

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
)
)
) Audit Referrals
City of San Diego - City Civic) #98-05 & #98-06
Events Fund;)
1996 Committee on Arrangements)
for the Republican National)
Convention and Alec Poitevint,)
as treasurer;)
Republican National Committee)
and Alec Poitevint, as)
treasurer;)
San Diego Host Committee/Sail)
to Victory '96 and Patrick C.)
Shea, as treasurer)

98-05 MUR 5106

98-06 MUR 5107

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on September 26, 2000, do hereby certify that the Commission decided by a vote of 4-2, to take the following actions with respect to Audit Referrals #98-05 and #98-06:

1. Open a Matter Under Review.
2. Find reason to believe that the 1996 Committee on Arrangements for the Republican National Convention and Alec Poitevint, as treasurer, violated 26 U.S.C. § 9008(d)(1) by accepting an in-kind contribution from the San Diego Host Committee, but take no further action.

(continued)

6254-504-405-22

**Federal Election Commission
Certification for Audit Referrals
#98-05 and #98-06
September 26, 2000**

Page 2

3. Find reason to believe that the 1996 Committee on Arrangements for the Republican National Convention and Alec Poitevint, as treasurer, violated 2 U.S.C. § 441b by accepting an in-kind contribution from the San Diego Host Committee, but take no further action.
4. Find reason to believe that the 1996 Committee on Arrangements for the Republican National Convention and Alec Poitevint, as treasurer, violated 2 U.S.C. § 437(2) by failing to report the receipt of the in-kind contribution from the San Diego Host Committee, but take no further action.
5. Find reason to believe that the San Diego Host Committee/Sail to Victory '96 and Patrick C. Shea, as treasurer, violated 2 U.S.C. § 441b, but take no further action.
6. Find reason to believe that the San Diego Host Committee/Sail to Victory '96 and Patrick C. Shea, as treasurer, violated 2 U.S.C. § 437(1), but take no further action, and close the file as it pertains to these respondents.

(continued)

22-04-405-4530

**Federal Election Commission
Certification for Audit Referrals
#98-05 and #98-06
September 26, 2000**

Page 3

7. Find no reason to believe that the 1996 Committee on Arrangements for the Republican National Convention and Alec Poitevint, as treasurer, accepted a contribution from the Republican National Committee in violation of any statute or regulation within the Federal Election Commission's jurisdiction on the basis of Audit Referral #98-06, and close the file as it pertains to these respondents.
8. Find no reason to believe that the Republican National Committee and Alec Poitevint, as treasurer, contributed to the 1996 Committee on Arrangements for the Republican National Convention in violation of any statute or regulation within the Federal Election Commission's jurisdiction on the basis of Audit Referral #98-06, and close the file as it pertains to these respondents.

(continued)

EC-114-405-4531

Federal Election Commission
Certification for Audit Referrals
#98-05 and #98-06
September 26, 2000

Page 4

Commissioners Mason, Sandstrom, Smith, and Wold voted affirmatively for the decision. Commissioners McDonald and Thomas dissented.

Attest:

September 28, 2000
Date

Darlene Harris
Darlene Harris
Acting Deputy Secretary
of the Commission

22-04-405-4532