



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2297

Date Filmed 1/30/87 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing Slips, Duplicate Documents, Internal
Documents - Voting Tally sheets, RFAI's
12 Day Report + Comments, Checks

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

- (1) Classified Information (6) Personal privacy
- (2) Internal rules and practices (7) Investigatory files
- (3) Exempted by other statute (8) Banking Information
- (4) Trade secrets and commercial or financial information (9) Well Information (geographic or geophysical)
- (5) Internal Documents

Signed John K. [Signature]
date 1/7/87

FEC 9-21-77

87040625340



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 19, 1986

Mr. Luis Arrizurieta
2905 Salzedo Street
Coral Gables, Florida 33134

RE: MUR 2297
The Republican Party of
Dade County and Luis
Arrizurieta, as treasurer

Dear Mr. Arrizurieta:

On December 2, 1986, the Commission found reason to believe that The Republican Party of Dade County and you, as treasurer, had violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file. The General Counsel's Factual and Legal analysis which formed a basis for the Commission's finding is attached for your information.

The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

If you have any questions, please direct them to John Drury, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens
Chairman

Enclosure
General Counsel's Factual and Legal Analysis

87040525341

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Republican Party of Dade)
County and Luis Arrizurieta,)
Treasurer)

RAD Referral 86L-11 (MUR2297)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of December 2, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 86L-11:

1. Open a Matter Under Review.
2. Find reason to believe that the Republican Party of Dade County and Luis Arrizurieta, treasurer, violated 2 U.S.C. § 441a(a)(1)(A), but take no further action and close the file.
3. Approve the factual and legal analysis attached to the General Counsel's report dated October 8, 1986, subject to the amendments agreed upon during the meetings.
4. Direct the Office of General Counsel to send an appropriate letter.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the motion.

Attest:

12-4-86
Date

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

87040525342

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Republican Party of Dade) RAD Referral 86L-11
County and Luis Arrizurieta,)
Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 18, 1986, do hereby certify that the Commission took the following actions with respect to the above-captioned matter:

1. Failed in a vote of 3-2 to pass a motion to
 - a) Open a Matter Under Review (MUR).
 - b) Find reason to believe that the Republican Party of Dade County and Luis Arrizurieta, treasurer, violated 2 U.S.C. § 441a(a)(1)(A), but take no further action and close the file.
 - c) Approve the factual and legal analysis attached to the General Counsel's report dated October 28, 1986, subject to the two amendments agreed upon during the meetings.
 - d) Direct the Office of General Counsel to send an appropriate letter.

Commissioners Aikens, Elliott, and Josefiak voted affirmatively for the motion; Commissioners McDonald and Thomas dissented; Commissioner McGarry was not present at the time of the vote.

(continued)

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2. Failed in a vote of 3-2 to pass a motion to close the file on RAD Referral 86L-11.

Commissioners Aikens, Elliott, and Josefiak voted affirmatively for the motion; Commissioners McDonald and Thomas dissented. Commissioner McGarry was not present.

3. Agreed by unanimous consent to continue consideration of this matter at the next executive session of the Commission.

Attest:

11-20-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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SENSITIVE

**FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463**

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION RAD Referral 86L-11
Staff Member: John Drury

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E

RESPONDENT'S NAME: The Republican Party of Dade County
("Dade County") and Luis Arrizurieta
Treasurer

RELEVANT STATUTE: 2 U.S.C. § 441a(a)(1)(A)
11 C.F.R. § 110.1(a)(1)

INTERNAL REPORTS CHECKED: Respondents' 1985 Mid-Year
Report and 1984 Statement of
Organization

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

The Reports Analysis Division referred this matter to the Office of the General Counsel.

SUMMARY OF ALLEGATIONS

The respondents apparently violated 2 U.S.C. § 441a(a)(1)(A) by forwarding \$7800 in excessive contributions to two federal candidate committees.

FACTUAL AND LEGAL ANALYSIS

RAD reports that Dade County forwarded \$7,800 in excessive contributions to two federal candidate committees during 1985. The respondents' 1985 Mid-Year Report listed a \$4,000 contribution to Tom Bush for Congress and a \$3,800 contribution to Ricardo Nunez for Congress.

Section 441a(a)(1)(A) states that a non-multi-candidate political committee such as Dade County may contribute no more

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OFFICE OF THE
COMMISSION SECRETARY

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than \$1,000 per election to a candidate for federal office.

Dade County had already contributed \$1,000 towards the 1984 general election of each of these two candidates. By donating these additional amounts to each candidate, Dade County gave contributions which were in excess of the limits of § 441a(a)(1)(A).

Dade County was not affiliated with the Florida Republican Party Committee when it made these contributions. Moreover, as noted in Attachment IV, Dade County was not a multi-candidate committee at that time either.

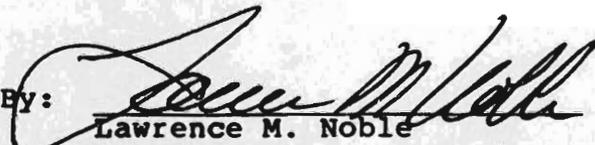
Both the Ricardo Nunez for Congress Committee and the Tom Bush for Congress Committee have refunded the excessive contributions to Dade County.

RECOMMENDATION

1. Open a MUR.
2. Find reason to believe that the Republican Party of Dade County and Luis Arrizurieta, treasurer, violated 2 U.S.C. § 441a(a)(1)(A).
3. Approve the attached letter and factual and legal analysis.

Date 10/28/81

Charles N. Steele
General Counsel

By: 
Lawrence M. Noble
Deputy General Counsel

Attachments

- I. Proposed Letter (1)
- II. Referral Materials
- III. Factual and Legal Analysis
- IV. Respondents' Statement of Organization

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: June 24, 1986ANALYST: Alva E. Smith

I. COMMITTEE: Republican Party of Dade County (C00187013)
 Luis Arrizurieta, Treasurer
 (April 29, 1985 - present)
 Roberto Casas, Treasurer
 (June 27, 1984 - April 29, 1985)
 2905 Salzedo Street
 Coral Gables, FL 33134

II. RELEVANT STATUTE: 2 U.S.C. §441a(a)(1)(A)
 11 CFR 110.1(a)(1)

III. BACKGROUND:

Apparent Excessive Contributions Made to Federal Candidates

The Republican Party of Dade County ("Dade County") made a total of \$7,800 in apparent excessive contributions to two (2) federal candidate committees during 1985.^{1/} The 1985 Mid-Year Report disclosed a \$4,000 contribution to Tom Bush for Congress^{2/} and a \$3,800 contribution to Ricardo Nunez for Congress. Both contributions were designated for debt retirement (Attachment 2). No dates were provided for either of the contributions.^{3/}

An RFAI was sent to Dade County for the 1985 Mid-Year Report on March 19, 1986 (Attachment 3). The RFAI advised Dade County that the Act precludes a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. Dade County was asked to notify the recipients and request refunds of the amount in excess of \$1,000.

^{1/} In 1984, Dade County contributed the maximum amount allowable under the Act to each of the two (2) federal candidates. Although the contributions were not designated, they were both made subsequent to the date of the primary election.

^{2/} Dade County referred to this committee as Tom Bush for Congress as did the Reports Analysis Division ("RAD") in some of its notices. The registered name of the committee is the Tom Bush Campaign.

^{3/} A Request for Additional Information ("RFAI") and Second Notice were sent to Dade County on December 24, 1985 and January 16, 1986, respectively, requesting the dates of the contributions. Dade County failed to respond to the requests.

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REPUBLICAN PARTY OF DADE COUNTY
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

Luis Arrizurieta, Dade County's treasurer, submitted a written response to the RFAI on March 31, 1986 which stated that Dade County qualified as a multicandidate committee on July 15, 1985 (Attachment 4). In addition, a copy of a \$2,000 refund check dated February 3, 1986 from the "Campaign Account of Tom Bush" was enclosed. The response further stated that Dade County sent a letter to the Ricardo Nunez Campaign "...forgiving the debt to our Committee."

A Second Notice was sent to Dade County on April 11, 1986 (Attachment 5). The Notice advised Dade County that, although a \$2,000 refund was made by Tom Bush for Congress, the apparent total excessive amount was \$3,500. This figure included a \$1,500 contribution by Dade County which was made on September 21, 1984 of which \$1,000 was subsequently refunded on December 15, 1984. Additionally, with regard to the excessive contribution to Ricardo Nunez for Congress, the Notice advised Dade County that it was not the intent of the debt settlement provisions of the Regulations (11 CFR 114.10) to allow excessive contributions to be forgiven or settled. The Notice recommended that Dade County notify the recipients and request refunds of the amount in excess of \$1,000.

A letter received on April 16, 1986 from Mr. Arrizurieta stated that Dade County's legal counsel would be calling the RAD analyst to clarify questions on the excessive contributions (Attachment 6).

On April 23, 1986, Paul Wallace, Esquire, and Tony Cotarelo, Executive Director of Dade County, placed a conference call with the RAD analyst in an attempt to resolve the matter concerning the excessive contributions (Attachment 7). They explained that Dade County made a contribution to President Reagan, which was once considered one of the five contributions to federal candidates required in attaining multicandidate status. They further explained that they were subsequently informed by another RAD analyst that the contribution could not count toward the multicandidate criteria, which resulted in confusion as to Dade County's qualification date.

The RAD analyst, after extensive research, explained to Mr. Wallace and Mr. Cotarelo that the apparent contribution to President Reagan was, in fact, reported as a reimbursement to the Republican Party of Broward on December 13, 1984 for Reagan-Bush posters. As a result, Dade County did not become a qualified multicandidate committee until July 15, 1985. Therefore, excessive contributions were made to Tom Bush for Congress and Ricardo Nunez for Congress.

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REPUBLICAN PARTY OF DADE COUNTY
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

The RAD analyst suggested that they request refunds from the candidate committees and, until such time as Dade County receives the refunds, the amounts should be reported as debts owed to Dade County.

On April 28, 1986, Dade County submitted copies of letters sent to Mr. Leonardo Gravier, Treasurer of the Ricardo Nunez for Congress committee (no reference was made to Ricardo Nunez in the letter) and to Mr. Tom Bush requesting refunds of the excessive contributions (Attachment 8). Also included was an amended 1986 April Quarterly Report which disclosed the excessive contributions as debts owed to Dade County (Attachment 9).

Subsequent to the telephone conversation, it was determined that the correct amount owed to Dade County by Tom Bush for Congress was \$4,000. The RAD analyst called Mr. Cotarelo on May 28, 1986 to explain that the outstanding amount still to be refunded by Tom Bush for Congress was \$2,000, not \$1,500 as stated in the April 11, 1986 Second Notice. The RAD analyst informed Mr. Cotarelo that the 1986 April Quarterly Report should reflect a debt owed to Dade County of \$2,000 and that Tom Bush for Congress should be told that an additional \$500 was to be refunded. Mr. Cotarelo said that he also believed the correct amount to be owed was \$2,000. He further indicated that an additional \$1,000 refund had been received that day. Mr. Cotarelo requested that RAD send written verification to Dade County regarding the correct amount to be refunded (Attachment 10).

On May 29, 1986, an additional Second Notice was sent for the 1985 Mid-Year Report (Attachment 11). The Notice outlined the dates and amounts of the contributions made and refunds received by Dade County with Tom Bush for Congress, and also stated that the amount to be refunded to Dade County was \$2,000. It further advised Dade County to notify the recipient and request a refund of the excessive amounts. The Notice also requested that Dade County contact the Commission immediately in writing and provide a photocopy of the refund request.

Mr. Arrizurieta responded on June 13, 1986 by submitting a copy of the second refund letter sent to Tom Bush for Congress and a copy of a \$1,000 refund from Tom Bush for Congress dated May 20, 1986 (Attachment 12). Mr. Arrizurieta also wrote that the second refund request letter had noted that ". . . there is still an outstanding balance of \$1,000."

As of this date, no further responses have been received from Dade County.

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IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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1992

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FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)DATE 23JUN86
PAGE 1

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
REPUBLICAN PARTY OF DADE COUNTY; THE CONNECTED ORGANIZATION: NONE				PARTY QUALIFIED		ID #C00187013
1985	STATEMENT OF ORGANIZATION - AMENDMENT			1MAY85	1	85FEC/372/3080
	MID-YEAR REPORT	7,800	11,465	1JAN85 -30JUN85	7	85FEC/386/4285
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN85 -30JUN85	1	86FEC/407/2432
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN85 -30JUN85	3	86FEC/416/4639
	NOTICE OF FAILURE TO FILE			1JAN85 -30JUN85	1	85FEC/386/3211
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	2	85FEC/393/3083
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN85 -30JUN85	3	86FEC/395/1264
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	3	86FEC/405/3248
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN85 -30JUN85	2	86FEC/408/1302
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN85 -30JUN85	2	86FEC/415/4863
	YEAR-END	0	1,000	1JUL85 -31DEC85	4	86FEC/402/2408
	YEAR-END - AMENDMENT	-	-	1JUL85 -31DEC85	4	86FEC/406/4450
	1'ST LETTER INFORMATIONAL NOTICE			1JUL85 -31DEC85	2	86FEC/404/5103
1986	MISCELLANEOUS NOTICE FROM FEC			12MAR86	1	86FEC/404/4517
	APRIL QUARTERLY	2,000	6,930	1JAN86 -31MAR86	5	86FEC/416/1552
	APRIL QUARTERLY - AMENDMENT	2,000	6,930	1JAN86 -31MAR86	8	86FEC/412/5473
	TOTAL	9,800	0 19,395	0	49	TOTAL PAGES

All reports have been reviewed.

Ending cash on hand as of 3/31/86:	\$2,471
Debts owed to the Committee as of 3/31/86:	\$5,300
Debts owed by the Committee as of 3/31/86:	\$0

PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
REPUBLICAN PARTY OF DADE COUNTY; THE CONNECTED ORGANIZATION: NONE				PARTY NON-QUALIFIED		ID 8C00107013
1984	STATEMENT OF ORGANIZATION			9JUL84	3	84FEC/319/0568
	MISCELLANEOUS REPORT			29OCT84 TO FEC	4	84FEC/347/4318
	MISCELLANEOUS REPORT			17DEC84 TO FEC	4	84FEC/357/0970
	JULY QUARTERLY	68,577	7,940	15APR84 -15JUL84	19	84FEC/323/1853
	REQUEST FOR ADDITIONAL INFORMATION			1APR84 -30JUN84	5	84FEC/328/3553
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1APR84 -30JUN84	6	84FEC/337/4715
	OCTOBER QUARTERLY	46,462	52,144	1JUL84 -30SEP84	17	84FEC/340/0858
	OCTOBER QUARTERLY - AMENDMENT	46,462	56,444	1JUL84 -30SEP84	24	85FEC/358/2762
	REQUEST FOR ADDITIONAL INFORMATION			1JUL84 -30SEP84	6	84FEC/350/0339
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL84 -30SEP84	7	84FEC/357/2155
	PRE-GENERAL	8,950	33,565	1OCT84 -17OCT84	8	84FEC/346/4581
	PRE-GENERAL - AMENDMENT	8,950	33,565	1OCT84 -17OCT84	9	84FEC/353/3943
	REQUEST FOR ADDITIONAL INFORMATION			1OCT84 -17OCT84	2	84FEC/349/2140
	1'ST LETTER INFORMATIONAL NOTICE			1OCT84 -17OCT84	5	85FEC/358/0784
	POST-GENERAL	36,934	50,655	15OCT84 -26NOV84	19	84FEC/353/3924
	POST-GENERAL - AMENDMENT	36,934	50,655	15OCT84 -26NOV84	12	85FEC/367/0455
	POST-GENERAL - AMENDMENT	-	-	15OCT84 -26NOV84	4	85FEC/369/4158
	REQUEST FOR ADDITIONAL INFORMATION			18OCT84 -26NOV84	1	85FEC/358/1629
	REQUEST FOR ADDITIONAL INFORMATION			15OCT84 -26NOV84	3	85FEC/359/5511
	REQUEST FOR ADDITIONAL INFORMATION 2ND			15OCT84 -26NOV84	4	85FEC/365/3323
	REQUEST FOR ADDITIONAL INFORMATION			19OCT84 -26NOV84	1	85FEC/368/0494
	REQUEST FOR ADDITIONAL INFORMATION 2ND			15OCT84 -26NOV84	2	85FEC/369/3849
	YEAR-END	0	3,651	27NOV84 -31DEC84	9	85FEC/363/3355
	YEAR-END - AMENDMENT	0	3,651	27NOV84 -31DEC84	9	85FEC/372/3081
	REQUEST FOR ADDITIONAL INFORMATION			27NOV84 -31DEC84	2	85FEC/367/0768
	REQUEST FOR ADDITIONAL INFORMATION 2ND			27NOV84 -31DEC84	2	85FEC/369/0079
	TOTAL	160,923	0			188 TOTAL PAGES

All reports have been reviewed.

Ending cash on hand as of 12/31/84: \$12,967
 Debts owed to the Committee as of 12/31/84: \$ 7,800
 Debts owed by the Committee as of 12/31/84: \$0

Page 1 of 1
 Use original schedule of payments
 category of the schedule
 category of the schedule

NON-DEBIT

ITEMIZED DISBURSEMENTS

Mid Year (1/1/85-6/30/85)

Republican Party of Dade County

A. Recipient Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Cash Disbursement This Period
Tom Bush for Congress 341 S.E. 15 Avenue Ft Lauderdale, FL 33303	Debt Retirement Disbursement for Primary General <input checked="" type="checkbox"/> Other (specify)		\$4,000
Ricardo Nuñez for Congress 675 Solano Pkade Ct Coral Gables, FL 33156	Debt Retirement Disbursement for Primary General <input checked="" type="checkbox"/> Other (specify)		\$3,300
E. Clay Shaw for Congress 2111 East Broward Blvd Ft Lauderdale, FL 33301	Contribution Disbursement for Primary General Other (specify)	2/21/85	\$100
Paula Hawkins for Senate P.O. box 2000 Winter Park, FL 32790	Contribution Disbursement for Primary General Other (specify)	2/21/85	\$150
Irene... Properties 277... Miami, FL 33135	Refund of In-kind Contribution Disbursement for Primary General	3/1/85	\$3,300
Spring... 24... ... 33112	Equipment Rental	3/30/85	\$115.50
			\$11,465.50
			\$11,465.50

AB



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

MAR 19 1986

Luis Arrizurieta, Treasurer
Republican Party of Dade County
2905 Salzedo Street
Coral Gables, FL 33134

Identification Number: C00187013

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Treasurer:

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 B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits established by the Act. The Act precludes a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. §441a(a)) If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$1,000. Please inform the Commission immediately in writing and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on a supporting Schedule A for Line 16 of your next report.

If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

Although the Commission may take further legal steps concerning the excessive contribution(s), your prompt action in obtaining a refund of the excessive amount will be taken into consideration.

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

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BD

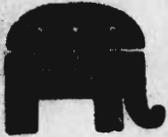
assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,



Alva E. Smith
Reports Analyst
Reports Analysis Division

87040625355



Republican Party of Dade County

2006 SALZEDO STREET • CORAL GABLES, FLORIDA 33134 • (305) 443-1676

March 28, 1986

Ms. Alvah Smith
Records Analyst
Federal Election Commission
1325 K-Street, N. W.
Washington, D. C. 20463

Dear Ms. Smith:

In response to your letter dated March 14, 1986 whereby you advised our Committee of the Federal account's responsibilities in sharing administrative expenses with our State account, please find attached a copy of the check made out to our State account covering the period of time mentioned in your letter. This disbursement will be reflected in Schedule B of our quarterly report due no later than April 15th.

Also per your letter of March 19th, 1986, please be advised that our Committee became a multi-candidate committee on July 15th, 1985. Enclosed, please find a copy of the check from the Tom Bush Campaign reimbursing the excess contribution mentioned in your letter. As far as the in-kind contribution to the Ricardo Manes Campaign, we wrote a letter to said committee forgiving the debt to our Committee. For verification of the letter, please contact Ms. Julia Lee at the Commission.

Please excuse us for any delays in filing the previous two reports. Also, please advise us if you need additional information as we would like to be in good standing with the Commission. Thank you.

Sincerely,

Arizurieta
Arizurieta TC
Manager

cc: file

enclosure

LA:tc

970 A P. S. 2, 543, 516



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-3

April 11, 1986

Luis Arrizurieta, Treasurer
Republican Party of Dade County
2905 Salzedo Street
Coral Gables, FL 33134

Identification Number: C00187013

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Treasurer:

On March 19, 1986 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.

Your March 31, 1986 response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-Your response includes a contribution refund check from Tom Bush For Congress for \$2,000, however it appears that the apparent excessive amount is \$3,500 (please note that a \$1,500 contribution was made on September 21, 1984 of which \$1,000 was subsequently refunded on December 15, 1984). In addition, your response indicates that the \$3,800 contribution to Ricardo Nunez For Congress was an in-kind contribution and you sent a letter to this committee forgiving the excessive amount owed to your committee. You are advised that it was not the intent of the debt settlement provisions of the Regulations (11 CFR 114.10) to allow excessive contributions to be forgiven or settled.

The Act precludes a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election. (2 U.S.C. §441a(a)) If you have made an excessive contribution, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$1,000. Please inform the Commission immediately in writing and provide a

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photocopy of your refund request sent to the recipient. In addition, any refund should appear on a supporting Schedule A for Line 16 of your next report.

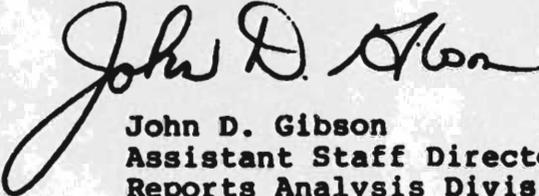
If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record.

Although the Commission may take further legal steps concerning the excessive contribution(s), your prompt action in obtaining a refund of the excessive amount will be taken into consideration.

If this information is not received by the Commission within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Alva Smith on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,



John D. Gibson
Assistant Staff Director
Reports Analysis Division

87040525359



Republican Party of Dade County

HAND DELIVERED

2006 SALZEDO STREET • CORAL GABLES, FLORIDA 33134 • (305) 443-1876

April 15, 1986

Ms. Alvah Smith
Records Analyst
Federal Election Commission
1325 K- Street, N. W.
Washington, D. C. 20463

Dear Ms. Smith:

Enclosed, please find our quarterly report for April.

Regarding Mr. Gibson's letter, our legal counsel and I will be calling you to clarify the question(s) on the excess contributions.

Thank you for your consideration on this matter.

Sincerely,

Luis Arrisurieta
Luis Arrisurieta
Treasurer

LA:...

96870142125360

ANALYST: Alva E. Smith

CONVERSATION WITH: Paul Wallace, Esq., (305) 667-6451
Tony Cotarelo, Exec. Director (305) 443-1676 (conference call)

COMMITTEE: Republican Party of Dade County

DATE: April 23, 1986

SUBJECT(S): Excessive contributions

Mr. Wallace and Mr. Cotarelo called in an effort to resolve the matter concerning the possible excessive contributions made to Tom Bush for Congress and Ricardo Nunez for Congress. They explained that the Committee made a contribution to President Reagan in 1984, which was considered in attaining multicandidate status. The contribution was made for the general election. Then, sometime later, an analyst informed them that the contribution could not be considered, therefore, creating confusion as to the Committee's multicandidate status.

I explained that party committees are prohibited from making contributions to presidential nominees for the general election when that candidate receives public funding. However, the committee could have contributed to that nominee's legal and/or compliance fund. I asked if they were sure it was for the general election. They stated yes.

After extensive research, I explained to Mr. Wallace and Mr. Cotarelo that the contribution to President Reagan was in fact reported as a reimbursement to the Republican Party of Broward on 12/13/84 for Reagan-Bush posters. As a result, the Committee did not become qualified until 7/15/85, therefore, excessive contributions were made to Bush and Nunez.

I suggested that they request refunds from the candidates. In the meantime, the refunds should be disclosed as debts owed to the Committee. They agreed with the suggestions.

87040525361



Republican Party of Dade County

2006 SALZEDO STREET • CORAL GABLES, FLORIDA 33134 • (305) 442-1976

April 25th, 1986

Mr. Leonardo Grevier
Verdeja, Friends, & Grevier
814 Ponce de Leon Blvd
Coral Gables, Fl. 33134

Dear Mr. Grevier:

We have been informed and advised by the Federal Election Commission, per the enclosed letter from their staff, that we have made excess, non-allowable contributions to your campaign in the amount of \$3,800.00 .

As you are aware, the Party has attempted over a period of several months to arrange a settlement of this matter with the Commission, which might not require the return of funds to the Party from your campaign. However, the Commission's final decision on this matter appears to leave us no alternative but to seek such refund at this time.

We must insist, therefore, that the excess and non-allowable contribution, in the amount of \$3,800.00, be immediately refunded to the Republican Party of Dade County. By a copy of this letter, we are advising the Federal Election Commission of this demand, and we will expect to hear from you shortly.

Please make all checks payable to the Republican Party of Dade County, and mark same: "Return of Excess Contribution."

If you have any questions, please feel free to call me at 667-6151. Thank you.

Very truly yours,

Paul Wallace

Paul Wallace
Legal Counsel

cc: Alvah Smith, FEC ✓
Job Bash
Luis Arrizurieta

8704052573
9673412573



Republican Party of Dade County

APR 25 1986

2806 SALZEDO STREET • CORAL GABLES, FLORIDA 33134 • (305) 443-1878

April 25th, 1986

Mr. Tom Bush
321 S. E. 15th Ave
Ft. Lauderdale, Fl. 33303

Dear Tom:

We have been informed and advised by the Federal Election Commission, per the enclosed letter from their staff, that we have made excess, non-allowable contributions to your campaign in the amount of \$1,500.00 .

As you are aware, the Party has attempted over a period of several months to arrange a settlement of this matter with the Commission, which might not require the return of funds to the Party from your campaign. However, the Commission's final decision on this matter appears to leave us no alternative but to seek such refund at this time.

We must insist, therefore, that the excess and non-allowable contribution, in the amount of \$1,500.00, be immediately refunded to the Republican Party of Dade County, By a copy of this letter, we are advising the Federal Election Commission of this demand, and we will expect to hear from you shortly.

Please make all checks payable to the Republican Party of Dade County, and mark same: "Return of Excess Contribution."

If you have any questions, please feel free to call me at 667-6451. Thank you.

Very truly yours,

Paul Wallace

Paul Wallace
Legal Counsel

cc: Alvah Smith, FEC ✓
Jeb Bush
Luis Arrizurieta

96734125474

TELECON

ANALYST: Alva E. Smith

CONVERSATION WITH: Tony Cotarelo

COMMITTEE: Republican Party of Dade County

DATE: 5/28/86

SUBJECT(S): Excessive contribution to Tom Bush

I explained to Mr. Cotarelo that there was an error in the letter dated 4/11/86. The total amount to be refunded is \$4,000 not \$3,500 as stated in the letter. Therefore, the outstanding balance owed to the committee by Tom Bush for Congress is \$2,000 not \$1,500. He also thought that the amount due was \$2,000. I asked if he could amend the April Quarterly disclosing the correct outstanding balance and inform Bush that an additional \$500 is due. (Mr. Cotarelo just received a \$1,000 refund check from Bush, today, 5/28/86.) Mr. Cotarelo will refer these requests to the committee's legal department. He requested that a letter be sent stating that an error was made.

I told him that a letter will be sent on 5/29/86. He will wait for that letter before taking any action.

87040625365



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20462

RQ-3

May 29, 1986

Luis Arrizurieta, Treasurer
Republican Party of Dade County
2905 Salzedo Street
Coral Gables, FL 33134

Identification Number: C00187013

Reference: Mid-Year Report (1/1/85-6/30/85)

Dear Mr. Arrizurieta:

On March 19, 1986 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.

On April 11, 1986, you were advised that your response dated March 31, 1986 was incomplete. You were advised that an additional \$1,500 needed to be refunded by the Tom Bush for Congress Committee ("Bush Committee") to you. Subsequent calculations indicate, however, that the correct amount still needed to be refunded by the Bush Committee to you is \$2,000. This figure is based on the following transactions between you and the Bush Committee for the 1984 Primary:

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\$1,500	-	September 21, 1984 contribution by you to Bush Committee
500	-	October 4, 1984 contribution by you to Bush Committee
1,000	-	October 21, 1984 contribution by you to Bush Committee
2,000	-	October 30, 1984 contribution by you to Bush Committee
<u>\$5,000</u>		
-1,000	-	permissible contribution by non-qualified committee
<u>\$4,000</u>		amount in excess of the 2 U.S.C. §441a(a) limitations
-4,000	-	December 15, 1984 refund by Bush Committee to you
<u>\$ 0</u>		amount in excess of the 2 U.S.C. §441a(a) limitations
+4,000	-	(date unknown) contribution by you to Bush Committee (on
		1985 Mid-Year Report)
\$4,000		amount in excess of the 2 U.S.C. §441a(a) limitations
-2,000	-	February 3, 1986 refund by Bush Committee to you
<u>\$2,000</u>		amount to be refunded by Bush Committee to you.

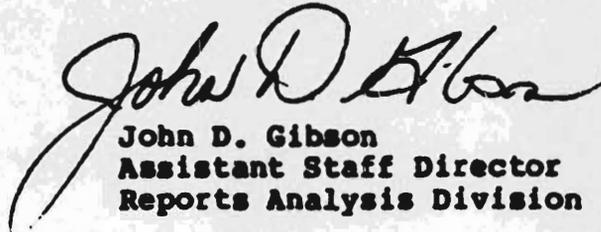
The Act precludes a political committee, other than a multicandidate committee, from making a contribution to a candidate for Federal office in excess of \$1,000 per election (2 U.S.C. §441a(a)). The Commission recommends that you notify the recipient committee and request the refund of the additional \$2,000 apparent excessive amount. Please inform the Commission

immediately in writing and provide a photocopy of your refund request sent to the recipient. In addition, any refund should appear on a supporting Schedule A for Line 16 of your next report. If the contribution(s) in question was incorrectly reported and/or you have additional information, you may wish to submit documentation for the public record. Although the Commission may take further legal steps concerning the excessive contribution(s), your prompt action in obtaining a refund of the excessive amount will be taken into consideration.

If this information is not received by the Commission within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Alva Smith on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,



John D. Gibson
Assistant Staff Director
Reports Analysis Division

97040625367



RECEIVED THE FEC
HAND DELIVERED
JUN 13 4:48

3908 SALEDO STREET • CORAL GABLES, FLORIDA 33134 • (305) 442-1878

ATTACHMENT 12
(Page 1 of 3)

June 11, 1986

Ms. Alva Smith
Federal Election Commission
999 E Street, NW
Washington, D. C. 20463

Dear Ms. Smith:

Enclosed, please find a copy of our second request letter to the Bush for Congress Committee.

Also, please find a copy of the check sent to us by said Committee to refund the excess contribution. As we indicated in the letter, there is still an outstanding balance of \$1,000.

Any questions, please feel free to call our legal counsel, Paul Wallace.

Thank you for your attention to the above.

Sincerely,

Luis Arrizurieta
Luis Arrizurieta *τ*
Treasurer

enclosure

86034154639

CAMPAIGN ACCOUNT OF TOM BARR

ATTACHMENT 12
(Page 2 of 3)

00378

DATE

PAY TO THE ORDER OF Republican Party of Dade County 18 1000.00
One thousand 09/100 DOLLARS

LAURENCE J. FORD NATIONAL BANK

200 N. W. 10TH ST.
MIAMI, FLORIDA 33136

FROM - Refund (Receipt check)

Patricia M. Walker

9 7 0 4 0 6 2 5 3 6 9

8 6 7 3 4 1 6 4 6 4 0



Republican Party of Dade County

3888 SALISBURY STREET • CORAL GABLES, FLORIDA 33134 • (305) 442-1070

June 11, 1986

Mr. Tom Bush
321 S.E. 15th Ave
Ft. Lauderdale, Fl. 33303

Dear Mr. Bush:

Thank you for sending us a check for \$1,000 to refund the excess contribution.

However, our records and those of the Federal Election Commission continue to indicate an outstanding balance of \$1,000.

Please respond to our request as soon as possible so as to remain in good standing with the Commission.

Thank you for your consideration to the above.

Sincerely,

Paul Wallace HC

Paul Wallace
Legal Counsel

87040625370
36734164641



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2297

Date Filmed 1/30/87 Camera No. --- 2

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