

FEDERAL ELECTION COMMISSION

- (1) Routing Slips
- (2) 12 Day Reports & Comment Sheets
- (3) Internal Memos
- (4) Conciliation information

The above-described material was removed from this file pursuant to the following exemptions provided in the Freedom of Information Act, 5 U.S.C. Section 552 (b):

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|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | (1) Classified Information | <input type="checkbox"/> | (6) Personal privacy |
| <input checked="" type="checkbox"/> | (2) Internal rules and practices | <input type="checkbox"/> | (7) Investigatory files |
| <input checked="" type="checkbox"/> | (3) Exempted by other statute | <input type="checkbox"/> | (8) Banking Information |
| <input type="checkbox"/> | (4) Trade secrets and commercial or financial information | <input type="checkbox"/> | (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> | (5) Internal Documents | | |

Signed *W. H. [Signature]*
 date *June 12, 1986*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 9, 1986

Robert G. Flanders, Jr., Esquire
Edwards & Angell
2700 Hospital Trust Tower
Providence, Rhode Island 02903

RE: MUR 2105
Rhode Island Republican
Party/Rhode Island
Republican Campaign
Committee and Virginia
S. Kalat, treasurer

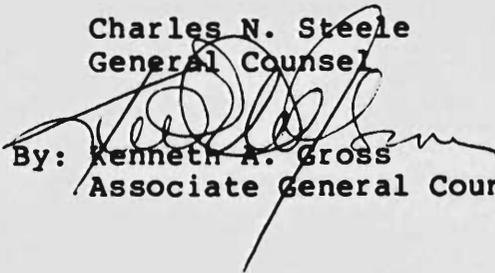
Dear Mr. Flanders:

On April 8, 1986, the Commission accepted the conciliation agreement signed by your client, in settlement of a violation of 2 U.S.C. § 433(c), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's regulations. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

850405; 74005



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 9, 1986

Robert G. Flanders, Jr., Esquire
Edwards & Angell
2700 Hospital Trust Tower
Providence, Rhode Island 02903

RE: MUR 2105
Rhode Island Republican
Party/Rhode Island
Republican Campaign
Committee and Virginia
S. Kalat, treasurer

Dear Mr. Flanders:

On April 8, 1986, the Commission accepted the conciliation agreement signed by your client, in settlement of a violation of 2 U.S.C. § 433(c), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's regulations. Accordingly, the file has been closed in this matter and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

Handwritten initials/signature

8504074006

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Rhode Island Republican)	MUR 2105
Party/Rhode Island)	
Republican Campaign Committee)	
Virginia Kalat, treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 8, 1986, the Commission decided by a vote of 5-1 to take the following actions in MUR 2105:

1. Accept the conciliation agreement, as recommended in the General Counsel's Report signed April 3, 1986.
2. Approve the letter, as recommended in the General Counsel's Report signed April 3, 1986.
3. Close the file.

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

Attest:

4-9-86
Date

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

Received in Office of Commission Secretary:	Fri.,	4-4-86,	9:27
Circulated on 48 hour tally basis:	Fri.,	4-4-86,	2:00
Deadline for vote:	Tues.,	4-8-86,	4:00

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Rhode Island Republican Party/)
Rhode Island Republican Campaign) MUR 2105
Committee)
Virginia Kalat, treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. On November 19, 1985, the Commission found reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, ("Respondents") violated 2 U.S.C. § 433(c) by failing to timely designate a change in treasurers. The Commission also found reason to believe that respondents violated 11 C.F.R. § 102.5(a)(1)(i) by misdepositing non-federal funds in their federal account and by repaying a federal bank loan with non-federal funds.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered into pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to

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demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

The Parties

1. Respondent Rhode Island Republican Party functions as the state-level party organization for the Republican Party in the state of Rhode Island.

2. Respondent Rhode Island Republican Campaign Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

3. Respondent Virginia Kalat currently serves as treasurer for respondents Rhode Island Republican Party/Rhode Island Republican Campaign Committee.

Violation of 2 U.S.C. § 433(c)

4. Respondents filed an amended Statement of Organization with the Commission on July 12, 1982 designating Jonathan T. Isham as treasurer.

5. In 1984, Jonathan T. Isham ceased to serve in a capacity as treasurer for respondents.

6. Section 433(c), Title 2, United States Code, requires that any change in information previously submitted in a Statement of Organization must be reported no later than ten (10) days after the date of the change.

7. On December 23, 1985, respondents filed an amended Statement of Organization, designating Virginia Kalat as treasurer.

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Violation of 11 C.F.R. § 102.5(a)(1)(i)

8. Pursuant to 11 C.F.R. § 102.5(a), respondents maintain separate accounts for federal and non-federal political activity.

9. On September 26, 1984 and October 9, 1984, respondents received two transfers from GOPAC, an unregistered non-federal organization, totalling \$7000 and deposited the money into their federal account.

10. On September 6, September 27 and October 9, 1984, respondents received \$35,000.01 in transfers from the Republican National State Elections Committee, an unregistered non-federal organization, and deposited the money into their federal account.

11. On October 30, 1984, respondents transferred \$2500 from one of their non-federal accounts, the Committee to Elect a Republican Legislature, to their federal account.

12. In July, 1985, respondents' federal account secured a commercial bank loan of \$46,394.12. The loan proceeds were used to pay respondents' non-federal accounts for the funds misdeposited in the federal account (as indicated in subparagraphs 8, 9 and 10, above).

13. In August, 1985, respondents repaid the principal and interest of the bank loan using funds from a non-federal account.

14. Section 102.5(a)(1)(i), Title 11, Code of Federal Regulations, states that only funds subject to the provisions and limitations of the Act may be deposited in a federal account.

15. Section 102.5(a)(1)(i), Title 11, Code of Federal

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Regulations, states that no transfers may be made to a federal account from any other account maintained by an organization for non-federal political activity.

16. Section 102.5(a)(1)(i), Title 11, Code of Federal Regulations, states that all disbursements in connection with a federal election, by an organization which maintains both federal and non-federal accounts, must be made from its federal account.

V. Respondents violated 2 U.S.C. § 433(c) by failing to designate a change in treasurers in a timely manner.

VI. Respondents violated 11 C.F.R. § 102.5(a)(1)(i) by depositing \$44,500 in transfers from GOPAC, the Republican National State Elections Committee and the Committee to Elect a Republican Legislature, into their federal account. Respondents also violated 11 C.F.R. § 102.5(a)(1)(i) by repaying their federal account's bank loan with funds from their non-federal account.

VII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Six Hundred dollars (\$600), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

IX. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this

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agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

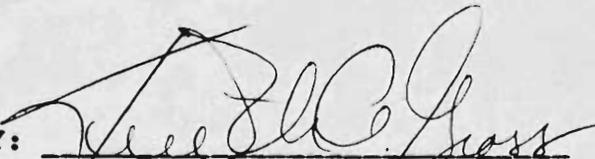
X. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XI. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

April 10, 1986
Date

FOR THE RESPONDENT:


Virginia Kalat
Treasurer

3/25/86
Date

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R. I. REPUBLICAN FUND RAISING
169 WEYBOSSET STREET, SUITE 602
PROVIDENCE, RHODE ISLAND 02903

1285

March 26 1986

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PAY
TO THE
ORDER OF

Treasurer of the United States

\$ 600.00

Six hundred and 00/100

DOLLARS



OLD STONE BANK
PROVIDENCE, RHODE ISLAND

FOR MUR 2105

Heidi W. Mahoney

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MEMORANDUM

QCC#104

TO: Debra A. Reed TO: Judy Smith

FROM: Judy Smith FROM: Debra A. Reed

CHECK NO. 1285 (a copy of which is attached) RELATING

TO MUR 2105 AND NAME Rhode Island Republican Party / R.I. Republican Committee of Virginia Kalat, Treasurer. PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

/ ✓ BUDGET CLEARING ACCOUNT (#95F3875.15)

/ / CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER _____

SIGNATURE Debra A. Reed

DATE 4/2/86

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhode Island Republican) MUR 2105
Party/Rhode Island Republican)
Campaign Committee)
Virginia Kalat, treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of March 4, 1986, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 2105:

1. Take no further action against the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Virginia Kalat, as treasurer, for a violation of 2 U.S.C. § 441b.
2. Enter into conciliation with the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Virginia Kalat, as treasurer, prior to a finding of probable cause to believe that violations of 2 U.S.C. § 433(c) and 11 C.F.R. § 102.5 (a)(1)(i) occurred.
3. Approve the proposed conciliation agreement attached to the General Counsel's report dated February 21, 1986.

(continued)

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4. Approve the letter attached to the General Counsel's report dated February 21, 1986.

Commissioners Aikens, Elliott, Josefiak, McDonald,
and McGarry voted affirmatively for the decision;
Commissioner Harris dissented.

Attest:

3-5-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
 Rhode Island Republican)
 Party/Rhode Island Republican)
 Campaign Committee)
 Virginia Kalat, treasurer)

MUR 2105 2:29

GENERAL COUNSEL'S REPORT

I. Background

The Rhode Island Republican Party/Rhode Island Republican Campaign Committee ("Committee") was referred to the Office of General Counsel in connection with the receipt of approximately \$46,000 from five unregistered organizations, as disclosed on the Committee's reports in 1984. Monies from these non-federal organizations were deposited into the Committee's federal account, even though they were intended to be used solely in connection with state and local races. Additionally, a bank loan which the Committee obtained to reimburse its non-federal account for the misdeposited funds, was itself repaid with non-federal monies. As a result, the Federal Election Commission ("Commission"), on November 19, 1985, determined there was reason to believe that the Committee and Spencer L. Martin, Jr., as assistant treasurer, had violated 2 U.S.C. § 441b and 11 C.F.R. § 102.5(a)(1)(i) in connection with the misdeposit and repayment of funds. Additionally, because the Committee's treasurer, as listed on its 1982 amended Statement of Organization, is no longer serving in that capacity, the Commission determined there was reason to believe that the Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c), by failing to report a change in treasurers within ten days.

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A reason to believe notification letter was mailed to respondents on December 5, 1985. The Committee requested and received an extension of time to respond to the Commission's determinations. On January 9, 1986, a written response was received from the Committee. On February 6, 1986, a supplemental response was received from the Committee.

II. Legal Analysis

The Committee's responses address the Commission's reason to believe determinations. First, the Committee contends that the mere fact that Mr. Martin is serving as assistant treasurer does not establish a violation for failing to designate a new treasurer. However, such a contention does not speak to the violation at issue. The facts are that the Committee filed an amended Statement of Organization designating a treasurer in 1982. In 1984, that individual ceased to serve in the treasurer's capacity. At that time, the Committee was required to appoint a new treasurer and inform the Commission of the change within ten days, pursuant to 2 U.S.C. § 433(c). However, it was not until December 23, 1985, that the Commission was informed that Mrs. Virginia Kalat was elected treasurer.

Second, the Committee's responses address the Commission's determination that there was reason to believe that repayment of the federal account's bank loan from a non-federal account violated 2 U.S.C. § 441b and § 102.5(a)(1)(i). The loan was repaid by a non-federal account maintained by the Rhode Island Republican Party named the "Rhode Island Republican State Central Committee." On the date the loan was repaid, March 26, 1985, the

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Rhode Island Republican State Central Committee account contained \$49,781.38. Respondents were asked whether any of this money was attributable to labor union or corporate contributions. Respondents state that no labor union contributions were contained in the account on the date of the loan repayment and only \$125 of the total balance was attributable to corporate contributions. Because the loan repayment amount was in excess of \$46,000, yet the account contained only \$125 in corporate money, the Office of General Counsel recommends that the Commission take no further action against the Committee with respect to a possible 2 U.S.C. § 441b violation.

However, even though the Committee denies violating 2 U.S.C. § 441b, it does not deny that repayment of the bank loan violated 11 C.F.R. § 102.5(a)(1)(i). Under 11 C.F.R. § 102.5(a)(1)(i), a political party which finances both federal and non-federal political activity, may only finance the former through a separate federal account, and all disbursements made in connection with any federal election must come from that account. The loan in question was made to the federal account. The Rhode Island Republican Party, instead of repaying the loan with funds from its federal account, repaid the note using funds from its non-federal account. 11 C.F.R. § 102.5(a) requires repayment to have been made from the federal account. See Matter Under Review 2003.

The Committee also addresses the other violations of § 102.5(a)(1)(i) in its responses. The Committee received

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transfers from two unregistered, non-federal organizations which were meant to be deposited in a non-federal account. Instead the funds were deposited into its federal account. 11 C.F.R. § 102.5(a)(1)(i) prohibits the deposit of any funds not subject to the prohibitions and limitations of the Act into a federal account.

The Committee reiterates its claim that the misdeposit of funds was a technical error, and the monies were intended to be used for non-federal elections (and were in fact so used).

Additionally, the Committee contends that since 11 C.F.R. § 102.6(a)(1)(ii) permits unlimited transfers between committees of the same political party, it is somehow anomalous to find a violation for depositing the funds into the wrong account. However, 11 C.F.R. § 102.6 is simply not implicated here. The Commission, in its reason to believe determinations, did not focus on the transfers, precisely because they are permissible. It is the deposit of that money by the Rhode Island Republican Party into the wrong account which violates the prohibition of 11 C.F.R. § 102.5(a).

Additionally, the Committee received transfers from two other non-federal accounts, these maintained by the Rhode Island Republican Party itself for non-federal activity. However, respondents point out that one of these accounts, the Rhode Island Victory '84 Committee, is actually a federal account. Therefore, the transfer of \$1394.11 from it to the Committee would not involve a violation of 11 C.F.R. § 102.5(a)(1)(i). The

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other transfer, of \$2500 from the Committee to Elect a Republican Legislature, a non-federal account, was intended for non-federal activity. Pursuant to 11 C.F.R. § 102.5(a)(1)(i), when an organization maintains separate federal and non-federal accounts, it is prohibited from transferring any funds from its non-federal to its federal account.

Respondents' counsel mistakenly claims that the Committee to Elect a Republican Legislature is not a non-Federal account, and therefore, no violation occurred. However, respondents themselves admit that this committee is a non-federal committee maintained for non-federal political activity and mistakenly transferred \$2500 to the Rhode Island Republican Party's federal account.

The Committee requests to enter into conciliation discussions with the Office of General Counsel prior to a finding of probable cause to believe that any violations may have occurred. The Committee contends that any possible violations were unintentional, inadvertent and cannot be considered "substantial error." Accordingly, the Office of General Counsel recommends that the Commission enter into pre-probable cause conciliation with the Committee and Virginia Kalat, as treasurer, with respect to violations of 2 U.S.C. § 433(c) and 11 C.F.R. § 102.5(a)(1)(i).

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4. approve the attached letter.

Charles N. Steele
General Counsel

February 21, 1986

Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Request for conciliation
2. Proposed conciliation agreement
3. Letter to respondent

86040794022

Attorneys at Law

K. Kleinfeld

2700 Hospital Trust Tower
 Providence, Rhode Island 02903
 401 274-9200
 Telex 932001 "E A PVD"
 Telecopier 401 276-6611

January 7, 1986

A10: 12

John Warren McGarry
 Chairman
 Federal Election Commission
 1325 K Street, NW
 Washington, DC 20463

Re: MUR 2105, Federal Election Committee Claim
 against Rhode Island Republican Party

Dear Mr. McGarry:

As attorney for the Rhode Island Republican Party and its Assistant Treasurer, Spencer Martin, I have reviewed your letter of December 5, 1985 together with the relevant enclosures.

It would appear from Mr. Kleinfeld's analysis (the FEC counsel) that there are only two charges which remain: repayment of the bank loan from the non-federal account and failure to designate Mr. Martin as the new Treasurer of the Rhode Island Republican Party in a timely fashion.

The former charge is based solely on the supposition -- which has no basis in fact -- that repayment of the loan came from funds which have a corporate or labor union source. Since the total amounts of funds in the non-federal account on the date of the loan repayment was \$49,781.38, of which only \$125.00 is from a corporate source (there were no union sources), and the amount of the loan repayment on that date was \$46,394.11, there is simply no basis to conclude that any amount of the \$125.00 in corporate funds was used to repay the loan. Moreover, Mr. Kleinfeld is in error when he refers to the Rhode Island Victory '84 Committee as an unregistered, non-federal account. This is in fact a federal account registered with the FEC (FEC No. C00192245).

430 Park Avenue
 New York, New York 10022
 212 308-4411
 Telecopier 212 308-4844

250 Royal Palm Way
 P.O. Box 2621
 Palm Beach, Florida 33480
 305 833-7700
 Telecopier 305 655-8719
 Telex 3728004 EDWANGELL PBH

265 Franklin Street
 Boston, Massachusetts 02110
 617 439-4444
 Telecopier 617 439-4170

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FEDERAL ELECTION COMMISSION
 GENERAL COUNSEL

Joseph Lindfield
 John L. Clark
 John V. Keen
 Edward F. Mindle
 Robert Spink Davis
 Knight Edwards
 Beverly Glenn Long
 James H. Barnes
 George Michaels*
 James K. Edwards
 Alan S. Plish
 Ernan N. Agron
 Roger V. Pugh, Jr.*
 Stephen A. Fanning, Jr.
 Calvin C. Gorton
 Charles G. Edwards
 Alvin M. Glassman*
 Carl Angstadt*
 Benjamin P. Harris III
 Richard M. Barad
 V. Dennis Johnson
 John H. Blish
 James J. Shoffingsen
 Paul F. Greene
 James P. Kelly
 Derwing E. Sherman
 E. Colby Cameron
 Edward J. Burrows, Jr.
 John H. Reid III
 Jerry L. McIntyre
 Richard M. C. Glenn III
 Timothy T. Moore
 Jonathan E. Cole
 Matthew F. Medeiros
 Alfred S. Lombardi
 Robert C. Garg
 Kinnard Howland
 Terrence M. Finn
 David M. Olason*
 Andrew J. Chelms
 Joseph V. Cavanaugh, Jr.
 Robert G. Flanders, Jr.
 Richard A. Ferras
 James R. McGuire
 David K. Duffell
 William P. Robinson III
 John B. Rosequest III
 Susan S. Egan*
 Thomas E. Pitts, Jr.
 Mary Louise Kennedy
 Walter G. D. Reed
 Stephen O. Meredith
 Patricia A. S. Zink
 Gail E. McCann
 John D. Deacon, Jr.
 Charles F. Rogers, Jr.
 Michael H. Miller*
 Barry G. Hirner
 Philip B. Barr, Jr.
 Christine M. Marx
 Elizabeth H. Munnell*

Counsel
 Alfred H. Joslin
 Max Schorr*
 Hugh MacMillan, Jr.*

Steven M. McInnes
 David L. Mayer
 Jeffrey C. Schreck
 William R. Landry
 Cynthia A. Dell
 David A. Gunter*
 G. Scott Nebergall
 James R. Kay*
 Kurt J. von Bommelger*
 John A. Houlihan
 Christopher D. Graham
 John G. Igge
 Walter C. Hunter
 Aubrey F. Hammond, Jr.
 Geoffrey Etherington III
 Barbara Braun Schoenfeld
 Ruth K. Heller
 Nancy Fisher Chudacoff
 John F. Reed
 Judith Colmbach Savage
 Joyce L. Elden
 Joseph A. Anasta
 Michael DiBianc
 Karen G. DelPonte
 Robert Karmen*
 Alfred R. Paliano*
 Kenneth L. Levine*
 Dorcas Klein*
 Mary P. Heffner
 Alan J. Bouffard*
 Jeffrey A. Hermonson
 Brian T. Moynihan
 Dana T. Pickard
 Mark H. Mirkin*
 John J. Garrahy
 M. Meredith Hayes
 Neil W. Platock*
 Leonard Q. Stap*
 Laura N. Wilkinson
 Lori J. Hayden

Of Counsel
 Edward Winsor
 Gerald W. Harrington

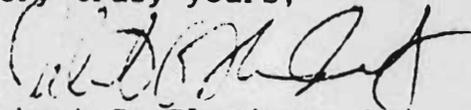
*Not a member of the
 Rhode Island Bar

John Warren McGarry
Page 2
January 7, 1986

With respect to the other charge, Mr. Martin has never been appointed Treasurer. Thus, it would seem to me that no violation has occurred. The mere fact that he served as the Assistant Treasurer and there was a vacancy in the treasurer position, does not trigger any of the reporting requirements referred to by Mr. Kleinfeld.

Both the Party and Mr. Martin are interested in conciliating these charges, neither of which involves any culpable or intentional conduct on any one's part. Even if a technical violation had occurred -- which does not appear to be the case -- it was inadvertent and not a substantial error. Thus, to the extent these charges have any merit at all, it would seem we could resolve them by agreement.

Very truly yours,



Robert G. Flanders, Jr.

P.S. Enclosed are sworn answers to the questions posed by the FEC and a Designation of Counsel Form.

86040374024

Questions for the Rhode Island Republican Party/Rhode Island Republican Campaign Committee

On November 19, 1985, the Federal Election Commission ("Commission") determined there was reason to believe that the Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations.

As part of its investigation into this matter, the Commission requests that answers be provided to the following questions. The "loan" refers to the \$46,394.11 loan which the Rhode Island Republican Campaign Committee obtained from the Rhode Island Hospital Trust National Bank in order to repay a non-Federal account for misdeposited funds.

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- 1. State the name of the non-Federal account which repaid the loan. *R.I. Republican State Central Committee*
- 2. State the date on which the non-Federal account repaid the loan. *3/26/85*
- 3. State the total amount of funds in the non-Federal account named in Question 1 on the date of the loan repayment. *\$ 49,781.38*
- 4. On the date of the loan repayment, was any of the money contained in the non-Federal account named in Question 1 attributable to corporate contributions? *yes*
- 5. If the answer to question number 4 is yes, state the total amount of funds in the non-Federal account which had a corporate source on the date of the loan repayment. *\$125.00*
- 6. On the date of the loan repayment was any of the money contained in the non-Federal account named in question 1 attributable to labor union contributions? *no*
- 7. If the answer to question number 6 is yes, state the total amount of funds in the non-Federal account which had a union source of the date of the loan repayment.

The above answers are true and accurate to the best of my information and belief.

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

Subscribed and sworn to before me this *7th* day of January, 1986 in *Providence* Providence, Rhode Island.

Jane H. Allen
Notary Public
My Commission Expires June 30, 1986

EDWARDS & ANGELL

Kleinfel

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Counsellors at Law

- Bancroft Littlefield
- John L. Clark
- John V. Kean
- Edward F. Hinde
- Robert Spink Davis
- Knight Edwards
- Beverly Glenn Long
- James H. Barnett
- George Michaels
- James K. Edwards
- Alan S. Flinn
- Ernest N. Agresti
- Roger V. Pugh, Jr.
- Stephen A. Fanning, Jr.
- Calvert C. Gronon
- Charles G. Edwards
- Alvin M. Glaserman
- Carl Angeloff*
- Benjamin P. Harris III
- Richard M. Borod
- V. Duncan Johnson
- John H. Blish
- James J. Skeffington
- Paul F. Greene
- James P. Kelly
- Deming E. Sherman
- Edward J. Berroza, Jr.
- John H. Reid III
- Jerry L. McIntyre
- Richard M. C. Glenn III
- Timothy T. More
- Jonathan E. Cole
- Matthew F. Medeiros
- Alfred S. Lombardi
- Kinnaid Howland
- Terrence M. Finn
- David M. Olsav
- Andrew J. Chlebus
- Joseph V. Cavanagh, Jr.
- Robert G. Flanders, Jr.
- Richard A. Perras
- James R. McGuirk
- David K. Duffell
- William P. Robinson III
- John B. Rosenquest III
- Susan S. Egan
- Thomas E. Potts, Jr.
- Marv Louise Kennedy
- Walter G. D. Reed
- Stephen O. Meredith
- Patricia A. S. Zek
- Gail E. McCann
- John D. Deacon, Jr.
- Charles F. Rogers, Jr.
- Michael H. Miller
- Barry G. Hittner
- Philip B. Barr, Jr.
- Christine M. Marx
- Elizabeth H. Munnell

Counsel
Alfred H. Joslin
Max Schorr
Hugh MacMillan, Jr.

- Steven M. McInnis
- Jeffrey C. Schreck
- William R. Landry
- David A. Gunter
- G. Scott Nebergall
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- Mark H. Mirkin
- John J. Garrahy
- M. Meredith Hayes
- Neil W. Placock
- Leonard Q. Slap
- Laura N. Wilkinson
- Lori J. Hayden

Of Counsel
Edward Winsor
Gerald W. Harrington

*Not a member of the Rhode Island Bar

February 6, 1986

2700 Hospital Trust Tower
Providence, Rhode Island 02901
401 274-9200
Telex 952001 "E A PVD"
Telecopier 401 276-6611

FEB 10 10:34

VIA FEDERAL EXPRESS

John Warren McGarry, Chairman
Federal Election Commission
1325 K Street NW
Washington, DC 20463

Re: MUR2105 Federal Election Committee Claim vs. Rhode Island Republican Party and Spencer Martin, Ass't Treas.

Dear Mr. McGarry:

This will supplement my letter to you dated January 7, 1986 concerning the above matter.

In particular, I wish to make the following comments in response to the General Counsel's factual and legal analysis as regards particular sections of the Memorandum which he prepared concerning these charges.

Part C. Application of the Law to the Inter-Committee Transfers.

(1) There is no suggestion, much less any showing, that any of the funds in question were knowingly or willfully misdeposited into the federal account. On the contrary, both the Party and Mr. Martin have conceded that if such transfers were in violation of any applicable law, it was simply a technical error which the Party and Mr. Martin attempted to correct as soon as it was called to their attention.

(2) There has been no showing that any of the funds from GOPAC and RNSEC which were deposited into the Rhode Island Committee's federal account were not subject to the prohibitions of the Act and pertinent regulations.

(3) None of the funds transferred into the federal account were intended to influence any election for federal office, nor were they in fact so used.

430 Park Avenue
New York, New York 10022
212 308-4411
Telecopier 212 308-4844

250 Royal Palm Way
P.O. Box 2621
Palm Beach, Florida 33480
305 833-7700
Telecopier 305 655-8719
Telex 3728004 EDWANGELL PBH

265 Franklin Street
Boston, Massachusetts 02110
617 439-4444
Telecopier 617 439-4170

16 FEB 10 10:18

John Warren McGarry, Chairman
February 6, 1986
Page Two

(4) Since 11CFR§102.6(a)(1)(ii) permits committees of the same political party to make unlimited transfers to the Rhode Island Committee, and since it is conceded that RNSEC is of the same political party as the Rhode Island Committee and there is no showing that GOPAC is not also of the same political party as the Rhode Island Committee, there should be no finding of any violation of 11CFR§102.5(a)(1)(i). It would be anomalous for the Commission to interpret its rules in such a fashion as to on the one hand expressly permit unlimited transfers between committees of the same political party, yet on the other hand find that any deposit of such funds into the federal account constitutes a violation.

Part D. Application of the Law to the Intra-Committee Transfers.

(1) The regulations do not appear to flatly bar any and all intra-fund transfers; rather, it is only transfers which are made to such federal accounts from other accounts which are "for the purpose of financing activity in connection with non-federal elections." 11CFR§102.5(a)(1)(i) Since the transfers to the federal account were not for such a purpose, and since the transfers to the federal account did not come from accounts maintained for the purpose of financing activity in connection with non-federal elections, there should be no finding of any violation with respect to the intra-committee transfers.

Part "C" (sic) (should read "E") Application of the Law to the Repayment of the Transfers. (Page 9 of General Counsel's Memo)

(1) Because in fact no corporate or labor union funds were used to satisfy the loan obligations, no violation should be found with respect to this charge. The Party, in good faith, took steps to rectify any technical violation which may have occurred and should not be punished because of its attempts to do so.

Part F. Failure to Designate a New Treasurer.

(1) Nothing in the regulations or otherwise requires the Rhode Island Committee or anyone else to list assistant treasurers. Although Mr. Isham, the organization's former treasurer, is no longer associated with the organiza-

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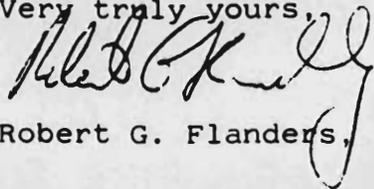
John Warren McGarry, Chairman
February 6, 1986
Page Three

tion, there was no "change in treasurers" until such time as a new treasurer assumed that position. The Party has given notice to the Commission of a new treasurer. Thus, the failure to list Spencer Martin as an assistant treasurer should not constitute a violation.

Conclusion

For these reasons and those set forth in my previous letter to you of January 7, 1986, I respectfully request that the Commission should find no reason to believe that any violation has occurred. In any event, even if the Committee had acted in any irregular fashion at all, such actions were inadvertent and not knowing or willful. Accordingly, to the extent the Commission finds any reason to believe any technical violation has occurred, I respectfully request that such matters be conciliated according to the Commission's procedures.

Very truly yours,



Robert G. Flanders, Jr.

cc: Spencer Martin
Assistant Treasurer
Rhode Island Republican Party

86040394028

QCC# 9396

EDWARDS & ANGELL

Counsellors at Law

- Bancroft Littlefield
- John L. Clark
- John V. Kean
- Edward F. Hindle
- Robert Spink Davis
- Knight Edwards
- Beverly Glenn Long
- James H. Barnett
- George Michaels*
- James K. Edwards
- Alan S. Fink
- Ernest N. Agresti
- Roger V. Pugh, Jr.*
- Stephen A. Fanning, Jr.
- Calvert C. Groton
- Charles G. Edwards
- Alvin M. Glaerman*
- Carl Angeloff*
- Benjamin P. Harris III
- Richard M. Borod
- V. Duncan Johnson
- John H. Blish
- James J. Skeffington
- Paul F. Greene
- James P. Kelly
- Deming E. Sherman
- E. Colby Cameron
- Edward J. Bertozzi, Jr.
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- Neil W. Plarock*
- Leonard Q. Slap*
- Laura N. Wilkinson
- Lori J. Hayden

Of Counsel
Edward Winsor
Gerald W. Harrington

*Not a member of the Rhode Island Bar

REC'D
FEC
EX-111

2700 Hospital Trust Tower
Providence, Rhode Island 02903
401 274-9200
Telex 952001 "E A PVD"
Telecopier 401 276-6611

January 7, 1986 A10:12

John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Re: MUR 2105, Federal Election Committee Claim
against Rhode Island Republican Party

Dear Mr. McGarry:

As attorney for the Rhode Island Republican Party and its Assistant Treasurer, Spencer Martin, I have reviewed your letter of December 5, 1985 together with the relevant enclosures.

It would appear from Mr. Kleinfeld's analysis (the FEC counsel) that there are only two charges which remain: repayment of the bank loan from the non-federal account and failure to designate Mr. Martin as the new Treasurer of the Rhode Island Republican Party in a timely fashion.

The former charge is based solely on the supposition -- which has no basis in fact -- that repayment of the loan came from funds which have a corporate or labor union source. Since the total amounts of funds in the non-federal account on the date of the loan repayment was \$49,781.38, of which only \$125.00 is from a corporate source (there were no union sources), and the amount of the loan repayment on that date was \$46,394.11, there is simply no basis to conclude that any amount of the \$125.00 in corporate funds was used to repay the loan. Moreover, Mr. Kleinfeld is in error when he refers to the Rhode Island Victory '84 Committee as an unregistered, non-federal account. This is in fact a federal account registered with the FEC (FEC No. C00192245).

430 Park Avenue
New York, New York 10022
212 308-4411
Telecopier 212 308-4844

250 Royal Palm Way
P.O. Box 2621
Palm Beach, Florida 33480
305 833-7700
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Telex 3728004 EDWANGELL PBH

265 Franklin Street
Boston, Massachusetts 02110
617 439-4444
Telecopier 617 439-4170

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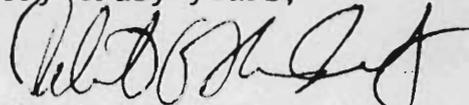
RECEIVED
GENERAL COUNSEL

John Warren McGarry
Page 2
January 7, 1986

With respect to the other charge, Mr. Martin has never been appointed Treasurer. Thus, it would seem to me that no violation has occurred. The mere fact that he served as the Assistant Treasurer and there was a vacancy in the treasurer position, does not trigger any of the reporting requirements referred to by Mr. Kleinfeld.

Both the Party and Mr. Martin are interested in conciliating these charges, neither of which involves any culpable or intentional conduct on any one's part. Even if a technical violation had occurred -- which does not appear to be the case -- it was inadvertent and not a substantial error. Thus, to the extent these charges have any merit at all, it would seem we could resolve them by agreement.

Very truly yours,



Robert G. Flanders, Jr.

P.S. Enclosed are sworn answers to the questions posed by the FEC and a Designation of Counsel Form.

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EDWARDS & ANGELL

Counsellors at Law

- Bancroft Littlefield
- John L. Clark
- John V. Kean
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- Robert Spink Davis
- Knigh Edwards
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Of Counsel
 Edward Winsor
 Gerald W. Harrington

*Not a member of the Rhode Island Bar

RECEIVED
 OFFICE OF THE REG
 COMMISSION SECRETARY
 February 6, 1986

86 FEB 10 A 9:34

2700 Hospital Trust Tower
 Providence, Rhode Island 02903
 401 274-9200
 Telex 952001 "E A PVD"
 Telecopier 401 276-6611

VIA FEDERAL EXPRESS

John Warren McGarry, Chairman
 Federal Election Commission
 1325 K Street NW
 Washington, DC 20463

Re: MUR2105 Federal Election Committee Claim vs. Rhode Island Republican Party and Spencer Martin, Ass't Treas

Dear Mr. McGarry:

This will supplement my letter to you dated January 7, 1986 concerning the above matter.

In particular, I wish to make the following comments in response to the General Counsel's factual and legal analysis as regards particular sections of the Memorandum which he prepared concerning these charges.

Part C. Application of the Law to the Inter-Committee Transfers.

(1) There is no suggestion, much less any showing, that any of the funds in question were knowingly or willfully misdeposited into the federal account. On the contrary, both the Party and Mr. Martin have conceded that if such transfers were in violation of any applicable law, it was simply a technical error which the Party and Mr. Martin attempted to correct as soon as it was called to their attention.

(2) There has been no showing that any of the funds from GOPAC and RNSEC which were deposited into the Rhode Island Committee's federal account were not subject to the prohibitions of the Act and pertinent regulations.

(3) None of the funds transferred into the federal account were intended to influence any election for federal office, nor were they in fact so used.

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265 Franklin Street
 Boston, Massachusetts 02110
 617 439-4444
 Telecopier 617 439-4170

86 FEB 10 A 10:18

GENERAL COUNSEL

OCC#9687

Questions for the Rhode Island Republican Party/Rhode Island
Republican Campaign Committee

On *November 19*, 1985, the Federal Election Commission ("Commission") determined there was reason to believe that the Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations.

As part of its investigation into this matter, the Commission requests that answers be provided to the following questions. The "loan" refers to the \$46,394.11 loan which the Rhode Island Republican Campaign Committee obtained from the Rhode Island Hospital Trust National Bank in order to repay a non-Federal account for misdeposited funds.

1. State the name of the non-Federal account which repaid the loan. *R.I. Republican State Central Committee*
2. State the date on which the non-Federal account repaid the loan. *3/26/85*
3. State the total amount of funds in the non-Federal account named in Question 1 on the date of the loan repayment. *\$ 49,781.38*
4. On the date of the loan repayment, was any of the money contained in the non-Federal account named in Question 1 attributable to corporate contributions? *yes*
5. If the answer to question number 4 is yes, state the total amount of funds in the non-Federal account which had a corporate source on the date of the loan repayment. *\$125.00*
6. On the date of the loan repayment was any of the money contained in the non-Federal account named in question 1 attributable to labor union contributions? *no*
7. If the answer to question number 6 is yes, state the total amount of funds in the non-Federal account which had a union source of the date of the loan repayment.

The above answers are true and accurate to the best of my information and belief.

Spencer F. Martin, Jr.

Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

Subscribed and sworn to before me this *7th* day of January, 1986 in *Providence*
Providence, Rhode Island.

James H. Allen

Notary Public
My Commission Expires June 30, 1986

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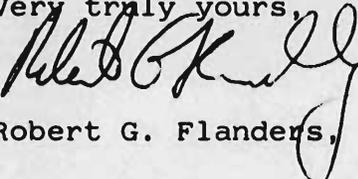
John Warren McGarry, Chairman
February 6, 1986
Page Three

tion, there was no "change in treasurers" until such time as a new treasurer assumed that position. The Party has given notice to the Commission of a new treasurer. Thus, the failure to list Spencer Martin as an assistant treasurer should not constitute a violation.

Conclusion

For these reasons and those set forth in my previous letter to you of January 7, 1986, I respectfully request that the Commission should find no reason to believe that any violation has occurred. In any event, even if the Committee had acted in any irregular fashion at all, such actions were inadvertent and not knowing or willful. Accordingly, to the extent the Commission finds any reason to believe any technical violation has occurred, I respectfully request that such matters be conciliated according to the Commission's procedures.

Very truly yours,



Robert G. Flanders, Jr.

cc: Spencer Martin
Assistant Treasurer
Rhode Island Republican Party

85040374034

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2105

NAME OF COUNSEL: Robert G. Flanders, Jr.

ADDRESS: Edwards & Angell

2700 Hospital Trust Tower

Providence, RI 02903

TELEPHONE: (401) 274-9200

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.

12/27/85
Date



Signature
Finance Director

RESPONDENT'S NAME: Rhode Island Republican Party

ADDRESS: 146 Westminster St. - Suite 300

Providence, RI 02903

HOME PHONE: (617) 335-4314

BUSINESS PHONE: (401) 421-2570

86040374035



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 24, 1985

Spencer F. Martin, Jr.
Rhode Island Republican Party/
Rhode Island Republican Campaign
Committee
Suite 300
146 Westminster Street
Providence, Rhode Island 02903

RE: MUR 2105
Rhode Island Republican Party/
Rhode Island Republican Cam-
paign Committee and Spencer F.
Martin, Jr., Assistant Treasurer

Dear Mr. Martin:

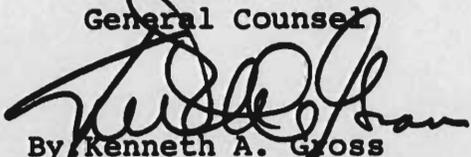
This is in reference to your letter dated December 19, 1985, requesting an extension of three weeks to respond to the Commission's notice that it has reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and you, as assistant treasurer violated the Act.

Considering the Commission's responsibilities to act expeditiously on this matter, your requested extension will be granted only for a period of two weeks. Accordingly, your response will be due on January 10, 1986.

If you have any questions, please contact Eric Kleinfeld, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

86040374036



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 24, 1985

Spencer F. Martin, Jr.
Rhode Island Republican Party/
Rhode Island Republican Campaign
Committee
Suite 300
146 Westminster Street
Providence, Rhode Island 02903

RE: MUR 2105
Rhode Island Republican Party/
Rhode Island Republican Cam-
paign Committee and Spencer F.
Martin, Jr., Assistant Treasurer

Dear Mr. Martin:

This is in reference to your letter dated December 19, 1985, requesting an extension of three weeks to respond to the Commission's notice that it has reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and you, as assistant treasurer violated the Act.

Considering the Commission's responsibilities to act expeditiously on this matter, your requested extension will be granted only for a period of two weeks. Accordingly, your response will be due on January 10, 1986.

If you have any questions, please contact Eric Kleinfeld, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

86040594037

GCH#9256

FEFEC

Rhode Island Republican Party

146 Westminster Street
Suite 300
Providence, Rhode Island 02903
401/421-2570

85 DEC 23 AID: 34

John A. Holmes, Jr./Chairman

December 19, 1985

General Council's Office
Federal Election Commission
Washington, DC 20463

Attn: Mr. Eric Kleinfeld

RE: MUR 2105
R.I. Republican Party/
R.I. Republican Campaign
Committee and Spencer F.
Martin, Jr. Asst. Treas.

RECEIVED
Office of the
GENERAL COUNSEL
85 DEC 23 11:28

Gentlemen:

I have referred the matter under MUR 2105 to our
council, Mr. Robert G. Flanders, Jr., for his
guidance. Due to the heavy demands on his time,
complicated by the holidays, we would like to request
a three week extension of the deadline for our reply
to your letter of December 5th.

Sincerely,


Spencer F. Martin, Jr.
Finance Director
R.I. Republican Party

85040594038

GCC#9256

Rhode Island Republican Party

146 Westminster Street
Suite 300
Providence, Rhode Island 02903
401/421-2570

85 DEC 23 AM: 34

John A. Holmes, Jr./Chairman

December 19, 1985

General Council's Office
Federal Election Commission
Washington, DC 20463

Attn: Mr. Eric Kleinfeld

RE: MUR 2105
R.I. Republican Party/
R.I. Republican Campaign
Committee and Spencer F.
Martin, Jr. Asst. Treas.

15 DEC 23 P 1:28
GENERAL COUNSEL
RECEIVED

Gentlemen:

I have referred the matter under MUR 2105 to our
council, Mr. Robert G. Flanders, Jr., for his
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complicated by the holidays, we would like to request
a three week extension of the deadline for our reply
ti your letter of December 5th.

Sincerely,


Spencer F. Martin, Jr.
Finance Director
R.I. Republicna Party

86044594039



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 5, 1985

Spencer F. Martin, Jr., Assistant Treasurer
Rhode Island Republican Campaign Committee
146 Westminister Street, Suite 200
Providence, RI 02903

RE: MUR 2105
Rhode Island Republican Party/
Rhode Island Republican
Campaign Committee and Spencer
F. Martin, Jr. assistant
treasurer

Dear Mr. Martin:

On November 19, 1985, the Federal Election Commission determined that there is reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and you as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations. The General Counsel's 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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as assistant 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 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 General Counsel may recommend that pre-

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probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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 General Counsel is not authorized to 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,


John Warren McGarry
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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**FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Rhode Island Republican
Party/Rhode Island
Republican Campaign
Committee and Spencer
F. Martin, Jr., Assistant
treasurer

MUR # _____
REFERRAL # 85L-28
STAFF: Eric Kleinfeld

SUMMARY OF ALLEGATIONS

The Rhode Island Committee, the Federal account of the Rhode Island Republican Party, was referred to this Office for possible violations of 2 U.S.C. § 441b(a), and §441a(f) of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) and § 102.6(a) of the Federal Election Commission's ("Commission's") regulations. The bases for these allegations are receipts in excess of \$46,000 from five unregistered organizations, as disclosed on the Rhode Island Committee's reports in 1984.

FACTUAL BASIS AND LEGAL ANALYSIS

A. Factual Background

The Rhode Island Committee operates as the Federal account established and maintained by the Rhode Island Republican Party ("Party") to finance its political activity in connection with Federal elections. The Party also maintains a non-Federal account under the name of the Rhode Island State Central Committee, to finance non-Federal political activity. The 1984 October Quarterly, 12 Day Pre-general and 30 Day Post-general reports filed by the Rhode Island Committee disclosed the

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following transfers-in from five unregistered, non-Federal organizations:

<u>Name of Transferor</u>	<u>Date of Transfer</u>	<u>Amount of Transfer</u>	
1. GOPAC	9/26/84 10/9/84	\$4000.00 3500.00	\$7000.00
2. Republican National State Elections Committee	9/6/84 9/6/84 9/27/84 10/9/84	7936.00 6535.25 15,000.00 <u>5528.16</u>	\$35,000.01
3. Committee to Elect a Republican Legislature	10/30/84	\$2500.00	\$2500.00
4. Rhode Island Victory '84 Comm.	11/7/84 11/28/84	\$1200.00 <u>194.11</u>	\$1394.11
5. Rhode Island Republican State Central Committee	11/8/84	\$350.00	<u>\$350.00</u>

GOPAC is an unregistered, non-Federal organization not affiliated with the Rhode Island Republican Party. The Republican National State Elections Committee ("RNSEC") is an unregistered, non-Federal organization of the same political party as the Rhode Island Republican Party. The remaining three transferors, the Committee to Elect a Republican Legislature, the Rhode Island Victory '84 Committee ("Victory '84") and the Rhode Island Republican State Central Committee ("State Committee") are all apparently non-Federal accounts maintained by the Rhode Island Republican Party for non-Federal political activity.

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Requests for Additional Information ("RFAIs") were sent to the Rhode Island Committee concerning the transfers. The RFAI informed the Rhode Island Committee that, if the funds were intended for state and local election purposes, the amounts of the transfers must (1) be refunded to the unregistered, non-Federal organizations or (2) be transferred-out to another non-Federal account, in order to achieve compliance with the Act.

The Rhode Island Committee's assistant treasurer responded to RAD's inquiry by indicating that the amounts received were intended to be spent on state and local races and not on Federal races, and were, in fact, so spent. In written responses to RAD, it was indicated that all transfers in question were "erroneously and improperly" deposited into the Party's Federal account, but that "expenditures from such funds were made for non-Federal activity only."

On May 2, 1985, the Rhode Island Committee submitted a copy of a cancelled check dated March 26, 1985, in the amount of \$46,394.12, as documentation of the transfer to their non-Federal account of all funds which were misdeposited in their Federal account. However, the Rhode Island Committee's assistant treasurer informed RAD in July 1985 that the Federal account had obtained a bank loan in order to repay the non-Federal account for the erroneously deposited funds, and the bank loan was in turn repaid from the non-Federal account. RAD informed the Rhode Island Committee that this action did not remedy the apparent violation and that the Federal account was still obligated to transfer to the non-Federal account an amount representing the

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amount of misdeposited funds. In August, 1985, the Rhode Island Committee's assistant treasurer informed RAD that the Federal account had repaid the non-Federal account in full with the proceeds of a fundraiser. On September 16, 1985, RAD received a copy of a cancelled check as documentation of the repayment.

B. The applicable law

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. In order to ensure that such prohibited monies are not used in connection with any Federal election, the Commission's regulations, at 11 C.F.R. § 102.5, prescribe certain requirements for organizations that intend to finance both Federal and non-Federal political activity. An organization which is a political committee under the Act has two alternatives available to it pursuant to 11 C.F.R. § 102.5(a): (1) it may maintain a single account for both Federal and non-Federal political activity, with such an account containing only contributions subject to the prohibitions and limitations of the Act, or (2) it may maintain two separate accounts, one for Federal political activity and one for non-Federal political activity. In the latter case, all disbursements, contributions, expenditures, and transfers made in connection with any Federal election must be from the Federal account. 11 C.F.R. § 102.5(a)(1)(i). Only funds subject to the prohibitions and limitations of the Act shall be deposited in the separate Federal account. 11 C.F.R. § 102.5(a)(1)(i). Finally, no transfers may be made to such Federal account from any other

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account(s) maintained by such organization for the purpose of financing activity in connection with non-Federal elections.

11 C.F.R. § 102.5(a)(1)(i).

11 C.F.R. § 102.6 requires certain transfers between affiliated committees to be made only with funds permissible under the Act.

2 U.S.C. § 441a(f) prohibits any political committee from knowingly accepting any contribution in violation of the contribution limitations of § 441a.

The term "political committee" means any committee, club, association or other group of persons which receives contributions aggregating in excess of \$1000 during a calendar year or which makes expenditures aggregating in excess of \$1000 during a calendar year. 2 U.S.C. § 431(4)(A).

The term "contribution" means 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, 2 U.S.C. § 431(8)(A)(i), while the term "expenditure" means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office, 2 U.S.C. § 431(9)(A)(i). (emphasis added). All unauthorized committees shall file a statement of organization within 10 days of becoming a political committee within the meaning of 2 U.S.C. § 431(4).

Finally, any change in information previously submitted in a Statement of Organization shall be reported no later than 10 days after the date of the change. 2 U.S.C. § 433(c).

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C. Application of the law to the inter-committee transfers

During September and October of 1984, the Rhode Island Republican Party received \$ 42,000 in transfers from two unregistered organizations, GOPAC and RNSEC. At the time the transfers were made, the Party maintained a Federal account (the Rhode Island Committee) and a non-Federal account (the State Committee). Both the Party and the transferors assert that the funds in question were meant to be deposited in the non-Federal account and were intended for use solely in connection with non-Federal elections. The Rhode Island Committee also asserts that such funds were, in fact, used only in connection with non-Federal political activity. However the Party misdeposited the funds into its Federal rather than its non-Federal account. Because the Party was involved in financing both Federal and non-Federal political activity, and because in doing so, it had chosen to proceed under the requirements of 11 C.F.R. § 102.5(a)(1)(i) in maintaining two separate accounts, it was prohibited from depositing any funds not subject to the prohibitions and limitations of the Act into its Federal account. Since the funds received from GOPAC and RNSEC and deposited in the Federal account were not subject to the prohibitions and limitations of the Act, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 11 C.F.R. § 102.5(a)(1)(i).

GOPAC transferred in excess of \$1000, in the aggregate, to the Rhode Island Committee. However, because the money was not

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intended to influence any election for Federal office, the meaning of contribution under the Act is not satisfied. RNSEC also transferred in excess of \$1000 to the Rhode Island Committee. RNSEC, because it is of the same political party as the Rhode Island Committee may make unlimited transfers to the Rhode Island Committee pursuant to 11 C.F.R. § 102.6(a)(1)(ii) As a result, the 441a limitations are not triggered, and the acceptance of this money will not place the Rhode Island Committee in violation of 2 U.S.C. § 441a(f). Accordingly, the Office of General Counsel is not recommending a determination with respect to 2 U.S.C. § 441a(f).

D. Application of the law to the intra-committee transfers

In addition to its Federal and non-Federal accounts (the Rhode Island Committee and the State Committee), the Rhode Island Republican Party had apparently also established two other non-Federal accounts: Victory '84 and the Committee to Elect a Republican Legislature. These non-Federal accounts made transfers to the Party's Federal account. Again the Party asserts that such funds were "erroneously and improperly" deposited in the Federal account. The Party also states that such monies were used for non-Federal activity only.

Because the transfers in question were "intra-party" transfers, the provisions of 11 C.F.R. § 102.6(a), which apply to transfers between separate entities, are inapplicable here. Instead the provisions of 11 C.F.R. § 102.5(a) will apply, since the Party had chosen to maintain separate Federal and non-Federal accounts and qualified as a political committee at the time of

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the transfers. Where, as here, an organization maintains separate Federal and non-Federal accounts, it is prohibited from transferring any funds from its non-Federal to its Federal account. 11 C.F.R. § 102.5(a)(1)(i). Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spender F. Martin Jr., as assistant treasurer violated 11 C.F.R. § 102.5(a)(1)(i) with respect to the transfers made from Victory '84, the Committee to Elect a Republican Legislature and the State Committee.

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Although the transfers from Victory '84 and the Committee to Elect a Republican Legislature exceeded, in the aggregate, \$1000 for each, the Office of General Counsel is not recommending a determination with respect to the failure of Victory '84 and the Committee to Elect a Republican Legislature to register and report. Because the transfers from these entities were not intended to influence any Federal election and were not so used, the meaning of contribution or expenditure under the Act is not satisfied. Where no contribution or expenditure for Federal purposes is made, the definition of political committee is not brought into play under 11 C.F.R. § 100.5, which in turn will fail to trigger the registration and reporting requirements under 2 U.S.C. § 433 and § 434.

Additionally, 11 C.F.R. § 102.5 expressly permits an organization wishing to finance both Federal and non-Federal activity to set up separate accounts to do so. The Rhode Island

Republican Party is operating as just such an organization. Victory '84 and the Committee to Elect a Republican Legislature are the non-Federal portion of the party entity (which already had a reporting Federal account/political committee). */ To require them to register because of the transfers made to the Federal account, where the money actually went for non-Federal purposes, would defeat the purpose of 11 C.F.R. § 102.5(a) and would render meaningless the distinction between the alternatives in § 102.5(a)(1)(i) and § 102.5(a)(1)(ii). If the non-Federal accounts have to register, there would be no distinction between maintaining a single Federal account or maintaining multiple Federal accounts. Where, as here, a party organization chooses to maintain separate Federal and non-Federal accounts as permitted by 11 C.F.R. § 102.5, the Office of General Counsel believes the Act's registration requirements are not triggered by the circumstances of the transfers herein, therefore this office is making no recommendation with regard to the registration of Victory '84 and the Committee to Elect a Republican Legislature.

C. Application of the law to the repayment of the transfers

The Rhode Island Committee obtained a commercial bank loan in the amount of \$46,394.12 in order to use the proceeds to

*/ See MURs 1165 and 769, in which non-Federal accounts were not considered to have become reporting political committees because they were part of entities with already reporting federal accounts.

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transfer-out all funds which were originally misdeposited in the Federal account. */ However, the bank loan was repaid by the non-Federal account, not by the Federal account. Rhode Island State law permits unlimited corporate and labor union contributions. However, 2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. Where, as here, the funds used to repay an obligation incurred by a Federal account, come from a non-Federal account, the potential exists for prohibited funds to be used for Federal political activity. In repaying the loan with funds from its non-Federal account, the Rhode Island Committee may have used corporate or labor union funds to satisfy this obligation. For the Party to use impermissible funds in this manner would be an apparent violation of 2 U.S.C. § 441b. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 441b.

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*/ The loan was made necessary, according to the Rhode Island Committee, because the original deposits had already been spent on state and local races in Rhode Island.

F. Failure to designate a new treasurer

The Statement of Organization originally filed by the Rhode Island Committee on June 22, 1977 lists Ernest R. Beaulieu as treasurer. No assistant treasurers are listed. The Rhode Island Committee filed an amended Statement of Organization on July 12, 1982, listing Jonathan T. Isham as the new treasurer. Again, no assistant treasurer was listed. According to the current "assistant treasurer", Spencer F. Martin, Jr., Mr. Isham is no longer associated with the organization. Pursuant to 2 U.S.C. § 433(c), a change in treasurers is required to be reported to the Commission within the ten days. The assistant treasurer, Mr. Martin, was notified by RAD in August 29, 1984, that a new treasurer should be appointed, and that the Commission should be notified in writing of such. To date the Commission has received no notification of a change in treasurers by the Rhode Island Committee. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 433(c).

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**Questions for the Rhode Island Republican Party/Rhode Island
Republican Campaign Committee**

On _____, 1985, the Federal Election Commission ("Commission") determined there was reason to believe that the Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations.

As part of its investigation into this matter, the Commission requests that answers be provided to the following questions. The "loan" refers to the \$46,394.11 loan which the Rhode Island Republican Campaign Committee obtained from the Rhode Island Hospital Trust National Bank in order to repay a non-Federal account for misdeposited funds.

1. State the name of the non-Federal account which repaid the loan.
2. State the date on which the non-Federal account repaid the loan.
3. State the total amount of funds in the non-Federal account named in Question 1 on the date of the loan repayment.
4. On the date of the loan repayment, was any of the money contained in the non-Federal account named in Question 1 attributable to corporate contributions?
5. If the answer to question number 4 is yes, state the total amount of funds in the non-Federal account which had a corporate source on the date of the loan repayment.
6. On the date of the loan repayment was any of the money contained in the non-Federal account named in question 1 attributable to labor union contributions?
7. If the answer to question number 6 is yes, state the total amount of funds in the non-Federal account which had a union source of the date of the loan repayment.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Rhode Island Republican Party/)
Rhode Island Republican)
Campaign Committee)
Spencer F. Martin, Jr.,)
Assistant Treasurer)

RAD 85L-28

M 2105

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 19, 1985, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in the above-captioned matter:

1. Open a MUR.
2. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c).
3. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 441b.
4. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 11 C.F.R. § 102.5(a)(1)(i).

(continued)

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5. Approve the letter with questions as recommended in the General Counsel's report dated November 4, 1985.
6. Approve the Factual and Legal Analysis attached to the General Counsel's report dated November 4, 1985.

Commissioners Elliott, Harris, Josefiak, McDonald,
and McGarry voted affirmatively for the decision.
Commissioner Aikens dissented.

Attest:

11-20-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION: _____

REFERRAL # 85L-28
STAFF: Eric Kleinfeld

85 NOV 5 P12: 38
OFFICE OF THE
GENERAL COUNSEL
FED

SOURCE OF REFERRAL: INTERNALLY GENERATED

RESPONDENTS' NAMES: Rhode Island Republican Party/
Rhode Island Republican Campaign
Committee
Spencer F. Martin, Jr. Assistant
Treasurer

RELEVANT STATUTES: 2 U.S.C. §431(4), §431(8), §431(9),
§433(c), §441a(f) and § 441b;
11 C.F.R. §100.5, §102.5, and §102.6

INTERNAL REPORTS CHECKED: Committee reports

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred this matter to the Office of General Counsel on July 3, 1985, after their review of reports filed by the Rhode Island Republican Campaign Committee ("Rhode Island Committee"). An update to this referral was received by this office from RAD on September 16, 1985.

SUMMARY OF ALLEGATIONS

The Rhode Island Committee, the Federal account of the Rhode Island Republican Party, was referred to this Office for possible violations of 2 U.S.C. § 441b(a), and §441a(f) of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) and § 102.6(a) of the Federal Election Commission's ("Commission's") regulations. The bases for these allegations are receipts in excess of \$46,000 from five unregistered organizations, as disclosed on the Rhode Island Committee's reports in 1984.

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FACTUAL AND LEGAL ANALYSIS

A. Factual Background

The Rhode Island Committee operates as the Federal account established and maintained by the Rhode Island Republican Party ("Party") to finance its political activity in connection with Federal elections. The Party also maintains a non-Federal account under the name of the Rhode Island State Central Committee, to finance non-Federal political activity. The 1984 October Quarterly, 12 Day Pre-general and 30 Day Post-general reports filed by the Rhode Island Committee disclosed the following transfers-in from five unregistered, non-Federal organizations:

<u>Name of Transferor</u>	<u>Date of Transfer</u>	<u>Amount of Transfer</u>	
1. GOPAC	9/26/84 10/9/84	\$4000.00 3500.00	\$7000.00
2. Republican National State Elections Committee	9/6/84 9/6/84 9/27/84 10/9/84	7936.00 6535.25 15,000.00 <u>5528.16</u>	\$35,000.01
3. Committee to Elect a Republican Legislature	10/30/84	\$2500.00	\$2500.00
4. Rhode Island Victory '84 Comm.	11/7/84 11/28/84	\$1200.00 <u>194.11</u>	\$1394.11
5. Rhode Island Republican State Central Committee	11/8/84	\$350.00	<u>\$350.00</u>

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GOPAC is an unregistered, non-Federal organization not affiliated with the Rhode Island Republican Party. The Republican National State Elections Committee ("RNSEC") is an unregistered, non-Federal organization of the same political party as the Rhode Island Republican Party. The remaining three transferors, the Committee to Elect a Republican Legislature, the Rhode Island Victory '84 Committee ("Victory '84") and the Rhode Island Republican State Central Committee ("State Committee") are all apparently non-Federal accounts maintained by the Rhode Island Republican Party for non-Federal political activity.

Requests for Additional Information ("RFAIs") were sent to the Rhode Island Committee concerning the transfers. The RFAI informed the Rhode Island Committee that, if the funds were intended for state and local election purposes, the amounts of the transfers must (1) be refunded to the unregistered, non-Federal organizations or (2) be transferred-out to another non-Federal account, in order to achieve compliance with the Act.

The Rhode Island Committee's assistant treasurer responded to RAD's inquiry by indicating that the amounts received were intended to be spent on state and local races and not on Federal races, and were, in fact, so spent. In written responses to RAD, it was indicated that all transfers in question were "erroneously and improperly" deposited into the Party's Federal account, but that "expenditures from such funds were made for non-Federal activity only."

On May 2, 1985, the Rhode Island Committee submitted a copy of a cancelled check dated March 26, 1985, in the amount of

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\$46,394.12, as documentation of the transfer to their non-Federal account of all funds which were misdeposited in their Federal account. However, the Rhode Island Committee's assistant treasurer informed RAD in July 1985 that the Federal account had obtained a bank loan in order to repay the non-Federal account for the erroneously deposited funds, and the bank loan was in turn repaid from the non-Federal account. RAD informed the Rhode Island Committee that this action did not remedy the apparent violation and that the Federal account was still obligated to transfer to the non-Federal account an amount representing the amount of misdeposited funds. In August, 1985, the Rhode Island Committee's assistant treasurer informed RAD that the Federal account had repaid the non-Federal account in full with the proceeds of a fundraiser. On September 16, 1985, RAD received a copy of a cancelled check as documentation of the repayment.

B. The applicable law

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. In order to ensure that such prohibited monies are not used in connection with any Federal election, the Commission's regulations, at 11 C.F.R. § 102.5, prescribe certain requirements for organizations that intend to finance both Federal and non-Federal political activity. An organization which is a political committee under the Act has two alternatives available to it pursuant to 11 C.F.R. § 102.5(a): (1) it may maintain a single

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account for both Federal and non-Federal political activity, with such an account containing only contributions subject to the prohibitions and limitations of the Act, or (2) it may maintain two separate accounts, one for Federal political activity and one for non-Federal political activity. In the latter case, all disbursements, contributions, expenditures, and transfers made in connection with any Federal election must be from the Federal account. 11 C.F.R. § 102.5(a)(1)(i). Only funds subject to the prohibitions and limitations of the Act shall be deposited in the separate Federal account. 11 C.F.R. § 102.5(a)(1)(i). Finally, no transfers may be made to such Federal account from any other account(s) maintained by such organization for the purpose of financing activity in connection with non-Federal elections. 11 C.F.R. § 102.5(a)(1)(i).

11 C.F.R. § 102.6 requires certain transfers between affiliated committees to be made only with funds permissible under the Act.

2 U.S.C. § 441a(f) prohibits any political committee from knowingly accepting any contribution in violation of the contribution limitations of § 441a.

The term "political committee" means any committee, club, association or other group of persons which receives contributions aggregating in excess of \$1000 during a calendar year or which makes expenditures aggregating in excess of \$1000 during a calendar year. 2 U.S.C. § 431(4)(A).

The term "contribution" means 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, 2 U.S.C. § 431(8)(A)(i), while the term "expenditure" means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office, 2 U.S.C. § 431(9)(A)(i). (emphasis added). All unauthorized committees shall file a statement of organization within 10 days of becoming a political committee within the meaning of 2 U.S.C. § 431(4).

Finally, any change in information previously submitted in a Statement of Organization shall be reported no later than 10 days after the date of the change. 2 U.S.C. § 433(c).

C. Application of the law to the inter-committee transfers

During September and October of 1984, the Rhode Island Republican Party received \$ 42,000 in transfers from two unregistered organizations, GOPAC and RNSEC. At the time the transfers were made, the Party maintained a Federal account (the Rhode Island Committee) and a non-Federal account (the State Committee). Both the Party and the transferors assert that the funds in question were meant to be deposited in the non-Federal account and were intended for use solely in connection with non-Federal elections. The Rhode Island Committee also asserts that such funds were, in fact, used only in connection with non-Federal political activity. However the Party misdeposited the funds into its Federal rather than its non-Federal account. Because the Party was involved in financing both Federal and

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non-Federal political activity, and because in doing so, it had chosen to proceed under the requirements of 11 C.F.R.

§ 102.5(a)(1)(i) in maintaining two separate accounts, it was prohibited from depositing any funds not subject to the prohibitions and limitations of the Act into its Federal account. Since the funds received from GOPAC and RNSEC and deposited in the Federal account were not subject to the prohibitions and limitations of the Act, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 11 C.F.R. § 102.5(a)(1)(i).

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GOPAC transferred in excess of \$1000, in the aggregate, to the Rhode Island Committee. However, because the money was not intended to influence any election for Federal office, the meaning of contribution under the Act is not satisfied. RNSEC also transferred in excess of \$1000 to the Rhode Island Committee. RNSEC, because it is of the same political party as the Rhode Island Committee may make unlimited transfers to the Rhode Island Committee pursuant to 11 C.F.R. § 102.6(a)(1)(ii) As a result, the 441a limitations are not triggered, and the acceptance of this money will not place the Rhode Island Committee in violation of 2 U.S.C. § 441a(f). Accordingly, the Office of General Counsel is not recommending a determination with respect to 2 U.S.C. § 441a(f).

D. Application of the law to the intra-committee transfers

In addition to its Federal and non-Federal accounts (the Rhode Island Committee and the State Committee), the Rhode Island Republican Party had apparently also established two other non-Federal accounts: Victory '84 and the Committee to Elect a

Republican Legislature. These non-Federal accounts made transfers to the Party's Federal account. Again the Party asserts that such funds were "erroneously and improperly" deposited in the Federal account. The Party also states that such monies were used for non-Federal activity only.

Because the transfers in question were "intra-party" transfers, the provisions of 11 C.F.R. § 102.6(a), which apply to transfers between separate entities, are inapplicable here. Instead the provisions of 11 C.F.R. § 102.5(a) will apply, since the Party had chosen to maintain separate Federal and non-Federal accounts and qualified as a political committee at the time of the transfers. Where, as here, an organization maintains separate Federal and non-Federal accounts, it is prohibited from transferring any funds from its non-Federal to its Federal account. 11 C.F.R. § 102.5(a)(1)(i). Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer violated 11 C.F.R. § 102.5(a)(1)(i) with respect to the transfers made from Victory '84, the Committee to Elect a Republican Legislature and the State Committee.

Although the transfers from Victory '84 and the Committee to Elect a Republican Legislature exceeded, in the aggregate, \$1000 for each, the Office of General Counsel is not recommending a determination with respect to the failure of Victory '84 and the Committee to Elect a Republican Legislature to register and report. Because the transfers from these entities were not

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intended to influence any Federal election and were not so used, the meaning of contribution or expenditure under the Act is not satisfied. Where no contribution or expenditure for Federal purposes is made, the definition of political committee is not brought into play under 11 C.F.R. § 100.5, which in turn will fail to trigger the registration and reporting requirements under 2 U.S.C. § 433 and § 434.

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Additionally, 11 C.F.R. § 102.5 expressly permits an organization wishing to finance both Federal and non-Federal activity to set up separate accounts to do so. The Rhode Island Republican Party is operating as just such an organization. Victory '84 and the Committee to Elect a Republican Legislature are the non-Federal portion of the party entity (which already had a reporting Federal account/political committee). */ To require them to register because of the transfers made to the Federal account, where the money actually went for non-Federal purposes, would defeat the purpose of 11 C.F.R. § 102.5(a) and would render meaningless the distinction between the alternatives in § 102.5(a)(1)(i) and § 102.5(a)(1)(ii). If the non-Federal accounts have to register, there would be no distinction between maintaining a single Federal account or maintaining multiple Federal accounts. Where, as here, a party organization chooses

*/ See MURs 1165 and 769, in which non-Federal accounts were not considered to have become reporting political committees because they were part of entities with already reporting federal accounts.

to maintain separate Federal and non-Federal accounts as permitted by 11 C.F.R. § 102.5, the Office of General Counsel believes the Act's registration requirements are not triggered by the circumstances of the transfers herein, therefore this office is making no recommendation with regard to the registration of Victory '84 and the Committee to Elect a Republican Legislature.

C. Application of the law to the repayment of the transfers

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The Rhode Island Committee obtained a commercial bank loan in the amount of \$46,394.12 in order to use the proceeds to transfer-out all funds which were originally misdeposited in the Federal account. */ However, the bank loan was repaid by the non-Federal account, not by the Federal account. Rhode Island State law permits unlimited corporate and labor union contributions. However, 2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. Where, as here, the funds used to repay an obligation incurred by a Federal account, come from a non-Federal account, the potential exists for prohibited funds to be used for Federal political activity. In repaying the loan with funds from its non-Federal account, the Rhode Island Committee may have used corporate or labor union funds to satisfy this obligation. For the Party to use impermissible funds in this manner would be an

*/ The loan was made necessary, according to the Rhode Island Committee, because the original deposits had already been spent on state and local races in Rhode Island.

apparent violation of 2 U.S.C. § 441b. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 441b.

F. Failure to designate a new treasurer

The Statement of Organization originally filed by the Rhode Island Committee on June 22, 1977 lists Ernest R. Beaulieu as treasurer. No assistant treasurers are listed. The Rhode Island Committee filed an amended Statement of Organization on July 12, 1982, listing Jonathan T. Isham as the new treasurer. Again, no assistant treasurer was listed. According to the current "assistant treasurer", Spencer F. Martin, Jr., Mr. Isham is no longer associated with the organization. Pursuant to 2 U.S.C. § 433(c), a change in treasurers is required to be reported to the Commission within the ten days. The assistant treasurer, Mr. Martin, was notified by RAD in August 29, 1984, that a new treasurer should be appointed, and that the Commission should be notified in writing of such. To date the Commission has received no notification of a change in treasurers by the Rhode Island Committee. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 433(c).

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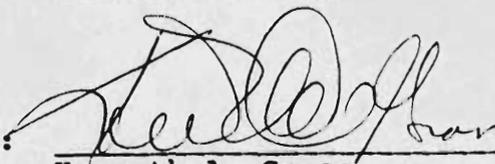
RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Open a MUR
2. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c).
3. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 441b.
4. Find reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 11 C.F.R. § 102.5(a)(1)(i).
5. Approve the attached letter with questions.
6. Approve attached Factual and Legal Analysis.

Charles N. Steele
General Counsel

November 4, 1985
Date

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Referral Materials
2. Proposed letter
3. Questions
4. Factual and Legal Analysis

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ATTACHMENT 1 ①

85L-28

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For your information, companion referrals for the Republican National State Elections Committee ("RNSEC") and GOPAC are being forwarded to your office and should be considered in conjunction with this referral.

If you have any questions regarding this matter, please contact Lisa Stolaruk at 523-4048.

Attachment

86040984069

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 3 July 1985

ANALYST: Lisa J. Stolaruk

I. COMMITTEE: Rhode Island Republican Campaign Committee (C00078196)
Spencer Martin, Assistant Treasurer^{1/}
146 Westminster Street, Suite 200
Providence, RI 02903

II. RELEVANT STATUTE: 2 U.S.C. §§441b(a) and 441a(f)
11 CFR 102.5(a)(1)(i) and 102.6(a)

III. BACKGROUND:

Receipt of Funds from Unregistered, Non-Federal Organizations

The 1984 October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports filed by the Rhode Island Republican Campaign Committee ("Rhode Island") disclosed a total of \$46,744.12 received from five (5) apparent unregistered, non-Federal organizations (see Chart and Attachments 2, 3 and 13). Of this total, \$4,244.11 was received from three (3) accounts which appear to be maintained by Rhode Island for non-Federal activity; \$35,000.01 was received from a non-Federal account of the Republican National Committee; and \$7,500 was received from a "National Political Action Committee."

The 1984 October Quarterly and 12 Day Pre-General Reports filed by Rhode Island disclosed receipts totalling \$42,500.01 designated for support of Republican State elections from the Republican National State Elections Committee ("RNSEC") and GOPAC, two (2) unregistered, non-Federal organizations. The funds from the RNSEC were received between September 6 and October 9, 1984 and the funds from GOPAC were received between September 26 and October 9, 1984.

^{1/} Jonathan Isham, the treasurer of record, is no longer with the Committee. In a conversation on August 29, 1984 with Mr. Spencer Martin, the Assistant Treasurer, the Reports Analysis Division ("RAD") analyst told Mr. Spencer that a treasurer should be appointed as soon as possible and the Commission should be advised in writing of the new treasurer.

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4

RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

Requests for Additional Information ("RFAIs") for the 1984 October Quarterly and 12 Day Pre-General Reports were sent to Rhode Island on December 5, 1984. The RFAIs stated that under 11 CFR 102.5 the Federal account of a political committee may only receive contributions designated for the Federal account and contributions solicited for use in Federal elections. Since the funds received from RNSEC and GOPAC appeared to be intended for state and local election purposes, the RFAIs further stated that the full amounts must be refunded to the unregistered, non-Federal organizations or transferred-out to another non-Federal account (Attachments 4 and 5).

On December 7, 1984, Spencer Martin called the RAD analyst. Mr. Martin stated that the funds received from RNSEC and GOPAC were intended for state and local use. He believed that since RNSEC and GOPAC were located in Washington, D.C., the money could be deposited in Rhode Island's Federal account. The RAD analyst informed Mr. Martin that in general, the source of the funds (i.e., the permissibility of the funds) and whether or not the contributing entities were registered would determine whether funds could be deposited into a Federal account. Mr. Martin stated that all of the funds had already been spent on state and local races, and he discussed the possibility of obtaining a bank loan for purposes of transferring the funds to Rhode Island's non-Federal account. The RAD analyst recommended that he submit a letter to the Commission in the interim, outlining the steps that he intended to take to remedy the situation (Attachment 6).

Mr. Martin called the RAD analyst again on December 11, 1984, and stated that Rhode Island's next report would disclose additional funds that were erroneously deposited in the Federal account. The RAD analyst stated that Rhode Island might also be required to transfer those funds to its non-Federal account (Attachment 7).

On December 17, 1984, responses to the RFAIs were received. The responses stated that the receipts from RNSEC and GOPAC were "erroneously and improperly deposited" into Rhode Island's Federal account, but that "expenditures from these funds were made for non-federal activity only." In addition, the responses indicated that steps were being taken to transfer the funds to Rhode Island's non-Federal account and that documentation would be submitted once the transaction had taken place (Attachments 8 and 9).

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RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

A Second Notice was sent to Rhode Island on December 27, 1984, for failure to transfer-out the funds within fifteen (15) days from the date of the RFAIs (Attachment 10).

Mr. Martin called the RAD analyst on January 4, 1985, in response to the Second Notice. He stated that, due to the Christmas holidays and other circumstances beyond his control, the transfers could not be accomplished within the fifteen (15) day time frame cited in the Second Notice. The RAD analyst recommended that he explain the reasons for the delay in a letter (Attachment 11).

Rhode Island's response to the Second Notice, received January 10, 1985, stated that it was unable to arrange a meeting of the Executive Committee to approve the transfer of funds. It appeared that Rhode Island would be unable to complete the transfer until early February (Attachment 12).

The 1984 30 Day Post-General Report filed by Rhode Island disclosed receipts totalling \$4,244.11 from three (3) unregistered, non-Federal organizations which appeared to be accounts maintained by Rhode Island for non-Federal activity (Attachment 13).

An RFAI was sent to Rhode Island for the 30 Day Post-General Report on January 23, 1985 which stated that, under 11 CFR 102.5, the Federal account of a political committee may only receive contributions designated for the Federal account and contributions solicited for use in Federal elections. The RFAI also requested that the receipts be refunded or transferred to the non-Federal accounts (Attachment 14).

Rhode Island's response to the 30 Day Post-General Report RFAI, received February 4, 1985, stated the following:

Receipts from the Committee to Elect Republican Legislature and the R.I. Victory '84 Committee were erroneously and improperly deposited in our federal account. Expenditures from these funds were for non-federal activity only.

The response further indicated that Rhode Island expected the transfers to be made during the month of February and that the funds have been shown as debts owed to the non-Federal account on Rhode Island's Year End Report (Attachment 15).

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RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

Mr. Martin called the RAD analyst on March 15, 1985 and stated that the transfer should be accomplished by the following week (Attachment 16). On March 27, 1985, Mr. Martin called the RAD analyst and stated that all impermissible funds had been transferred to Rhode Island's non-Federal account the day before. He further stated that Rhode Island should receive the cancelled check at the end of the month and would forward a copy of the check as proof of the transfer (Attachment 17).

The RAD analyst called Mr. Martin on April 16, 1985, to remind him that the Commission had not received any documentation regarding the transfer of funds. Mr. Martin apologized for this, but explained that the cancelled check had not been received from the bank. The RAD analyst recommended that he send the information in letter form in the interim (Attachment 18).

On April 22, 1985, Rhode Island submitted a letter stating that the transfer was made on March 26, 1985 and that a copy of the cancelled check would be forwarded upon receipt (Attachment 19). A copy of the cancelled check, in the amount of \$46,394.12, was submitted on May 2, 1985 (Attachment 20). In an accompanying letter, Mr. Martin stated that the "...transfer represents the total of all funds which were mistakenly deposited into our federal account instead of our non-federal account."

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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CHART

RECEIPTS FROM UNREGISTERED, NON-FEDERAL ORGANIZATIONS

Name of Organization	Report/Date Received	Amount Received	Report/Date Disbursed ^{1/}	Amount of Transfer-Out
Republican National State Elections Committee ("RNSEC")	October Quarterly - 9/06/84	\$ 7,936.00	3/26/85	\$35,000.01
	" " - 9/06/84	6,535.25	"	
	" " - 9/27/84	15,000.00	"	
	12 Day Pre-General - 10/09/84	5,528.76	"	
GOPAC	October Quarterly - 9/26/84	4,000.00	3/26/85	\$ 7,500.00
	12 Day Pre-General - 10/09/84	3,500.00		
Committee to Elect Republican Legislature	30 Day Post-General - 10/30/84	2,500.00	3/26/85	\$ 2,500.00
Rhode Island Victory '84 Committee ("Victory 84") ^{2/}	30 Day Post-General - 11/07/84	1,200.00	3/26/85	\$ 1,394.11
	" " " " - 11/28/84	194.11	"	
R.I. Republican State Central Committee	30 Day Post-General - 11/08/84	350.00	30 Day Post-General 11/28/84	\$ 350.00

^{1/} The March 26, 1985 transfer-out to Rhode Island's non-Federal account should be disclosed on Rhode Island's 1985 Mid-Year Report.

^{2/} Victory '84 registered as an affiliated committee of the Rhode Island Republican State Central Committee on November 2, 1984 but has not filed any reports. The source of funds, therefore, cannot be ascertained.

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
RHODE ISLAND REPUBLICAN CAMPAIGN COMMITTEE						
				PARTY QUALIFIED		ID #C00078196
1983	APRIL QUARTERLY	0	17	1JAN83 -31MAR83	3	83FEC/269/5252
	JULY QUARTERLY	0	14	1APR83 -30JUN83	4	83FEC/277/4410
	YEAR-END	0	5	1JUL83 -31DEC83	3	84FEC/292/4947
	YEAR-END - AMENDMENT	0	5	1JUL83 -31DEC83	2	84FEC/296/3242
1984	STATEMENT OF ORGANIZATION - AMENDMENT			2APR84	1	84FEC/306/4788
	APRIL QUARTERLY	5,730	3,660	1JAN84 -31MAR84	5	84FEC/306/4046
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 -31MAR84	3	84FEC/313/3591
	REQUEST FOR ADDITIONAL INFORMATION	-	-	1JAN84 -31MAR84	1	84FEC/312/2223
	JULY QUARTERLY	11,000	-	1APR84 -30JUN84	6	84FEC/327/2632
	JULY QUARTERLY - AMENDMENT	11,000	2,912	1APR84 -30JUN84	7	84FEC/340/1943
	NOTICE OF FAILURE TO FILE	-	-	1APR84 -30JUN84	1	84FEC/325/0623
	REQUEST FOR ADDITIONAL INFORMATION	-	-	1APR84 -30JUN84	2	84FEC/336/1776
	OCTOBER QUARTERLY	33,471	14,723	1JUL84 -30SEP84	7	84FEC/340/1936
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	84FEC/357/0216
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	2	85FEC/359/1195
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	85FEC/371/4383
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	85FEC/372/4438
	REQUEST FOR ADDITIONAL INFORMATION	-	-	1JUL84 -30SEP84	3	84FEC/351/3223
	REQUEST FOR ADDITIONAL INFORMATION 2ND	-	-	1JUL84 -30SEP84	1	84FEC/357/5348
	PRE-GENERAL	19,028	24,982	1OCT84 -17OCT84	6	84FEC/347/1848
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	3	84FEC/357/0217
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/359/1441
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/371/4382
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/372/4437
	REQUEST FOR ADDITIONAL INFORMATION	-	-	1OCT84 -17OCT84	4	84FEC/351/3218
	REQUEST FOR ADDITIONAL INFORMATION 2ND	-	-	1OCT84 -17OCT84	1	84FEC/357/462
	POST-GENERAL	4,244	27,268	18OCT84 -28NOV84	10	84FEC/353/4806
	POST-GENERAL - AMENDMENT	-	-	19OCT84 -28NOV84	2	85FEC/364/1408
	POST-GENERAL - AMENDMENT	-	-	19OCT84 -28NOV84	2	85FEC/371/3989
	POST-GENERAL - AMENDMENT	-	-	18OCT84 -28NOV84	3	85FEC/372/4033
	REQUEST FOR ADDITIONAL INFORMATION	-	-	18OCT84 -28NOV84	3	85FEC/361/1089
	YEAR-END	1,300	10	29NOV84 -31DEC84	4	85FEC/363/4522
	TOTAL	74,773	0		0	95 TOTAL PAGES

All reports listed above have been reviewed.
 Ending cash-on-hand as of 12/31/84: \$1,924
 Debts and obligations owed by the committee as of 12/31/84: \$46,394.12

REPORT OF RECEIPTS AND DISBURSEMENTS
 For a Political Committee Other Than an Authorized Committee

(Summary Page)

84 OCT 17 4 55
 ALIGN AREA

ALIGN AREA

1. Name of Committee (in Full)
 RHODE ISLAND REPUBLICAN
 STATE CENTRAL COMMITTEE

Address (Number and Street)
 146 WASHINGTON ST. - SUITE 200

City, State and ZIP Code
 PROVIDENCE, RI 02903

Check here if address is different than previously reported

2. FEC Identification Number
 C 00078190

3. This committee qualified as a multicandidate committee during this reporting period on _____

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 _____ (Year 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

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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, 1984	\$ 52		\$ 78.33
(b) Cash on Hand at Beginning of Reporting Period		\$ 10,235.23	
(c) Total Receipts (from Line 1B)		\$ 33,471.25	\$ 50,201.25
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 43,706.48	\$ 50,279.58
7. Total Disbursements (from Line 2B)		\$ 14,723.51	\$ 21,305.61
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 28,982.97	\$ 28,964.97
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)		\$ 7442.83	

I hereby declare that I am the authorized representative of the committee and the contents of this report are true and correct to the best of my knowledge and belief.

For further information contact _____

SIGNATURE OF REPRESENTATIVE _____
 Date 10/12/84

10

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)

Report Covering the Period		From	To
		7/1/84	11/30/84
		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		5680.00
	(b) Political Party Committees		
	(c) Other Political Committees		5680.00
	(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))		
12	TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	33,471.25	47,471.25
13	ALL LOANS RECEIVED		
14	LOAN REPAYMENTS RECEIVED		
15	OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		
16	REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
17	OTHER RECEIPTS (Dividends, Interest, etc.)		50.00
18	TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	33,471.25	51,201.25
II. DISBURSEMENTS			
19	OPERATING EXPENDITURES	14,432.01	20,180.44
20	TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES		
21	CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	291.50	100.42
22	INDEPENDENT EXPENDITURES (use Schedule E)		
23	COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (Use 5441 and 5442) (Use Schedule F)		
24	LOAN REPAYMENTS MADE		
25	ALL OTHER		
26	REFUNDS OF CONTRIBUTIONS TO:		
	(a) Individuals/Persons Other Than Political Committees		
	(b) Political Party Committees		
	(c) Other Political Committees		
	(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))		
27	TOTAL DISBURSEMENTS		
28	TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	14,723.51	21,280.86
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29	NET CONTRIBUTIONS (other than loans) from Line 11(d)		
30	NET CONTRIBUTION REFUNDS from Line 26(d)		
31	NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)		
32	TOTAL OPERATING EXPENDITURES from Line 19		44
33	ADJUSTED OPERATING EXPENDITURES from Line 15		
34	NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)		44

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11

Page 1 of 1
LINE NUMBER 12
Also attach contribution for each category of the Detailed Summary Page!

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)
MIDDE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE

A. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST STREET - SE WASHINGTON, D.C. 20003	Name of Employer STATE	Date (month, day, year) 9/6/84	Amount of Each Receipt This Period \$7936.00
Receipt For Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS	Aggregate Year-to-Date - \$ 7936.00	

B. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST. - SE WASH, DC 20003	Name of Employer STATE	Date (month, day, year) 9/6/84	Amount of Each Receipt This Period 6535.25
Receipt For Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS	Aggregate Year-to-Date - \$ 14,471.25	

C. Full Name, Mailing Address and ZIP Code GOPAC 731 ETH STREET, SE WASH, DC 20003	Name of Employer STATE	Date (month, day, year) 9/26/84	Amount of Each Receipt This Period 4000.00
Receipt For Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS	Aggregate Year-to-Date - \$ 4000.00	

D. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST. SE WASH, DC 20003	Name of Employer STATE	Date (month, day, year) 9/27/84	Amount of Each Receipt This Period 15,000.00
Receipt For Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS	Aggregate Year-to-Date - \$ 29,471.25	

E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For Primary <input type="checkbox"/> General <input type="checkbox"/> 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 <input type="checkbox"/> General <input type="checkbox"/> 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 <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Occupation	Aggregate Year-to-Date - \$	

TOTAL Receipts This Page (optional)

TOTAL Receipts This Page (state this line number only) 33,471.25

9 9 0 3 1 9 0 3 0 9 7 3

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

MORTON A. ...

1 Name of Committee (In Full)
**RHODE ISLAND REPUBLICAN
STATE CENTRAL COMMITTEE**

Address (Number and Street)
141 HASTINGS ST. SUITE 200

City, State and ZIP Code
PROVIDENCE, R.I. 02905

2 FEC Identification Number
C00075170

3 This committee qualified as a multicandidate committee during this reporting period on _____ date

4 TYPE OF REPORT (Check appropriate boxes)

1a) April 15 Quarterly Report October 15 Quarterly Report

July 15 Quarterly Report January 31 Year End Report

July 31 Mid Year Report (Must Election Year Only)

Monthly Report for _____

Thirtieth day report preceding **GENERAL** election on **6.7.04** in the State of **RHODE ISLAND**

Thirtieth day report following the General Election on _____ in the State of _____

Termination Report

1b) Is this Report an Amended Report? YES NO

11918311331

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		78.33
	(b) Cash on hand at Beginning of Reporting Period	\$ 28,982.97	
	(c) Total Receipts from Line 1B:	\$ 19,028.76	\$ 69,230.01
	(d) Subtotal (add Lines 6 b and 6 c for Column A and Lines 6 a and 6 c for Column B)	\$ 48,011.73	\$ 69,308.34
7	Total Disbursements from Line 2B	\$ 24,982.46	\$ 46,279.07
8	Cash on hand at Close of Reporting Period (subtract Line 7 from Line 6 d)	\$ 23,029.27	\$ 23,029.27
9	Debits and Collections Owed TO The Committee from 2e on Schedule C or Schedule D		
10	Debits and Collections Owed BY The Committee from 2e on Schedule C or Schedule D	\$ 7,442.83	

For further information contact _____

Signature of Treasurer: _____ Date: _____

All previous editions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used

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Page 1 of 12
Last Number 12
Also attach schedule for each category of the Detailed Summary Page

SCHEDULE A

ITEMIZED RECEIPTS

Any information shown from such Reports or Statements may not be used by any person for the purpose of such doing with donors or for commercial purposes, other than using the name and address of any donor or contributor to solicit contributions from such contributor

Name of Committee (in Full)			
RHODE ISLAND REPUBLICAN STATE LEGISLATIVE COMMITTEE			
A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
GOPAC 731 6TH ST., S.E. WASH, D.C. 20003	JAMES	10/9/84	3500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Amount of Support to Republican State Elections	Addressed Year to Date \$	
		7500.00	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST., S.E. WASH, DC 20003	JAMES	10/9/84	5528.76
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Amount of Support to Republican State Elections	Addressed Year to Date \$	
		35000.01	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
REPUBLICAN NATIONAL COMMITTEE 310 FIRST ST., S.E. WASH DC 20003	JAMES	10/10/84	10,000.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Amount of Support to Republican State Elections	Addressed Year to Date \$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month day year)	Amount of Each Receipt (This Period)
SUBTOTAL			
TOTAL			19,028.76

18058879400

15



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

80-2

DEC 5 1984

Jonathan Isham, Treasurer
Rhode Island Republican
State Central Committee
146 Westminister Street, Suite 200
Providence, RI 02903

Identification Number: C90078196

Reference: October Quarterly Report (7/1/84-9/30/84)

Dear Mr. Isham:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts from the Republican National State Elections Committee ("RNSSEC") and GOPAC (pertinent portion attached). According to a letter from the Republican National Committee, the RNSSEC was created solely to support candidates for election to state and local offices. In addition, the purpose of the receipt from GOPAC is listed as "support of Republican state elections".

Under 11 CFR 102.5, only funds subject to the prohibitions and limitations of the Act may be deposited into the Federal account of a political committee. Furthermore, a political committee may only receive (i) contributions designated for the Federal account, and (ii) contributions which have been solicited for use in Federal elections. See 11 CFR 102.5(a)(2).

Since the funds received from the RNSSEC and GOPAC were apparently intended for state and local election purposes, the full amounts must be refunded to the RNSSEC and GOPAC or transferred-out to another non-Federal account. Please inform the Commission immediately in writing and provide photocopies of your checks for the refunds or transfers-out. Your next report should disclose the refunds on Schedule B for Line 26a. If, however, the impermissible funds are transferred-out, your next report should disclose the disbursements on Schedule B for Line 20 or Line 27, as appropriate.

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Although the Commission may take further legal action regarding the acceptance of impermissible funds, your prompt refund or transfer-out of the funds in question will be taken into consideration.

-Please provide the mailing address and the purpose for the two disbursements to Metro Mail listed on Schedule B supporting Line 19.

-Please clarify all expenditures made for phone bank activities. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-6008.

Sincerely,



Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

44033313224

17



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

20-2

DEC 5 1984

Jonathan Isham, Treasurer
Rhode Island Republican
State Central Committee
146 Westminister Street, Suite 200
Providence, RI 02993

Identification Number: C99078196

Reference: 12 Day Pre-General Report (10/1/84-10/17/84)

Dear Mr. Isham:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts from the Republican National State Elections Committee ("RNSSEC") and GOPAC (pertinent portion attached). According to a letter from the Republican National Committee, the RNSSEC was created solely to support candidates for election to state and local offices. In addition, the purpose of the receipt from GOPAC is listed as "support of Republican state elections".

Under 11 CFR 102.5, only funds subject to the prohibitions and limitations of the Act may be deposited into the Federal account of a political committee. Furthermore, a political committee may only receive (i) contributions designated for the Federal account, and (ii) contributions which have been solicited for use in Federal elections. See 11 CFR 102.5(a)(2).

Since the funds received from the RNSSEC and GOPAC were apparently intended for state and local election purposes, the full amounts must be refunded to the RNSSEC and GOPAC or transferred-out to another non-Federal account. Please inform the Commission immediately in writing and provide photocopies of your checks for the refunds or transfers-out. Your next report should disclose the refunds on Schedule B for Line 26a. If, however, the impermissible funds are transferred-out, your next report should disclose the disbursements on Schedule B for Line 20 or Line 27, as appropriate.

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Although the Commission may take further legal action regarding the acceptance of impermissible funds, your prompt refund or transfer-out of the funds in question will be taken into consideration.

-Please clarify all expenditures made for political advertising and phone bank expenses. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

-Please provide a Schedule C or D, as appropriate, to support the entry of \$7,442.83 reported on Line 10 of the Summary Page. Loans and debts must be continuously reported until they are either repaid or settled. 11 CFR 104.3(d).

-Your report discloses limited payments for administrative expenses. Each committee utilizing separate Federal and non-Federal accounts is required to allocate any administrative expenses between the accounts in proportion to the amount of funds expended on Federal and non-Federal elections or on another reasonable basis. Administrative expenses are those day-to-day costs of operating the committee, including rent, utilities, salaries and other miscellaneous office expenses. The Federal account of the committee must pay its share of such expenses. 11 CFR 106.1(e) and 102.5(a)(1)(i).

If your organization has incurred such administrative costs and your non-Federal account has paid for all such costs, your Federal account must reimburse the non-Federal account for its portion of the expenses. The amount incurred by the Federal account should be disclosed as a debt or obligation owed to the non-Federal account on Schedule D supporting Line 10 of the Summary Page. When payments are made toward the debt, they should be reported on Schedule B supporting Line 19 of the Detailed Summary Page and the debt should be reduced by a corresponding amount.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission

4033513219

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within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 434-9339. My local number is (202) 523-6000.

Sincerely,



Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

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TELECON

20

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin (401)421-2570
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 12/7/84
SUBJECT(S): Contributions from GOPAC and the Republican National State
Elections Committee

Mr. Martin called this morning regarding the Requests for Additional Information that we had sent to the committee. The committee's October Quarterly and 12 Day Pre-General reports disclosed contributions received from GOPAC and the Republican National State Elections Committee, both of which are apparently committees which operate strictly on the non-Federal level and thus are not registered with the FEC. Mr. Martin confirmed the fact that the contributions were intended for state and local use. However, he stated that, since both of the committees were headquartered in Washington, he thought that the money could be deposited in Rhode Island's Federal account. I informed him that the source of the funds (i.e., the permissibility of the funds) and whether the committees were registered with the FEC would both dictate whether the contributions could be deposited into the Federal account.

Mr. Martin stated that the money has already been used on state and local races. I explained that the committee must either refund the full amounts to the contributing committees or transfer the total amount of the contributions to its non-Federal account. Mr. Martin discussed the possibility of securing a bank loan in order to transfer the contributions to its non-Federal account. I recommended that he submit a letter to the Commission in the interim, outlining the steps that he intends to take in order to rectify the situation. Furthermore, I requested that, once the refund had been made to the non-Federal account, he submit a copy of the check to the Commission.

85040794087

TELECON

(21)

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin (401)421-2570
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 12/11/84
SUBJECT(S): Responses to RFAI's

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Mr. Martin called seeking guidance as to the manner in which to respond to the Requests for Additional Information that were sent to the Committee. With regard to the payments for political advertising and phone bank activity, Mr. Martin stated that all of the payments were made in support of state and local candidates. He reiterated his previous explanation that, for the periods in question, all of the activity was conducted on behalf of state and local candidates. I told him to respond as such in a letter. I also questioned the lack of administrative expense payments for the 12 Day Pre-General Election period. He wanted to know whether they needed to allocate expenses if all of the activity was non-Federal. Since the committee had been consistent with transferring funds to its non-Federal account for administrative expenses in prior periods, and if all of the activity for the pre election period was indeed non-Federal, I told Mr. Martin that it was probably unnecessary to allocate expenses for this period. I requested, however, that he respond to this question in writing.

Mr. Martin also mentioned that the committee's next report will disclose other receipts that were erroneously deposited in the committee's Federal account, but were non-Federal in nature. I told him that the money would most likely have to be transferred out to the non-Federal account.

LB

REC'D ... THE FEC

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Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

John A. Holmes, Jr / Chairman

December 12, 1984

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attention: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: October Quarterly Report (7/1/84 - 9/30/84)

Dear Sirs:

In answer to your letter of December 5, 1984, we wish to submit the following amendments and additional information to our October Quarterly Report:

1. The mailing address for MetroMail is:
Metromail Advertising
5151 Wisconsin Ave., NW
Washington, DC 20016

These expenditures were for the purpose of merging telephone numbers into state voting lists to be used for voter contact and local candidate advocacy follow up.

2. All phone bank and mass mailing expenditures were made on behalf of local and state candidates only.

We agree that receipts from the Republican National State Elections Committee and GOPAC were erroneously and improperly deposited into our federal account instead of our non-federal account even though expenditures from these funds were made for non-federal activity only. Steps are being taken to transfer these funds from our federal account to our non-federal. Proof of transfer will be forwarded to you when it has been completed.

Sincerely,

Spencer T. Martin, Jr.
Spencer T. Martin, Jr.
Assistant Treasurer
RHODE ISLAND REPUBLICAN PARTY

R 406303A-07 24889

23

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

John A. Holmes, Jr./Chairman

December 12, 1984

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attention: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: 12 Day Pre-General Report (10/1/84 - 10/17/84)

Dear Sirs:

In answer to your letter of December 5, 1984,
we wish to submit the following amendments and additional
information to our 12 Day Pre-General Report:

1. All expenditures for phone bank, advertising
and mass mailing activities were made on behalf
of local and state candidates only.
2. Schedule D in support of the entry of \$7443.83
reported on line 10 is attached to this letter.
This was inadvertently omitted when report filed.
3. We believe that we have allocated and paid
the fair share of administrative expenses for
the federal account to the non-federal account
in all prior reporting periods. Activity during
the period of the 12 Day Pre-General Election
Report was entirely non-federal.

We agree that receipts from the Republican Nat'l
State Elections Committee and GOPAC were erroneously and
improperly deposited in our federal account even though
expenditures from these funds were made for non-federal
activity only. We are taking steps to transfer these
funds from our federal account to our non-federal account.
Proof of transfer will be forwarded to you when it has
been completed.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
RHODE ISLAND REPUBLICAN PARTY

84033:70217



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20541

RQ-3

December 27, 1984

Jonathan Isham, Treasurer
 Rhode Island Republican State
 Central Committee
 146 Westminster Street
 Suite 200
 Providence, RI 02093

Identification Number: C00078196

Reference: October Quarterly (7/1/84-9/30/84) and 12 Day Pre-General (10/1/84-10/17/84) Reports

Dear Mr. Isham:

On December 5, 1984 you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

The Commission is in receipt of your committee's responses, dated December 12, 1984. In these letters, Spencer F. Martin, Assistant Treasurer, states the committee's intention to transfer the funds received from GOPAC and the Republican National State Elections Committee to a non-federal account.

Although the Commission may take further action regarding this matter, prompt action by you to effect these transfers will be taken into consideration. Documentation of these transfers should be filed with the Federal Election Commission within fifteen (15) days from the date of this notice.

If you should have any questions related to this matter, please contact Lisa Stolaruk on our toll-free number: (800) 424-9533 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
 John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

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 240040394091

TELECON

25

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 1/4/85
SUBJECT(S): Refunds to state/local account

Mr. Martin received a second notice to the RFAI's requesting documentation of the refunds/transfers to their non-Federal account of the impermissible funds. He stated that the refunds have not yet taken place due to the Christmas holidays, the upcoming Presidential Inauguration and various other circumstances beyond his control. He stated that he would not be able to respond within the 15 day time limit. I recommended that he explain the circumstances in a letter to the Commission and that once the transactions were completed, to send in the documentation.

86040594092

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

26
FEC

85 JAN 10 AM 8:57

John A. Holmes, Jr./Chairman

January 7, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: Quarterly Report (7/1/84 - 9/30/84) and
12 Day Pre-General Report (10/1/84 - 10/17/84)

Dear Sirs:

In a letter from John D. Gibson dated December 27, 1984, it was stated that documentation of fund transfers from our federal to our non-federal account should be filed with the Federal Election Commission within (15) fifteen days.

It had been our hope that these transfers could have been effected by now. Such a transfer of funds and our bank's involvement require the approval of our Executive Committee. We have been unable to arrange a meeting of the Committee, however, due to the holiday period and vacations of various members.

It now appears that we will be unable to complete transfer of the funds in question until early February. If this is not acceptable to the Federal Election Commission, please call me immediately.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

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(Page 1 of 3)
RECEIVED AT THE FEC

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

84 RECEIVED 27

ALION AREA

1. Name of Committee (in Full)
**RHODE ISLAND REPUBLICAN
STATE CENTRAL COMMITTEE**

Address (Number and Street)
**146 WESTMINSTER ST.
SUITE 200**

City, State and ZIP Code
PROVIDENCE, RI 02903

Check here if address is different than previously reported.

2. FEC Identification Number
C00078196

3. This committee qualified as a multi-candidate committee during this Reporting Period on _____

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 _____
 Tenth day report preceding _____
 election on _____ in the State of _____

Thirtieth day report following the General Election
 on NOV. 6 in the State of RHODE ISLAND

Termination Report

(b) Is this Report an Amendment?
 YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<u>10/15/84</u> through <u>11/28/84</u>		
6. (a) Cash on hand January 1, 19 <u>84</u>			<u>78.33</u>
(b) Cash on Hand at Beginning of Reporting Period		<u>22,029.27</u>	
(c) Total Receipts (from Line 1B)		<u>4244.11</u>	<u>73,474.12</u>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		<u>27,273.38</u>	<u>73,552.45</u>
7. Total Disbursements (from Line 2B)		<u>27,268.14</u>	<u>73,547.21</u>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		<u>5.24</u>	<u>5.24</u>
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 the Report and to the best of my knowledge and belief it is true, correct and complete.

SPENCER F. MARTIN JR
Type or Print Name of Treasurer

Spencer F. Martin Jr
SIGNATURE OF TREASURER
ASST. TREASURER

12-4-84
Date

For further information contact:
Federal Election Commission
Toll Free 888-434-6839
Local 202-523-4889

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing the report to the penalties of 2 U.S.C. 1437c.

All previous editions of FEC FORM 3 and FEC FORM 28 are obsolete and should no longer be used.

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FEC FORM 3X (3/83)

29

SCHEDULE A

Any information copied from such Returns or Statements may not be used or relied on for the purpose of collecting contributions or for commercial purposes, other than the collection of contributions to other contributors from such sources.

Name of Contributor (in Full)			
Rhode Island Republican State Central Committee			
A. Full Name, Mailing Address and ZIP Code Committee to Elect Governor 146 WESTANSTON ST. - SUITE 200 PROVIDENCE, R.I. 02903	Name of Employer	Date (month, day, year) 10/30/84	Amount of Cash Receipt This Period 2500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> Other (specify): General	Occupation	Aggregate Year-to-Date—\$ 2500	
B. Full Name, Mailing Address and ZIP Code R.I. VICTORY '84 146 WESTANSTON ST. - SUITE 200 PROVIDENCE, R.I. 02903	Name of Employer	Date (month, day, year) 11/7/84	Amount of Cash Receipt This Period 1200
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> Other (specify): General	Occupation	Aggregate Year-to-Date—\$ 1260	
C. Full Name, Mailing Address and ZIP Code R.I. VICTORY '84	Name of Employer	Date (month, day, year) 10/28/84	Amount of Cash Receipt This Period 194.11
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> Other (specify): General	Occupation	Aggregate Year-to-Date—\$ 1394.11	
D. Full Name, Mailing Address and ZIP Code R.I. REPUBLICAN STATE CENTRAL COMMITTEE (NON-FEDERAL ACCOUNT)	Name of Employer	Date (month, day, year) 11/8/84	Amount of Cash Receipt This Period 350
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> Other (specify): General	Occupation	Aggregate Year-to-Date—\$ 350	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Cash Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date—\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Cash Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date—\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Cash Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date—\$	
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page this line number only)			4244.11

30



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

EQ-2

JAN 23 1985

Jonathan Isham, Treasurer
Rhode Island Republican Campaign
Committee
146 Westminister Street
Suite 200
Providence, RI 02093

Identification Number: C00078196

Reference: 30 Day Post-General Report (10/18/84-11/28/84)

Dear Mr. Isham:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts totalling \$4,244.11 from accounts which appear to be maintained by your committee for non-Federal activity (pertinent portion attached). If so, please be advised that such transfers are prohibited under 11 CFR 102.5(a)(1)(i) and the full amount of the transfers should be returned to the non-Federal accounts. Please inform the Commission immediately in writing and provide a photocopy of your checks representing the transfers-out. In addition, the transfers-out should be disclosed on a supporting Schedule B for Line 27 of your next report.

Although the Commission may take further legal action regarding the acceptance of funds from non-Federal accounts, your prompt transfer-out of the funds in question will be taken into consideration.

-Your report discloses limited payments for administrative expenses. Each committee utilizing separate Federal and non-Federal accounts is required to allocate any administrative expenses between the accounts in proportion to the amount of funds expended on Federal and non-Federal elections or on another reasonable basis. Administrative expenses are those day-to-day costs of operating the committee, including rent, utilities, salaries and other miscellaneous office expenses. The Federal account of the committee must pay its share of such expenses. 11 CFR 106.1(e) and 102.5(a)(1)(i).

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If your organization has incurred such administrative costs and your non-Federal account has paid for all such costs, your Federal account must reimburse the non-Federal account for its portion of the expenses. The amount incurred by the Federal account should be disclosed as a debt or obligation owed to the non-Federal account on Schedule D supporting Line 10 of the Summary Page. When payments are made toward the debt, they should be reported on Schedule B supporting Line 19 of the Detailed Summary Page and the debt should be reduced by a corresponding amount.

-Please clarify all expenditures made for political advertising, political printing and postage for political mailing. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

86040594098
A5033510A1

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2670

85 FEB 4 AM: 10:00

(32)

John A. Holmes, Jr./Chairman

February 1, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: 30 Day Post-General Report (10/19/84 - 11/28/84)

Dear Sirs:

In answer to your letter of January 23, 1985, we wish to submit the following amendments and additional information to our 30 Day Post-General Report.

1. We believe that we have allocated and paid the fair share of administrative expenses for the federal account to the non-federal account in all prior reporting periods. Activity during the period of the 30 Day Post-General Report was entirely non-federal.

2. Expenditures made during this reporting period for political advertising, political printing and postage for the political mailing were made entirely in support of candidates for the Rhode Island General Assembly (State Senators and State Representatives).

3. Receipts from the Committee to Elect Republican Legislature and the R. I. Victory '84 Committee were erroneously and improperly deposited in our federal account. Expenditures from these funds were for non-federal activity only.

We have begun steps to transfer these funds to our non-federal account and expect that this transfer can be completed during the month of February. These funds have been correctly shown in our yearend report as debts to our non-federal account. Proof of transfer will be forwarded to you when it has been completed.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer

RHODE ISLAND REPUBLICAN PARTY

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19

TELECON

33

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin (401)421-2570
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 3/15/85
SUBJECT(S): Transferring non-Federal contributions

Mr. Martin called this afternoon to inform me that the committee should be transferring the non-Federal contributions to their non-Federal account sometime next week. He apologized for the delay and explained that the newly-elected Republican governor had several other matters to attend to and that this matter had received low priority. I recommended that, if the transfers could not be carried out next week, that he send a letter explaining the reasons for the delay.

86040394100

TELECON

34

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 3/27/85

SUBJECT(S): Transfer of impermissible funds

Mr. Martin called this morning to inform me that the committee transferred all impermissible funds to the non-Federal account yesterday. He said that they should receive the returned check by the end of this month and that he would send a copy of the as proof of the transfer.

86040394101

35

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 4/16/85

SUBJECT(S): Documentation of the transfer of funds to
non-Federal account

I called Mr. Martin this morning to remind him that we have not received any documentation from the committee regarding the transfer of impermissible funds to their non-Federal account. Mr. Martin apologized for this and explained that the cancelled check had not been received from their bank. I recommended that he send us the information in letter form in the interim.

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Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-8570

85 APR 22 48: 27

John A. Holmes, Jr./Chairman

April 16, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: 30 Day Post-General Report (10/19/84 - 11/28/84)
12 Day Pre-General Report (10/1/84 - 10/17/84)
Quarterly RUpport (7/1/84 - 9/30/84)

Dear Sirs:

We wish to inform you that the funds which were erroneously deposited into our federal account during 1984 have been transferred to our non-federal account. The actual transfer was made on March 26, 1985.

Proof of transfer in the form of a copy of our cancelled check will be forwarded to you. We should receive the cancelled check with our next bank statement for the month ending April 22, 1985.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

850333713999



Rhode Island Republican Party

146 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

85 MAY 2 P 1: 28

37

John A. Holmes, Jr./Chairman

April 29, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No: C00078196

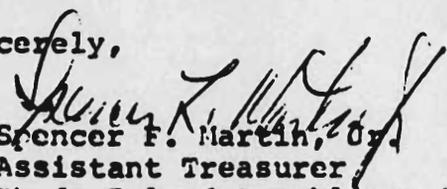
Reference: 30 Day Post-General Report - 1984
12 Day Pre-General Report - 1984
Quarterly Report (7/1/84 - 9/30/84)

Dear Sirs:

I am very happy to enclose a copy of our cancelled check in the amount of \$46,394.12 as proof of transfer of funds from our federal account to our non-federal account. This transfer represents the total of all funds which were mistakenly deposited into our federal account instead of our non-federal account.

I believe that this will conclude a rather lengthy situation which we brought upon ourselves by a simple inadvertent mistake. Thank you for your patience.

Sincerely,



Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

cc: Lynda D. Harry
Assistant Treasurer
GOPAC
Washington, DC

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R. I. REPUBLICAN FUND RAISING
169 WEYBOSSET STREET, SUITE 602
PROVIDENCE, RHODE ISLAND 02903

1271

March 26 1985

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PAY TO THE ORDER OF

Rhode Island Republican State Central Committee

\$46,394.12

Forty-six thousand, three hundred, ninety-four and 12/100

DOLLARS



OLD STONE BANK
PROVIDENCE, RHODE ISLAND

FOR Transfer to non-federal account

APR 28 85
[Signature]

no
end
OK
MAY 1985

⑆011501022⑆ 4 3 3 ⑆004639412⑆

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6705

40000000

MR. 85 27
PAY ANY BANK, P.M.
RHODE ISLAND NATIONAL BANK
PROVIDENCE, R.I.



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

Spencer F. Martin, Jr., Assistant Treasurer
Rhode Island Republican Campaign Committee
146 Westminister Street, Suite 200
Providence, RI 02903

RE: MUR
Rhode Island Republican Party/
Rhode Island Republican
Campaign Committee and Spencer
F. Martin, Jr. assistant
treasurer

Dear Mr. Martin:

On _____, 1985, the Federal Election Commission determined that there is reason to believe that the Rhode Island Republican Party/Rhode Island Republican Campaign Committee and you as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations. The General Counsel's 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 you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as assistant 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 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 General Counsel may recommend that pre-

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probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent will not be entertained.

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 General Counsel is not authorized to 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be 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 Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

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Questions for the Rhode Island Republican Party/Rhode Island Republican Campaign Committee

On _____, 1985, the Federal Election Commission ("Commission") determined there was reason to believe that the Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 2 U.S.C. § 433(c) and § 441b of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) of the Commission's Regulations.

As part of its investigation into this matter, the Commission requests that answers be provided to the following questions. The "loan" refers to the \$46,394.11 loan which the Rhode Island Republican Campaign Committee obtained from the Rhode Island Hospital Trust National Bank in order to repay a non-Federal account for misdeposited funds.

1. State the name of the non-Federal account which repaid the loan.
2. State the date on which the non-Federal account repaid the loan.
3. State the total amount of funds in the non-Federal account named in Question 1 on the date of the loan repayment.
4. On the date of the loan repayment, was any of the money contained in the non-Federal account named in Question 1 attributable to corporate contributions?
5. If the answer to question number 4 is yes, state the total amount of funds in the non-Federal account which had a corporate source on the date of the loan repayment.
6. On the date of the loan repayment was any of the money contained in the non-Federal account named in question 1 attributable to labor union contributions?
7. If the answer to question number 6 is yes, state the total amount of funds in the non-Federal account which had a union source of the date of the loan repayment.

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FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Rhode Island Republican Party/Rhode Island Republican Campaign Committee and Spencer F. Martin, Jr., Assistant treasurer
MUR #
REFERRAL # 85L-28
STAFF: Eric Kleinfeld

SUMMARY OF ALLEGATIONS

The Rhode Island Committee, the Federal account of the Rhode Island Republican Party, was referred to this Office for possible violations of 2 U.S.C. § 441b(a), and §441a(f) of the Federal Election Campaign Act of 1971, as amended, ("Act") and 11 C.F.R. § 102.5(a)(1)(i) and § 102.6(a) of the Federal Election Commission's ("Commission's") regulations. The bases for these allegations are receipts in excess of \$46,000 from five unregistered organizations, as disclosed on the Rhode Island Committee's reports in 1984.

FACTUAL BASIS AND LEGAL ANALYSIS

A. Factual Background

The Rhode Island Committee operates as the Federal account established and maintained by the Rhode Island Republican Party ("Party") to finance its political activity in connection with Federal elections. The Party also maintains a non-Federal account under the name of the Rhode Island State Central Committee, to finance non-Federal political activity. The 1984 October Quarterly, 12 Day Pre-general and 30 Day Post-general reports filed by the Rhode Island Committee disclosed the

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following transfers-in from five unregistered, non-Federal organizations:

<u>Name of Transferor</u>	<u>Date of Transfer</u>	<u>Amount of Transfer</u>	
1. GOPAC	9/26/84 10/9/84	\$4000.00 3500.00	\$7000.00
2. Republican National State Elections Committee	9/6/84 9/6/84 9/27/84 10/9/84	7936.00 6535.25 15,000.00 <u>5528.16</u>	\$35,000.01
3. Committee to Elect a Republican Legislature	10/30/84	\$2500.00	\$2500.00
4. Rhode Island Victory '84 Comm.	11/7/84 11/28/84	\$1200.00 <u>194.11</u>	\$1394.11
5. Rhode Island Republican State Central Committee	11/8/84	\$350.00	<u>\$350.00</u>

GOPAC is an unregistered, non-Federal organization not affiliated with the Rhode Island Republican Party. The Republican National State Elections Committee ("RNSEC") is an unregistered, non-Federal organization of the same political party as the Rhode Island Republican Party. The remaining three transferors, the Committee to Elect a Republican Legislature, the Rhode Island Victory '84 Committee ("Victory '84") and the Rhode Island Republican State Central Committee ("State Committee") are all apparently non-Federal accounts maintained by the Rhode Island Republican Party for non-Federal political activity.

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Requests for Additional Information ("RFAIs") were sent to the Rhode Island Committee concerning the transfers. The RFAI informed the Rhode Island Committee that, if the funds were intended for state and local election purposes, the amounts of the transfers must (1) be refunded to the unregistered, non-Federal organizations or (2) be transferred-out to another non-Federal account, in order to achieve compliance with the Act.

The Rhode Island Committee's assistant treasurer responded to RAD's inquiry by indicating that the amounts received were intended to be spent on state and local races and not on Federal races, and were, in fact, so spent. In written responses to RAD, it was indicated that all transfers in question were "erroneously and improperly" deposited into the Party's Federal account, but that "expenditures from such funds were made for non-Federal activity only."

On May 2, 1985, the Rhode Island Committee submitted a copy of a cancelled check dated March 26, 1985, in the amount of \$46,394.12, as documentation of the transfer to their non-Federal account of all funds which were misdeposited in their Federal account. However, the Rhode Island Committee's assistant treasurer informed RAD in July 1985 that the Federal account had obtained a bank loan in order to repay the non-Federal account for the erroneously deposited funds, and the bank loan was in turn repaid from the non-Federal account. RAD informed the Rhode Island Committee that this action did not remedy the apparent violation and that the Federal account was still obligated to transfer to the non-Federal account an amount representing the

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amount of misdeposited funds. In August, 1985, the Rhode Island Committee's assistant treasurer informed RAD that the Federal account had repaid the non-Federal account in full with the proceeds of a fundraiser. On September 16, 1985, RAD received a copy of a cancelled check as documentation of the repayment.

B. The applicable law

2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. In order to ensure that such prohibited monies are not used in connection with any Federal election, the Commission's regulations, at 11 C.F.R. § 102.5, prescribe certain requirements for organizations that intend to finance both Federal and non-Federal political activity. An organization which is a political committee under the Act has two alternatives available to it pursuant to 11 C.F.R. § 102.5(a): (1) it may maintain a single account for both Federal and non-Federal political activity, with such an account containing only contributions subject to the prohibitions and limitations of the Act, or (2) it may maintain two separate accounts, one for Federal political activity and one for non-Federal political activity. In the latter case, all disbursements, contributions, expenditures, and transfers made in connection with any Federal election must be from the Federal account. 11 C.F.R. § 102.5(a)(1)(i). Only funds subject to the prohibitions and limitations of the Act shall be deposited in the separate Federal account. 11 C.F.R. § 102.5(a)(1)(i). Finally, no transfers may be made to such Federal account from any other

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account(s) maintained by such organization for the purpose of financing activity in connection with non-Federal elections.

11 C.F.R. § 102.5(a)(1)(i).

11 C.F.R. § 102.6 requires certain transfers between affiliated committees to be made only with funds permissible under the Act.

2 U.S.C. § 441a(f) prohibits any political committee from knowingly accepting any contribution in violation of the contribution limitations of § 441a.

The term "political committee" means any committee, club, association or other group of persons which receives contributions aggregating in excess of \$1000 during a calendar year or which makes expenditures aggregating in excess of \$1000 during a calendar year. 2 U.S.C. § 431(4)(A).

The term "contribution" means 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, 2 U.S.C. § 431(8)(A)(i), while the term "expenditure" means any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office, 2 U.S.C. § 431(9)(A)(i). (emphasis added). All unauthorized committees shall file a statement of organization within 10 days of becoming a political committee within the meaning of 2 U.S.C. § 431(4).

Finally, any change in information previously submitted in a Statement of Organization shall be reported no later than 10 days after the date of the change. 2 U.S.C. § 433(c).

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C. Application of the law to the inter-committee transfers

During September and October of 1984, the Rhode Island Republican Party received \$ 42,000 in transfers from two unregistered organizations, GOPAC and RNSEC. At the time the transfers were made, the Party maintained a Federal account (the Rhode Island Committee) and a non-Federal account (the State Committee). Both the Party and the transferors assert that the funds in question were meant to be deposited in the non-Federal account and were intended for use solely in connection with non-Federal elections. The Rhode Island Committee also asserts that such funds were, in fact, used only in connection with non-Federal political activity. However the Party misdeposited the funds into its Federal rather than its non-Federal account. Because the Party was involved in financing both Federal and non-Federal political activity, and because in doing so, it had chosen to proceed under the requirements of 11 C.F.R. § 102.5(a)(1)(i) in maintaining two separate accounts, it was prohibited from depositing any funds not subject to the prohibitions and limitations of the Act into its Federal account. Since the funds received from GOPAC and RNSEC and deposited in the Federal account were not subject to the prohibitions and limitations of the Act, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin, Jr., as assistant treasurer, violated 11 C.F.R. § 102.5(a)(1)(i).

GOPAC transferred in excess of \$1000, in the aggregate, to the Rhode Island Committee. However, because the money was not

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intended to influence any election for Federal office, the meaning of contribution under the Act is not satisfied. RNSEC also transferred in excess of \$1000 to the Rhode Island Committee. RNSEC, because it is of the same political party as the Rhode Island Committee may make unlimited transfers to the Rhode Island Committee pursuant to 11 C.F.R. § 102.6(a)(1)(ii) As a result, the 441a limitations are not triggered, and the acceptance of this money will not place the Rhode Island Committee in violation of 2 U.S.C. § 441a(f). Accordingly, the Office of General Counsel is not recommending a determination with respect to 2 U.S.C. § 441a(f).

D. Application of the law to the intra-committee transfers

In addition to its Federal and non-Federal accounts (the Rhode Island Committee and the State Committee), the Rhode Island Republican Party had apparently also established two other non-Federal accounts: Victory '84 and the Committee to Elect a Republican Legislature. These non-Federal accounts made transfers to the Party's Federal account. Again the Party asserts that such funds were "erroneously and improperly" deposited in the Federal account. The Party also states that such monies were used for non-Federal activity only.

Because the transfers in question were "intra-party" transfers, the provisions of 11 C.F.R. § 102.6(a), which apply to transfers between separate entities, are inapplicable here. Instead the provisions of 11 C.F.R. § 102.5(a) will apply, since the Party had chosen to maintain separate Federal and non-Federal accounts and qualified as a political committee at the time of

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the transfers. Where, as here, an organization maintains separate Federal and non-Federal accounts, it is prohibited from transferring any funds from its non-Federal to its Federal account. 11 C.F.R. § 102.5(a)(1)(i). Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spender F. Martin Jr., as assistant treasurer violated 11 C.F.R. § 102.5(a)(1)(i) with respect to the transfers made from Victory '84, the Committee to Elect a Republican Legislature and the State Committee.

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Although the transfers from Victory '84 and the Committee to Elect a Republican Legislature exceeded, in the aggregate, \$1000 for each, the Office of General Counsel is not recommending a determination with respect to the failure of Victory '84 and the Committee to Elect a Republican Legislature to register and report. Because the transfers from these entities were not intended to influence any Federal election and were not so used, the meaning of contribution or expenditure under the Act is not satisfied. Where no contribution or expenditure for Federal purposes is made, the definition of political committee is not brought into play under 11 C.F.R. § 100.5, which in turn will fail to trigger the registration and reporting requirements under 2 U.S.C. § 433 and § 434.

Additionally, 11 C.F.R. § 102.5 expressly permits an organization wishing to finance both Federal and non-Federal activity to set up separate accounts to do so. The Rhode Island

Republican Party is operating as just such an organization. Victory '84 and the Committee to Elect a Republican Legislature are the non-Federal portion of the party entity (which already had a reporting Federal account/political committee). */ To require them to register because of the transfers made to the Federal account, where the money actually went for non-Federal purposes, would defeat the purpose of 11 C.F.R. § 102.5(a) and would render meaningless the distinction between the alternatives in § 102.5(a)(1)(i) and § 102.5(a)(1)(ii). If the non-Federal accounts have to register, there would be no distinction between maintaining a single Federal account or maintaining multiple Federal accounts. Where, as here, a party organization chooses to maintain separate Federal and non-Federal accounts as permitted by 11 C.F.R. § 102.5, the Office of General Counsel believes the Act's registration requirements are not triggered by the circumstances of the transfers herein, therefore this office is making no recommendation with regard to the registration of Victory '84 and the Committee to Elect a Republican Legislature.

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C. Application of the law to the repayment of the transfers

The Rhode Island Committee obtained a commercial bank loan in the amount of \$46,394.12 in order to use the proceeds to

*/ See MURs 1165 and 769, in which non-Federal accounts were not considered to have become reporting political committees because they were part of entities with already reporting federal accounts.

transfer-out all funds which were originally misdeposited in the Federal account. */ However, the bank loan was repaid by the non-Federal account, not by the Federal account. Rhode Island State law permits unlimited corporate and labor union contributions. However, 2 U.S.C. § 441b prohibits political committees from accepting and using contributions from corporations and labor organizations in connection with Federal elections. Where, as here, the funds used to repay an obligation incurred by a Federal account, come from a non-Federal account, the potential exists for prohibited funds to be used for Federal political activity. In repaying the loan with funds from its non-Federal account, the Rhode Island Committee may have used corporate or labor union funds to satisfy this obligation. For the Party to use impermissible funds in this manner would be an apparent violation of 2 U.S.C. § 441b. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 441b.

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*/ The loan was made necessary, according to the Rhode Island Committee, because the original deposits had already been spent on state and local races in Rhode Island.

F. Failure to designate a new treasurer

The Statement of Organization originally filed by the Rhode Island Committee on June 22, 1977 lists Ernest R. Beaulieu as treasurer. No assistant treasurers are listed. The Rhode Island Committee filed an amended Statement of Organization on July 12, 1982, listing Jonathan T. Isham as the new treasurer. Again, no assistant treasurer was listed. According to the current "assistant treasurer", Spencer F. Martin, Jr., Mr. Isham is no longer associated with the organization. Pursuant to 2 U.S.C. § 433(c), a change in treasurers is required to be reported to the Commission within the ten days. The assistant treasurer, Mr. Martin, was notified by RAD in August 29, 1984, that a new treasurer should be appointed, and that the Commission should be notified in writing of such. To date the Commission has received no notification of a change in treasurers by the Rhode Island Committee. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Rhode Island Republican Party/Rhode Island Committee and Spencer F. Martin Jr., as assistant treasurer, violated 2 U.S.C. § 433(c).

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 3 July 1985

ANALYST: Lisa J. Stolaruk

I. COMMITTEE: Rhode Island Republican Campaign
Committee (C00078196)
Spencer Martin, Assistant Treasurer^{1/}
146 Westminster Street, Suite 200
Providence, RI 02903

II. RELEVANT STATUTE: 2 U.S.C. §§441b(a) and 441a(f)
11 CFR 102.5(a)(1)(i) and 102.6(a)

III. BACKGROUND:

Receipt of Funds from Unregistered, Non-Federal
Organizations

The 1984 October Quarterly, 12 Day Pre-General and 30 Day Post-General Reports filed by the Rhode Island Republican Campaign Committee ("Rhode Island") disclosed a total of \$46,744.12 received from five (5) apparent unregistered, non-Federal organizations (see Chart and Attachments 2, 3 and 13). Of this total, \$4,244.11 was received from three (3) accounts which appear to be maintained by Rhode Island for non-Federal activity; \$35,000.01 was received from a non-Federal account of the Republican National Committee; and \$7,500 was received from a "National Political Action Committee."

The 1984 October Quarterly and 12 Day Pre-General Reports filed by Rhode Island disclosed receipts totalling \$42,500.01 designated for support of Republican State elections from the Republican National State Elections Committee ("RNSEC") and GOPAC, two (2) unregistered, non-Federal organizations. The funds from the RNSEC were received between September 6 and October 9, 1984 and the funds from GOPAC were received between September 26 and October 9, 1984.

^{1/} Jonathan Isham, the treasurer of record, is no longer with the Committee. In a conversation on August 29, 1984 with Mr. Spencer Martin, the Assistant Treasurer, the Reports Analysis Division ("RAD") analyst told Mr. Spencer that a treasurer should be appointed as soon as possible and the Commission should be informed in writing of the new treasurer.

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RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

Requests for Additional Information ("RFAIs") for the 1984 October Quarterly and 12 Day Pre-General Reports were sent to Rhode Island on December 5, 1984. The RFAIs stated that under 11 CFR 102.5 the Federal account of a political committee may only receive contributions designated for the Federal account and contributions solicited for use in Federal elections. Since the funds received from RNSEC and GOPAC appeared to be intended for state and local election purposes, the RFAIs further stated that the full amounts must be refunded to the unregistered, non-Federal organizations or transferred-out to another non-Federal account (Attachments 4 and 5).

On December 7, 1984, Spencer Martin called the RAD analyst. Mr. Martin stated that the funds received from RNSEC and GOPAC were intended for state and local use. He believed that since RNSEC and GOPAC were located in Washington, D.C., the money could be deposited in Rhode Island's Federal account. The RAD analyst informed Mr. Martin that in general, the source of the funds (i.e., the permissibility of the funds) and whether or not the contributing entities were registered would determine whether funds could be deposited into a Federal account. Mr. Martin stated that all of the funds had already been spent on state and local races, and he discussed the possibility of obtaining a bank loan for purposes of transferring the funds to Rhode Island's non-Federal account. The RAD analyst recommended that he submit a letter to the Commission in the interim, outlining the steps that he intended to take to remedy the situation (Attachment 6).

Mr. Martin called the RAD analyst again on December 11, 1984, and stated that Rhode Island's next report would disclose additional funds that were erroneously deposited in the Federal account. The RAD analyst stated that Rhode Island might also be required to transfer those funds to its non-Federal account (Attachment 7).

On December 17, 1984, responses to the RFAIs were received. The responses stated that the receipts from RNSEC and GOPAC were "erroneously and improperly deposited" into Rhode Island's Federal account, but that "expenditures from these funds were made for non-federal activity only." In addition, the responses indicated that steps were being taken to transfer the funds to Rhode Island's non-Federal account and that documentation would be submitted once the transaction had taken place (Attachments 8 and 9).

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RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

A Second Notice was sent to Rhode Island on December 27, 1984, for failure to transfer-out the funds within fifteen (15) days from the date of the RFAIs (Attachment 10).

Mr. Martin called the RAD analyst on January 4, 1985, in response to the Second Notice. He stated that, due to the Christmas holidays and other circumstances beyond his control, the transfers could not be accomplished within the fifteen (15) day time frame cited in the Second Notice. The RAD analyst recommended that he explain the reasons for the delay in a letter (Attachment 11).

Rhode Island's response to the Second Notice, received January 10, 1985, stated that it was unable to arrange a meeting of the Executive Committee to approve the transfer of funds. It appeared that Rhode Island would be unable to complete the transfer until early February (Attachment 12).

The 1984 30 Day Post-General Report filed by Rhode Island disclosed receipts totalling \$4,244.11 from three (3) unregistered, non-Federal organizations which appeared to be accounts maintained by Rhode Island for non-Federal activity (Attachment 13).

An RFAI was sent to Rhode Island for the 30 Day Post-General Report on January 23, 1985 which stated that, under 11 CFR 102.5, the Federal account of a political committee may only receive contributions designated for the Federal account and contributions solicited for use in Federal elections. The RFAI also requested that the receipts be refunded or transferred to the non-Federal accounts (Attachment 14).

Rhode Island's response to the 30 Day Post-General Report RFAI, received February 4, 1985, stated the following:

Receipts from the Committee to Elect Republican Legislature and the R.I. Victory '84 Committee were erroneously and improperly deposited in our federal account. Expenditures from these funds were for non-federal activity only.

The response further indicated that Rhode Island expected the transfers to be made during the month of February and that the funds have been shown as debts owed to the non-Federal account on Rhode Island's Year End Report (Attachment 15).

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RHODE ISLAND REPUBLICAN
CAMPAIGN COMMITTEE
REPORTS ANALYSIS OGC REFERRAL
PAGE 4

Mr. Martin called the RAD analyst on March 15, 1985 and stated that the transfer should be accomplished by the following week (Attachment 16). On March 27, 1985, Mr. Martin called the RAD analyst and stated that all impermissible funds had been transferred to Rhode Island's non-Federal account the day before. He further stated that Rhode Island should receive the cancelled check at the end of the month and would forward a copy of the check as proof of the transfer (Attachment 17).

The RAD analyst called Mr. Martin on April 16, 1985, to remind him that the Commission had not received any documentation regarding the transfer of funds. Mr. Martin apologized for this, but explained that the cancelled check had not been received from the bank. The RAD analyst recommended that he send the information in letter form in the interim (Attachment 18).

On April 22, 1985, Rhode Island submitted a letter stating that the transfer was made on March 26, 1985 and that a copy of the cancelled check would be forwarded upon receipt (Attachment 19). A copy of the cancelled check, in the amount of \$46,394.12, was submitted on May 2, 1985 (Attachment 20). In an accompanying letter, Mr. Martin stated that the "...transfer represents the total of all funds which were mistakenly deposited into our federal account instead of our non-federal account."

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
RHODE ISLAND REPUBLICAN CAMPAIGN COMMITTEE				PARTY QUALIFIED		ID #C00078196
1983	APRIL QUARTERLY	0	17	1JAN83 -31MAR83	3	83FEC/269/5252
	JULY QUARTERLY	0	14	1APR83 -30JUN83	4	83FEC/277/4410
	YEAR-END	0	5	1JUL83 -31DEC83	3	84FEC/292/4947
	YEAR-END - AMENDMENT	0	5	1JUL83 -31DEC83	2	84FEC/296/3242
1984	STATEMENT OF ORGANIZATION - AMENDMENT			2APR84	1	84FEC/306/4788
	APRIL QUARTERLY	5,730	3,660	1JAN84 -31MAR84	5	84FEC/306/4046
	APRIL QUARTERLY - AMENDMENT	-	-	1JAN84 -31MAR84	3	84FEC/313/3591
	REQUEST FOR ADDITIONAL INFORMATION			1JAN84 -31MAR84	1	84FEC/312/2223
	JULY QUARTERLY	11,000	-	1APR84 -30JUN84	6	84FEC/327/2632
	JULY QUARTERLY - AMENDMENT	11,000	2,912	1APR84 -30JUN84	7	84FEC/340/1943
	NOTICE OF FAILURE TO FILE			1APR84 -30JUN84	1	84FEC/325/0623
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 -30JUN84	2	84FEC/336/1776
	OCTOBER QUARTERLY	33,471	14,723	1JUL84 -30SEP84	7	84FEC/340/1936
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	84FEC/357/0216
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	2	85FEC/359/1195
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	85FEC/371/4383
	OCTOBER QUARTERLY - AMENDMENT	-	-	1JUL84 -30SEP84	1	85FEC/372/4438
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 -30SEP84	3	84FEC/351/3223
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 -30SEP84	1	84FEC/357/5348
	PRE-GENERAL	19,028	24,982	1OCT84 -17OCT84	6	84FEC/347/1848
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	3	84FEC/357/0217
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/359/1441
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/371/4382
	PRE-GENERAL - AMENDMENT	-	-	1OCT84 -17OCT84	1	85FEC/372/4437
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 -17OCT84	4	84FEC/351/3218
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT84 -17OCT84	1	84FEC/357/4624
	POST-GENERAL	4,244	27,268	18OCT84 -28NOV84	10	84FEC/353/4806
	POST-GENERAL - AMENDMENT	-	-	19OCT84 -28NOV84	2	85FEC/364/1408
	POST-GENERAL - AMENDMENT	-	-	19OCT84 -28NOV84	2	85FEC/371/3989
	POST-GENERAL - AMENDMENT	-	-	18OCT84 -28NOV84	3	85FEC/372/4033
	REQUEST FOR ADDITIONAL INFORMATION			18OCT84 -28NOV84	3	85FEC/361/1080
	YEAR-END	1,300	10	29NOV84 -31DEC84	4	85FEC/363/4521
	TOTAL	74,773	0 73,591	0	95	TOTAL PAGES

All reports listed above have been reviewed.
 Ending cash-on-hand as of 12/31/84: \$1,924
 Debts and obligations owed by the committee as of 12/31/84: \$46,394.12

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

ATTACHMENT 2

FEC
(Page 1 of 3)

(Summary Page)

84 OCT 17 10:56
ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

RHODE ISLAND REPUBLICAN
STATE CENTRAL COMMITTEE

Address (Number and Street)

146 WESTMINSTER ST. - SUITE 200

City, State and ZIP Code

PROVIDENCE, RI 02903

Check here if address is different than previously reported

2. FEC Identification Number

C 00078196

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 7/1/84 through 9/30/84

6 (a) Cash on hand January 1, 19 84

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 2B)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

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)

COLUMN A
This Period

COLUMN B
Calendar Year-to-Date

	\$	\$ 78.33
(b)	\$ 10,235.23	
(c)	\$ 33,471.25	\$ 50,201.25
(d)	\$ 43,706.48	\$ 50,279.58
7	\$ 14,723.51	\$ 21,305.61
8	\$ 28,982.97	\$ 28,964.97
9	\$	
10	\$ 7442.83	

I have examined this Report and to the best of my knowledge and belief the information is true and complete.

For further information contact

SIGNATURE OF TREASURER

Date

10/11/84

8 8 9 9 0 0 1993162 5

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)**

Report of Campaign for

Report Covering the Period

From 7/1/84 To 11/30/84

	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 (Memo Entry Unitemized \$ _____)		5680.00	11(a)
(b) Political Party Committees			11(b)
(c) Other Political Committees		5650.00	11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))			11(d)
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	33,471.25	44,471.25	12
13 ALL LOANS RECEIVED			13
14 LOAN REPAYMENTS RECEIVED			14
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17 OTHER RECEIPTS (Dividends, Interest, etc.)		50.00	17
18 TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	33,471.25	50,201.25	18
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES	14,432.01	20,180.44	19
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	291.50	100.42	21
22 INDEPENDENT EXPENDITURES (use Schedule E)			22
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (USE SCHEDULE E) (Use Schedule F)			23
24 LOAN REPAYMENTS MADE			24
25 OFFSETS TO DISBURSEMENTS			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		112.75	27
28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	14,723.51	21,505.61	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 NET CONTRIBUTIONS (other than loans) from Line 11(d)		5,680.00	29
30 CONTRIBUTION REFUNDS from Line 26(d)			30
31 NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)		5,680.00	31
32 TOTAL OPERATING EXPENDITURES from Line 19		14,432.01	32
33 OFFSETS TO OPERATING EXPENDITURES from Line 15			33
34 NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)		14,432.01	34

9 2 8 3 3 P 0 19043172 6

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 1 for
LINE NUMBER 12
(Use address schedule 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)
RIDE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE

A. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST STREET - SE WASHINGTON, D.C. 20003 Receipt For: Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Name of Employer STATE Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS Aggregate Year-to-Date - \$ 79,360.00	Date (month, day, year) 9/6/84	Amount of Each Receipt This Period \$ 7936.00
--	---	-----------------------------------	--

B. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST. - SE WASH, DC 20003 Receipt For: Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Name of Employer SAME Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS Aggregate Year-to-Date - \$ 14,471.25	Date (month, day, year) 9/6/84	Amount of Each Receipt This Period 6535.25
---	--	-----------------------------------	---

C. Full Name, Mailing Address and ZIP Code GOPAC 731 8TH STREET, SE WASH, DC 20003 Receipt For: Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify)	Name of Employer STATE Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS Aggregate Year-to-Date - \$ 4,000.00	Date (month, day, year) 9/26/84	Amount of Each Receipt This Period 4000.00
--	--	------------------------------------	---

D. Full Name, Mailing Address and ZIP Code REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST SE WASH, DC 20003 Receipt For: Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer STATE Occupation SUPPORT OF REPUBLICAN STATE ELECTIONS Aggregate Year-to-Date - \$ 29,471.25	Date (month, day, year) 9/27/84	Amount of Each Receipt This Period 15,000.00
---	---	------------------------------------	---

E. Full Name, Mailing Address and ZIP Code Receipt For: Primary <input type="checkbox"/> General <input type="checkbox"/> 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 <input type="checkbox"/> General <input type="checkbox"/> 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 <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
--	---	-------------------------	------------------------------------

SUBTOTAL (Receipts This Page (optional))

TOTAL (This Page) (enter page this line number only)

33,471.25

99334 PJ 12031927

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

4 OCT 21 1984

AL KING AREA

1 Name of Committee (In Full)

RHODE ISLAND REPUBLICAN
STATE CENTRAL COMMITTEE

4 TYPE OF REPORT (Check appropriate boxes)

- April 15 Quarterly Report
- October 15 Quarterly Report
- July 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Run Election Year Only)
- Monthly Report for
- Tenth day report preceding
election on 10/17 in the State of Rhode Island
- Thirtieth day report following the General Election
on in the State of
- Termination Report

Address (Number and Street)

141 WASHINGTON ST. SUITE 200

City, State and ZIP Code

PROVIDENCE, R.I. 02903

Check here if address is different than previously reported

2 FEC Identification Number

C 00078176

3 This committee qualified as a multicandidate committee during this reporting period on _____ Date

1b) Is this Report an Amendment?

YES NO

SUMMARY

5 Covering Period 10/1/84 through 10/17/84

6 (a) Cash on hand January 1, 19 84

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1b)

(d) Subtotal (add Lines 6 (b) and 6 (c) for Column A and Lines 6 (a) and 6 (c) for Column B

7 Total Disbursements (from Line 2b)

8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6 (d))

9 Debts and Obligations Owed TO The Committee (itemize on Schedule C or Schedule D)

10 Debts and Obligations Owed BY the Committee (itemize on Schedule C or Schedule D)

COLUMN A
This Period

COLUMN B
Calendar Year to Date

	\$ 78.33
\$ 28,982.97	
\$ 19,028.76	\$ 69,230.01
\$ 48,011.73	\$ 69,308.34
\$ 24,982.46	\$ 46,279.07
\$ 23,029.27	\$ 23,029.27
\$	
\$ 7,442.83	

I certify that I have prepared this Report and the test of my knowledge and belief that it is true and accurate.

For further information contact:

Typed Name of Treasurer: Richard J. ...

SIGNATURE OF TREASURER

Date

1984 10 31

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Part 2, FEC FORM 3X)

Name of Committee (in Full)

Report Period
From 10/1/84 to 10/17/84

I. RECEIPTS

- 11. CONTRIBUTIONS (other than loans) FROM:
 - (a) Individuals/Persons Other Than Political Committees (Memo Entry Unitemized \$ _____)
 - (b) Political Party Committees
 - (c) Other Political Committees
 - (d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))
- 12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES
- 13 ALL LOANS RECEIVED
- 14 LOAN REPAYMENTS RECEIVED
- 15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)
- 16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES
- 17 OTHER RECEIPTS (Dividends, Interest, etc.)
- 18 TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

COLUMN A Total This Period	COLUMN B Calendar Year To-Date	
		11(a)
	5680.00	11(b)
		11(c)
	5680.00	11(d)
19,038.76	63,500.01	12
		13
		14
		15
		16
	50.00	17
19,038.76	69,230.01	18

II. DISBURSEMENTS

- 19 OPERATING EXPENDITURES
- 20 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES
- 21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES
- 22 INDEPENDENT EXPENDITURES (use Schedule E)
- 23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (Use Schedule E)
- 24 LOAN REPAYMENTS MADE
- 25 LOANS MADE
- 26 REFUNDS OF CONTRIBUTIONS TO
 - (a) Individuals/Persons Other Than Political Committees
 - (b) Political Party Committees
 - (c) Other Political Committees
 - (d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))
- 27 OTHER DISBURSEMENTS
- 28 TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

		19
14,982.46	35,162.46	20
		21
	1000.42	22
		23
		24
		25
		26(a)
		26(b)
		26(c)
		26(d)
10,125.00	10,115.25	27
24,982.46	46,277.71	28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

- 29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)
- 30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)
- 31 NET CONTRIBUTIONS (other than loans) Subtract Line 30 from Line 29
- 32 TOTAL OPERATING EXPENDITURES from Line 19
- 33 OFFSETS TO OPERATING EXPENDITURES from Line 15
- 34 NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

		29
		30
		31
		32
		33
		34

31033171949

SCHEDULE A

ITEMIZED RECEIPTS

Page 1 of 12 for
LINE NUMBER 12
Also attach schedule for each
category of the Detailed
Summary Page!

Any information copied from such Reports or Statements may not be used 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)
RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
GOPAC 731 6TH ST., S.E. WASH, D.C. 20003	JAMES	10/9/84	3500.00
Receipt For: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input checked="" type="checkbox"/> General	Occupation: SUPPORT TO REPUBLICAN STATE ELECTIONS	Approximate Year to Date: \$ 7500.00	

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
REPUBLICAN NATIONAL STATE ELECTIONS COMMITTEE 310 FIRST ST., S.E. WASH, DC 20003	STATE	10/9/84	5528.76
Receipt For: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input checked="" type="checkbox"/> General	Occupation: SUPPORT TO REPUBLICAN STATE ELECTIONS	Approximate Year to Date: \$ 35,000.01	

C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
REPUBLICAN NATIONAL COMMITTEE 310 FIRST ST., S.E. WASH, DC 20003	STATE	10/10/84	10,000.00
Receipt For: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input checked="" type="checkbox"/> General	Occupation: FEDERAL GOVERNMENT	Approximate Year to Date: \$ 20,000.00	

D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input type="checkbox"/> General	Occupation:	Approximate 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: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input type="checkbox"/> General	Occupation:	Approximate 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: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input type="checkbox"/> General	Occupation:	Approximate 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: <input type="checkbox"/> Other (specify), <input type="checkbox"/> Primary, <input type="checkbox"/> General	Occupation:	Approximate Year to Date: \$	

SUBTOTAL (including this Page optional)

TOTAL (including this Page optional) **19,028.76**

8504079430



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

DEC 5 1984

Jonathan Isham, Treasurer
Rhode Island Republican
State Central Committee
146 Westminster Street, Suite 200
Providence, RI 02903

Identification Number: C00078196

Reference: October Quarterly Report (7/1/84-9/30/84)

Dear Mr. Isham:

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R

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts from the Republican National State Elections Committee ("RNSEC") and GOPAC (pertinent portion attached). According to a letter from the Republican National Committee, the RNSEC was created solely to support candidates for election to state and local offices. In addition, the purpose of the receipt from GOPAC is listed as "support of Republican state elections".

Under 11 CFR 102.5, only funds subject to the prohibitions and limitations of the Act may be deposited into the Federal account of a political committee. Furthermore, a political committee may only receive (i) contributions designated for the Federal account, and (ii) contributions which have been solicited for use in Federal elections. See 11 CFR 102.5(a)(2).

Since the funds received from the RNSEC and GOPAC were apparently intended for state and local election purposes, the full amounts must be refunded to the RNSEC and GOPAC or transferred-out to another non-Federal account. Please inform the Commission immediately in writing and provide photocopies of your checks for the refunds or transfers-out. Your next report should disclose the refunds on Schedule B for Line 26a. If, however, the impermissible funds are transferred-out, your next report should disclose the disbursements on Schedule B for Line 20 or Line 27, as appropriate.

13

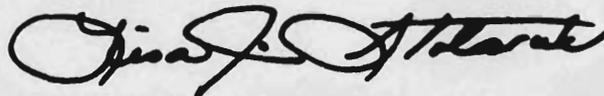
Although the Commission may take further legal action regarding the acceptance of impermissible funds, your prompt refund or transfer-out of the funds in question will be taken into consideration.

-Please provide the mailing address and the purpose for the two disbursements to Metro Mail listed on Schedule B supporting Line 19.

-Please clarify all expenditures made for phone bank activities. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-6048.

Sincerely,



Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

84033513224



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

20-2

DEC 5 1984

Jonathan Isham, Treasurer
Rhode Island Republican
State Central Committee
146 Westminster Street, Suite 200
Providence, RI 02093

Identification Number: C00078196

Reference: 12 Day Pre-General Report (10/1/84-10/17/84)

Dear Mr. Isham:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts from the Republican National State Elections Committee ("RNSEC") and GOPAC (pertinent portion attached). According to a letter from the Republican National Committee, the RNSEC was created solely to support candidates for election to state and local offices. In addition, the purpose of the receipt from GOPAC is listed as "support of Republican state elections".

Under 11 CFR 102.5, only funds subject to the prohibitions and limitations of the Act may be deposited into the Federal account of a political committee. Furthermore, a political committee may only receive (i) contributions designated for the Federal account, and (ii) contributions which have been solicited for use in Federal elections. See 11 CFR 102.5(a)(2).

Since the funds received from the RNSEC and GOPAC were apparently intended for state and local election purposes, the full amounts must be refunded to the RNSEC and GOPAC or transferred-out to another non-Federal account. Please inform the Commission immediately in writing and provide photocopies of your checks for the refunds or transfers-out. Your next report should disclose the refunds on Schedule B for Line 26a. If, however, the impermissible funds are transferred-out, your next report should disclose the disbursements on Schedule B for Line 20 or Line 27, as appropriate.

8 4 0 3 3 7 1 3 2 1 8
4 1 3 3

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Although the Commission may take further legal action regarding the acceptance of impermissible funds, your prompt refund or transfer-out of the funds in question will be taken into consideration.

-Please clarify all expenditures made for political advertising and phone bank expenses. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

-Please provide a Schedule C or D, as appropriate, to support the entry of \$7,442.83 reported on Line 10 of the Summary Page. Loans and debts must be continuously reported until they are either repaid or settled. 11 CFR 104.3(d).

-Your report discloses limited payments for administrative expenses. Each committee utilizing separate Federal and non-Federal accounts is required to allocate any administrative expenses between the accounts in proportion to the amount of funds expended on Federal and non-Federal elections or on another reasonable basis. Administrative expenses are those day-to-day costs of operating the committee, including rent, utilities, salaries and other miscellaneous office expenses. The Federal account of the committee must pay its share of such expenses. 11 CFR 106.1(e) and 102.5(a)(1)(i).

If your organization has incurred such administrative costs and your non-Federal account has paid for all such costs, your Federal account must reimburse the non-Federal account for its portion of the expenses. The amount incurred by the Federal account should be disclosed as a debt or obligation owed to the non-Federal account on Schedule D supporting Line 10 of the Summary Page. When payments are made toward the debt, they should be reported on Schedule B supporting Line 19 of the Detailed Summary Page and the debt should be reduced by a corresponding amount.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission

8 4 0 3 3 5 1 3 2 1 9
8 5 0 4 0 5 9 4 1 3 4

within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 441-9830. My local number is (202) 923-6969.

Sincerely,



Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

850405747135
84033513220

TELECON

ANALYST: Lisa Stolaruk .
CONVERSATION WITH: Spencer Martin (401)421-2570
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 12/7/84
SUBJECT(S): Contributions from GOPAC and the Republican National State
Elections Committee

Mr. Martin called this morning regarding the Requests for Additional Information that we had sent to the committee. The committee's October Quarterly and 12 Day Pre-General reports disclosed contributions received from GOPAC and the Republican National State Elections Committee, both of which are apparently committees which operate strictly on the non-Federal level and thus are not registered with the FEC. Mr. Martin confirmed the fact that the contributions were intended for state and local use. However, he stated that, since both of the committees were headquartered in Washington, he thought that the money could be deposited in Rhode Island's Federal account. I informed him that the source of the funds (i.e., the permissibility of the funds) and whether the committees were registered with the FEC would both dictate whether the contributions could be deposited into the Federal account.

Mr. Martin stated that the money has already been used on state and local races. I explained that the committee must either refund the full amounts to the contributing committees or transfer the total amount of the contributions to its non-Federal account. Mr. Martin discussed the possibility of securing a bank loan in order to transfer the contributions to its non-Federal account. I recommended that he submit a letter to the Commission in the interim, outlining the steps that he intends to take in order to rectify the situation. Furthermore, I requested that, once the refund had been made to the non-Federal account, he submit a copy of the check to the Commission.

86040394136

TELECON

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin (401)421-2570

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 12/11/84

SUBJECT(S): Responses to RFAI's

Mr. Martin called seeking guidance as to the manner in which to respond to the Requests for Additional Information that were sent to the Committee. With regard to the payments for political advertising and phone bank activity, Mr. Martin stated that all of the payments were made in support of state and local candidates. He reiterated his previous explanation that, for the periods in question, all of the activity was conducted on behalf of state and local candidates. I told him to respond as such in a letter. I also questioned the lack of administrative expense payments for the 12 Day Pre-General Election period. He wanted to know whether they needed to allocate expenses if all of the activity was non-Federal. Since the committee had been consistent with transferring funds to its non-Federal account for administrative expenses in prior periods, and if all of the activity for the pre election period was indeed non-Federal, I told Mr. Martin that it was probably unnecessary to allocate expenses for this period. I requested, however, that he respond to this question in writing.

Mr. Martin also mentioned that the committee's next report will disclose other receipts that were erroneously deposited in the committee's Federal account, but were non-Federal in nature. I told him that the money would most likely have to be transferred out to the non-Federal account.

35040394137

] 13

REC'D OF THE FEC

DEC 17 10:34

Rhode Island Republican Party

148 Westminster Street
Suite 300
Providence, Rhode Island 02903
401/421-2570

John A. Holmes, Jr./Chairman

December 12, 1984

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attention: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: October Quarterly Report (7/1/84 - 9/30/84)

Dear Sirs:

In answer to your letter of December 5, 1984, we wish to submit the following amendments and additional information to our October Quarterly Report:

1. The mailing address for MetroMail is:
Metromail Advertising
5151 Wisconsin Ave., NW
Washington, DC 20016

These expenditures were for the purpose of merging telephone numbers into state voting lists to be used for voter contact and local candidate advocacy follow up.

2. All phone bank and mass mailing expenditures were made on behalf of local and state candidates only.

We agree that receipts from the Republican National State Elections Committee and GOPAC were erroneously and improperly deposited into our federal account instead of our non-federal account even though expenditures from these funds were made for non-federal activity only. Steps are being taken to transfer these funds from our federal account to our non-federal. Proof of transfer will be forwarded to you when it has been completed.

Sincerely,

Spencer Y. Martin, Jr.
Spencer Y. Martin, Jr.
Assistant Treasurer
RHODE ISLAND REPUBLICAN PARTY

R 3 4 0 3 3 A 0 7 0 2 4 1 6 3 8

Rhode Island Republican Party

148 Westminster Street
Suite 300
Providence, Rhode Island 02903
401/421-2570

John A. Holmes, Jr./Chairman

December 12, 1984

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attention: Lisa Stolaruk
Reports Analysis Division

Identification No.; C00078196

Reference: 12 Day Pre-General Report (10/1/84 - 10/17/84)

Dear Sirs:

In answer to your letter of December 5, 1984, we wish to submit the following amendments and additional information to our 12 Day Pre-General Report:

1. All expenditures for phone bank, advertising and mass mailing activities were made on behalf of local and state candidates only.
2. Schedule D in support of the entry of \$7443.83 reported on line 10 is attached to this letter. This was inadvertently omitted when report filed.
3. We believe that we have allocated and paid the fair share of administrative expenses for the federal account to the non-federal account in all prior reporting periods. Activity during the period of the 12 Day Pre-General Election Report was entirely non-federal.

We agree that receipts from the Republican Nat'l State Elections Committee and GOPAC were erroneously and improperly deposited in our federal account even though expenditures from these funds were made for non-federal activity only. We are taking steps to transfer these funds from our federal account to our non-federal account. Proof of transfer will be forwarded to you when it has been completed.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
RHODE ISLAND REPUBLICAN PARTY

84033:79217



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20541

RQ-3

December 27, 1984

Jonathan Isham, Treasurer
 Rhode Island Republican State
 Central Committee
 146 Westminster Street
 Suite 200
 Providence, RI 02093

Identification Number: C00078196

Reference: October Quarterly (7/1/84-9/30/84) and 12 Day Pre-
 General (10/1/84-10/17/84) Reports

Dear Mr. Isham:

On December 5, 1984 you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

The Commission is in receipt of your committee's responses, dated December 12, 1984. In these letters, Spencer F. Martin, Assistant Treasurer, states the committee's intention to transfer the funds received from GOPAC and the Republican National State Elections Committee to a non-federal account.

Although the Commission may take further action regarding this matter, prompt action by you to effect these transfers will be taken into consideration. Documentation of these transfers should be filed with the Federal Election Commission within fifteen (15) days from the date of this notice.

If you should have any questions related to this matter, please contact Lisa Stolaruk on our toll-free number (800) 424-9530 or our local number (202) 523-4048.

Sincerely,

John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

86040594140
 240: / 4529

TELECON

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 1/4/85
SUBJECT(S): Refunds to state/local account

Mr. Martin received a second notice to the RFAI's requesting documentation of the refunds/transfers to their non-Federal account of the impermissible funds. He stated that the refunds have not yet taken place due to the Christmas holidays, the upcoming Presidential Inauguration and various other circumstances beyond his control. He stated that he would not be able to respond within the 15 day time limit. I recommended that he explain the circumstances in a letter to the Commission and that once the transactions were completed, to send in the documentation.

86040394141

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

REC
85 JAN 10 AM 8:57

John A. Holmes, Jr./Chairman

January 7, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: Quarterly Report (7/1/84 - 9/30/84) and
12 Day Pre-General Report (10/1/84 - 10/17/84)

Dear Sirs:

In a letter from John D. Gibson dated December 27, 1984, it was stated that documentation of fund transfers from our federal to our non-federal account should be filed with the Federal Election Commission within (15) fifteen days.

It had been our hope that these transfers could have been effected by now. Such a transfer of funds and our bank's involvement require the approval of our Executive Committee. We have been unable to arrange a meeting of the Committee, however, due to the holiday period and vacations of various members.

It now appears that we will be unable to complete transfer of the funds in question until early February. If this is not acceptable to the Federal Election Commission, please call me immediately.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

8 5 0 3 3 3 9 1 1 9 5

RECEIVED AT THE FEC

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

Summary Page

04 DEC 19 1984

ALIGN AREA

1. Name of Committee (to Full)

RHODE ISLAND REPUBLICAN
STATE CENTRAL COMMITTEE

Address (Number and Street)

146 WESTMINSTER ST.
SUITE 200

City, State and ZIP Code

PROVIDENCE, RI 02903

Check here if address is different than previously reported.

2. FEC Identification Number

C00078196

This committee qualified as a multicandidate committee during this Reporting Period on _____

4. TYPE OF REPORT (Check appropriate boxes)

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- July 31 Mid Year Report (Non-Election Year Only)
- Monthly Report for _____
- Twelfth day report preceding _____ election on _____ in the State of _____
- Thirtieth day report following the General Election on NOV. 6 in the State of RHODE ISLAND
- Termination Report

(b) Is this Report an Amendment?

YES NO

SUMMARY

5. Covering Period 10/15/84 through 11/28/84

6. (a) Cash on hand January 1, 19 84

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 1B)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 2B)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

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)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a)		\$ 78.33
(b)	\$ 22,029.27	
(c)	\$ 4,244.11	\$ 73,474.12
(d)	\$ 27,273.38	\$ 73,552.45
7.	\$ 27,268.14	\$ 73,547.21
8.	\$ 5.24	\$ 5.24
9.	\$	
10.	\$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

SPENCER F. MARTIN JR
Type or Print Name of Treasurer

Spencer F. Martin Jr
SIGNATURE OF TREASURER
ASST. TREASURER

12-4-84
Date

For further information contact:
Federal Election Commission
Toll Free 800-424-6539
Local 202-423-4888

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437e.

All previous editions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

PRIMARY PAGE
 Receipts and Disbursements
 (SEE FORM 3X)

Report Covering the Period
 From 10-18-84 to 11-28-84

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 11(a)

(b) Political Party Committees 11(b)

(c) Other Political Committees 11(c)

(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c)) 11(d)

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES 12

13. ALL LOANS RECEIVED 13

14. LOAN REPAYMENTS RECEIVED 14

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) 15

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES 16

17. OTHER RECEIPTS (Dividends, Interest, etc.) 17

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17) 18

II. DISBURSEMENTS

19. OPERATING EXPENDITURES 19

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES 20

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES 21

22. INDEPENDENT EXPENDITURES (see Schedule E) 22

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 old) (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) 28

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d) 29

30. TOTAL CONTRIBUTION REFUNDS from Line 26(d) 30

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29) 31

32. TOTAL OPERATING EXPENDITURES from Line 19 32

33. OFFSETS TO OPERATING EXPENDITURES from Line 15 33

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32) 34

9403373480744

5

12

SCHEDULE A

Do not check this box unless the donor is an individual who is not a resident of the United States

Any information copied from each Schedule A statement may not be used by the donor for the purpose of collecting contributions or for commercial purposes, other than the collection of contributions to the same organization, from any individual.

Name of Contributor (in Full)			
Rhode Island Republican State Central Committee			
A. Full Name, Mailing Address and ZIP Code Committee to Elect Republican Candidates 146 WESTMINSTER ST. - SUITE 200 PROVIDENCE, R.I. 02903		Name of Employer Occupation Aggregate Year-to-Date-\$ 2500	Date (month, day, year) 10/30/84 Amount of Each Receipt This Period 2500
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
B. Full Name, Mailing Address and ZIP Code R.I. VICTORY '84 146 WESTMINSTER ST. - SUITE 200 PROVIDENCE, R.I. 02903		Name of Employer Occupation Aggregate Year-to-Date-\$ 1200	Date (month, day, year) 11/7/84 Amount of Each Receipt This Period 1200
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
C. Full Name, Mailing Address and ZIP Code R.I. VICTORY '84		Name of Employer Occupation Aggregate Year-to-Date-\$ 194.11	Date (month, day, year) 10/28/84 Amount of Each Receipt This Period 194.11
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
D. Full Name, Mailing Address and ZIP Code R.I. REPUBLICAN STATE CENTRAL COMMITTEE (NON-FEDERAL ACCOUNT)		Name of Employer Occupation Aggregate Year-to-Date-\$ 350	Date (month, day, year) 11/8/84 Amount of Each Receipt This Period 350
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):			
E. 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
F. 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
G. 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):			
SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (last page only line number only)			4247.11



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

BQ-2

JAN 23 1985

Jonathan Isham, Treasurer
Rhode Island Republican Campaign
Committee
146 Westminister Street
Suite 200
Providence, RI 02093

Identification Number: C00078196

Reference: 30 Day Post-General Report (10/18/84-11/28/84)

Dear Mr. Isham:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report discloses receipts totalling \$4,244.11 from accounts which appear to be maintained by your committee for non-Federal activity (pertinent portion attached). If so, please be advised that such transfers are prohibited under 11 CFR 102.5(a)(1)(i) and the full amount of the transfers should be returned to the non-Federal accounts. Please inform the Commission immediately in writing and provide a photocopy of your checks representing the transfers-out. In addition, the transfers-out should be disclosed on a supporting Schedule B for Line 27 of your next report.

Although the Commission may take further legal action regarding the acceptance of funds from non-Federal accounts, your prompt transfer-out of the funds in question will be taken into consideration.

-Your report discloses limited payments for administrative expenses. Each committee utilizing separate Federal and non-Federal accounts is required to allocate any administrative expenses between the accounts in proportion to the amount of funds expended on Federal and non-Federal elections or on another reasonable basis. Administrative expenses are those day-to-day costs of operating the committee, including rent, utilities, salaries and other miscellaneous office expenses. The Federal account of the committee must pay its share of such expenses. 11 CFR 106.1(e) and 102.5(a)(1)(i).

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0604034146

If your organization has incurred such administrative costs and your non-Federal account has paid for all such costs, your Federal account must reimburse the non-Federal account for its portion of the expenses. The amount incurred by the Federal account should be disclosed as a debt or obligation owed to the non-Federal account on Schedule D supporting Line 10 of the Summary Page. When payments are made toward the debt, they should be reported on Schedule B supporting Line 19 of the Detailed Summary Page and the debt should be reduced by a corresponding amount.

-Please clarify all expenditures made for political advertising, political printing and postage for political mailing. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,



Lisa Stolaruk
Senior Reports Analyst
Reports Analysis Division

86040594147
R3033510A1

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2670

85 FEB 4 AM: 10

John A. Holmes, Jr./Chairman

February 1, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

Reference: 30 Day Post-General Report (10/19/84 - 11/28/84)

Dear Sirs:

In answer to your letter of January 23, 1985, we wish to submit the following amendments and additional information to our 30 Day Post-General Report.

1. We believe that we have allocated and paid the fair share of administrative expenses for the federal account to the non-federal account in all prior reporting periods. Activity during the period of the 30 Day Post-General Report was entirely non-federal.

2. Expenditures made during this reporting period for political advertising, political printing and postage for the political mailing were made entirely in support of candidates for the Rhode Island General Assembly (State Senators and State Representatives).

3. Receipts from the Committee to Elect Republican Legislature and the R. I. Victory '84 Committee were erroneously and improperly deposited in our federal account. Expenditures from these funds were for non-federal activity only.

We have begun steps to transfer these funds to our non-federal account and expect that this transfer can be completed during the month of February. These funds have been correctly shown in our yearend report as debts to our non-federal account. Proof of transfer will be forwarded to you when it has been completed.

Sincerely,

Spencer F. Martin, Jr.
Spencer F. Martin, Jr.
Assistant Treasurer

RHODE ISLAND REPUBLICAN PARTY

R 3 0 3 3 4 1 4 0 8

TELECON

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin (401)421-2570

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 3/15/85

SUBJECT(S): Transferring non-Federal contributions

Mr. Martin called this afternoon to inform me that the committee should be transferring the non-Federal contributions to their non-Federal account sometime next week. He apologized for the delay and explained that the newly-elected Republican governor had several other matters to attend to and that this matter had received low priority. I recommended that, if the transfers could not be carried out next week, that he send a letter explaining the reasons for the delay.

8 5 0 4 0 3 9 4 1 4 9

TELECON

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 3/27/85

SUBJECT(S): Transfer of impermissible funds

Mr. Martin called this morning to inform me that the committee transferred all impermissible funds to the non-Federal account yesterday. He said that they should receive the returned check by the end of this month and that he would send a copy of the as proof of the transfer.

8 6 0 4 0 3 9 4 1 5 0

TELECON

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin

COMMITTEE: Rhode Island Republican Campaign Committee

DATE: 4/16/85

SUBJECT(S): Documentation of the transfer of funds to
non-Federal account

I called Mr. Martin this morning to remind him that we have not received any documentation from the committee regarding the transfer of impermissible funds to their non-Federal account. Mr. Martin apologized for this and explained that the cancelled check had not been received from their bank. I recommended that he send us the information in letter form in the interim.

86040594151

Rhode Island Republican Party

148 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-3870

85 APR 22 08:27

John A. Holmes, Jr./Chairman

April 16, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No.: C00078196

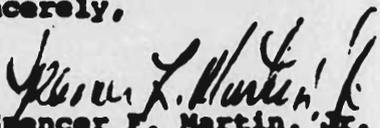
Reference: 30 Day Post-General Report (10/19/84 - 11/28/84)
12 Day Pre-General Report (10/1/84 - 10/17/84)
Quarterly RUpport (7/1/84 - 9/30/84)

Dear Sirs:

We wish to inform you that the funds which were erroneously deposited into our federal account during 1984 have been transferred to our non-federal account. The actual transfer was made on March 26, 1985.

Proof of transfer in the form of a copy of our cancelled check will be forwarded to you. We should receive the cancelled check with our next bank statement for the month ending April 22, 1985.

Sincerely,


Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

00040594152
85033713999

 Rhode Island
Republican Party

146 Westminster Street
Suite 200
Providence, Rhode Island 02903
401/421-2570

85 MAY 2 P 1: 28

John A. Holmes, Jr./Chairman

April 29, 1985

Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No: C00078196

Reference: 30 Day Post-General Report - 1984
12 Day Pre-General Report - 1984
Quarterly Report (7/1/84 - 9/30/84)

Dear Sirs:

I am very happy to enclose a copy of our cancelled check in the amount of \$46,394.12 as proof of transfer of funds from our federal account to our non-federal account. This transfer represents the total of all funds which were mistakenly deposited into our federal account instead of our non-federal account.

I believe that this will conclude a rather lengthy situation which we brought upon ourselves by a simple inadvertent mistake. Thank you for your patience.

Sincerely,


Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

cc: Lynda D. Harry
Assistant Treasurer
GOPAC
Washington, DC

86040594153

R. I. REPUBLICAN FUND RAISING
169 WEYBOSSET STREET, SUITE 602
PROVIDENCE, RHODE ISLAND 02903

1271

March 26 1985

87-102
116

PAY TO THE ORDER OF

Rhode Island Republican State Central Committee

\$46,394.12

Forty-six thousand, three hundred, ninety-four and 12/100 DOLLARS



OLD STONE BANK
PROVIDENCE, RHODE ISLAND

MAR 28 1985

FOR Transfer to non-federal account

[Signature]

no end of mkt

00115010221 4133 0004639412

8504057415

00705

420326098

MR 85 27
PAY ANY BANK, P.E.G.
RHODE ISLAND HOSPITAL
FIRST NATL BANK
PROVIDENCE, R.I.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

13 September 1985

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA *JCS*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: UPDATE TO RAD REFERRAL 85L-28

As requested by your office, we are providing additional information concerning the referral of the Rhode Island Republican Campaign Committee (85L-28).

On July 23, 1985, Mr. Spencer Martin, the assistant treasurer of the Rhode Island Republican Party, called the Reports Analysis Division ("RAD") analyst. Mr. Martin stated that the Party's federal account had obtained a bank loan in order to repay the non-federal account for erroneously deposited funds. He further stated, however, that the bank loan had been repaid by the Party's non-federal account. The RAD analyst informed Mr. Martin that the transaction did not remedy the apparent violation, and therefore the federal account still had an outstanding obligation owed to the non-federal account (Attachment 1).

A July 24, 1985 letter accompanying the Rhode Island Republican Campaign Committee's 1985 Mid-Year Report stated: "We now realize that we did not properly repay the debt to our non-federal account through a commercial loan to the federal account...." The letter further indicated that the federal account anticipated making a proper repayment of the debt by the end of August 1985 (Attachment 2).

Mr. Martin called the RAD analyst on August 22, 1985 and stated that the federal account had repaid the non-federal account in full with the proceeds from a fundraiser. He also indicated that a copy of the cancelled check would be submitted as documentation of the repayment (Attachment 3).

To date, no further information has been received. If you have any questions, please contact Lisa J. Stolaruk at 523-4048.

Attachment

ANALYST: Lisa Stolaruk
CONVERSATION WITH: Spencer Martin
COMMITTEE: Rhode Island Republican Campaign Committee
DATE: 7/23/85
SUBJECT(S): Repayment of Bank Loan

Mr. Martin called this afternoon and stated that, in order to repay the non-Federal account for receipts that were erroneously deposited into the Federal account, the committee obtained a bank loan in the amount of approximately \$46,000. The loan was deposited into the Federal account. The Federal account repaid the non-Federal account for the impermissible funds that were received in 1984 and the non-Federal account repaid the bank loan in full.

I advised Mr. Martin to disclose the receipt of the bank loan and to show that the full amount was repaid by the non-Federal account. In addition, I told Mr. Martin that, by virtue of the fact that the non-Federal account repaid the bank for the Federal account's loan, the committee did not effectively rectify the problem regarding the receipt of impermissible funds. I told Mr. Martin that the Federal account would have to repay the non-Federal account with its own funds. The committee should properly report a debt owed to its non-Federal account in the amount of the loan.

Mr. Martin stated that the committee will be sponsoring a fundraiser in August, the proceeds of which could be used to repay the non-Federal account. He also mentioned that, for the first time, the state of Rhode Island offered their taxpayers the option of participating in a check-off fund, with the proceeds going to the party committees. Mr. Martin asked whether this money could be deposited into the Federal account. I told him that I am aware of a few states that have similar check-off systems and that some of the proceeds are deposited into the Federal accounts of the respective state committees. However, I stated that I was not certain as to whether this was sanctioned across-the-board, or whether it was decided on a case-by-case basis by the Commission.

86040594156

05 JUL 85 02: 44

U.S. GOVERNMENT PRINTING OFFICE
1984 O-827-0070

ATTACHMENT 2 (page 1 of 7)

John A. Holmes, Jr./Chairman

July 24, 1985

Federal Election Commission
1125 K Street, NW
Washington, DC 20463

Attn: Lisa Stolaruk
Reports Analysis Division

Identification No: C00072196

Reference: 30 Day Post General Report - 1984
12 Day Pre- General Report - 1984
Quarterly Report (7/1/84 - 9/30/84)

Dear Sirs:

We recently reviewed our federal account situation in a conversation with Lisa Stolaruk in the Reports Analysis Division. We now realize that we did not properly repay the debt to our non-federal account through a commercial loan to the federal account as reported to you in our letter of April 16, 1985. This debt was originally incurred because certain funds, although used for local and state political purposes, were erroneously deposited into our federal account.

In our enclosed July 31 Mid Year report, we have shown the earlier commercial loan transaction but have restated the original debt to our non-federal account. The report also shows a first debt repayment of \$2000.00.

We expect to complete a proper repayment of the original debt by the end of August 1985. We will send proof of transfer of these funds from our federal to our non-federal account in the form of copies of our cancelled checks.

Sincerely,



Spencer F. Martin, Jr.
Assistant Treasurer
Rhode Island Republican Party

U.S. G.O.

1. Name of Committee to File
ROOSEVELT DEMOCRATIC STATE
CENTRAL COMMITTEE

Address (Number and Street)
145 Westminister Street - Suite 300

City, State and ZIP Code
Providence, RI 02903

Check here if address is different than previously reported.

2. FEC Identification Number
C00078196

3. This committee qualified as a multi-candidate committee during this Reporting Period on _____

4. Type of Report (Check appropriate boxes)

Initial 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

ATTACHMENT 2 (page 2 of 7)

SUMMARY

5. Covering Period 1-1-85 through 6-30-85

6. (a) Cash on hand January 1, 1985 00

(b) Cash on Hand at Beginning of Reporting Period 1294.67

6. (c) Total Receipts (from Line 12) 48,894.06

6. (d) Subtotal (add Lines 6(b) and (c)) for Column A and 50,188.73
Lines 6(a) and 6(a) for Column B

7. Total Disbursements (from Line 28) 48,414.15

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)) 1774.58

9. Debts and Obligations Owed TO The Committee 0
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee 44,394.12
(Itemize all on Schedule C or Schedule D)

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
(a) Cash on Hand January 1, 1985		\$ 1294.67
(b) Cash on Hand at Beginning of Reporting Period	\$ 1294.67	
(c) Total Receipts (from Line 12)	\$ 48,894.06	\$ 48,894.06
(d) Subtotal (add Lines 6(b) and (c)) for Column A and Lines 6(a) and 6(a) for Column B	\$ 50,188.73	\$ 50,188.73
7. Total Disbursements (from Line 28)	\$ 48,414.15	\$ 48,414.15
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 1774.58	\$ 1774.58
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)	\$ 44,394.12	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Spencer F. Martin, Jr.
Type or Print Name of Treasurer

Spencer F. Martin, Jr.
Signature of Treasurer

Treasurer

7-24-85

For further information contact
 Federal Election Commission
 Toll Free 800 424 9530
 Local 707 523 4000

Failure to submit or late, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437e

All previous versions of FEC FORM 3 and FEC FORM 28 are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

Report Making the Report From <u>1-1-85</u> To <u>6-30-85</u>			
	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	2499.94	2499.94	11(a)
(Include Every Unitemized \$ <u>2499.94</u>)			
(b) Political Party Committees			11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	2499.94	2499.94	11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED	46,855.13	46,855.13	13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	48,355.06	48,355.06	18
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	20.03	20.03	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	41,354.13	41,354.13	20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			21
22. INDEPENDENT EXPENDITURES (use Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 old) (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)	42,414.16	42,414.16	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans from Line 11(d))	2499.94	2499.94	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)	-0-	-	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	2499.94	2499.94	31
32. TOTAL OPERATING EXPENDITURES from Line 19	20.03	20.03	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	-0-	-	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	20.03	20.03	34

ATTACHMENT 2 (page 4 of 7)
ITEMIZED RECEIPTS

John Doe
 Has advised applicant for each category of the Bureau Summary Page

GENERAL A

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of collecting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Contributor: **DRUG BRAND REPUBLICAN STATE CENTRAL COMMITTEE**

A. Full Name, Mailing Address and ZIP Code DRUG BRAND REPUBLICAN STATE CENTRAL COMMITTEE P.O. Box 1053 Providence, RI 02908	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation	8/26/86	46,594.12
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): CONGRESSIONAL LOAN	Aggregate Year-to-Date-\$ 46,594.12		

B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	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
	Occupation		
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> 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: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Aggregate Year-to-Date-\$		

SUBTOTAL of Receipts This Page (optional)			
TOTAL This Period (if you wish the number only)			46,594.12

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FORM 30

FINANCED DISBURSEMENTS

Page 1 of 1 to
LINE NUMBER 30
(Use space available for each
category of the General
Summary Page)

ATTACHMENT 2 (page 5 of 7)

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 collect contributions from such committee

Name of Committee (in Full)

RHODE ISLAND REPUBLICAN STATE CENTRAL COMMITTEE

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
RI REPUBLICAN STATE CENTRAL COMM. 146 WESTMINSTER ST. - SUITE 300 PROVIDENCE, RI 02903	TRANSFER Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): REB ADVANCE	3/26/05	446,374.12
RI REPUBLICAN STATE CENTRAL COMM. 146 WESTMINSTER ST. - SUITE 300 PROVIDENCE, RI 02903	TRANSFER Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify): REB ADVANCE	6/27/05	2000.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period

18

0503391132

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page (this line number only) **448,374.12**

The United States
 Use separate schedule
 for each numbered loan

THE UNITED STATES FEDERAL RESERVE SYSTEM				
Name of Loan Source and ZIP Code of Loan Source First National Bank of Atlanta Atlanta, GA 30303 Branch Office (City, State, County): Dist. of Columbia		Original Amount of Loan \$146,894.12	Cumulative Payments To Date \$146,894.12	Balance Outstanding at Close of This Period -0-
Terms: Date Incurred 1-1-68 Date Due _____ Interest Rate 12.5 (Mpr) <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item A				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
B. Full Name, Mailing Address and ZIP Code of Loan Source				
		Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Character: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):				
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ (Mpr) <input type="checkbox"/> Secured				
List All Endorsers or Guarantors (if any) to Item B				
1. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
2. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
3. Full Name, Mailing Address and ZIP Code	Name of Employer			
	Occupation			
	Amount Guaranteed Outstanding: \$			
	Name of Employer			
SUBTOTALS This Period This Page (optional)				
TOTALS This Period (Use page 1 of this form) -0-				
Carry outstanding balances only to LINE 2, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.				

IN FOOTNOTE: REPAID BY
 NEW-FEDERAL ACCOUNT.

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DEBTS AND OBLIGATIONS
 Excluding Loans

ATTACHMENT 2 (page 7 of 7)

DEBTS AND OBLIGATIONS		Outstanding Balance Beginning This Period	Amount Paid This Period	Payments This Period	Outstanding Balance at Close of This Period
RI. REPUBLICAN STATE CENTRAL COMMITTEE A. Full Name, Mailing Address and Zip Code of Debtor or Creditor R.I. REPUBLICAN STATE CENTRAL COMM. 146 WASHINGTON ST. - SUITE 300 PROVIDENCE, RI. 02903		35,000.01	- 0 -	2,000.00	33,000.01
Nature of Debt (Purpose): IMPROPERLY DEPOSITED INTO FEDERAL ACCOUNT.					
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor R.I. REPUBLICAN STATE CENTRAL COMM. BANK		7500.00	- 0 -	- 0 -	7500.00
Nature of Debt (Purpose): IMPROPERLY DEPOSITED INTO FEDERAL ACCOUNT					
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor R.I. REPUBLICAN STATE CENTRAL COMM. BANK		2500.00	- 0 -	- 0 -	2500.00
Nature of Debt (Purpose): IMPROPERLY DEPOSITED INTO FEDERAL ACCOUNT					
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor R.I. REPUBLICAN STATE CENTRAL COMM. BANK		1394.11	- 0 -	- 0 -	1394.11
Nature of Debt (Purpose): IMPROPERLY DEPOSITED INTO FEDERAL ACCOUNT					
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor Nature of Debt (Purpose):					
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor Nature of Debt (Purpose):					
1) SUBTOTALS This Period This Page (optional)					
2) TOTAL This Period (last page this line only)					46,394.12
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)					0
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)					46,394.12

ANALYST: Lisa Stolaruk

CONVERSATION WITH: Spencer Martin (401)421-2570

COMMITTEE: Rhode Island Republican Federal Campaign Committee

DATE: 8/22/85

SUBJECT(S): Transfer of funds to non-Federal account

Mr. Martin called this afternoon to inform me that the committee had a successful fundraiser and was able to repay the non-federal account in full. I asked that he send a copy of the cancelled check as documentation, and he agreed to do so.

86040594164