). The MRSC must be given a reasonable opportunity to identify that the sources of the funds are permissible under the Act. See, e.g., Advisory Opinion 1982-38, Fed. Election Camp. Fin. Guide (CCH), ¶ 5683 (June 25, 1982).

A. Transfers From Unregistered Party Committees

The General Counsel indicates that the source of $1,333 from five unregistered party committees remains unknown. General Counsel's Brief, p. 31. The MRSC submits that the sources of the funds from these five unregistered party committees are from sources permissible under the Act. The Michigan Campaign Finance Act, like the Federal Election Campaign Finance Act, contains prohibitions and limitations on the sources of contributions. As the General Counsel recognizes, the Michigan Campaign Finance Act permits contributions from labor organizations. General Counsel's Brief, p. 29. To the best of the MRSC's knowledge, the five unregistered party committees in question have never received

contributions from labor organizations. Given the political ideology of the five unregistered party committees in question, the Commission should accept this contention. Moreover, since it is difficult to reconstruct seven-year-old events, the MRSC has, under the circumstances, demonstrated that the funds received from the five unregistered party committees in question are permissible funds under the Act.

B. Transfers From Unregistered Non-Party Committees

The General Counsel indicates that the MRSC received $750 from unregistered non-party committees, which had been deposited into the MRSC's federal account. All of this amount was subsequently transferred to the MRSC's state account. General Counsel's Brief, p. 31.

The sources of the funds from these five unregistered non-party committees are from sources permissible under the Act. As the General Counsel's Brief indicates, four of the five unregistered non-party committees are political action committees. Under the Michigan Campaign Finance Act, contributions to separate segregated funds may only be solicited from individuals. MCL 169.255(2). With respect to the unregistered candidate committee which was referenced on page 31, note 18, of the General Counsel's Brief, the MRSC submits that, to the best of its knowledge, the unregistered candidate committee in question never received contributions from labor organizations (as indicated earlier, the difference between the Michigan Campaign Finance Act and the Federal Election Campaign Act is that contributions from

labor organizations are permissible under Michigan law). Given the political ideology of the unregistered candidate committee in question, the Commission should accept this contention. Therefore, the receipts from the five unregistered non-party committees were from sources permissible under the Act.

V. CONCLUSION

For the reasons set forth herein, the MRSC submits that probable cause to believe findings concerning the various allegations in the General Counsel's Brief would be unwarranted.

Respectfully submitted,

FOSTER, SWIFT, COLLINS & SMITH, P.C.
Attorneys for the Michigan
Republican State Committee

Dated: April 18, 1991

By: David W. McKeague
David W. McKeague (P17459)
Eric E. Doster (P41782)

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Lansing, Michigan 48933
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MRSC/2581/RESPONSE
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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
)
) MUR 2581
)
)

AFFIDAVIT OF CARLA J. REUTER HILLS

I, Carla J. Reuter Hills, being first duly sworn, hereby state:

1. That I was an employee of the Michigan Republican State Committee and the supervisor for the 1984 Michigan Republican State Committee Voter Identification and Get Out The Vote Programs operated from a 130 line telephone facility in Dearborn, Michigan.

2. That the operation which I supervised consisted of two distinct programs -- Voter Identification and Get Out The Vote.

3. That the Voter Identification Program was conducted exclusively with paid telephone callers.

4. That I was on-site at the telephone center during the Get Out The Vote program and have personal knowledge of the activity.

5. That approximately 30 of the 130 telephone lines at the telephone center were operated by volunteers during the entire Get Out The Vote program.

6. That the script which was used by the volunteer telephone callers expressly encouraged voters to go to the polls and vote for Ronald Reagan and George Bush.

Further, the affiant sayeth not.

September 29, 1989
Date

Carla J. Reuter Hills
Carla J. Reuter Hills

STATE OF MICHIGAN)
) ss
County of Ingham)

On the 29th day of September, 1989, before me, a Notary Public, in and for said County, personally appeared Carla J. Reuter Hills to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be her free act and deed.

Lauri L. Benac
Lauri L. Benac, Notary Public
Shiawassee County, Acting in
Ingham County, Michigan
My Commission Expires: 11-5-89

EXHIBIT A

BY LAWS

Michigan Republican State Committee

As Amended December 3, 1983

ARTICLE I

Name

This Committee shall be identified as the Republican State Committee and for the purpose of these by-laws unless otherwise specified shall be designated as the Committee.

ARTICLE II

Purposes and Duties

The purposes of this Committee shall be as follows:

A. To perform all duties delegated to a State Committee by law, and such other duties not prohibited by law.

B. To direct, manage and supervise the affairs and business of the Republican Party in Michigan. This shall include but shall not necessarily be limited to:

1. work for the election of all nominees of the Republican Party in Michigan; and

2. work in close cooperation with other Republican state, district, and county organizations.

C. To adopt by-laws by which the Committee shall be governed.

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ARTICLE III

Membership and Vacancies

A. The regular members of this Committee shall be the District Chairman and 2 men and 2 women nominated and elected from each Congressional District at the Spring State Convention; the Chairman and the First, Second, Third, Fourth, Fifth and Sixth Vice Chairmen, all of whom shall be nominated and elected at the Spring State Convention in odd-numbered years; the Secretary and the Treasurer of the Committee who shall be elected at the first meeting of the Committee following its election; and the National Committeeman and National Committeewoman selected according to law until their successors are elected.

EXHIBIT B

B. Ex-officio members shall be 2 members named by Party caucus from the State Senate, 2 members named by Party caucus from the State House of Representatives, and 1 named by the Michigan Republican members of the United States Congress.

C. There shall also be 8 non-voting members each from the Michigan Republican Women's Federation, the Michigan Federation of Young Republicans, the Michigan Federation of College Republicans, the Michigan Black Republican Council, the Michigan Republican Nationalities Council, and the Republican National Hispanic Association of Michigan, with one member from each group to serve on a different Standing Committee.

D. Each regular member of the Committee shall be a registered voter in Michigan and in the case of District members, a resident of the Congressional District such member represents. Regular members shall have the right to vote on all matters which come before the Committee except as otherwise provided in these by-laws.

E. Permanent vacancies in District membership arising from any cause whatsoever shall be filled by the statutory Committee of the Congressional District in which the vacancy arises within 60 days after such vacancy arises. Notice in writing to the Chairman of the State Committee of the name and address of the person selected to fill the vacancy shall be signed by the Chairman of the Committee of the appropriate Congressional District.

F. If a District member is not present for a particular meeting and has not provided for a proxy, the District Chairman or in his absence the remaining members present from the absent member's Congressional District representation to the State Committee may select a registered voter from their Congressional District to fill the vacancy for that a meeting only. If the absent member should subsequently appear during the course of the meeting, said regular member shall regain full voting rights.

G. If any other regular member of the Committee is not present for a particular meeting and is not represented by proxy, that position shall not be filled by any other person.

H. The Committee shall have the authority and power to terminate the membership of any member of this Committee, should any such member be found guilty of any felony in any Court of Record. In such case, such membership can only be terminated and the member expelled by an affirmative vote of the majority of the entire committee. Such vote must be cast in person and not by proxy.

I. Should any such officer become a candidate for State or Federal elective office prior to a primary by announcing his or her candidacy or forming, or authorizing or acquiescing in the formation of, an exploratory or draft committee on his or her behalf, that officer shall immediately, effective upon the date of the announcement of such a candidacy effort, take a leave of absence from his or her office.

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During that sixty (60) day period, that officer shall have none of the titles, rights, powers, resources and perquisites of his or her office.

On or before the expiration of that sixty (60) day period, that officer shall notify the State Party Chairman (or the First Vice Chair, in the event the Chairman is the officer in question) of that officer's determination to continue or discontinue his or her candidacy.

Should that officer determine to discontinue his or her candidacy, then that officer shall immediately resume his or her office and all the rights, titles, powers, resources and perquisites of that office.

In the event that the officer determines to continue his or her candidacy, or fails to notify the Chairman (or First Vice Chair, in the event the Chairman is the officer in question), or refuses to comply with any of the terms of this Section, then that officer shall automatically be deemed a candidate and shall no longer have the titles, rights, powers, resources, and perquisites of his or her former office.

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ARTICLE IV

Officers

A. The Committee shall have the following officers:

1. Chairman.
2. First Vice Chairman, who shall be of the opposite sex to the Chairman.
3. Second Vice Chairman.
4. Third Vice Chairman, who when elected shall not have attained the age of 25.
5. Fourth Vice Chairman.
6. Fifth Vice Chairman, who when elected shall have attained the age of 60.
7. Sixth Vice Chairman.
8. Secretary.
9. Treasurer.

B. The Secretary and the Treasurer shall be elected by the Committee at the first regular meeting of the Committee after its election and they shall hold office until their successors are elected and qualified. They shall have the right to vote on all matters which come before the Committee except the election of its officers, including their successors, unless they be Convention-elected members.

C. In the event the office of Chairman becomes vacant, the First Vice Chairman shall become Acting Chairman until a successor is elected at the next meeting of the Committee. In the event the First Vice Chairman is unable to serve, the office of Acting Chairman shall pass to the Second, Third, Fourth, Fifth, and Sixth Vice Chairman, in that order.

D. In the event the office of Secretary or of any Vice Chairman becomes vacant, a successor shall be elected at the next meeting of the Committee, which meeting shall be in part called for that purpose.

E. In the event the office of Treasurer becomes vacant, the Secretary shall become the Acting Treasurer until a successor is elected at the next meeting of the Committee, which meeting shall be in part called for that purpose. In the event the Secretary is unable to become Acting Treasurer, the office shall pass to the First, Second, Third, Fourth, Fifth and Sixth Vice Chairman, in that order, until a successor is elected at the next meeting of the Committee.

ARTICLE V

Duties of Officers

A. Chairman: The Chairman shall preside at all meetings of the Committee, sign all contracts, agreements, and documents with the Treasurer, when authorized by the Committee [or the Policy Committee acting while the Committee is not in session], submit reports to the Committee at each meeting of the Committee and at such other meetings as the Committee, by resolution or motion may require, appoint and hire such employees with the approval of the Policy Committee as the business of the committee may require, serve ex-officio as a member of the Republican State Finance Committee, and shall perform such other duties as these By-Laws provide and as the Committee shall from time to time designate. The Chairman shall be an ex-officio member of all standing committees and of all sub-committees.

B. First Vice Chairman: The First Vice Chairman shall be a registered voter [and in his/her absence the Second Vice Chairman], shall have like power as the Chairman in the absence of the Chairman, both shall serve ex-officio as members of the Republican State Finance Committee, and shall perform such other duties as the Committee may determine. The Vice-Chairman shall be an ex-officio member of all committees of which the Chairman serves as an ex-officio member. One Vice-Chairman, providing the office be held by a woman, shall be designated to be in charge of all women's activities of the Party organization.

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C. Second Vice Chairman: shall have like power as the Chairman in the absence of the Chairman and First Vice Chairman, shall serve ex-officio as a member of the Republican State Finance Committee and of all other committees, and shall perform such other duties as the Committee may determine. The Second Vice Chairman shall also supervise and direct all activities of the Party concerning the National Black Republican Council and related groups.

D. Third Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all youth activities of the Party, and shall perfo such other duties as the Committee may determine.

E. Fourth Vice Chairman: shall serve ex-officio as a memeber of all committees, shall supervise and direct all non-Hispanic ethnic activities of the Party, and shall perform such other duties as the Committee may determine.

F. Fifth Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all activities of the Party concerning Senior Citizen organizations, and shall perform such other duties as the Committee may determine.

G. Sixth Vice Chairman: shall serve ex-officio as a member of all committees, shall supervise and direct all Hispanic activities of the Party, and shall perform such other duties as the Committee may determine.

H. Secretary: The Secretary shall keep an accurate record of the minutes of each meeting of the Committee and of the reports of the sub-committees, shall give notice to the membership of all meetings by sending same to the post office address of the member recorded with the Committee, make written report to the Committee at each meeting, perform such other duties as these By-Laws provide and as this Committee shall from time to time require. The Secretary need not be a duly selected or elected member of the Committee from a Congressional District.

I. Treasurer: The Treasurer shall comply with all applicable laws and receive all monies paid to the Committee and deposit the same in the name of the Committee in a bank designated by the Budget Committee, pay all bills charged to the Committee when authorized by the Chairman or in his/her absence the First Vice-Chairman of the Committee, sign and execute contracts, agreements and documents with the Chairman in the manner set forth in paragraph (A) above, keep an accurate account of all receipts and disbursements in proper books, which books shall at all times be open to inspection and examination of the Budget Committee or any member of the State Committee, shall render statements of the financial condition of the Committee to the Committee at each meeting, make an annual statement and report to the Committee at each meeting of the year, have books audited for each preceding fiscal year by certified public accountants designated by the Budget Committee, and shall give surety bond to the Committee at its expense in such amount as the Budget Committee may designate within forty-eight hours after accepting office.

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The Treasurer shall turn over to his successor all funds, money and books, accounts, files, letters, papers and other property pertaining to or associated with the affairs and business of the Committee. The Treasurer shall be a non-voting member of the Budget Committee.

ARTICLE VI

Meetings

A. The first meeting of this Committee after its members have been elected shall be called by the Chairman within 24 hours after the state convention is adjourned. There shall be at least 5 meetings of the Committee in each calendar year.

B. Special meetings of the Committee may be called by the Chairman when the business of the Committee requires the same and the Chairman shall call a special meeting of the Committee on written request of one-third of the members of the Committee, jointly or severally, within 15 days after such written request has been filed with the Chairman. Upon failure to do so, any such member can give notice 5 days before such meeting. Notices of special meetings shall state the purpose of such meetings.

C. A majority of the total membership of the Committee present in person shall constitute a quorum to transact all business of the Committee except where the action of the Committee requires a larger number of members as specifically set forth in these By-Laws.

D. Those authorized to vote may vote in person or by proxy at any meeting of the Committee provided that such person shall be allowed to cast only one vote on each item of business transacted. Any person voting a proxy of a District member must be a qualified elector from that member's Congressional District. Any person voting a proxy of any other regular member must be a qualified elector of the State of Michigan.

ARTICLE VII

Committees

A. There shall be appointed the following standing committees at the first regular meeting of this Committee:

1. Policy Committee: This committee shall consist of one member from each Congressional District, no more than half of which members may be District Chairmen. This committee shall make recommendations to the State Chairman, recommend party policy, and establish programs for implementation by the other standing committees. This committee shall review and recommend staff positions and shall cooperate with staff personnel to implement policies set by the State Committee. Members who are not District Chairmen shall be of the opposite gender of the District Chairmen.

2. Budget Committee: This committee shall consist of one member from each Congressional District, no more than half of which members may be District Chairmen. This committee shall exert budget control, review and approve financial spending and maintain sound fiscal policy.

3. Candidate Assistance Committee: This committee shall work with local party organizations to provide candidates for all offices and to provide them with direct and indirect campaigning resources.

4. Communications Committee: This committee shall work to design and develop party communication materials, including training manuals and newsletters.

5. Data Committee: This committee shall be responsible for overseeing and assisting with the state-wide voter file, list development projects and the building of the Party political data base.

6. Events Committee: This committee shall work with the Republican State Committee to plan political events and fundraisers, including National Convention activities, for the State Committee.

7. Involvement Committee: This committee shall develop in the private sector volunteer programs sponsored by the Republican Party on the state and national levels. (Disbanded)

8. Outreach Committee: This committee shall work with the Vice-Chairmen to develop programs and materials to assist in the recruitment of blacks, minorities, seniors, union members, young voters and other key interest groups.

9504363252 3

B. The State Chairman shall appoint the duly elected members from each Congressional District to serve on a committee, with no more than 1 member from any 1 District on any 1 committee. The elected members from each Congressional District shall, within 7 days following their election, indicate their preference for committee assignments to the State Chairman, who shall then make appointments as specified above.

C. Each standing committee shall, as soon as possible after the date of their appointment, be called together by the State Chairman for the purpose of organizing such committee and electing its Chairman, Vice Chairman, who shall then make appointments as specified above.

D. The Chairman of each standing committee shall preside at all meetings of the committee, appoint sub-committees as deemed necessary, and shall perform such other duties as these By-Laws provide. The Vice Chairman shall have like power as the Chairman in the absence of the Chairman, may serve on all other committees in like capacity when the Chairman cannot attend, and shall perform such other duties as the committee may determine. The Secretary shall keep an accurate record of the minutes of each meeting, make a written report to the committee at each meeting, and perform such other duties as the committee may determine. Each standing committee shall have the right to adopt its own rules and procedure not inconsistent with these rules and with Robert's Rules of Order, Newly Revised.

E. Notice of subsequent meetings of each standing committee shall be mailed to each member thereof at least 5 days before the date of the meeting by the Secretary thereof. Postage, paper and letterheads shall be furnished each standing committee by the State Committee and such cost shall be placed in the annual budget. Such meetings may be called by the Chairman of the standing committee or by any 5 members of that committee.

F. Each standing committee shall have the authority and power to appoint sub-committees which may include others than State Committee members. Each such sub-committee so appointed shall include in its membership a person or persons from the standing committee who shall report directly to the standing committee.

G. It shall be necessary to have a quorum present at every standing committee meeting, consisting of not less than two-fifths of the membership of such committee present in person, before any standing committee business may be transacted.

H. Committees for certain definte purposes may be appointed from time to time in the manner provided by any adopted resolution of the State Committee or any standing committee.

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ARTICLE VIII

Resolutions

Prior to action by the Republican State Committee, a resolution must first be submitted in writing to the appropriate standing committee not less than 14 days prior to said committee meeting, by delivery of a copy of said resolution to the Chairman or Secretary of said committee, and to the State Chairman. A copy thereof shall be mailed to all State Committee members not less than 7 days prior to their next meeting, provided that the foregoing provisions may be waived by a majority vote of the respective committee. After action by the appropriate standing committee, a resolution shall be presented to the State Committee separate from the committee's report.

ARTICLE IX

National Committee

A. The Committee shall maintain a good working relationship with the Republican National Committee and shall assist that Committee in the achievement of its goals.

B. The Republican National Committeeman and Committeewoman from Michigan shall be elected by and at the same State Convention which elects delegates to the Republican National Convention. They shall serve until their successors are elected and qualified. They shall be qualified electors of Michigan.

C. In the event that either office becomes vacant prior to the convening of a state convention to elect national-convention delegates, this Committee shall elect a successor at the next meeting of the Committee, which meeting shall be in part called for that purpose.

ARTICLE X

Parliamentary Authority

Robert's Rules of Order, Newly Revised, shall govern the conduct of all meetings of the Committee and its standing committees, except as provided in these By-Laws or by law.

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ARTICLE XI

Amendment

A. All proposed amendments to these By-Laws shall be first submitted in writing to the Policy Committee.

B. Each member of the Committee shall be notified in writing of the context of any proposed amendment at least thirty days before the date on which such proposed amendment is to be voted on.

C. No amendment shall pass until it has received a 60-percent favorable vote of the Committee present and voting, provided there is a quorum present, and such favorable 60-percent vote must be made in person by such members and not by proxy.

ARTICLE XII

Effective Date of Rules

These rules are hereby declared to be in full force and effect on the date of the election of the 1983 State Committee. Each member of said committee shall receive a copy of these By-Laws within ten days following their election.

9504332601

EXHIBIT C

As the attached documents indicate, of the total receipts into MRSC's federal account in 1983-1984, only about 4 percent of these receipts came from county Republican committees. This information is already on file with the Commission

MRSC/RESPONSE/D
239;EED/DOCS

9504336326 02

For a Political Committee Other than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [X] April 15 Quarterly Report [ ] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

[ ] Thirtieth day report following the General Election on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 1-1-83 through 3-31-83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 325.67	
(c) Total Receipts (from Line 18)	$ 50,611.00	$ 50,611.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 50,936.67	$ 50,936.67
7. Total Disbursements (from Line 28)	$ 19,487.98	$ 19,487.98
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 31,448.69	$ 31,448.69
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 30,000.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

4 Sept 83

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

FEDERAL REPORT

REPORT PERIOD FROM 1/01/83 THROUGH 3/31/83

ACCT NO	CONTRIBUTOR			DATE	AMOUNT	YTD AGGREGATE
529294	ST. JOSEPH COUNTY REPUBLICANS			2/23/83	600.00	
	RICHARD IMGRUND			3/21/83	600.00	
	501 E. HOFFMAN			TOTALS	1200.00**	1200.00**
	THREE RIVERS	MI	49093			
**	COUNTY CHAIRMAN		**			
901114	BERRIEN COUNTY REPUBLICANS			1/03/83	650.00	
	MS. CHARLOTTE WENHAM			3/14/83	650.00	
	3612 LAKESHORE DRIVE			TOTALS	1300.00**	1300.00**
	ST JOSEPH	MI	49085			
**	COUNTY CHAIRMAN		**			
901301	HILLSDALE COUNTY REPUBLICANS			1/03/83	750.00	
	MRS. SYLVIA LEUTHEUSER			TOTALS	750.00**	750.00**
	52 SOUTH BROAD STREET					
	HILLSDALE	MI	49242			
			GRAND TOTALS		3250.00**	3250.00**

95043326C4

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA | ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report
[X] July 15 Quarterly Report [ ] January 31 Year End Report
[ ] July 31 Mid Year Report (Non-Election Year Only)
[ ] Monthly Report for _____
[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
[ ] Thirtieth day report following the General Election on _____ in the State of _____
[ ] Termination Report

(b) Is this Report an Amendment?
[X] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 4-1-83 through 6-30-83		
6.(a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 31,448.69	
(c) Total Receipts (from Line 18)	$ 11,450.00	$ 62,061.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 42,898.69	$ 62,386.67
7. Total Disbursements (from Line 28)	$ 28,715.29	$ 48,203.27
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 14,183.40	$ 14,183.40
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 30,000.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

[signature]
SIGNATURE OF TREASURER

9 Sep 85
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

Line 11b

.06/83 MICHIGAN REPUBLICAN STATE COMMITTEE PAGE 1
FEDERAL REPORT
REPORT PERIOD FROM 4/01/83 THROUGH 6/30/83

ACCT NO	CONTRIBUTOR			DATE	AMOUNT	YTD AGGREGATE
901114	BERRIEN COUNTY REPUBLICANS			4/19/83	50.00	
	MS. CHARLOTTE WENHAM			6/17/83	650.00	
	3612 LAKESHORE DRIVE			TOTALS	700.00**	2000.00**
	ST JOSEPH	MI	49085			
**	COUNTY CHAIRMAN		**			
901123	BRANCH COUNTY REPUBLICANS			6/29/83	1000.00	
	JOHN KEESLER			TOTALS	1000.00**	1000.00**
	26 HULL STREET					
	COLDWATER	MI	49036			
**	COUNTY CHAIRMAN		**			
901332	INGHAM COUNTY REPUBLICANS			4/12/83	150.00	
	MR. DAVID MC KEAGUE			TOTALS	150.00**	150.00**
	313 S. WASHINGTON SQ.					
	LANSING	MI	48933			
**	COUNTY CHAIRMAN		**			
901464	LENAWEE COUNTY REPUBLICANS			6/08/83	1500.00	
	MS. EMILY KACKSTETTER			TOTALS	1500.00**	1500.00**
	2649 SOUTH LAKE DRIVE					
	ADRIAN	MI	49221			
0036703	LIVINGSTON COUNTY REPUBLICANS			4/18/83	5000.00	
	JOSEPH L. RICHARDS			TOTALS	5000.00**	5000.00**
	570 CHICAGO DRIVE					
	HOWELL	MI	48843			
**	COUNTY CHAIRMAN		**			
		GRAND TOTALS			8350.00**	11600.00**

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA I

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[X] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [X] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

[ ] Thirtieth day report following the General Election

on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[X] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7-1-83 through 9-30=83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 14,183.40	
(c) Total Receipts (from Line 18)	$ 29,826.00	$ 91,887.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 44,009.40	$ 92,212.67
7. Total Disbursements (from Line 28)	$ 43,245.04	$ 91,448.31
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 764.36	$ 764.36
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 40,100.31	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

9 Sep 83

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202-523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3b are obsolete and should no longer be used.

FEC FORM 3X (1982)

ACCT NO	CONTRIBUTOR			DATE	AMOUNT	YTD AGGREGATE
529294	ST. JOSEPH COUNTY REPUBLICANS			7/12/83	2800.00	
	RICHARD IMGRUND			8/24/83	1000.00	
	501 E. HOFFMAN			TOTALS	3800.00**	5000.00*
	THREE RIVERS	MI	49093			
	** COUNTY CHAIRMAN		**			
901114	BERRIEN COUNTY REPUBLICANS			8/23/83	650.00	
	VIRGINIA ANTONSON			TOTALS	650.00**	2650.00*
	5307 SCOTTDALE					
	ST. JOSEPH	MI	49085			
	** COUNTY CHAIRMAN		**			
901030	EATON COUNTY REPUBLICANS			7/28/83	300.00	
	STEPHEN STOHL			9/10/83	510.00	
	527 LONDON DRIVE			TOTALS	810.00**	810.00*
	LANSING	MI	48917			
	** COUNTY CHAIRMAN		**			
901001	HILLSDALE COUNTY REPUBLICANS			7/19/83	1000.00	
	HERBERT HINE			TOTALS	1000.00**	1750.00*
	68 WESTWOOD DRIVE					
	HILLSDALE	MI	49242			
936144	JACKSON COUNTY REPUBLICANS			9/13/83	1875.00	
	JOE FILIP			TOTALS	1875.00**	1875.00*
	330 SEMINOLE PLACE					
	JACKSON	MI	49202			
00036707	MANISTEE COUNTY REPUBLICANS			9/27/83	200.00	
	LEE MAC GREGOR			TOTALS	200.00**	200.00*
	376 SECOND STREET					
	MANISTEE	MI	49660			
			GRAND TOTALS		8335.00**	15935.00*

$335.-

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA | ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report
[ ] July 15 Quarterly Report [X] January 31 Year End Report
[ ] July 31 Mid Year Report (Non-Election Year Only)
[ ] Monthly Report for _____
[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
[ ] Thirtieth day report following the General Election on _____ in the State of _____
[ ] Termination Report

(b) Is this Report an Amendment?
[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-1-83 through 12-31-83		
6. (a) Cash on hand January 1, 19 83		$ 325.67
(b) Cash on Hand at Beginning of Reporting Period	$ 764.36	
(c) Total Receipts (from Line 18)	$ 148,719.26	$ 240,606.26
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 149,483.62	$ 240,931.93
7. Total Disbursements (from Line 28)	$ 114,423.83	$ 205,872.14
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 35,059.79	$ 35,059.79
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 46,772.45	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

2-20-85
Date

For further information contact:
Federal Election Commission
Toll Free 800.424-9530
Local 202 523 4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (2/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 2 for
LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
St. Joseph County Republicans Richard Imgrund 501 E. Hoffman Three Rivers, MI 49093		10-27-83	$1,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 1,000.00		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030		10-04-83	$2,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 2,000.00		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jackson County Republicans Joe Filip 330 Seminole Place Jackson, MI 49202		12-22-83	$625.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 625.00		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Otsego County Republicans Gordon Doule Rt. #1, Box 160 Gaylord, MI 49735		12-08-83	$500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 500.00		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Marquette County Republicans Peggy Frazier 3 Marquette Drive Marquette, MI 49855		12-22-83	$250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 250.00		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Presque Isle County Republicans Mr. R. Wally Peltz P.O. Box 215, 451 Road Rogers City, MI 49779		12-31-83	$300.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 300.00		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Arenac County Republicans Thad Zolka Box 506 Standish, MI 48658		11-28-83	$250.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 250.00		

Subtotal of Receipts This Page (optional) 11,925.00

Total To Date (last page this line number only) 11,925.00

SCHEDULE A

ITEMIZED RECEIPTS

Page ___ of 2 for LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt this Period
A. Sterling Heights Republican Club Marcia Herbst 43451 Vinsetta Sterling Heights, MI 48078 Receipt For: ☐ Primary ☐ General ☐ Other (specify):		12-7-83	$100.00
B. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer / Occupation / Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period

SUBTOTAL of Receipts This Page (optional)	$100.00
Total This Period (last page this line number only)	$5,025.00

OF RECEIPTS AND DISBURSEMENTS

For a [redacted] Committee Other Than an Authorized [redacted]ee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [XX] April 15 Quarterly Report [ ] October 15 Quarterly Report

[ ] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

[ ] Thirtieth day report following the General Election

on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 1-1-84 through 3-31-84		
6. (a) Cash on hand January 1, 19 84	[redacted]	$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 35,059.79	[redacted]
(c) Total Receipts (from Line 18)	$ 213,173.43	$ 213,173.43
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 248,233.22	$ 248,233.22
7. Total Disbursements (from Line 28)	$ 121,750.87	$ 121,750.87
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 126,482.35	$ 126,482.35
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	[redacted]
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	[redacted]

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

Denzil L. Hammond

SIGNATURE OF TREASURER

4-9-84

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202 523-4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (2/80)

95043261 2

SCHEDULE A — ITEMIZED RECEIPTS

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
* Berien County Republican Committee Virginia Antonson 5337 Scottsdale St. Joseph, MI 49085		1-06-84 3-14-84	$650.00* 650.00* (see below)
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,300.00		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
* St. Joseph County Republican Committee Richard Imgrund 501 E. Hoffman Three Rivers, MI 49093		1-30-84	$3,000.00* (see below)
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 3,000.00		

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
* These contributions were deposited into the Federal Account, and since then it has been determined that these committees are no longer Federally reporting. The transfer to correct this transaction will be reported in the July 15 quarterly report, since it was not detected until the first quarter had ended.			
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030		3-13-84	$1,600.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 1,600.00		

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Hillsdale County Republicans Herbert Hine 68 Westwood Drive Hillsdale, MI 49242		2-07-84	$1,200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 1,200.00		

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Ingham County Republicans Dennis Hurst 535 Edison Lansing, MI 48910		3-14-84	$500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 500.00		

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Kent County Republicans Tom Koernke 5650 Foremost Drive, S.E. Grand Rapids, MI 49506		1-30-84	$1,500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$ 1,500.00		

SUBTOTAL of Receipts This Page (optional)	$9,100.00
TOTAL This Period (last page this line number only)	

SCHEDULE A

ITEMIZED RECEIPTS

LINE NUMBER 11:
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Jackson County Republicans Joe Filip 330 Seminole Place Jackson, MI 49202	Name of Employer Occupation	Date (month, day, year) 2-06-84	Amount of Each Receipt this Period $750.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 750.00		
B. Full Name, Mailing Address and ZIP Code Ottawa County Republicans Mr. Dan Krueger 14117 Brooklane Holland, MI 49423	Name of Employer Occupation	Date (month, day, year) 1-10-84	Amount of Each Receipt This Period $500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 500.00		
C. Full Name, Mailing Address and ZIP Code Midland County Republicans Mr. Walter Rupprecht, Jr. 1201 Airfield Lane Midland, MI 48640	Name of Employer Occupation	Date (month, day, year) 3-01-84 3-30-84	Amount of Each Receipt This Period $2,500.00 1,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 3,500.00		
D. Full Name, Mailing Address and ZIP Code 6th Congressional District Republican Committee 2415 Demby Drive Drayton Plains, MI 48020	Name of Employer Occupation	Date (month, day, year) 1-12-84	Amount of Each Receipt This Period $200.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 200.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$		
SUBTOTAL of Receipts This Page (optional)			$4,050.00
TOTAL This Period (last page this line number only)			$14,050.00

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, Michigan 48912

[XX] Check here if address is different than previously reported.

2. FEC Identification Number
C 00041160

3. [ ] This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) [ ] April 15 Quarterly Report [ ] October 15 Quarterly Report

[XX] July 15 Quarterly Report [ ] January 31 Year End Report

[ ] July 31 Mid Year Report (Non-Election Year Only)

[ ] Monthly Report for _____

[ ] Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____

[ ] Thirtieth day report following the General Election on _____ in the State of _____

[ ] Termination Report

(b) Is this Report an Amendment?

[XX] YES [ ] NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 4-1-84 through 6-30-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 126,482.35	
(c) Total Receipts (from Line 18)	$ 308,348.80	$ 521,522.23
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 434,831.15	$ 556,582.02
7. Total Disbursements (from Line 28)	$ 421,455.53	$ 543,206.40
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 13,375.62	$ 13,375.62
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date 7 Sep 84

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202 523-4068

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All previous versions of FEC FORM 3 and FEC FORM 3x are obsolete and should no longer be used.

FEC FORM 3X (3/80)

SCHEDULE A — ITEMIZED RECEIPTS

Page 1 (101)
LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt this Period
A. Full Name, Mailing Address and ZIP Code Manistee County Republican Committee Manistee, MI 49660 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Political committee Occupation Aggregate Year-to-Date—$ 200.00	4-23-84	$200.00
B. Full Name, Mailing Address and ZIP Code Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, MI 49030 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 3,600.00	4-06-84	$2,000.00
C. Full Name, Mailing Address and ZIP Code Lenawee County Republicans Ms. Emily Kackstetter 2649 South Lake Drive Adrian, MI 49221 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 1,800.00	4-02-84	$1,800.00
D. Full Name, Mailing Address and ZIP Code Newaygo County Republicans Graydon Dimkoff 9 East Main Fremont, MI 49412 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 750.00	4-06-84	$750.00
E. Full Name, Mailing Address and ZIP Code Allegan Republican Women's Club KATY EDGERTON, PRES. 413 W. BRIDGE STREET PLAINWELL, MI 49080 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 100.00	5-9-84	$100.00
F. Full Name, Mailing Address and ZIP Code Republican 15th Congressional District Committee - GERALD MC KELVEY 12803 EVELYN COURT BELLEVILLE, MI 48111 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$ 200.00	4-13-84	$200.00
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only) $5,050.00

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

Michigan Republican State Committee

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

00041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☒ October 15 Quarterly Report
☐ July 15 Quarterly Report ☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non-Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☒ YES ☐ NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 7/1/84 through 9/30/84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 13,375.62	
(c) Total Receipts (from Line 18)	$ 343,206.10	$ 864,728.33
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 356,581.72	$ 899,788.12
7. Total Disbursements (from Line 28)	$ 226,495.22	$ 769,701.62
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 130,086.50	$ 130,086.50
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

Denzil L. Hammond
SIGNATURE OF TREASURER

9 Sep '85
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

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All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of -/- for
LINE NUMBER IIIb
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Kent County Republicans 5650 Foremost Drive, S.E. Grand Rapids, MI 49506	Tom Koernke, Chrmn.	9/6/84	$1000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization	Aggregate Year-to-Date—$ 2500.00	

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Jackson County Republicans 330 Seminole Place Jackson, MI 49202	Joe Filip, Chairman	7/9/84	750.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization	Aggregate Year-to-Date—$ 1500.00	

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Livingston County Republicans 570 Chicago Drive Howell, MI 48843	Joseph L. Richards, Chrmn	9/10/84	4350.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation: Political Organization	Aggregate Year-to-Date—$ 4350.00	

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—$	

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—$	

F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—$	

G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation	Aggregate Year-to-Date—$	

SUBTOTAL of Receipts This Page (optional)	
TOTAL This Period (last page this line number only)	$100.00

REPORT OF RECEIPTS AND EXPENDITURES

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☒ Twelfth day report preceding General Election (Type of Election)

election on Nov. 6, 1984 in the State of Michigan

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☐ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-1-84 through 10-17-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 130,086.50	
(c) Total Receipts (from Line 18)	$ 119,720.00	$ 984,448.33
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 249,806.50	$ 1,019,508.12
7. Total Disbursements (from Line 28)	$ 201,279.97	$ 970,981.59
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 48,526.53	$ 48,526.53
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

Denzil L. Hammond

SIGNATURE OF TREASURER

15 Oct 84

Date

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202 523-4068

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FEC FORM 3X (3/80)

SCHEDULE A — ITEMIZED RECEIPTS

Page ____ of ____
LINE NUMBER _____
(Use separate schedule(s) for each category of the Detailed Summary Page)

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Name of Committee (in Full)
Michigan REpublican State Committee

A. Full Name, Mailing Address and ZIP Code Branch County Republicans Howard Carey 195 Robbins Road Burr Oak, Michigan 49030 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation County Chairman Aggregate Year-to-Date—$ 3,850.00	Date (month, day, year) 10-15-84	Amount of Each Receipt this Period 250.00
B. Full Name, Mailing Address and ZIP Code Eaton County Republicans Stephen Stohl 927 London Drive Lansing, Michigan 48917 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation County Chairman Aggregate Year-to-Date—$ 600.00	Date (month, day, year) 10-9-84	Amount of Each Receipt This Period 600.00
C. Full Name, Mailing Address and ZIP Code Oakland County Republicans Joseph K. Knollenberg 245 South Woodward Birmingham, Michigan 48011 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation County Chairman Aggregate Year-to-Date—$ 200.00	Date (month, day, year) 10-5-84	Amount of Each Receipt This Period 200.00
D. Full Name, Mailing Address and ZIP Code Kent County Republicans Tom Koernke 5650 Foremost Grand Rapids, Michigan 49506 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation County Chairman Aggregate Year-to-Date—$ 5,000.00	Date (month, day, year) 10-17-84	Amount of Each Receipt This Period 2500.00
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			3550.00
TOTAL This Period (last page this line number only)			3,550.00

95043326220

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

MICHIGAN REPUBLICAN STATE COMMITTEE

Address (Number and Street)

2121 E. Grand River Avenue

City, State and ZIP Code

Lansing, MI 48912

XX Check here if address is different than previously reported.

2. FEC Identification Number

C00041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☐ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

XX Thirtieth day report following the General Election

on Nov. 6, 1984 in the State of Michigan

☐ Termination Report

(b) Is this Report an Amendment?

XX YES ☐ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10-18-84 through 11-26-84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 48,526.53	
(c) Total Receipts (from Line 18)	$ 162,209.24	$ 1,146,657.57
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 210,735.77	$ 1,181,717.36
7. Total Disbursements (from Line 28)	$ 137,290.67	$ 1,108,272.26
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 73,445.10	$ 73,445.10
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date 2 Dec 84

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

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FEC FORM 3X (3/80)

SCHEDULE A

ITEMIZED RECEIPTS

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Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt this Period
A. Kent County Republican Committee 250 Michigan Street, N.E. Grand Rapids, MI 49503	Occupation: Political organization	10-25-84 11-5-84 10-26-84	$ 500.00 500.00 2,500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 500.00		
B. 14th District Republican Committee P.O. Box 36721 Grosse Pointe, MI 48236	Occupation: Political Organization	11-5-84	$ 500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 500.00		
C. Oakland County Republican Committee 1377 Orchard Lake Road #104 Pontiac, MI 48238	Occupation: Political organization	11-15-84 10-23-84 10-30-84	$ 500.00 2,000.00 500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 3,000.00		
D. Grosse Pointe Women Lynda F. Webster 110 Meadow Lane, Grosse Pte Farms, MI ~~48236~~	Occupation: Political Organization	10-23-84	$ 450.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 450.00		
E. HOUGHTON COUNTY REPUBLICAN COMMITTEE MARILYN JUKURI STURGEON RIVER ROAD CHASSELL, MI 49916	Occupation: Political organization	10-25-84	$ 100.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 100.00		
F. Midland County Republican Committee Robert Walters 1908 IVY LANE, MIDLAND, MI 48640	Occupation: Political Organization	10-25-84	$ 290.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 3,790.00		
G. REPUBLICAN WOMEN'S CLUB HOUGHTON/KEWEENAW MARILYN JUKURE STURGEON RIVER ROAD, CHASSELL, MI 49916	Occupation:	10-25-84	$ 75.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date—$ 75.00		

SUBTOTAL of Receipts This Page (optional) $7,915.00

TOTAL This Period (last page this line number only) . . . . .

SCHEDULE A

ITEMIZED RECEIPTS

Page ___ of ___ for
LINE NUMBER 11b
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
MICHIGAN REPUBLICAN STATE COMMITTEE

A. Full Name, Mailing Address and ZIP Code Women's Republican Club of Indian Village ADDRESS INFORMATION REQUESTED Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year) 10-22-84	Amount of Each Receipt this Period $200.00
B. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date—$	Date (month, day, year)	Amount of Each Receipt This Period

SUBTOTAL of Receipts This Page (optional)	1500.00
TOTAL This Period (last page this line number only)	3,115.00

ALIGN AREA (Summary Page) ALIGN AREA

1. Name of Committee (In Full)

Michigan Republican State Committee

Address (Number and Street)

2121 E. Grand River

City, State and ZIP Code

Lansing, MI 48912

☐ Check here if address is different than previously reported.

2. FEC Identification Number
000041160

3. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report
☐ July 15 Quarterly Report ☒ January 31 Year End Report
☐ July 31 Mid Year Report (Non-Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
☐ Thirtieth day report following the General Election
on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☒ YES ☐ NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 11/27/84 through 12/31/84		
6. (a) Cash on hand January 1, 19 84		$ 35,059.79
(b) Cash on Hand at Beginning of Reporting Period	$ 73,445.10	
(c) Total Receipts (from Line 18)	$ 63,505.00	$ 1,210,162.57
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 136,950.10	$ 1,245,222.36
7. Total Disbursements (from Line 28)	$ 36,854.44	$ 1,155,125.70
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 50,095.66	$ 50,095.66
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 37,704.82	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Denzil L. Hammond
Type or Print Name of Treasurer

SIGNATURE OF TREASURER _____ Date 9 Sep 85

For further information contact:
Federal Election Commission
Toll Free 800 424-9530
Local 202 523 4068

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3 (1-80)

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1
LINE NUMBER 1.b
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)
Michigan Republican State Committee

A. Full Name, Mailing Address and ZIP Code Jackson County Republican Committee P.O. Box 1276 Jackson, MI 49204	Name of Employer Faith Kline, Treasurer	Date (month, day, year) 12/17/84	Amount of Each Receipt this Period $1500.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation Political Organization		
	Aggregate Year-to-Date—$3,000.00		
B. Full Name, Mailing Address and ZIP Code Eaton County Republican Committee Charlotte, MI 48313	Name of Employer Eldon Dymond, Treasurer	Date (month, day, year) 12/14/84	Amount of Each Receipt This Period 400.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$1,000.00 ✓		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date—$		

TOTAL of Receipts This Page (optional)

This Period (last page this line number only)

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FOSTER, SWIFT, COLLINS & SMITH, P.C.

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Jeffrey L. Nyquist
Thomas R. Campbell
Melissa J. Jackson
Mark J. Burzych

Of Counsel
Thomas G. McGurrin, Jr.
Lawrence B. Lindemer

April 30, 1991

91 MAY 10 PM 3:29
RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Mr. John W. McGarry, Chairman
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2581; Michigan Republican State Committee

Dear Mr. McGarry:

Enclosed please find the Supplemental Response by the Michigan Republican State Committee to the General Counsel's Brief. Please call if you have any questions.

Very truly yours,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

David W. McKeague

David W. McKeague

DWM/EED/lbo
Enclosure
cc (w/enclosure)
Anne A. Weissenborn
David J. Doyle
Sue E. Wadel
Ronald D. Dahlke
Harold Schuitmaker

SUPPLEMENTAL RESPONSE BY THE MICHIGAN REPUBLICAN STATE COMMITTEE TO THE GENERAL COUNSEL'S BRIEF

RESPONDENTS: Michigan Republican State Committee
Ronald D. Dahlke, as Treasurer

MUR 2581

By: David W. McKeague (P17459)
Eric E. Doster (P41782)
FOSTER, SWIFT, COLLINS & SMITH, P.C.
313 South Washington Square
Lansing, Michigan 48933
Telephone: (517) 371-8100

Dated: April 30, 1991

9504336327

SUPPLEMENTAL RESPONSE BY
THE MICHIGAN REPUBLICAN STATE COMMITTEE
TO THE GENERAL COUNSEL'S BRIEF

RESPONDENTS: Michigan Republican State Committee MUR 2581
Ronald D. Dahlke, as Treasurer

I. INTRODUCTION

This supplemental response is submitted by the Michigan Republican State Committee ("MRSC") in reply to the General Counsel's Brief dated January 23, 1991 (hereinafter referred to as the "General Counsel's Brief"), concerning MUR 2581. The General Counsel's arguments concerning the MRSC's 1984 use of MICHLIST and the voter identification program ("VIP") indicate that the General Counsel clearly does not understand how these programs operate.

The MRSC developed the in-house voter file called MICHLIST in 1984 due to the fact that listings of registered voters were not available through any vendor. Names of 1,080,272 voters were transferred from the main MICHLIST file to the VIP.

The VIP was established for the purpose of identifying voter intent. Registered voters were contacted by telephone and asked how they intended to vote in five separate elections within each congressional district. The inquiries were reduced to four elections mid-way through the program as calling for Jack Lousma, a United States Senate candidate, was discontinued. The responses were noted and re-entered into the VIP file for further use by the MRSC and individual candidates.

Candidates named in the VIP telephone survey did not participate in any manner in the development or operation of the program. Responses of those surveyed in the VIP were made available to candidates in the form of "products" for which they were charged the normal rate for production including a $250 set-up fee and $10/M and $11/M for printing lists and labels. Tapes were never made available to candidates.

The MRSC continues to assert that it is not required to include any developmental costs of MICHLIST beyond those already included in the allocation base of the VIP. The MRSC takes this position for the following reasons:

1. The "list cost and set-up fee" approach set forth on page 6 of the General Counsel's Brief does not accurately reflect the operation of the program.

2. The MRSC has already included significant acquisition, printing and data processing costs in the allocation base. These costs represent the same payments for services that the General Counsel seeks to include through the "list cost and set-up fee" approach.

The MRSC's position will be discussed in more detail below.

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II. ALLOCATION BASE FOR VIP

The General Counsel has indicated that the standard for allocation in the present case is as follows:

> ". . . what the candidate committees, which benefited from the 1984 VIP and GOTV programs, would have had to expend if they had chosen to obtain relevant portions of the MICHLIST directly." General Counsel's Brief, p. 6.

The General Counsel's conclusion is without legal basis. Not only does this approach completely ignore the circumstances of this program but it also disregards historical support for the unique and desirable role of a state party committee to conduct programs on behalf of multiple candidates.

The MRSC does not dispute that the standard of allocation to candidates should be the benefit derived by the candidates; however, the benefit must be equal to the actual cost of the program conducted. Contrary to the General Counsel's assertion, such costs are ascertainable when defined in the context of "set-up and print production." Furthermore, the MRSC does not dispute that the expenses associated with acquiring the names from MICHLIST and their subsequent incorporation in VIP should be included in the VIP allocation base. The MRSC has, in fact, done so.

The MRSC has allocated the costs associated with MICHLIST in accordance with the method approved by the Federal Election Commission in MUR 2215.[1] In MUR 2215, the Federal Election Commission adopted the position that the benefit to the candidate is measured by the normal and usual charge in the industry for the purchase of voter lists. Any further inquiry as to whether an individual candidate would have incurred a cost

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[1]/MUR 2215 is set forth in more detail on pages 6-9 of the Response by the Michigan Republican State Committee to the General Counsel's Brief dated April 18, 1991.

different than the actual cost incurred by the MRSC is not required by MUR 2215.

In the present situation, all expenses associated with the development of the base file have been excluded from the allocation; however, all expenses incurred to acquire the voter names from the base MICHLIST file and incorporate them in the format required for the VIP have been included at a fair and reasonable rate.

The General Counsel has not disputed that the amounts charged were fair and reasonable. In fact, the General Counsel has embraced those costs and used them as the basis for the "rental" theory of allocation. See General Counsel's Brief, pp. 5-7.

Conversely, the General Counsel is advocating the hypothetical position that the developmental costs for VIP should be calculated as if incurred by an individual candidate, not the costs actually incurred by the MRSC. The General Counsel's position establishes a new definition of "benefit" with broader implications than just the purchase of names for a voter identification program. Utilizing the General Counsel's "benefit" analysis, the MRSC would be required to allocate as an in-kind contribution the amount a candidate would have had to pay for printing of a brochure rather than what the MRSC actually paid taking into account any volume discount or the inclusion of multiple candidates. Such a requirement is overly burdensome and

could result in wholesale unintentional violations of the Federal Election Campaign Act. In this regard, the General Counsel's position leaves unanswered the following question: How does a committee know when it truly has allocated a "reasonable" cost to a particular candidate committee? If the costs to be allocated to a candidate are not the actual costs to a committee, a committee will never be able to allocate a cost to a particular candidate committee without the threat of being second-guessed later by the Federal Election Commission.

Accordingly, the General Counsel's broad and nebulous interpretation of the "benefit" standard is arbitrary and will leave the MRSC without sufficient guidance in order to comply with the Federal Election Campaign Act. Therefore, any "benefit" allocated to candidates in this matter should be the actual costs expended by the MRSC.

III. ALLOCATION OF VIP COSTS TO CANDIDATES

The MRSC has in its allocation base included the entire cost of setting up and operating the VIP. In the course of responding to the General Counsel's Brief, the MRSC has determined that it had expended $2,803.05 in costs to extract the original names from MICHLIST for VIP. This cost has not been previously allocated and represents the production of three magnetic tapes with $250 set-up fees, $1.50/M select fee, $.35/M copy fee and $25 tape charge.

The General Counsel has included in the base that cost which would be charged to an individual candidate to receive lists for telephone purposes from MICHLIST (i.e., $250 set-up and $10/M). In total, the General Counsel estimates that approximately $35,000 under this "rental" theory would be added to the total allocation base for VIP. General Counsel's Brief, pp. 6-7.

The VIP was a separate program and the principal vendor was Technicom Graphics. The original selection of names from the main MICHLIST file were purchased from Market Opinion Research (MOR). In an effort to compare the "developmental cost described as set-up and production fees" by the General Counsel and the MRSC's actual allocated costs, the MRSC offers the following:

1.	Initial Programming/Set-Up	$8,550.00
2.	Data Processing (entry of names into file $14.00/M)	15,168.68
3.	Printing of Telephone Lists/Forms ($70/M)	4,244.73
4.	Costs to extract original universe	2,803.05
TOTAL:		$30,766.46

Using the MRSC's analysis above of the costs already allocated to or to be allocated,[2] the Reagan-Bush share is $5,691.79. The allocation previously submitted by the General Counsel for the Reagan-Bush Committee based upon the 9 1/2% method was $5,416.94. General Counsel's Brief, p. 6.

2/Originally the $2,803.05 was not in the MRSC allocation but the MRSC is willing to include this amount for the original generation of the names for VIP.

While these two allocations were reached by different methods, the General Counsel and the MRSC have arrived at essentially the same allocation amount for VIP. The General Counsel using the 9 1/2% method actually allocates $274.85 less on the state-wide Reagan-Bush allocation than the MRSC on the basis of treating MICHLIST as a separate vendor and allocating all developmental costs including the original purchase of the names from the MICHLIST file. The result clearly indicates that the MRSC has in good faith included a substantial expense at the normal and usual charge for items identified by the General Counsel as "developmental expenses."

Adoption of this type of approach provides guidance to the MRSC in the future as to the allocation requirements under the law. If MICHLIST is treated as an individual vendor and the purchase of names from the lists are made at normal and usual rates, then the MRSC has a situation similar to its own position with other list vendors. This approach is consistent with the approach that the Federal Election Commission adopted in MUR 2215 and meets due process requirements.

IV. CONCLUSION

For the reasons set forth herein, the MRSC submits that probable cause to believe findings concerning the various allegations in the General Counsel's Brief would be unwarranted.

Respectfully submitted,

FOSTER, SWIFT, COLLINS & SMITH, P.C.
Attorneys for the Michigan
Republican State Committee

Dated: April 30, 1991

By: David McKeague

David W. McKeague (P17459)
Eric E. Doster (P41782)

313 South Washington Square
Lansing, Michigan 48933
Telephone: (517) 371-8100

MRSC/SUPP/RESPONSE
239;EED/DOCS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 29, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael Carabio, President
Market Opinion Research, Inc.
243 W. Congress
Detroit, MI 48226

RE: MUR 2581

Dear Mr. Carabio:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. In connection with an ongoing investigation the Commission requests that Market Opinion Research provide answers to the enclosed questions. The Commission does not consider your company a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

JM Noble (AW)

Lawrence M. Noble
General Counsel

Enclosure

Interrogatories

9504326776

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

INTERROGATORIES

TO: Michael Carabio, President
Market Opinion Research, Inc.
243 W. Congress
Detroit, MI 48226

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request.

INSTRUCTIONS

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from June, 1984 to present.

The following interrogatories are continuing in nature so as to require you to file supplementary responses or amendments

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during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"MOR" shall mean Market Opinion Research, Inc.

"MRSC" shall mean the Michigan Republican State Committee.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

QUESTIONS

1. It is the understanding of the Commission that in 1984 MOR entered into a contract with the Michigan Republican State Committee ("MRSC") to develop and prepare an annotated list of Michigan registered voters referred to thereafter as the "MICHLIST." For this undertaking MRSC paid MOR the sum of $282,000.

It is further the understanding of the Commission that the MICHLIST contains political, geographic, and demographic information on every registered voter in the state of Michigan,

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that this list is owned by MRSC, and that it is housed with MOR. In the summer or autumn of 1984 approximately 1,080,272 names (17% of the total) were extracted from the MICHLIST in computer tape form for the MRSC's voter identification and get-out-the-vote programs on behalf of federal, state and local candidates. The costs paid by MRSC to MOR for the three magnetic tapes produced totaled $2,803.05, whih included $250 set-up fees, a $1.50/M select fee, $.35/M copy fee and $25 tape charge.

It is also understood that MOR has made portions of the MICHLIST available at various times to both MRSC and to third parties, and that MRSC and the third parties were initially charged a set-up fee of $250 plus $10/M names for lists and $11/M names for labels. In 1986 the set-up fees were changed to $200, while in 1988 these fees were $190; however, the charges per thousand names remained the same. During this period Technicom Graphics also had access to the list which it made available to other parties. The fees charged to third parties by MOR for portions of the MICHLIST were not transmitted either wholly or in part to MRSC, but rather covered the cost of extracting the data requested.

a. Please state whether the information outlined above is an accurate description of the relationships of MRSC and MOR to the creation, housing and rental of the MICHLIST. If any misstatements of fact are included, please supply corrections.

b. To the best of your knowledge, please explain the role of Technicom Graphics in the 1984 MRSC voter registration and get-out-the-vote programs. Please also explain the nature and extent of Technicom Graphics access to the MICHLIST in subsequent years and any financial arrangements with MOR regarding Technicom Graphics' apparent rentals or sales of information taken from the MICHLIST.

2. If in 1984 the MRSC had not contracted with MOR for the development of the MICHLIST, and if a state-wide candidate committee, such as a committee supporting a candidate for the United States Senate, had asked for a list comparable to the MICHLIST, what would MOR have charged that candidate for such a list? Please assume for purposes of the answer (1) that MOR would have retained ownership of such a list and (2), in the alternative, that the candidate committee would have become the owner.

3. If in 1984 MOR had been asked by the same candidate committee for a list comparable only to the portion of the MICHLIST actually used by MRSC for its 1984 voter identification and get-out-the vote programs, what would MOR have charged for such a list?

4. Assuming that MOR retained ownership of the list developed in response to the candidate committee's request, would the amount charged a candidate committee by MOR for information from the list

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have included an amount related to the recoupment of the costs of developing the list? If yes, how would such an amount have been calculated?

5. If, in the years since 1984 MOR has realized a profit from the sale of information contained in the MICHLIST, has MRSC shared in such profits?

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 14, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frederick Steeper
Alex Gage
Jack Zandenberg
Market Strategies, Inc.
4000 Town Center #380
Southfield, MI 48075

RE: MUR 2581

Dear Mr. Steeper, Mr. Gage and Mr. Zandenberg:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. In connection with an ongoing investigation the Commission requests that you, as individuals and as a corporation, provide answers to the enclosed questions. The Commission does not consider you respondents in this matter, but, rather, witnesses only. It is the understanding of the Commission that you as individuals were employed at Market Opinion Research, Inc., in 1984 and subsequent years, and were involved in the creation and utilization of the MICHLIST and in the rental or sale of data taken from that list.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

LMNoble (AW)
Lawrence M. Noble
General Counsel

Enclosure
Interrogatories

9504336326411

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

INTERROGATORIES

TO: Frederick Steeper
Alex Gage
Jack Zandenberg
Market Strategies
4000 Town Center #380
Southfield, MI 48075

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request.

INSTRUCTIONS

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from June, 1984 to present.

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The following interrogatories are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named individuals and the corporate entity to whom these discovery requests are addressed, including all officers, employees, agents or attorneys of the latter.

"MOR" shall mean Market Opinion Research, Inc.

"MRSC" shall mean the Michigan Republican State Committee.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

QUESTIONS

1. It is the understanding of the Commission that in 1984 MOR entered into a contract with the Michigan Republican State Committee ("MRSC") to develop and prepare an annotated list of Michigan registered voters referred to thereafter as the "MICHLIST." For this undertaking MRSC paid MOR the sum of $282,000.

It is further the understanding of the Commission that the MICHLIST contains political, geographic, and demographic information on every registered voter in the state of Michigan, that this list is owned by MRSC, and that it is housed with MOR. In the summer or autumn of 1984 approximately 1,080,272 names (17% of the total) were extracted from the MICHLIST in computer tape form for the MRSC's voter identification and get-out-the-vote programs on behalf of federal, state and local candidates. The costs paid by MRSC to MOR for the three magnetic tapes produced totaled $2,803.05, whih included $250 set-up fees, a $1.50/M select fee, $.35/M copy fee and $25 tape charge.

It is also understood that MOR has made portions of the MICHLIST available at various times to both MRSC and to third parties, and that MRSC and the third parties were initially charged a set-up fee of $250 plus $10/M names for lists and $11/M names for labels. In 1986 the set-up fees were changed to $200, while in 1988 these fees were $190; however, the charges per thousand names remained the same. During this period Technicom Graphics also had access to the list which it made available to other parties. The fees charged to third parties by MOR for portions of the MICHLIST were not transmitted either wholly or in part to MRSC, but rather covered the cost of extracting the data requested.

a. Please state whether the information outlined above is an accurate description of the relationships of MRSC and MOR to the creation, housing and rental of the MICHLIST. If any misstatements of fact are included, please supply corrections.

b. To the best of your knowledge, please explain the role of Technicom Graphics in the 1984 MRSC voter registration and get-out-the-vote programs. Please also explain the nature and extent of Technicom Graphics access to the MICHLIST in subsequent years and any financial arrangements with MOR regarding Technicom Graphics' apparent rentals or sales of information taken from the MICHLIST.

2. If in 1984 the MRSC had not contracted with MOR for the development of the MICHLIST, and if a state-wide candidate committee, such as a committee supporting a candidate for the United States Senate, had asked for a list comparable to the MICHLIST, what would MOR have charged that candidate for such a list? Please assume for purposes of the answer (1) that MOR would have retained ownership of such a list and (2), in the alternative, that the candidate committee would have become the owner.

3. If in 1984 MOR had been asked by the same candidate committee for a list comparable only to the portion of the MICHLIST actually used by MRSC for its 1984 voter identification and get-out-the vote programs, what would MOR have charged for such a list?

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4. Assuming that MOR retained ownership of the list developed in response to the candidate committee's request, would the amount charged a candidate committee by MOR for information from the list have included an amount related to the recoupment of the costs of developing the list? If yes, how would such an amount have been calculated?

5. If, in the years since 1984 MOR has realized a profit from the sale of information contained in the MICHLIST, has MRSC shared in such profits?

6. Please explain the present status of the MICHLIST, including whether it is actively being used by MRSC and whether it is being made available to other potential users.

7. Please provide the current address of William McGee, former employee of MOR.

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MARKET OPINION RESEARCH
a MOR•PACE company
31700 Middlebelt Road, Farmington Hills, Michigan 48334 | 313-737-5300

August 15, 1991

Ms. Anne A. Weissenborn
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2581

Dear Ms. Weissenborn:

I am writing in response to the interrogatories we received from the Federal Election Commission dated July 29, 1991. Your communication was addressed to Mike Carabio. Mr. Carabio is no longer President of Market Opinion Research (MOR). I am responding in his place since I have some anecdotal knowledge of the MICHLIST project.

As I explained to you on the phone the other day, MOR no longer has anyone on staff who can provide the information requested in the interrogatories. This is primarily due to the departure of all of the senior staff members who worked on the MICHLIST project. To my knowledge the key individuals involved in MICHLIST were the following:

Alex Gage	Political analyst
Jack Vandenburg	Treasurer
William McGee	Database manager

Mr. Gage and Mr. Vandenburg left MOR in 1989 to form a new company called Market Strategies. They are located in Southfield, Michigan. Their phone number is 313-350-3020. Mr. McGee left MOR in 1990 and is presently employed by a list vendor, I believe, in the D.C. area. I also believe Mr. McGee continues to have a professional relationship with Market Strategies and, therefore, possibly could be reached through them.

I am sorry we can not be more helpful. Please note our change of address for your files.

Sincerely,

James M. Leiman, Ph.D.
Vice President/MOR

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FEDERAL ELECTION COMMISSION
91 AUG 19 AM 10:50

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FEDERAL ELECTION COMMISSION
91 SEP 13 AM 11:13

Market Strategies

September 6, 1991

Mr. Lawrence M Noble
General Counsel
Federal Election Commission
Washington D. C. 20463

91 SEP 17 AM 10:05

MUR 2581

Dear Mr. Noble:

On behalf of Frederick Steeper, Alex Gage and myself, I am responding to your letter of August 15, 1991 concerning the involvement of Market Opinion Research (MOR) in the creation and sale of Michlist.

The three of us are all former employees of MOR and are aware that MOR was under contract to build a voter list of the State of Michigan and to sell services derived from the list. All records of those arrangements remained at MOR when we left the Company. Therefore, we are unable to supply any specific information relating to the questions raised in your interrogatories.

To our knowledge, Michlist and the related services were priced and sold for a profit. We do not, however, have any records to verify this.

Regarding Technicom Graphics, we believe the list was provided to them and others. Also, we do not have any records to verify this.

William McGee is now employed by Campaign Mail & Data. The address is 7700 Leesburg Pike, North Building, Falls Church, VA 22043.

For more specific information regarding Michlist, you should contact Market Opinion Research, 31700 Middlebelt Rd., #220, Farmington Hills, MI 48334.

Sincerely,

Jack Vanden Berg
Principal

1000 Town Center
Suite 1600
Southfield, MI 48075
(313) 350-3020
FAX (313) 350-3023

14099 Farmington Road
Livonia, MI 48154
(313) 261-9550
FAX (313) 261-9557

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 8, 1991

CONFIDENTIAL

William McGee
c/o Campaign Mail & Data
7700 Leesburg Pike
North Building
Falls Church, VA 22043

Dear Mr. McGee:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. In connection with an ongoing investigation the Commission requests that you provide answers to the enclosed questions. The Commission does not consider you a respondent in this matter, but, rather, a witness only. It is the understanding of the Commission that you were employed at Market Opinion Research, Inc., in 1984 and subsequent years, and were involved in the creation and utilization of the MICHLIST and in the rental or sale of data taken from that list.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Interrogatories

9504332618

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 2581

INTERROGATORIES

TO: William McGee

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request.

INSTRUCTIONS

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

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The following interrogatories are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this

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matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

QUESTIONS

1. It is the understanding of the Commission that in 1984 MOR entered into a contract with the Michigan Republican State Committee ("MRSC") to develop and prepare an annotated list of Michigan registered voters referred to thereafter as the "MICHLIST." For this undertaking MRSC paid MOR the sum of $282,000.

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It is also understood that MOR has made portions of the MICHLIST available at various times to both MRSC and to third parties, and that MRSC and the third parties were initially charged a set-up fee of $250 plus $10/M names for lists and $11/M names for labels. In 1986 the set-up fees were changed to $200, while in 1988 these fees were $190; however, the charges per thousand names remained the same. During this period Technicom Graphics also had access to the list which it made available to other parties. The fees charged to third parties by MOR for portions of the MICHLIST were not transmitted either wholly or in part to MRSC, but rather covered the cost of extracting the data requested.

a. Please state whether the information outlined above is an accurate description of the relationships of MRSC and MOR to the creation, housing and rental of the MICHLIST. If any misstatements of fact are included, please supply corrections.

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2. If in 1984 the MRSC had not contracted with MOR for the development of the MICHLIST, and if a state-wide candidate committee, such as a committee supporting a candidate for the United States Senate, had asked for a list comparable to the MICHLIST, what would MOR have charged that candidate for such a list? Please assume for purposes of the answer (1) that MOR would have retained ownership of such a list and (2), in the alternative, that the candidate committee would have become the owner.

3. If in 1984 MOR had been asked by the same candidate committee for a list comparable only to the portion of the MICHLIST actually used by MRSC for its 1984 voter identification and get-out-the vote programs, what would MOR have charged for such a list?

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6. Please explain the present status of the MICHLIST, including whether it is actively being used by MRSC and whether it is being made available to other potential users.

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FEDERAL ELECTION COMMISSION

91 OCT 15 AM 11:37

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OFFICE OF GENERAL COUNSEL
91 OCT 16 AM 11:17

1325 15th Street N.W. Apt 212
Washington, D.C. 20005
October 11, 1991

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble,

The letter is in reply to interrogatories dated October 8, 1991 and addressed to William H. McGee regarding Federal Election Commission investigation MUR 2581.

My employment with Market Opinion Research, Inc. ended on November 10, 1989. At the direction of Market Opinion Research, all project files in my possession were left at Market Opinion Research, with the exception of files necessary to complete a consulting contract with the Connecticut General Assembly regarding legislative and congressional redistricting. Any information that was in my possession regarding any other Market Opinion Research project remained in the files left at Market Opinion Research, and is not at my disposal.

Without the opportunity to refer to these files, I am unable to answer questions regarding events of more than seven years past.

Sincerely,

William H. McGee

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of	)	
	)	
	)	MUR 2581
Michigan State Republican Committee and Ronald D. Dahlke, as treasurer	)	
Republican National Committee and William J. McManus, as treasurer	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 28, 1992, the Commission considered a report submitted by the Office of the General Counsel on January 14, 1992, which contained several recommendations for Commission action with regard to the issues being addressed in the above-cited enforcement matter. The Commission voted to return the report to this Office for consideration of issues discussed at that meeting. The following is a report containing revised recommendations and a proposed conciliation agreement.

II. ANALYSIS

A. Violations of 2 U.S.C. § 441a(f)

1. VIP and GOTV Programs

The apparent violations by the Michigan Republican State Committee ("MRSC") of 2 U.S.C. § 441a(f) arise in part out of expenditures made by the MRSC in connection with its 1984 voter registration ("VIP") and get-out-the- vote ("GOTV") programs which benefited federal, state and local candidates in the Michigan general elections. The MRSC allocated most of these VIP and GOTV costs to the candidates benefited and received reimbursements from many, although not all, of the candidate committees. While the

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MRSC and the Commission are in agreement as to the appropriate allocation amounts for most of the expenditures, disagreements have continued as to certain MRSC outlays.

a. **MICHLIST**

As discussed in this Office's report of January 14, 1992, one continuing disagreement has been over the Commission's inclusion as allocable VIP and GOTV expenditures of the MRSC's $282,000 expenditure in 1984 for the development of a new computerized list of registered voter households in Michigan. This MICHLIST, which was developed for MRSC by Market Opinion Research ("MOR"), was used in part for the MRSC's 1984 VIP and GOTV programs.

MRSC retained ownership of the MICHLIST. In 1984 any committee or other entity wishing to obtain portions of the MICHLIST for its own use was required to seek permission from the MRSC before MOR would release the names. Each approved buyer then paid MOR a set-up fee of $250 plus $10 per thousand names for lists or $11 per thousand names for labels. If the MRSC wished to utilize portions of the list, it too paid MOR at a similar basic rate, although the fact that MRSC received the names on tape resulted in somewhat lower charges. Each payment to MOR for use of the MICHLIST, or portions thereof, covered only the costs of retrieving the names from the master list.

List rental payments normally include sums designed to offset the costs of creating and maintaining the list which have been incurred by the list vendor, plus profit to that vendor. Payments to MOR for MICHLIST use, however, did not include a rental cost covering the value of the list to the purchasers. Nor has the

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MRSC received from MOR a share of the $250 plus $10 or $11 per thousand names charged for access to portions of the list. Thus, there was no mechanism whereby the MRSC recouped any of the $282,000 paid for the development of the MICHLIST. Nor has the MRSC allocated any such rental costs to the candidates involved in the VIP and GOTV programs in 1984. Rather, the list was and apparently still is considered by the MRSC to be a capital asset comparable to a piece of equipment which is available for use by candidates or other committees who are charged only for the immediate costs associated with such use, not for the value of the asset itself to those particular candidates or committees.

MRSC has argued, inter alia, in its brief and earlier that this list not only constitutes a non-allocable capital asset of that committee, but that also it was not developed on behalf of a clearly identified candidate, that there is no accurate way to allocate the costs of developing such a list at the beginning of a list's existence, and that, in the absence of a Commission regulation setting out a formula for such allocation, committees will be discouraged from embarking upon programs like those undertaken by the MRSC in 1984 because of uncertainties as to the allocations of costs which will be required after the fact. The MRSC has volunteered that it has failed until recently to allocate $2,803.46 which it paid to MOR in 1984 to cover the extraction of

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the portions of the MICHLIST used for the VIP and GOTV programs.[1] MRSC is willing to add the above $2,803.46 to the total amount to be allocated, but maintains its resistance to the allocation of any portion of costs related to developing the MICHLIST itself.

2 U.S.C. § 431(8) and (9) and 11 C.F.R. §§ 100.7(a)(1) and 100.8(a)(1) define "contribution" and "expenditure" as including any "gift, . . ., loan, . . . or anything of value made by any person for purposing of influencing any election for Federal office. . . . " 11 C.F.R. §§ 100.7(a)(1)(iii)(A) and 100.8(a)(1)(iv)(A) define "anything of value" to include all in-kind contributions and states that "the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a [contribution or expenditure]." 11 C.F.R. §§ 100.7(a)(1)(iii)(B) and 100.8(a)(1)(iv)(B) define "usual and normal charge" for goods as "the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution or expenditure." Pursuant to 11 C.F.R. § 106.1, the value of an in-kind contribution depends upon the benefit "reasonably expected to be derived" by the recipient committee.

MRSC's arguments ignore the fact that, absent the development of the MICHLIST, any candidate committee wishing to undertake a VIP and/or GOTV program on its own would have had to make

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1. This figure is made up of fees of $250 each for the set-up of three magnetic tapes, a $1.50/M select fee, a $.35/M copy fee and a $25 tape charge. The other data processing costs have already been included in the allocation figures agreed upon by the MRSC and the Commission.

expenditures either for the creation of a comparable list or for use of an existing one. The amount of such expenditures would have depended upon the market value of such a list as of the date purchased or developed, any future uses not withstanding and regardless of whether the list was initially developed on behalf of a clearly identified candidate. Such market value, as discussed above, would have reflected costs to the vendor plus profit.

By creating the MICHLIST and using it on behalf of specific candidate committees in 1984, the MRSC provided those committees with a highly valuable commodity for which they were allocated only the costs associated with retrieval, not rental costs reflecting the value of the list. Thus the MRSC made in-kind contributions to the committees benefited by the 1984 VIP and GOTV programs in the form of the unreimbursed value to those committees of the portions of the MICHLIST used for those programs. Such value should have been based upon the charges which one or a group of the benefited committees would have had to pay to secure a comparable list on their own initiative(s).

Given the passage of eight years since the creation and first utilization of the MICHLIST, it is no longer possible to establish the actual rental value of the list to the candidates benefited by the VIP and GOTV program. Therefore, as earlier directed by the Commission, this Office has allocated 8 1/2% of the $282,000 in MICHLIST development costs based on the following rationale.

The benefit received by the candidate committees from the MRSC's provision of the MICHLIST for the 1984 VIP and GOTV

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programs consisted of indirect access to certain numbers of names of potentially sympathetic voters in each candidate's district. The MRSC has stated that 17% of the names on the MICHLIST in 1984 were on the lists used for the VIP and GOTV programs. Further, it is reasonable to assume that each of these names has been included at least once during or since 1984 on other lists extracted from the MICHLIST, thus cutting at least in half the amount of the development costs related to the 17% used in 1984 for the VIP and GOTV programs which should have been included in the rental value of the list and thus which should be allocated to those programs.[2] There is, therefore, a rational basis for employing a formula of 1/2 of the percentage of the names used for the VIP and GOTV programs in 1984 to determine the total amount of allocable MICHLIST development costs. The resulting percentage of names is 8 1/2% of the total MICHLIST. The allocable figure becomes $23,970, or 8 1/2% of $282,000, which is then divisible among the benefited committees in proportion to the numbers of calls made and to the number of committees involved in each district.

2. GOTV Telephone Costs

The MRSC has not included in its allocation of GOTV expenditures the full costs of a telephone bank which utilized the services of both volunteers and paid staff. These costs totaled

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2. For example, as noted in Footnote 2 of the General Counsel's Brief sent the MRSC, in 1984 the MRSC sent out mass mailings on behalf of candidates; the 985,630 labels used for these mailings included approximately 192,552 from the subset of the MICHLIST used for the VIP program. Of approximately 3,095,346 labels used for mailings on behalf of candidates for state legislative seats, 1,809,190 were consistent with the VIP subset.

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$21,000. The Committee argues that 30 of the 130 telephone lines were staffed by volunteers, and that a like percentage of the costs should thus not be allocated.

2 U.S.C. § 431(8)(b)(xii) exempts from the definition of contribution payments by a state party committee of the costs of GOTV activities on behalf of presidential nominees. 11 C.F.R. § 100.7(b)(17)(v) states that such payments for GOTV phone banks are not contributions so long as they are operated by volunteers.

The type of partial allocation urged by the MRSC is not warranted in light of the statutory history of 2 U.S.C. § 431(8)(b)(xii), and in particular of statements made by former Representative Frank Thompson, then chairman of the House Committee on Administration, in response to a question posed by another member, Representative William Frenzel, during the floor debate on the 1979 amendments to the Federal Election Campaign Act ("the Act") contained in H.R. 5010. Mr. Frenzel's question addressed the issue of whether or not a telephone bank which was "completely conducted by the State or local party and completely operated by volunteers" would be exempt from the definition of contribution if a professional were hired to organize such a phone bank. In his answer Mr. Thompson repeated the phrase "completely operated by volunteers" in confirming that the scenario described would come within the exemption. (Emphasis added.) Cong. Rec. 23815 (1979), reprinted in Federal Election Commission, Legislative History of the Federal Election Campaign Act Amendments of 1979, at 446 (1983).

In their response to the General Counsel's Brief, counsel for the MRSC argue for a division of the $21,000 on the basis of the

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percentages of volunteers (23%) versus paid staff (77%) involved in operating the phone bank, resulting in an assertedly non-allocable amount totaling $4,830 and a allocable amount of $16,170. Counsel argue that neither the Federal Election Campaign Act ("the Act") nor the regulations "prevent" such an interpretation, that "the remarks of a single legislator, even an influential one, are not controlling," and that "any ambiguities in the Act must be 'liberally interpreted in favor' of the MRSC."

Counsel cite judicial precedents for the latter two arguments. The first case noted, General Electric Company v. United States, 610 F.2d 730 (Ct Cl, 1979), in turn cites Chrysler Corp. v. Brown, 441 U.S. 281 (1979), as the basis for the statement that remarks of a single legislator are not controlling in "analyzing legislative history." In Chrysler the issue before the Court was the relationship between two statutes; the Court found that a statement by a legislator regarding that relationship during debate "must be considered with the Reports of both Houses and the statements of other Congressmen . . . ." In General Electric the court addressed the issue of whether specific legislation permitted the Secretary of the Treasury to vary the foreign tax credit rules. Finding the legislative history of the statute at issue to have been "sketchy and ambiguous," the Court stated that only one Senator had made any extended remarks, and that these remarks "were helpful in illuminating the Congressional understanding of what adjustments the Treasury could make," but that the Court "could not conclude, based on a single remark in the midst of a complex debate, that Congress intended" a particular outcome. 610 F.2d at 734.

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In the present matter the remarks of Representative Thompson are supported by the words used by Representative Frenzel in formulating his question and by the language of the House Report concerning the bill being addressed. Mr. Frenzel's emphasis upon completely volunteer staffing in the hypothetical situation presented in his question indicates his apparent understanding that anything less than a fully volunteer situation would divert attention from his specific concern, namely the effect of the presence of a paid organizer to run a telephone bank upon the exempt status of that undertaking. Representative Thompson's parallel emphasis upon complete volunteer staffing in his answer reinforces the impression of a mutual understanding that non-volunteer staff would change the equation. The word used by both legislators was "completely", not "largely" or even "partially."

The House Report stated,

> The committee recognizes that phone banks are an integral part of legitimate registration and get-out-the-vote efforts. The costs of such phone banks, when paid for out of State or local party funds, when conducted by the state or local party, and when utilizing volunteer workers, are intended to be part of the exemption from 'contribution.' However, the use of commercial phone organizations or operations is not.

H. Rep. No. 96-422, 96th Cong., 1st Sess. 10 (1979), reprinted in Legislative History, at 194 (1983).

When introducing H.R. 5010 on the House floor, Representative Thompson emphasized, inter alia, that this bill contained a "new provision pertaining to political parties" to

> allow a State or local committee of a political party to purchase, without limit, campaign materials used in connection with volunteer activities on behalf of a candidate . . . .

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> A similar exemption would be created to allow State and local party committees to engage in certain voter registration and get-out-the-vote activities on behalf of the nominees of such party for President and Vice-President.

Cong. Rec. 23813 (1979), reprinted in Legislative History, at 444. Later during the floor debate, in a continuation of his response to Mr. Frenzel's question cited above, Mr. Thompson stated,

> And my esteemed colleague is also correct that the committee's intent in creating this registration and get-out-the-vote exemption, and the so-called buttons and bumpersticker exemption . . ., was to help State and local political parties play a much needed larger role in the political process through the increased use of volunteers.

Cong. Rec. 23815 (1979), reprinted in Legislative History, at 446.

It is clear from both the House Report and from Representative Thompson's remarks that the purpose of the voter registration and GOTV exemption was to encourage the involvement of volunteers in state and local party activities. This purpose is at the heart of the colloquy between Representatives Frenzel and Thompson outlined above, and explains their emphasis upon the completely volunteer staffing of the hypothetical situation addressed in their discussion. Therefore, the legislative history of the 1979 amendments strongly supports the position that in order for a telephone bank to be exempt from the definition of "contribution" or "expenditure" the telephones must be staffed entirely by volunteers, although a paid coordinator would be permitted.

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Regarding the argument that "any ambiguities in the Act must be 'liberally interpreted in favor' of the MRSC," it should be noted that the case cited by counsel in support of this proposition, United States v. Hankin, 607 F.2d 611 (3rd Cir. 1979), concerned the proper application of the Act's criminal statute of limitations. The Hankin court relied in turn upon Waters v. United States, 328 F.2d 739 (10th Cir. 1964), another criminal statute of limitations case. Hankin did not establish any general rule of interpretation of the Act beyond the criminal statute of limitations issue. The present matter does not involve criminal allegations or statutes of limitations; hence, Hankin is inapplicable.

Further, the Supreme Court has held that the appropriate test of the Commission's construction of a statute is whether that construction was "'sufficiently reasonable' to be accepted by a reviewing court." Federal Election Commission v. Democratic Senatorial Campaign Committee, 454 U.S. 27, 39 (1981), citing Train v. National Resources Defense Council, 421 U.S. 60, 75 (1975), and Zenith Radio Corp. v. U.S., 437 U.S. 443,450 (1978). The test of reasonableness includes consistency with "any discernible purpose of the Act." FEC v. DSCC, at 41. As emphasized above, a central purpose of the state party exemption for voter registration and GOTV activities was to encourage the involvement of volunteers. Thus the requirement that telephone banks be totally staffed by volunteers in order to qualify for exemption from the definitions of contribution and expenditure is completely consistent with the purpose of the legislation involved.

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3. $15,035.44 in Other Expenditures

This Office and the MRSC are in agreement that the original figure of $15,035.44 for additional allocable expenditures should be reduced to $5,522.58. See General Counsel's Brief at page 9.

4. Affiliation of MRSC and Local Committees

The Act provides that all contributions made by political committees established, financed, maintained or controlled by the same group of persons shall be considered to have been made by one political committee. 2 U.S.C. § 441a(a)(5). The Act also provides, as an exception to this general rule, that all contributions made by a national party committee and by a state party committee are not to be considered as coming from a single committee. 2 U.S.C. § 441a(a)(5)(B). This exception does not extend to the relationship of a state party committee and any local party committees.

Affiliation of a state party committee and a subordinate party committee is presumed, although the presumption may be overcome if (1) the political committee of the party unit in question has not received funds from any other political committee established, financed, maintained, or controlled by an party unit and (2) the political committee of the party unit in question does not make its contributions in cooperation, consultation or concert with, or at the request or suggestion of, any other party unit. 11 C.F.R. § 110.3(b)(3). Both conditions must be met in order for the presumption of affiliation not to stand.

The Commission's regulations also permit unlimited transfers between committees of the same party, whether or not they are

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political committees under the Act and whether or not they are affiliated. 11 C.F.R. § 102.6(a)(1)(ii)

In the General Counsel's Brief, this Office asserted the affiliation of the MRSC and the local party committees which made contributions to federal candidates benefited by the VIP and GOTV programs in 1984. This affiliation was a result of the movements of funds between these committees, particularly from the local committees to the state party. In their reply briefs, counsel for MRSC argue that the MRSC and the county committees which made contributions to federal candidates in 1984 were not affiliated and that they therefore did not share single contribution limitations.

Counsel rely in large part upon Advisory Opinion 1978-9 in which the Commission found that the Republican State Committee of Iowa and certain Republican county committees were not affiliated. Counsel cite in particular the statements in the Advisory Opinion that each Iowa county committee elected its own officers and its own constitution and bylaws; that the Iowa state committee did not control or influence the county committees' expenditures and contributions; that the state committee assigned percentages of its budget to counties, not county committees; that the bulk of the state committee's receipts came from individuals, not county committees; and that the county committees received no funds from the state committee. Counsel also point to 11 C.F.R. § 102.6(a)(1)(ii), arguing that "[u]nder the General Counsel's contention, the phrase 'whether or not such committees are affiliated' . . . would not exist since the mere 'movement of

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monies' automatically means that the committees are affiliated. Therefore, the General Counsel's 'movement of monies' argument contradicts the express language of 11 C.F.R. § 102.6(a)(1)(ii)."

Counsels' reliance upon AO 1978-9 does not take into account an important factual difference between the financial relationship of the Iowa Republican state committee and the local party committees addressed in that opinion and the relationship in 1984 of the MRSC and the local committees whose contributions are here at issue. According to the factual discussion in AO 1978-9, the Iowa county committees had sent funds from their treasuries to the state committee, but the latter did not deposit those funds into its federal account. Rather, the state committee relied upon an income tax check-off system whereby taxpayers could designate a dollar of their tax payments for the political party of their choice. In the Michigan situation, the MRSC concedes that in 1984 a total of $38,765 in MRSC federal account receipts came from county Republican committees. This sum included payments to the MRSC by the particular county committees whose contributions to Republican federal candidates have been added to those of the MRSC in the present matter. Thus the Iowa scenario did not include the transfers of funds from the local committees to the state committee's federal account which are present in the Michigan situation.

AO 1978-9 also addressed the issue of whether the presumption of affiliation of state and local party committees extends to local committees which are not political committees pursuant to 2 U.S.C. § 431(4). The Commission determined that the presumption

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applies only to party entities which are political committees. Thus, the provision at 11 C.F.R. § 102.6(a)(1)(ii) for unlimited transfers between a state party committee and unaffiliated subordinate party committees addresses the relationship of a state committee with local committees which have not made contributions to federal candidates, or made or received transfers to or from other party committees for purposes of influencing federal elections, in sufficient amounts to qualify as political committees. See 11 C.F.R. § 102.6(a)(2). If a subordinate party committee becomes a political committee, the fact of any transfers triggers affiliation even though the permissible amount of the transfers remains unlimited.

In 1984 the Lousma for U.S. Senate Committee received $999.99 from the St. Joseph County Republican Committee, $200 from the Hillsdale County Republican Committee, and $1,250 from the Branch County Republicans, for a total of $2,449.99. The Schuette for Congress Committee received $4,300 from the Midland County Republican Party Committee and the authorized committee of Jacqueline McGregor received $850 from St. Joseph and the Eaton County Republican Committee. All of these local party committees were registered as federal committees by the time of the general election campaign in 1984. Thus the presumption of affiliation with the MRSC applies. The transfers of monies by these committees to the MRSC's federal account that same year then become significant in that they prevent the rebuttal of the presumption of affiliation. The result is the requirement that the contributions of these local committees to candidates benefited by the VIP and GOTV programs be included in the totals of MRSC contributions to the same candidates.

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5. Revised Figures - Allocable Costs and Excessive Contributions

2 U.S.C. § 441a(d)(3) imposes limitations upon expenditures which state parties may make on behalf of their party's candidates for the United States Senate and the United States House of Representatives. In 1984 the limitations for state party expenditures on behalf of candidates for the Senate and House in the state of Michigan were $264,700.80 and $20,200 respectively. 2 U.S.C. § 441a(a)(1)(C) limits to $5,000 the amount of direct contributions which a state party committee may make to a candidate committee in a calendar year.

a. Revised Figures - With and Without MICHLIST Development Costs

The following are revised figures for the MRSC's expenditures on behalf of, and contributions to, the three candidate committees cited in the General Counsel's Brief as having benefited from excessive MRSC expenditures for the VIP and GOTV programs. For comparative purposes the two columns represent the figures resulting from the inclusion of 8 1/2% of MICHLIST development costs and those resulting if no such costs are included. These columns both retain the full $21,000 in telephone bank costs and the local party committee contributions included previously, and both include the $2,803.46 in MICHLIST retrieval costs identified by the MRSC.

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	Actual Costs Including 8 1/2% of List Development[3]	Actual Costs Not Including List Development[4]
Lousma for U.S. Senate		
allocated costs VIP/GOTV	$41,172.62[5]	$38,466.27
unused portion § 441a(d) limitation	(4,073.42)	(4,073.42)
reimbursements from candidate committee	(8,000.00)	(8,000.00)
	(6,000.00)	(6,000.00)
	(10,000.00)	(10,000.00)
unreimbursed costs/excessive § 441a(d) expenditures	$13,099.20	$10,392.85
contributions from county party committees	2,449.99	2,449.99
unused portion § 441a(a) limitation	(4,800.90)	(4,800.90)
remaining excessive § 441a(d) expenditures	$10,748.29	$ 8,041.94
Jacqueline McGregor District 3		
allocated costs VIP/GOTV	$ 6,033.77[6]	$ 5,637.16
unused portion § 441a(d) limitation	(2,260.30)	(2,260.30)
unreimbursed costs/excessive § 441a(d) expenditures	$ 3,773.47	$ 3,376.86
contributions from county party committees	850.00	850.00
unused § 441a(a) limitation	(5,000.00)	(5,000.00
remaining excessive § 441a(d) expenditures	($ 376.53)	($ 773.14)

3. Based upon total allocable costs of $450,466.32.

4. Based upon total allocable costs of $420,856.32.

5. 45% of a full share of total allocable costs or 9.14% of total (full share = 20.3%).

6. Total allocable costs times 7.3% (share of inquires per district) divided by 5.45 (5 full shares and one 45% share [Senate]).

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	Actual Costs Including 8 1/2% of List Development	Actual Costs Not Including List Development
Bill Schuette District 10		
allocated costs VIP/GOTV	$6,070.74[7]	$ 5,671.70
unused portion § 441a(d) limitation	(1,790.05)	(1,790.05)
reimbursement from NRSC on behalf of committee	(2,700.00)	(2,700.00)
unreimbursed costs/excessive § 441a(d) expenditures	1,580.69	1,181.65
contributions from county party committees	4,300.00	4,300.00
unused § 441a(a) limitation	(5,000.00)	(5,000.00)
remaining excessive § 441a(d) expenditures	$ 880.69	$ 481.65

The excessive Section 441a(d) expenditures resulting from the inclusion of 8 1/2% of MICHLIST development costs in allocable costs arising from the 1984 VIP and GOTV programs are:

Lousma for U.S. Senate	$10,748.29
Schuette for Congress	880.69
	$11,628.98

The excessive Section 441a(d) expenditures resulting from allocable costs arising from the 1984 VIP and GOTV programs, not including MICHLIST development costs, are:

Lousma for U.S. Senate	$ 8,041.94
Schuette for Congress	481.65
	$ 8,523.59

b. Revised Figures - With and Without Affiliation of Local Party Committees

The excessive Section 441a(d) expenditures resulting from allocable costs, with and without MICHLIST development costs, assuming the affiliation of local party committees discussed above

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7. Total allocable costs times 6.9% (share of inquires per district) divided by 5.12 (4 full shares plus one 45% share [Senate] plus one 67% share [county]).

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are those given in subsection (a) above. If the local party committees were to be found not to have been affiliated with MRSC, the total of excessive Section 441a(d) expenditures would be reduced as follows:

With MICHLIST development costs

Lousma for U.S. Senate	
excessive expenditures	$10,748.29
less local party expenditures	2,449.99
	$ 8,298.30
Schuette for Congress	
excessive expenditures	$ 880.69
less local party expenditures	4,300.00
	$(3,419.31)

Without MICHLIST development costs

Lousma for U.S. Senate	
excessive expenditures	$ 8,041.94
less local party expenditures	2,449.99
	$ 5,591.95
Schuette for Congress	
excessive expenditures	$ 481.65
less local party expenditures	4,300.00
	($ 3,818.35)

The Office of the General Counsel recommends that the Commission find probable cause to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f) by making excessive coordinated expenditures pursuant to 2 U.S.C. § 441a(d).

2. Receipt of Excessive Contributions from Individuals

The MRSC has not contested the Commission's finding of reason to believe that the committee violated 2 U.S.C. § 441a(f) by accepting contributions in excess of the limitations at 2 U.S.C. § 441(a)(1)(A) totaling $5,550 from three individuals. Therefore, this Office recommends that the Commission find probable cause to

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believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions from three individual contributors.

B. Violations of 2 U.S.C. § 434(b) and 11 C.F.R. §§ 102.5 and 103.3: Transfers from the Republican National Committee

In the General Counsel's Brief sent to the Republican National Committee it is concluded that the RNC failed to report $25,000 in contributions sent on to the MRSC from non-Michigan residents as contributions to itself and as transfers to the MRSC in violation of 2 U.S.C. § 434(b)(2)(A) and § 434(b)(4)(C), and that the RNC failed to deposit this $25,000 into a committee account within 10 days of receipt in violation of 11 C.F.R. § 103.3. The General Counsel's Brief sent to the MRSC concluded that committee had failed to report the receipt of the same $25,000 as transfers from the RNC in violation of 2 U.S.C. § 434(b)(2)(F) and had deposited into its federal account another $35,655 not expressly solicited for that purpose in violation of 11 C.F.R. § 102.5.

Although the documentation available does not bear any indication of donor intent that the $25,000 at issue be sent on to the MRSC, this Office acknowledges the difficulties of proof posed by the passage of time. Questions remain as to the extent to which the contributors were aware that "Victory '84" designated a state, not an RNC, undertaking, and the extent to which they were informed in these instances that the Michigan party was to be the ultimate recipient; however, the further expenditure of Commission resources to determine contributor intent seems inappropriate to the magnitude of the apparent reporting violations, particularly since

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the contributions were in fact reported by the MRSC, albeit as coming from the five individuals involved. There also is merit in the MRSC argument that it simply reported the contributions as they were received, i.e., from the individuals, not the RNC.

Because of the remaining uncertainties involving the $25,000 at issue and given the difficulties in resolving those uncertainties, this Office recommends that the Commission take no further action against the MRSC with regard to violation of 2 U.S.C. § 434(b)(2)(F) and no further action against the RNC with regard to violations of 2 U.S.C. § 434(b)(2)(A) and § 434(b)(4)(C) and 11 C.F.R. § 103.3.

As regards the deposit by the MRSC into its federal account of $35,655 received from the RNC, there is evidence in the form of the cover letter which accompanied this transfer (Attachment 1), and in the affidavit provided by Philip Smith during the investigation in this matter, that the RNC intended the MRSC to deposit this amount into its state account. (See General Counsel's Brief sent to MRSC at pages 25-26.) In their responsive brief, counsel for the MRSC have stated that "[i]n 1984 the MRSC reported and deposited these checks in what it felt was the appropriate manner. If the Commission decides that the $35,655 should have been deposited in the MRSC's non-federal account, the MRSC shall willingly cooperate and immediately transfer $35,655 from its federal to its non-federal account." This Office recommends that the Commission find probable cause to believe that the MRSC violated 2 U.S.C. § 102.5 and include in the proposed conciliation agreement a requirement that this sum be transferred to the MRSC's state account.

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D. Violations of 2 U.S.C. § 441b and 11 C.F.R. §§ 102.5 and 102.6: Receipts and Transfers from Unregistered Committees

a. Transfers from Unregistered Party Committees

As explained in the General Counsel's Brief sent to the MRSC, there remains $1,333 in transfers received by this committee from five unregistered committees about which questions remain concerning the sources of the funds used. Counsel for the MRSC acknowledge that Michigan law permits contributions from labor organizations, but rely ultimately upon the argument that given the ideology of the five district and local Republican committees involved, the Commission should accept the contention that the funds used to make the transfers came from permissible sources.

Beyond its general ideological contention, the MRSC has not demonstrated that the $1,333 in transfers from unregistered party committees still at issue came from permissible funds. However, given the amount involved and the difficulties of determining the permissibility of the transfers so long after the fact, this Office recommends that the Commission take no further action as regards violations by the MRSC and Ronald D. Dahlke, as treasurer, of 2 U.S.C. § 441b and 11 C.F.R. § 102.6 in connection with the receipt of transfers from unregistered party committees.

b. Receipts from Unregistered Non-Party Committees

The MRSC also deposited into its federal account a total of $750 from unregistered non-party committees; this amount was later transferred to its non-federal account. As counsel note in their response, four of the five non-party committees involved were separate segregated funds while the fifth was a candidate

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committee. Counsel argue that Michigan law permits separate segregated funds to solicit contributions only from individuals. Further, counsel assert that, while the candidate committee could have accepted contributions from labor organizations, to the best of the MRSC's knowledge the former never received such contributions, a statement which the Commission assertedly should accept because of the candidate committee's political ideology.

Although the MRSC has not provided concrete evidence that the $550 received from the four separate segregated funds was permissible, the fact that Michigan law would have prevented their acceptance of funds which are impermissible under the Act would support a Commission decision not to pursue further these particular contributions. The contribution from the candidate committee still at issue was only $200. Therefore, this Office recommends that the Commission take no further action as regards violations by the MRSC and Ronald D. Dahlke, as treasurer, of 2 U.S.C. § 441b and 11 C.F.R. § 102.5 in connection with the receipt of transfers from unregistered non-party committees.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Require allocation by the Michigan Republican State Committee of 8 1/2% of MICHLIST development costs of $282,000 among committees benefited by 1984 VIP and GOTV programs.

2. Require allocation by the Michigan Republican State Committee of $21,000 in GOTV telephone costs.

3. Determine that the Branch County Republicans, the Hillsdale County Republican Executive Committee, the St. Joseph County Republican Committee, and the Midland County Republican Party Committee were affiliated with the Michigan Republican State Committee for purposes of the contribution and expenditure limitations of the Federal Election Campaign Act.

4. Find probable cause to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5.

5. Take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(F), of 2 U.S.C. § 441b, of 11 C.F.R. § 102.5 as to the receipt of transfers from unregistered non-party committees, and of 11 C.F.R. § 102.6 by the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer.

6. Take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(A) and § 434(b)(4)(C) and of 11 C.F.R. § 103.3 by the Republican National Committee and William J. McManus, as treasurer.

7. Close the file as it pertains to the Republican National Committee and William J. McManus, as treasurer.

8. Approve the attached conciliation agreement and appropriate letters.

2/19/92
Date

Lawrence M. Noble
General Counsel

Attachments
1. Transfer cover letter
2. Conciliation Agreement

assigned: Anne A. Weissenborn

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DONNA ROACH DR
COMMISSION SECRETARY

DATE: FEBRUARY 24, 1992

SUBJECT: MUR 2581 - GENERAL COUNSEL'S REPORT
DATED FEBRUARY 19, 1992

The above-captioned document was circulated to the Commission on Thursday, February 20, 1992 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	XXX
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	_____

This matter will be placed on the meeting agenda for TUESDAY, MARCH 3, 1992.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2581
Michigan State Republican Committee and Ronald D. Dahlke, as treasurer; Republican National Committee and William J. McManus, as treasurer.	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 3, 1992, do hereby certify that the Commission took the following actions in MUR 2581:

1. Decided by a vote of 4-1 to require allocation by the Michigan Republican State Committee of 8 1/2% of MICHLIST development costs of $282,000 among committees benefited by 1984 VIP and GOTV programs.

   Commissioners McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner Elliott dissented; Commissioner Aikens recused herself with respect to MUR 2581 and was not present during its consideration.

(continued)

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2. Decided by a vote of 4-1 to require allocation by the Michigan Republican State Committee of $21,000 in GOTV telephone costs.

Commissioners Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Potter dissented; Commissioner Aikens recused herself with respect to MUR 2581 and was not present during its consideration.

3. Failed in a vote of 3-2 to pass a motion to determine that the Branch County Republicans, the Hillsdale County Republican Executive Committee, the St. Joseph County Republican Committee, and the Midland County Republican Party Committee were affiliated with the Michigan Republican State Committee for purposes of the contribution and expenditure limitations of the Federal Election Campaign Act.

Commissioners McDonald, McGarry, and Thomas voted affirmatively for the motion; Commissioners Elliott and Potter dissented; Commissioner Aikens recused herself with respect to MUR 2581 and was not present during its consideration.

(continued)

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4. Decided by a vote of 5-0 to find probable cause to believe that the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. 441a(f) and 11 C.F.R. § 102.5.

Commissioners Elliott, McDonald, McGarry, Potter, Thomas voted affirmatively for the decision; Commissioner Aikens recused herself with respect to MUR 2581 and was not present during its consideration.

5. Decided by a vote of 5-0 to

a) Take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(F), of 2 U.S.C. § 441b, of 11 C.F.R. § 102.5 as to the receipt of transfers from unregistered non-party committees, and of 11 C.F.R. § 102.6 by the Michigan Republican State Committeee and Ronald D. Dahlke, as treasurer.

b) Take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(A) and § 434(b)(4)(C) and of 11 C.F.R. § 103.3 by the Republican National Committee and William J. McManus, as treasurer.

c) Close the file as it pertains to the Republican National Committee and William J. McManus, as treasurer.

(continued)

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d) Approve the conciliation agreement and appropriate letters as recommended in the General Counsel's report dated February 19, 1992

Commissioners Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner Aikens recused herself with respect to MUR 2581 and was not present during its consideration.

Attest:

3-5-92
Date

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1992

Benjamin L. Ginsberg, Esquire
Republican National Committee
Dwight D. Eisenhower Republican Center
310 First Street, SE
Washington, DC 20003

RE: MUR 2581
Republican National Committee
William J. McManus, as
treasurer

Dear Mr. Ginsberg:

On June 20, 1989, your clients, were notified that the Federal Election Commission had found reason to believe that the Republican National Committee ("the Committee") and William J. McManus, as treasurer, had violated 2 U.S.C. § 434(b)(2)(A) and 2 U.S.C. § 434(b)(4)(C). On November 3, 1989, you submitted a response to the Commission's reason to believe findings as well as responses to the Commission's interrogatories and request for production of documents.

After an investigation was conducted and the General Counsel's and respondents' briefs were considered, the Commission determined on March 3, 1992, to take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(A), 2 U.S.C. § 434(b)(4)(C), and 11 C.F.R. § 103.3 by the Committee and William J. McManus, as treasurer, and to close the file as it pertains to these respondents.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under

2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Anne A. Weissenborn

Anne A. Weissenborn
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 11, 1992

David W. McKeague, Esquire
Eric E. Doster, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, MI 48933-2193

RE: MUR 2581
Michigan Republican State Committee
Ronald D. Dahlke, as treasurer

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Dear Mr. McKeague and Mr. Doster:

On March 3, 1992, the Federal Election Commission ("the Commission") found there is probable cause to believe your clients, the Michigan Republican State Committee ("the Committee")and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the Committee's 1984 VIP and GOTV programs and by accepting excessive contributions from three individuals, and 11 C.F.R. § 102.5, a provision of the Commission's regulations, in connection with the 1984 deposit into the Committee's federal account of $35,655 not expressly solicited for that purpose. In reaching its determination with regard to the violation of 2 U.S.C. § 441a(f), the Commission voted to require the allocation by the Committee of 8 1/2% of MICHLIST development costs of $282,000 among the committees benefited by the 1984 VIP and GOTV programs, and to require the allocation of $21,000 in GOTV telephone costs.

The Commission also voted to take no further action with regard to violations of 2 U.S.C. § 434(b)(2)(F), of 2 U.S.C. § 441b, of 11 C.F.R. § 102.5 as to the receipt of transfers from unregistered non-party committees, and of 11 C.F.R. § 102.6 by the Committee and Ronald D. Dahlke, as treasurer.

The Commission has a duty to attempt to correct violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreement

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Michigan Republican State Committee	)	MUR 2581
	)	
Ronald D. Dahlke, as treasurer	)	

GENERAL COUNSEL'S REPORT

On March 3, 1992, the Commission found probable cause to believe that the Michigan Republican State Committee ("the Committee") and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5, and approved a proposed, amended conciliation agreement. Prior to its determination to find probable cause to believe, the Commission had voted, inter alia, to require allocation by the Committee of 8 1/2% of MICHLIST development costs of $282,000 among committees benefited by the Committee's 1984 VIP and GOTV programs. The approved conciliation agreement reflected this earlier determination.

On May 22, 1992, representatives of this Office met with counsel for the Committee Of primary concern was the issue involving the allocation of MICHLIST development costs. It was agreed that counsel could submit additional information in support of the Committee's position that such an allocation should not be required because the Committee's allocation of 1984 VIP and GOTV costs included the usual and normal costs of access to portions of the MICHLIST. Upon receipt

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of such information this Office will make a further report to the Commission regarding conciliation with the respondents.

6/7/92
Date

Lawrence M. Noble
General Counsel

9504306326333

FOSTER, SWIFT,
COLLINS & SMITH, P.C.
ATTORNEYS AT LAW

RECEIVED
FEDERAL ELECTION
COMMISSION
WASHINGTON
Jul 27 10 43 AM '92

ERIC E. DOSTER

July 24, 1992

92 JUL 27 PM 3:39
FEDERAL ELECTION COMMISSION
RECEIVED

Ms. Anne Weissenborn
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR2581

Dear Ms. Weissenborn:

The purpose of this letter is to confirm our recent conversation that we are still working to obtain the documentation in order to demonstrate that the Michigan Republican State Committee utilized the usual and normal charge for its voter list products in 1984.

Sincerely,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric Doster

Eric E. Doster

lbo

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FOSTER, SWIFT,
COLLINS & SMITH, P.C.
ATTORNEYS AT LAW

AUG 25 9 21

August 25, 1992

Ms. Anne Weissenborn
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Weissenborn:

RE: MUR 2581

As we agreed in our meeting of May 22, 1992 at your office, the Michigan Republican State Committee has obtained Affidavits from various voter list vendors and government officials which demonstrate that the values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products. Thus, as you will recall, the purpose of these Affidavits was to make our situation similar to the circumstances of MUR 2215 involving the development of a voter list by the Missouri State Labor Council.

According to the vendor Affidavits, the values utilized by the Michigan Republican State Committee in 1984 were greater than charged by Technicom Graphics, Inc. in 1984 and substantially greater than currently charged by Strategic Planning Systems, Inc. Moreover, using the City of East Lansing as an example, the price charged in 1984 for the sale of a list of registered voters on magnetic tape (as opposed to the mere use of a voter list), was approximately $1.91\M--substantially below the values utilized by the Michigan Republican State Committee in 1984. Furthermore, all affiants agree that the values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

9504326000

If you have any questions or comments, as always, please do not hesitate to contact me.

Sincerely,

FOSTER, SWIFT, COLLINS & SMITH, P.C.

Eric E. Doster

BY AIRBORNE EXPRESS

EED:clw
Enclosures
cc w/enc: David J. Doyle

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee) MUR 2581
Ronald D. Dahlke, as Treasurer)

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 AUG 26 PM 3:39

AFFIDAVIT

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

THE UNDERSIGNED AFFIANT, being first duly sworn, deposes and says that this Affidavit is made upon personal knowledge of the facts stated herein, and if sworn as a witness, the Affiant can testify competently to the following:

1. I am a principal with Technicom Graphics, Inc. I have worked as a direct mail advertising advisor for the past eight (8) years.

2. Technicom Graphics, Inc. sells voter list products in a number of states, including Michigan.

3. I have been advised that in 1984, the Michigan Republican State Committee utilized the following values for voter list products:

$250 set-up fee
$10\M for printing lists
$11\M for printing labels

4. In 1984, Technicom Graphics, Inc. charged the prices for Michigan voter list products as reflected in the attached fee schedule.

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5. The values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

FURTHER, AFFIANT SAYETH NOT.

Douglas Boehmer

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Subscribed and sworn to me this 14 day of August, 1992.

Eric Doster, Notary Public
Ingham County, Michigan
My commission expires: April 23, 1994

95043263

TECHNICOM GRAPHICS, INC.
100 AMERICAN WAY
DETROIT, MICHIGAN 48209
(313) 842-7090

August 17, 1984

Ms. Jane Hershey
Michigan Republican State Committee
2121 E. Grand River
Lansing MI 48912

Dear Jane,

In order to avoid confusion, here is our separate quote to you for production of lists and labels from the Mich List phone-enhanced file. The assumption in all of these costs is that output will be based on the sample products already supplied to me by MOR.

1) Set-Up fee per batch - $250.00

2) Select records from database - $1.50/M records selected.

3) Sort selected records to desired sequence - $2.00/M.

4) Print Single or Multiple Candidate Phone lists in standard MOR layout - $3.00/M lines printed.

5) Print 4-up cheshire or pressure-sensitive labels - $7.50/M

6) Print 2-part NCR forms $.045 per page additional

7) Print 3-part NCR forms $.06 per page additional

8) Burst and trim forms - $4.00/M

9) Decollate forms - $3.00/M

10) Tape Copies:

    a) Set-Up Charge per order - $200.00

    b) Select records from Database @ $1.50/M

    c) Make tape copies @ $.25/M records with a minimum charge of $50.00

    d) Tape charge - $25.00 per reel.

I hope that the above covers all of the aspects of list production for your Telemarketing records. I would like to make special note of the fact that we will only be equipped to produce Single and Multiple Candidate Phone Lists and Cheshire or Pressure-Sensitive labels from the list, per our

discussion of Wednesday, August 15. I will also be happy to work as closely as necessary with yourself or Donna Gates in planning and implementing ordering procedures for this project.

Thank you once again for giving us the opportunity to work with you. I would like to take this opportunity to mention that I am extremely pleased with the excellent working relationship already established between us, and I look forward to the continuation of this situation in the future.

As always, please do not hesitate to let me know if you have any problems or questions concerning this.

Sincerely,

Douglas A. Boehmer
President

DAB/uk

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee) MUR 2581
Ronald D. Dahlke, as Treasurer)

AFFIDAVIT

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

RECEIVED
FEDERAL ELECTION COMMISSION
92 AUG 26 PM 3:30

THE UNDERSIGNED AFFIANT, being first duly sworn, deposes and says that this Affidavit is made upon personal knowledge of the facts stated herein, and if sworn as a witness, the Affiant can testify competently to the following:

1. I have been a principal with Strategic Planning Systems, Inc. since 1989. I have worked in the political list development field since 1979.

2. Strategic Planning Systems, Inc. sells voter list products in a number of states, including Michigan.

3. I have been advised that in 1984, the Michigan Republican State Committee utilized the following values for voter list products:

$250 set-up fee
$10\M for printing lists
$11\M for printing labels

4. Strategic Planning Systems, Inc. charges the prices for Michigan voter list products as reflected in the attached fee schedule.

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5. The values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

FURTHER, AFFIANT SAYETH NOT.

Michael Dawidziak

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

Subscribed and sworn to me this 19th day of August, 1992.

Eric Doster, Notary Public
Ingham County, Michigan
My commission expires: 4/23/94

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STRATEGIC PLANNING SYSTEMS INC. 1992 PRICE LIST

DATA ENTRY

3 line name and address keypunch only	.065/each
3 line name and address key & verify	.13/each
Voter Update Information Mod 10 # Only	.02/each
Voter Update Information I.D. # + Info	.035/each

DATA PROCESSING

Selects	$25/reel	$50.00 Min.
Tape Conversions		
Programming Simple Conversion	$75/each	
Programming Complex Conversion	$250/each	
Run Charge	$1/M	$50.00 Min.
Sorting		
up to 75,000	$2/M	$50.00 Min.
over 75,000	$1/M	
Householding	$2.75/M	$50.00 Min.
Duplicate Elimination	$1/M	$50.00 Min.
Postal Qualifications	$2/M	$75.00 Min.
Zip Correct, Carrier Route & Zip+4 Code	$4/M	$75.00 Min.
Upper/Lower Case Edit Prepare to Laser	$2/M	$75.00 Min.
Merge/Purge		
up to 500,000	$4/M	$75.00 Min.
500,001-1,000,000	$3/M	$75.00 Min.
over 1,000,000	$2/M	$75.00 Min.
Media Transfer-Mag Tape to Floppy Disk	$15/M	$50.00 Min.
Format for Telephone I.D. Tape	$2/M	$75.00 Min.
Telephone Matching		
New Telephones	$7/M	$75.00 Min.
Verify Existing Telephones	$3.50/M	$75.00 Min.
Ethnic Code	$2/M	$75.00 Min.
Gender Code	$1/M	$75.00 Min.

Impact Printing

Cheshire Labels	$6/M	$50.00 Min.
Pressure Sensitive Labels	$9.50/M	$50.00 Min.
3 x 5 Cards	$15/M	$50.00 Min.
Walk Lists (Not Including Sort)	$4/M	$50.00 Min.
Phone Lists(Not including Cost of Tel#s)	$4/M	$50.00 Min.

Laser Printing

Form Set Up	$150/each	
Laser Images		
up to 5,000	.08/each	$150.00 Min.
5,001-50,000	.07/each	
50,001-100,000	.06/each	
100,001-500,000	.05/each	
over 500,000	.04/each	

Envelope Printing

Letter Quality	.10/each	$75.00 Min.
High Quality Ink Jet	.07/each	$75.00 Min.
High Speed Ink Jet	.04/each	$75.00 Min.
Admark	.01/each	$75.00 Min.

Invoice Minimum-$300.00 Shipping & Taxes Not Included

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RECEIVED
FEDERAL ELECTION COMMISSION
92 AUG 26 PM 3:37

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee) MUR 2581
Ronald D. Dahlke, as Treasurer)

AFFIDAVIT

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

THE UNDERSIGNED AFFIANT, being first duly sworn, deposes and says that this Affidavit is made upon personal knowledge of the facts stated herein, and if sworn as a witness, the Affiant can testify competently to the following:

1. I am the Clerk for the City of East Lansing, Ingham County, Michigan.

2. The City of East Lansing sells lists of registered voters to the general public.

3. I have been advised that in 1984, the Michigan Republican State Committee utilized the following values for voter list products:

$250 set-up fee
$10\M for printing lists
$11\M for printing labels

4. In 1984, the City of East Lansing charged prices for voter lists on magnetic tape as reflected in the attached fee schedule.

In 1984, the price for a magnetic tape of East Lansing's 34,343 registered voters was $65.00.

msd

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5. The values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

FURTHER, AFFIANT SAYETH NOT.

Susan Donnell

Susan Donnell

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

On this 13th day of August, 1992, before me, a notary public in and for said county, personally appeared Susan Donnell, and executed the foregoing instrument and who acknowledged that she executed the same as her free act and deed.

Vicki S. Durr-Marinez, Notary Public
Ingham County, Michigan
My commission expires:

VICKI S. DURR-MARINEZ
NOTARY PUBLIC - INGHAM COUNTY, MICH
MY COMMISSION EXPIRES 06-20-96

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee) MUR 2581
Ronald D. Dahlke, as Treasurer)

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 AUG 26 PM 3:37

AFFIDAVIT

STATE OF MICHIGAN)
) ss.
COUNTY OF EATON)

THE UNDERSIGNED AFFIANT, being first duly sworn, deposes and says that this Affidavit is made upon personal knowledge of the facts stated herein, and if sworn as a witness, the Affiant can testify competently to the following:

1. I am the Deputy City Clerk for the City of Charlotte, Eaton County, Michigan.

2. The City of Charlotte sells lists of registered voters to the general public.

3. I have been advised that in 1984, the Michigan Republican State Committee utilized the following values for voter list products:

$250 set-up fee
$10\M for printing lists
$11\M for printing labels

4. In 1984, the City of Charlotte charged prices for voter lists as reflected in the attached fee schedule.

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5. The values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

FURTHER, AFFIANT SAYETH NOT.

Debbie Granger

Debbie Granger, Deputy City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF EATON)

On this 13th day of August, 1992, before me, a notary public in and for said county, personally appeared Debbie Granger, and executed the foregoing instrument and who acknowledged that she executed the same as her free act and deed.

Irene Jewett

, Notary Public
Eaton County, Michigan
My commission expires: 1-14-96

IRENE JEWETT, Notary Public
Eaton County, State of Michigan
My Commission Expires 01-14-96

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VOTER REGISTRATION FEE SCHEDULE FOR 19[redacted]

The City Charlotte charged $0.10 a sheet plus labor for a complete voter registration list in 1984 which consisted of 4588 names for the August Primary. The total amount at that time was $74.00.

Computer disks were not available, as we were not on a system with that capability in 1984. Therefore, **ONLY** a list of registered voters in the City of Charlotte was available.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee) MUR 2581
Ronald D. Dahlke, as Treasurer)

FEDERAL ELECTION COMMISSION
RECEIVED
92 AUG 26 PM 3:37

AFFIDAVIT

STATE OF MICHIGAN)
) ss.
COUNTY OF CLINTON)

THE UNDERSIGNED AFFIANT, being first duly sworn, deposes and says that this Affidavit is made upon personal knowledge of the facts stated herein, and if sworn as a witness, the Affiant can testify competently to the following:

1. I am the Clerk for Bath Township, Clinton County, Michigan.

2. Bath Township sells lists of registered voters to the general public.

3. I have been advised that in 1984, the Michigan Republican State Committee utilized the following values for voter list products:

$250 set-up fee
$10\M for printing lists
$11\M for printing labels

4. Bath Township currently charges prices for voter lists as reflected in the attached fee schedule.

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5. The values utilized by the Michigan Republican State Committee for voter list products in 1984 constitute the usual and normal charge for such products.

FURTHER, AFFIANT SAYETH NOT.

Kathleen McQueen

STATE OF MICHIGAN)
) ss.
COUNTY OF CLINTON)

On this 14th day of August, 1992, before me, a notary public in and for said county, personally appeared Kathleen McQueen, and executed the foregoing instrument and who acknowledged that she executed the same as her free act and deed.

Thomas E Kung, Notary Public
Clinton County, Michigan
My commission expires: May 26, 1993

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BATH CHARTER TOWNSHIP

SCHEDULE OF FEES

SERVICE	COST OF CITIZEN
Labor cost of searching and reviewing files to delete exempt materials.	First 15 minutes fee. $12.50 per hour, thereafter, to be charged in $1.25 increments every tenth of an hour.
Labor cost of monitoring public review of original files.	Same as above.
Mailing costs includes postage and packaging.	Actual cost.
Photocopying - 8 1/2" x 14" maximum Labor after 1/10 hour	$.25 a page $12.50 an hour $1.25 tenth of an hour.
Fax copies sent	First page - $3.00 Second page - $2.00 Third+ page - $1.00
Fax copies received	$1.00 a page
Assessment cards - Traditional or computer	$1.00 per parcel
Voter Registration computer printout (standard)	$25.00
Customized computer printouts	$60.00 per hour
DEPOSITS	One-half the cost of estimates over $50.

In all instances, money (cash, certified check or money order) must be received before copies are delivered or before searching and reviewing commences if a deposit is required. No services will be provided to persons who owe money to the Bath Charter Township's public record.

10/90

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Michigan Republican State Committee)
Ronald D. Dahlke, as treasurer)

MUR 2581

SENSITIVE

GENERAL COUNSEL'S REPORT OCT 5 1993

EXECUTIVE SESSION

I. BACKGROUND

On March 3, 1992, the Commission found probable cause to believe that the Michigan Republican State Committee ("MRSC") and Ronald D. Dahlke, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f) and 11 C.F.R. § 102.5, and approved a proposed conciliation agreement. (Attachment 1, Exhibit A). The Commission's determinations covered the making of excessive expenditures, pursuant to 2 U.S.C. § 441a(d), on behalf of the Lousma for U.S. Senate Committee, the acceptance of excessive contributions from three individual contributors, and the deposit into the MRSC federal account of a transfer from the Republican National Committee intended for the MRSC non-federal account. The amount of excessive § 441a(d) expenditures on behalf of the Lousma campaign ($8,298) included a sum (approximately $2,200) which represents an allocated portion of expenditures for the development of a list of registered voters, the MICHLIST, used in the MRSC's 1984 voter identification ("VIP") and get-out-the-vote ("GOTV") programs.

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Respondents have engaged primarily in arguments directed at convincing this Office that the Commission's probable cause findings with respect to the MICHLIST issue were in error. Throughout both written and oral discussions with this Office, counsel has emphasized Respondents' position that development of the MICHLIST was "a generic or party organizational expense," "a day-to-day cost of the MRSC," (Attachment 1, page 8) which was not required to be allocated pursuant to 11 C.F.R. § 106.1(c)(1). Counsel also has argued continuously that it will be impossible for the MRSC to know how to allocate such costs in the future when a list has been created for utilization over a period of several election cycles, and has reiterated the argument that the Commission's findings in MUR 2215 are determinative in the present matter.

During the conciliation period the Respondents have provided no new information or arguments which would serve to support a Commission alteration of its conclusion that the MRSC's payment of

the costs of developing the MICHLIST constituted the provision of "something of value," pursuant to 2 U.S.C. § 431(8)(A), and thus contributions to the specific candidates benefited by the committee's VIP and GOTV programs in 1984. The MICHLIST was created in 1984, at least initially, for use in these programs. The programs in turn were designed to assist federal as well as state and local candidates for specific offices in specific 1984 general elections. Therefore, some amount reflecting, at the least, the costs of creating the portions of the list used for these particular 1984 programs should have been included in the allocable costs of these programs, pursuant to 11 C.F.R. § 106.1.

Counsel's reliance upon the Commission's determination in MUR 2215 is inappropriate.[1] The issue presented in that matter was the legitimacy of the amounts charged by a corporation for the

1. MUR 2215 involved the formation by the Missouri State Labor Council ("the Labor Council") of a corporation, the Missouri Registered Voters, Inc. ("the MRV"), to assemble, own and market lists of registered voters to candidates endorsed by the labor council. The complaint alleged that any use of these lists was a prohibited contribution or that, in the alternative, the respondents were selling their lists at less than the normal and usual charge. The investigation in this matter established that the corporation did not sell its computer tape, but, rather, the information on the tape was made available in a variety of formats for set fees. The Commission found no reason to believe that the Labor Counsel or the MRV had violated 2 U.S.C. § 441b because it appeared that the MRV's charges to outside purchasers were within the usual or normal charges for such goods.

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use of its list by others. In the present matter the MRSC contracted for the list's development in 1984 largely in anticipation of using it for its own 1984 and later programs. The list was in fact so used, and federal candidates benefited from the resulting 1984 VIP and GOTV programs.

Although counsel has raised questions concerning the manner in which the costs of developing a list should be allocated when the list is to be subject to multiple uses, (Attachment 1, Exhibit B), it is not necessary or appropriate to address this broader issue within the context of an enforcement matter which deals with the allocation of costs of specific programs within a particular election cycle. As this Office has suggested to counsel in response to his clients' concerns, the more general allocation issue would be better addressed in an advisory opinion.

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Given the impasse at which conciliation negotiations now stand, and given the extremely lengthy time and the considerable resources that have been devoted to these negotiations, this Office recommends that the Commission

authorize the Office of the General Counsel to file a civil suit for relief in United States District Court.

II. RECOMMENDATIONS

1.

2. Authorize the Office of the General Counsel to file a civil suit for relief in United States District Court against the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer.

3. Approve the appropriate letter.

9/21/93
Date

Lawrence M. Noble
General Counsel

Attachment
Respondents' Statement

Staff Assigned: Anne A. Weissenborn

9504303271 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 2581
Michigan Republican State Committee;	)	
Ronald D. Dahlke, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on October 5, 1993, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions in MUR 2581:

1.

2. Authorize of the Office of the General Counsel to file a civil suit for relief in United States District Court against the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer.

3. Approve the appropriate letter as recommended in the General Counsel's report dated September 27, 1993.

Commissioners McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner Elliott dissented; Commissioner Aikens recused herself from consideration of this matter and was not present.

Attest:

10-5-93
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

OCTOBER 7, 1993

Eric E. Doster, Esquire
Foster, Swift, Collins & Smith, P.C.
313 South Washington Square
Lansing, MI 48933-2193

RE: MUR 2581
Michigan Republican State Committee
Ronald D. Dahlke, as treasurer

Dear Mr. Doster:

You were previously notified that on March 3, 1992, the Federal Election Commission found probable cause to believe that your clients, the Michigan Republican State Committee and Ronald D. Dahlke, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended, and 11 C.F.R. § 102.5, in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the General Counsel to institute a civil action for relief in the United States District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Stephen Hershkowitz, Assistant General Counsel, at (202) 219-3400, within five days of your receipt of this letter.

Sincerely,

Lawrence M. Noble
General Counsel

9504332714

FEB 27 11 32 AM '95

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BY_____

FEDERAL ELECTION COMMISSION, Plaintiff, v. MICHIGAN REPUBLICAN STATE COMMITTEE, et al., Defendants.	)	Case No. 5:94-CV-27 Honorable Richard A. Enslen

FINAL ORDER OF DISMISSAL

Upon consideration of the stipulation filed by the parties, IT IS HEREBY ORDERED THAT:

1. Count III is dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure

2. This entire case is dismissed from the Court's docket;

3. The Court retains jurisdiction to enforce the injunctions contained in the July 18, 1994 consent order and partial judgment; and

4. The parties shall bear their own costs and attorney's fees in this litigation.

March 22, 1995
Date

RICHARD A. ENSLEN
United States District Judge

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2581

DATE FILMED 3-30-95 CAMERA NO. 4

CAMERAMAN S.E.G

95043327116

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date: 5/15/96

✓ Microfilm

_____ Public Records

_____ Press

THE ATTACHED MATERIAL IS BEING ADDED TO CLOSED MUR 3581

9950431341888

OGC 7059

MICHIGAN REPUBLICANS

90 JUL 26 AM 11:37

E. SPENCER ABRAHAM
Chairman

RANDOLPH J. AGLEY
Finance Chairman

RONNA ROMNEY
National Committeewoman

CHARLES YOB
National Committeeman

LARRAIN THOMAS
First Vice Chair

L. JAMES HALL
Second Vice Chair

SUZANNE K. MILLER
Third Vice Chair

ANDREW ANUZIS
Fourth Vice Chair

C. W. MAC McCLELLAN
Fifth Vice Chair

LAURA REYES KOPACK
Sixth Vice Chair

HANK FUHS, JR.
Secretary

RONALD D. DAHLKE
Treasurer

DAVID W. McKEAGUE
General Counsel

ARTHUR E. SIPPOLA
Financial Counsel

2121 East Grand River
Lansing, MI 48912
517-487-5413
517-487-0090 FAX

Marquette Building
243 W. Congress
Suite 200
Detroit, MI 48226
313-963-9414

July 23, 1990

90 JUL 26 AM 10:44

Ms. Anne Weissenborn
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Weissenborn:

RE: MUR 2581; Michigan Republican State Committee ("MRSC")

Pursuant to your request, this letter answers your question in connection with the "quota" system between the Michigan Republican State Committee and the various Michigan county committees. Please be advised that this "quota" system is merely a request by the MRSC to local party committees for funds. There is no penalty for failure to meet this "quota," since the MRSC does not maintain any type of control over local party committees. As a result, some local party committees comply with the MRSC's request, while many others do not.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely yours,

MICHIGAN REPUBLICAN STATE COMMITTEE

Eric Doster

Eric E. Doster
Assistant General Counsel

EED:skp

Paid for by the Michigan Republican State Committee, 2121 East Grand River, Lansing, Michigan 48912