



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2528

DATE FILMED 6/3/88 CAMERA NO. 2

CAMERAMAN K.A.U.

88040704297

REPORTS ANALYSIS REFERRAL  
TO  
OFFICE OF GENERAL COUNSEL

DATE: July 6, 1987

ANALYST: Anthony Raymond

I. COMMITTEE: Republican Party of Hawaii-  
Federal Account (C00085506)  
John W. Anderson Jr., Treasurer  
(5/1/87 - present)  
R. M. Torkildson, Treasurer  
(1/1/85-4/30/87)  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96813

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(ii)  
11 CFR 104.5(c)(1)(ii)(A)

III. BACKGROUND:

Failure to File the 1986 12 Day Pre-General Report by  
Election Day

The Republican Party of Hawaii - Federal Account ("the  
Committee") failed to file the 1986 12 Day Pre-General  
Report by Election Day, November 4, 1986. The Committee was  
notified on September 29, 1986, that the report was due on  
October 23, 1986 if it made contributions to, or  
expenditures on behalf of federal candidates that had not  
been previously reported (Attachment 2).

On May 11, 1987, the Committee filed an amended 1986  
Year End Report that included \$250 in contributions to three  
(3) federal candidates which occurred during the 1986 12 Day  
Pre-General Report's coverage period (Attachment 3).<sup>1/</sup>

IV. OTHER PENDING MATTERS INITIATED BY RAD:

On June 24, 1987, the Committee was sent Requests for  
Additional Information concerning the lack of administrative  
expenses disclosed on the 1985 Year End Report and the 1986  
October Quarterly and Year End Reports.

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<sup>1/</sup> One hundred fifty dollars of the \$250 in contributions to  
Federal candidates are disclosed as earmarked contributions;  
however, the original donors are not identified in the  
itemizations. The report was submitted in response to a Request  
for Additional Information dated April 8, 1987 and a Second  
Notice dated April 30, 1987.

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FEDERAL ELECTION COMMISSION  
1985-1986  
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 2JUL87

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
REPUBLICAN PARTY OF HAWAII-FEDERAL ACCOUNT						ID #C00005506 PARTY QUALIFIED
CONNECTED ORGANIZATION: REPUBLICAN PARTY OF HAWAII						
	1985 STATEMENT OF ORGANIZATION - AMENDMENT			5JUN85	1	85FEC/375/1053
	MID-YEAR REPORT	32,270	10,800	1JAN85 -30JUN85	10	85FEC/384/2742
	MID-YEAR REPORT - AMENDMENT			1JAN85 -30JUN85	3	86FEC/402/4686
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -30JUN85	2	86FEC/394/2285
	REQUEST FOR ADDITIONAL INFORMATION 2ND YEAR-END	11,561	6,500	1JAN85 -30JUN85	3	86FEC/398/0005
	REQUEST FOR ADDITIONAL INFORMATION			1JUL85 -31DEC85	5	86FEC/401/0647
1986	MISCELLANEOUS REPORT TO FEC			1JUL85 -31DEC85	2	87FEC/471/3065
	APRIL QUARTERLY	534	10,000	5DEC86	2	86FEC/448/5738
	JULY QUARTERLY	21,340	0	1JAN86 -31MAR86	4	86FEC/412/0233
	REQUEST FOR ADDITIONAL INFORMATION			1APR86 -30JUN86	4	86FEC/424/1740
	REQUEST FOR ADDITIONAL INFORMATION 2ND OCTOBER QUARTERLY	545	33,952	1APR86 -30JUN86	1	86FEC/429/1120
	NOTICE OF FAILURE TO FILE			1APR86 -30JUN86	2	86FEC/431/0740
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	4	87FEC/462/5148
	REQUEST FOR ADDITIONAL INFORMATION 2ND			30SEP86	1	86FEC/443/3923
	NOTICE OF FAILURE TO FILE			1JUL86 -30SEP86	1	87FEC/464/3657
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	4	87FEC/466/3985
	REQUEST FOR ADDITIONAL INFORMATION			1JUL86 -30SEP86	1	87FEC/471/3069
	NOTICE OF FAILURE TO FILE			24NOV86	1	86FEC/452/1632
	YEAR-END	12,645	31,382	1OCT86 -31DEC86	5	87FEC/463/2115
	YEAR-END - AMENDMENT	12,645	31,382	1OCT86 -31DEC86	9	87FEC/467/3254
	NOTICE OF FAILURE TO FILE			31DEC86	1	87FEC/462/0033
	REQUEST FOR ADDITIONAL INFORMATION			1OCT86 -31DEC86	2	87FEC/464/3654
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1OCT86 -31DEC86	1	87FEC/466/3987
	REQUEST FOR ADDITIONAL INFORMATION			1OCT86 -31DEC86	2	87FEC/471/3219
1987	MISCELLANEOUS NOTICE FROM FEC			23JAN87	1	87FEC/455/2919
	STATEMENT OF ORGANIZATION - AMENDMENT			1MAY87	2	87FEC/466/4237
	<b>TOTAL</b>	<b>78,895</b>	<b>0</b>	<b>92,634</b>	<b>0</b>	<b>74 TOTAL PAGES</b>

Cash on Hand as of 12/31/86: \$75.04  
 Debts and Obligations Owed To the Committee as of 12/31/86: \$-0-  
 Debts and Obligations Owed By the Committee as of 12/31/86: \$-0-  
 All reports have been reviewed.

# GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

**PARTIES AND PACS**

September 29, 1986

**WHO MUST FILE THE PRE-GENERAL ELECTION REPORT**

ALL COMMITTEES that file monthly reports must file the pre-general election report due October 23, 1986.

All COMMITTEES that file quarterly that have made contributions or expenditures (including independent expenditures and coordinated party expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

**WHAT MUST BE REPORTED**

Quarterly filers must disclose all financial activity from the close of books of the last report, or from the date of registration\* (whichever is later), through October 15, 1986. (Monthly filers must disclose all financial activity from October 1 or from the date of registration\* (whichever is later), through October 15, 1986.) For more detailed instructions, consult your campaign guide.

**WHEN TO FILE**

Pre-general election reports sent registered or certified mail must be postmarked no later than midnight October 20, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 23, 1986.

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**WHO MUST FILE THE POST-GENERAL ELECTION REPORT**

ALL COMMITTEES must file the post-general election report due December 4, 1986, regardless of election activity.

**WHAT MUST BE REPORTED**

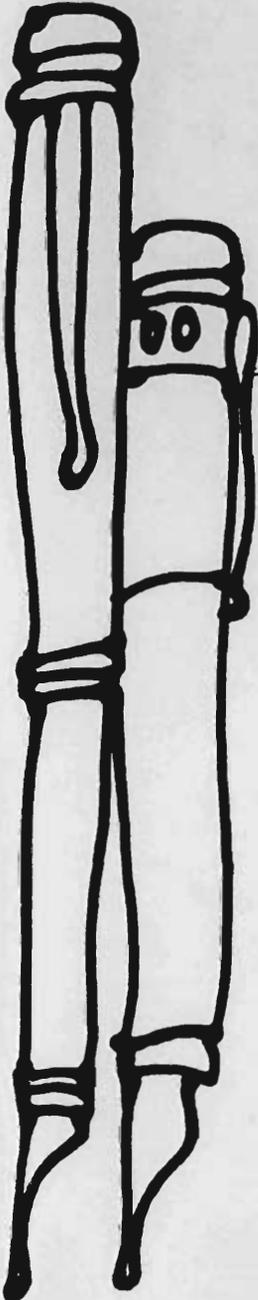
The report must disclose all financial activity from the close of books of the last report, or the date of registration\* (whichever is later), through November 24, 1986.

**WHEN TO FILE**

Post-general election reports sent by registered or certified mail must be postmarked no later than midnight December 4, 1986. Reports hand delivered or mailed first class must be received no later than close of business December 4, 1986.

\*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).

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**QUARTERLY FILERS**

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert. Mailing Date</u>	<u>Filing Date</u>
Oct. Quarterly	07/01 <sup>1/</sup> - 09/30	10/15/86	10/15/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General <sup>2/</sup>	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

**MONTHLY FILERS**

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert. Mailing Date</u>	<u>Filing Date</u>
Oct. Monthly	09/01 <sup>1/</sup> - 09/30	10/20/86	10/20/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

\*Follow these dates for mailing and filing the post-general report. Disregard dates shown on the October Quarterly Report Notice dated September 19, 1986.

**INDEPENDENT EXPENDITURES**

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c) (2) and (3) for information concerning where to file.

**WHERE AND HOW TO FILE**

Committees should consult the instructions on the enclosed FEC Form 3X, for details.

**COMPLIANCE**

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

<sup>1/</sup>Or from date of registration, or the close of books of the last report filed, whichever is later.

<sup>2/</sup>Reports filed by committees that did not file the pre-general election report should cover all financial activity from the closing date of the last report or from the date of registration (whichever is later), through November 24, 1986. See the footnote on the reverse side.

FOR INFORMATION CALL: Information Services Division  
800/424-9530 or 202/376-3120

8 8 0 4 0 7 0 4 3 0 1

RECEIVED AT THE FEC

87 MAY 18 PM: 35

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

(Summary Page)

<p>1. Name of Committee (in Full) <b>REPUBLICAN PARTY OF HAWAII</b> <b>(FEDERAL ACCOUNT)</b></p> <hr/> <p>Address (Number and Street) <b>1270 QUEEN EMMA ST.</b> <b>Suite 300</b></p> <hr/> <p>City, State and ZIP Code <b>Honolulu, HI 96813</b></p> <p><input type="checkbox"/> Check here if address is different than previously reported.</p> <hr/> <p>2. FEC Identification Number <b>C00085506</b></p> <hr/> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during the Reporting Period on _____ (Date)</p>	<p>4. TYPE OF REPORT (Check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report    <input type="checkbox"/> October 15 Quarterly Report</p> <p><input type="checkbox"/> July 15 Quarterly Report    <input checked="" type="checkbox"/> January 31 Year End Report</p> <p><input type="checkbox"/> July 31 Mid Year Report (Non-Election Year Only)</p> <p><input type="checkbox"/> Monthly Report for _____</p> <p><input type="checkbox"/> Twelfth day report preceding _____ (Name of Election) election on _____ in the State of _____</p> <p><input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____</p> <p><input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO</p>
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SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>10-1-86</u> through <u>12-31-86</u>		
6. (a) Cash on hand January 1, 19 <u>86</u>		\$ 40,344.13
(b) Cash on Hand at Beginning of Reporting Period	\$ 18,812.36	
(c) Total Receipts (from Line 1B)	\$ 12,645.02	\$ 35,065.49
(d) Subtotal (Add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 31,457.38	\$ 75,409.62
7. Total Disbursements (from Line 2B)	\$ 31,382.34	\$ 75,334.58
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 75.04	\$ 75.04
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$	

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

John Anderson, Jr.  
Type or Print Name of Treasurer

Jul E. Fursten for John Anderson  
SIGNATURE OF TREASURER  
Executive Director  
Date

For further information contact:  
Federal Election Commission  
800 E Street, N.W.  
Washington, D.C. 20543  
Tel. (202) 451-8729  
Telex 288-376-3129

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

All previous versions of POC FORM 3 and POC FORM 2a are obsolete and should no longer be used.

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FEC FORM 3X (3/80)

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8703:57925:

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

Name of Committee or Fund		Fiscal Yearing to Date	
REPUBLICAN PARTY OF HAWAII		From 10-1-86	To 12-31-86
		COLUMN A Total Year Period	COLUMN B Calendar Year-To-Date
<b>I. RECEIPTS</b>			
<b>11. CONTRIBUTIONS (other than loans) FROM:</b>			
(a) Individuals/Persons Other Than Political Committees			
(Memo Entry Unitemized \$ <u>6543.40</u> )	6,879.19	27,058.19	11(a)
(b) Political Party Committees	5,000.-	5,000.-	11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	11,879.19	32,058.19	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.)	700.	700.	15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Dividends, interest, etc.)	65.83	1,727.30	17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	12,645.02	39,063.49	18
<b>II. DISBURSEMENTS</b>			
19. OPERATING EXPENDITURES	12,232.34	16,184.58	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	4,750.	4,750.	21
22. INDEPENDENT EXPENDITURES (see Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 6441 old) (Use Schedule F)			23
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
<b>26. REFUNDS OF CONTRIBUTIONS TO</b>			
(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 (see attached p.7)	14,400.	54,400.	27
28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	31,382.34	75,334.58	28
<b>III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES</b>			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	11,879.19	32,638.19	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)			30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	11,879.19	32,638.19	31
32. TOTAL OPERATING EXPENDITURES from Line 19	12,232.34	16,184.58	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	700.	700.	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	11,532.34	15,484.58	34

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A

**SCHEDULE B**

**ITEMIZED DISBURSEMENTS**

Use separate schedules for each category of the Detailed Summary Page

PAGE 1 OF 1  
FOR LINE NUMBER

Any information copied from such Reports and Disbursements may not be sold or used by any person for the purpose of obtaining 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)

**REPUBLICAN PARTY OF HAWAII**

88040709304

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Hutchinson for US Senate 202 Iolani Ave., #3 Honolulu, HI 96814	earmarked contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-14-86 10-14-86	100- 25-
B. Full Name, Mailing Address and ZIP Code Salki for US Congress 784 Elepaio St. Honolulu, HI 96816	printing Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-14-86 10-29-86	100- 4500- TR
C. Full Name, Mailing Address and ZIP Code Hustace for Congress Star Route 215 Kaunakakai, HI 96748	earmarked contribution Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10-14-86	25- TR
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

SUBTOTAL of Disbursements This Page (optional) .....

4,750-

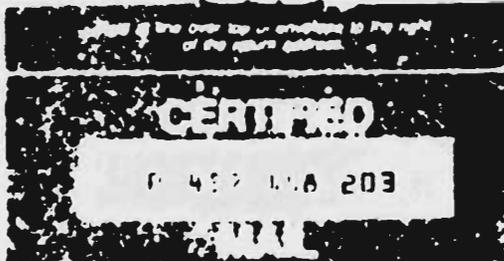
TOTAL This Period (last page this line number only) .....

Republican  
TV  
Hawaii



1000 Emma St. Suite 300  
Honolulu, Hawaii 96813

Federal Election Commission  
999 E Street, NW  
Washington, DC, 20463



FIRST CLASS

Return Receipt Requested  
Showing Address  
Where Delivered

POSTAGE PAID  
P12:34



**SENSITIVE**

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

**FIRST GENERAL COUNSEL'S REPORT**

**RAD #87NF-135  
STAFF MEMBER: Phillip L. Wise**

**SOURCE OF MUR: INTERNALLY GENERATED**

**RESPONDENTS: The Republican Party of Hawaii - Federal Account and John W. Anderson Jr., as treasurer 1/**

**RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(ii)  
11 C.F.R. § 104.5(c)(1)(ii)(A)**

**INTERNAL REPORTS  
CHECKED: Disclosure Reports**

**FEDERAL AGENCIES  
CHECKED: None**

**I. GENERATION OF MATTER**

The Republican Party of Hawaii - Federal Account ("the Committee") and John W. Anderson, as treasurer, were referred to the Office of the General Counsel by the Reports Analysis Division ("RAD") for failing to file its 1986 12 Day Pre-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

**II. FACTUAL AND LEGAL ANALYSIS**

The Federal Election Campaign Act of 1971, as amended ("the Act") requires all political committees other than authorized committees of a candidate to file a pre-election report, which

1/ R.M. Torkildson was treasurer of record from January 1, 1985 to April 30, 1987. On May 1, 1987, the Committee filed an amended statement of organization naming John W. Anderson, Jr., as treasurer. It should be noted that MUR 2347 involves the same respondents and similar late filing issues; pre-probable cause conciliation negotiations are currently being conducted in that case.

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shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election.

2 U.S.C. § 434(a)(4)(A)(ii).

In the instant matter, on September 29, 1986, the Committee was notified that the Pre-General Election Report was due on October 23, 1986 if the Committee made contributions to, or expenditures on behalf of federal candidates that had not been previously reported.

On May 11, 1987, the Committee filed an amended 1986 Year End Report that included \$250 in contributions to three federal candidates which occurred during the period required to be included in the 1986 12 Day Pre-General Election Report. Thus, the information required on the 1986 12 Day Pre-General Report was submitted one hundred ninety-nine (199) days late.

Accordingly, the Office of the General Counsel recommends that the Commission open a matter under review and find reason to believe the Republican Party of Hawaii - Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C.

§ 434(a)(4)(A)(ii).

**III. RECOMMENDATIONS**

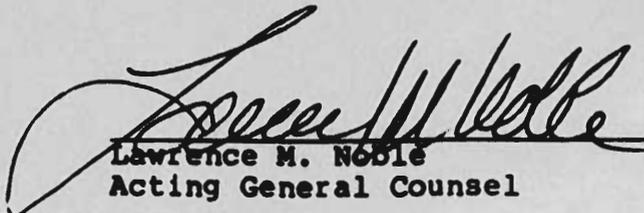
1. Open a MUR;

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2. Find reason to believe that the Republican Party of Hawaii-Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii);
3. Approve and send the attached letter and Factual and Legal Analysis.

Date

2/3/87

  
Lawrence M. Noble  
Acting General Counsel

Attachments:

1. Referral
2. Factual and Legal Analysis
3. Proposed letter to respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
The Republican Party of )  
Hawaii - Federal Account and )  
John W. Anderson, Jr., as treasurer )

RAD Ref. 87NF-135 (MUR) 2528

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 6, 1987, the Commission decided by a vote of 5-0 to take the following actions in RAD Ref. 87NF-135:

1. Open a MUR.
2. Find reason to believe that the Republican Party of Hawaii - Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).
3. Approve and send the letter and Factual and Legal Analysis, as recommended in the First General Counsel's Report signed August 3, 1987.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision. Commissioner Aikens did not cast a vote.

Attest:

8-6-87  
Date

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

Received in the Office of Commission Secretary:	Tues., 8-4-87, 10:16
Circulated on 48 hour tally basis:	Tues., 8-4-87, 4:00
Deadline for vote:	Thur., 8-6-87, 4:00

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1987

John W. Anderson, Jr., Treasurer  
Republican Party of Hawaii -  
Federal Account  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96313

RE: MUR: 2528  
Republican Party of  
Hawaii - Federal  
Account and  
John W. Anderson, Jr.,  
as treasurer

Dear Mr. Anderson:

On August 6, 1987, the Federal Election Commission found that there is reason to believe the Republican Party of Hawaii - Federal Account ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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*plm*

Letter to John W. Anderson, Jr., Treasurer  
Page 2

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

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

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

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 Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

88040704311

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT(S): The Republican Party of  
Hawaii - Federal Account  
and John W. Anderson, Jr.,  
as treasurer**

**MUR 2528**

The Federal Election Campaign Act of 1971, as amended ("the Act") requires all political committees other than authorized committees of a candidate to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election.

2 U.S.C. § 434(a)(4)(A)(ii).

In the instant matter, on September 29, 1986, the Committee was notified that the Pre-General Election Report was due on October 23, 1986 if the Committee made contributions to, or expenditures on behalf of federal candidates that had not been previously reported.

On May 11, 1987, the Committee filed an amended 1986 Year End Report that included \$250 in contributions to three federal candidates which occurred during the period required to be included in the 1986 12 Day Pre-General Election Report. Thus, the information required on the 1986 12 Day Pre-General Report was submitted one hundred ninety-nine (199) days late.

88040704312

Accordingly, the Office of the General Counsel recommends that the Commission open a matter under review and find reason to believe the Republican Party of Hawaii - Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

88040704313

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
The Republican Party of )  
Hawaii - Federal Account and )  
John W. Anderson, Jr., as treasurer )

RAD Ref. 87NF-135 (MUR 2528)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 6, 1987, the Commission decided by a vote of 5-0 to take the following actions in RAD Ref. 87NF-135:

1. Open a MUR.
2. Find reason to believe that the Republican Party of Hawaii - Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).
3. Approve and send the letter and Factual and Legal Analysis, as recommended in the First General Counsel's Report signed August 3, 1987.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision. Commissioner Aikens did not cast a vote.

Attest:

8-6-87

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Tues., 8-4-87, 10:16
Circulated on 48 hour tally basis:	Tues., 8-4-87, 4:00
Deadline for vote:	Thur., 8-6-87, 4:00

83040704314



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 12, 1987

John W. Anderson, Jr., Treasurer  
Republican Party of Hawaii -  
Federal Account  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96313

RE: MUR: 2528  
Republican Party of  
Hawaii - Federal  
Account and  
John W. Anderson, Jr.,  
as treasurer

Dear Mr. Anderson:

On August 6, 1987, the Federal Election Commission found that there is reason to believe the Republican Party of Hawaii - Federal Account ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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

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

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

83040704315

rem

Letter to John W. Anderson, Jr., Treasurer  
Page 2

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

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

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

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 Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas  
Chairman

Enclosures  
Factual and Legal Analysis  
Procedures  
Designation of Counsel Form

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT(S): **The Republican Party of  
Hawaii - Federal Account  
and John W. Anderson, Jr.,  
as treasurer**

MUR 2528

The Federal Election Campaign Act of 1971, as amended ("the Act") requires all political committees other than authorized committees of a candidate to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election.

2 U.S.C. § 434(a)(4)(A)(ii).

In the instant matter, on September 29, 1986, the Committee was notified that the Pre-General Election Report was due on October 23, 1986 if the Committee made contributions to, or expenditures on behalf of federal candidates that had not been previously reported.

On May 11, 1987, the Committee filed an amended 1986 Year End Report that included \$250 in contributions to three federal candidates which occurred during the period required to be included in the 1986 12 Day Pre-General Election Report. Thus, the information required on the 1986 12 Day Pre-General Report was submitted one hundred ninety-nine (199) days late.

88040704317

Accordingly, the Office of the General Counsel recommends that the Commission open a matter under review and find reason to believe the Republican Party of Hawaii - Federal Account and John W. Anderson, Jr., as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

88040704318



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 18, 1987

Walter C. Decker, Treasurer  
Republican Party of Hawaii -  
Federal Account  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96313

RE: MUR 2528  
Republican Party of Hawaii -  
Federal Account and John W.  
Anderson, Jr., as treasurer

Dear Mr. Decker:

By letter dated August 12, 1987, the Republican Party of Hawaii - Federal Account ("Committee") and its treasurer were notified that on August 6, 1987, the Federal Election Commission found reason to believe that there was a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

To date, the Committee and its treasurer have not responded to the notification. Unless we receive a response from you within 5 days, this Office will proceed to the next stage of the enforcement process.

Attached for your information is a copy of the notification and Factual and Legal Analysis, which formed a basis for the Commission's finding.

Should you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
Acting General Counsel

  
BY: Lois G. Lerner  
Associate General Counsel

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

November 6, 1987

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble *LMN*  
General Counsel

SUBJECT: MUR #2528 Republican Party of Hawaii - Federal Account  
and Walter C. Decker, as treasurer

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondents of the General Counsel's intention to recommend probable cause was mailed on November 5, 1987. Following receipt of the respondents' reply to this notice, this Office will make a further report to the Commission.

Attachments

- 1-Brief (1)
- 2-Letter to respondents

89040704320



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 5, 1987

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Walter C. Decker, Treasurer  
Republican Party of Hawaii - Federal  
Account  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96313

RE: MUR 2528  
Republican Party of  
Hawaii- Federal Account  
and Walter C. Decker, as  
treasurer

Dear Mr. Decker:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities the Federal Election Commission, on August 6, 1987, found reason to believe that the Republican of Hawaii - Federal Account and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

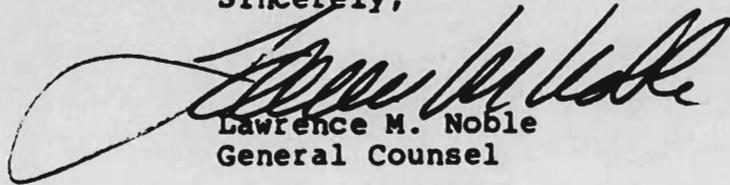
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If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30 days, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Phillip L. Wise, the attorney assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Brief

38040704322

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Republican Party of Hawaii - ) MUR 2528  
Federal Account and Walter C. )  
Decker, as treasurer )

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Republican Party of Hawaii - Federal Account ("the Committee") and John W. Anderson,<sup>1/</sup> as treasurer, were referred to the Office of the General Counsel by the Reports Analysis Division ("RAD") for failing to file its 1986 12 Day Pre-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

On August 6, 1987, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(ii). A letter notifying Respondents of the Commission's finding was mailed on August 12, 1987. No response was received thereto. On September 18, 1987, an additional letter of notification, informing Respondents that this Office would proceed to the next stage of the enforcement process, was sent by certified mail to Mr. Decker, the current treasurer. This letter was received by the Respondents on September 25, 1987. As of the date of this Brief no response has been received to either notification.

1/ Walter C. Decker is the current treasurer of the Committee.

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**II. ANALYSIS**

The Federal Election Campaign Act of 1971, as amended ("the Act") requires all political committees other than authorized committees of a candidate to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election.

2 U.S.C. § 434(a)(4)(A)(ii).

In the instant matter, on September 29, 1986, the Committee was notified that the Pre-General Election Report was due on October 23, 1986 if the Committee made contributions to, or expenditures on behalf of, federal candidates that had not been previously reported.

On May 11, 1987, the Committee filed an amended 1986 Year End Report that included \$250 in contributions to three federal candidates which occurred during the period required to be included in the 1986 12 Day Pre-General Report. Thus, the information required on the 1986 12 Day Pre-General Report was submitted one hundred ninety-nine (199) days late.

Accordingly, the Office of the General Counsel recommends that the Commission find probable cause to believe that the Republican Party of Hawaii - Federal Account and Walter C. Decker as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

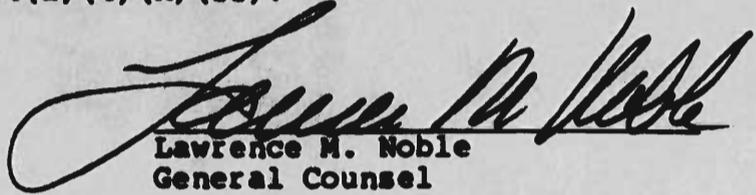
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**III. GENERAL COUNSEL'S RECOMMENDATION**

1. Find probable cause to believe the Republican Party of Hawaii- Federal Account and Walter C. Decker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

Date

4/5/57

  
Lawrence M. Noble  
General Counsel

88040704325

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )  
 )  
Republican Party of Hawaii - ) MUR 2528  
Federal Account and Walter C. )  
Decker, as treasurer )

JAN 06 1988

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FEDERAL ELECTION COMMISSION

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

The Republican Party of Hawaii - Federal Account ("the Committee") and John W. Anderson,<sup>1/</sup> as treasurer, were referred to the Office of the General Counsel by the Reports Analysis Division ("RAD") for failing to file its 1986 12 Day Pre-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

On August 6, 1987, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(a)(4)(A)(ii). A letter notifying Respondents of the Commission's finding was mailed on August 12, 1987. No response was received thereto. On September 18, 1987, an additional letter of notification, informing Respondents that this Office would proceed to the next stage of the enforcement process, was sent by certified mail to Mr. Decker, the current treasurer. This letter was received by the Respondents on September 25, 1987. No response has been received to either notification. On November 6, 1987 this Office mailed the Committee a brief stating the General Counsel's position on the factual and legal issues. In addition, the

1/ Walter C. Decker is the current treasurer of the Committee.

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General Counsel informed the Committee that a recommendation to find probable cause would be made to the Commission. The Committee has not responded to this brief.

**II. ANALYSIS**

The Federal Election Campaign Act of 1971, as amended ("the Act") requires all political committees other than authorized committees of a candidate to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election.

2 U.S.C. § 434(a)(4)(A)(ii).

In the instant matter, on September 29, 1986, the Committee was notified that the Pre-General Election Report was due on October 23, 1986 if the Committee made contributions to, or expenditures on behalf of, federal candidates that had not been previously reported.

On May 11, 1987, the Committee filed an amended 1986 Year End Report that included \$250 in contributions to three federal candidates which occurred during the period required to be included in the 1986 12 Day Pre-General Report. Thus, the information required on the 1986 12 Day Pre-General Report was submitted one hundred ninety-nine (199) days late.

88040704327

Accordingly, the Office of the General Counsel recommends that the Commission find probable cause to believe that the Republican Party of Hawaii - Federal Account and Walter C. Decker as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

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**IV. RECOMMENDATION**

1. Find probable cause to believe the Republican Party of Hawaii- Federal Account and Walter C. Decker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).
2. Approve the attached conciliation agreement and letter.

12/28/87  
Date

Lawrence M. Noble  
Lawrence M. Noble  
General Counsel

**Attachments:**

1. Proposed Conciliation Agreement
2. Letter

88040704329

Staff Person: Phillip L. Wise

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Republican Party of Hawaii - ) MUR 2528  
Federal Account and Walter C. )  
Decker, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of January 6, 1988, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 2528:

1. Find probable cause to believe the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii).
2. Approve the conciliation agreement and letter attached to the General Counsel's report dated December 28, 1987.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Aikens was not present at the time this matter was under consideration.

Attest:

1-6-88

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

88040704330



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 12, 1988

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Walter C. Decker, Treasurer  
Republican Party of Hawaii -  
Federal Account  
1270 Queen Emma Street,  
Suite 300  
Honolulu, HI 96313

RE: MUR 2528  
Republican Party of Hawaii -  
Federal Account and Walter C.  
Decker, as treasurer

Dear Mr. Decker:

On January 6, 1988, the Federal Election Commission found that there is probable cause to believe The Republican Party of Hawaii - Federal Account, and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with the Committee's failure to file its 1986 12 Day Pre-General Election Report in a timely manner.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within 10 days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the Federal Election Commission.

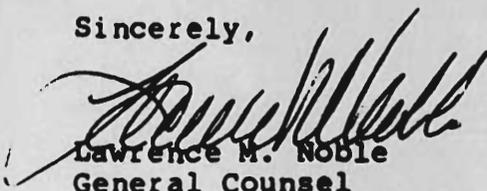
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*plm*

Letter to Walter C. Decker, Treasurer  
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Conciliation Agreement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

February 11, 1988

*plm*

Walter C. Decker, Treasurer  
Republican Party of Hawaii -  
Federal Account  
1270 Queen Emma Street, Suite 300  
Honolulu, HI 96313

RE: MUR 2528  
Republican Party of Hawaii -  
Federal Account and Walter C.  
Decker, as treasurer

Dear Mr. Decker:

By letter dated January 12, 1988, the Republican Party of Hawaii - Federal Account ("Committee") and you, as treasurer, were notified that on January 6, 1988, the Federal Election Commission found probable cause to believe that there was a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

To date, the Committee and you, as treasurer have not responded to the notification. Unless we receive a response from you within 5 days, this Office will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
Acting General Counsel

BY: Lois G. Lerner  
Associate General Counsel

88040704333

*Dinman, Nakamura, Elisha, Nakatani & Neeley*

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ATTORNEYS AT LAW  
A LAW CORPORATION  
OCT OCEAN VIEW CENTER  
707 RICHARDS STREET, PH-1  
HONOLULU, HAWAII 96813  
808-523-7021  
FACSIMILE (808) 538-1927

BRUCE C. DINMAN  
REID A. NAKAMURA  
G. STEPHEN ELISHA  
GAIL C. NAKATANI  
JOYCE Y. NEELEY

MARK T. ICHIIYAMA  
M. ANNE ANDERSON-METCALF  
PHILIP L. LAHNE  
MARK N. HENRY  
RICHARD S. EKIMOTO  
PATRICIA A. RILEY  
JUNIE HAYASHI

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OFFICE OF GENERAL COUNSEL  
88 FEB 23 PM 3:13

LETTER OF TRANSMITTAL

Phillip L. Wise, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, D.C. 20463

Date: February 18, 1988  
Re: MUR 2528; The Republican  
Party of Hawaii

( ) Hand Deliver (XXX) Mail ( ) Express/Certified Mail

Original/Copies

Description

Original

Statement of Designation  
of Counsel

Is Transmitted Herewith:

- |  |  |
|--|--|
| <input type="checkbox"/> ] For Signature And Return                    | <input type="checkbox"/> ] For Your Information              |
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| <input type="checkbox"/> ] For Your Review                             | <input type="checkbox"/> ] Per Our Conversation              |
|  | <input checked="" type="checkbox"/> ] See Remarks Below      |

Remarks: Enclosed please find Statement of Designation of Counsel,  
per your request.

By Mark N. Henry  
MARK N. HENRY

Enclosures

88040704334

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2528

NAME OF COUNSEL: Mark N. Henry

ADDRESS: 707 Richards St., PH-1  
Honolulu, Hawaii 96813

TELEPHONE: (808) 523-7021

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.

February 17, 1988  
Date

Walter Decker  
Signature

RESPONDENT'S NAME: Walter Decker, (Treasurer of Republican Party of Hawaii)

ADDRESS: P.O. Box AC  
Kaneohe, Hawaii 96744

HOME PHONE: (808) 235-6510

BUSINESS PHONE: (808) 235-0035

83040704335

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION COMMISSION

**URGENT**

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In the Matter of	)	
	)	
Republican Party of Hawaii -	)	MUR 2528
Federal Account and Walter C.	)	
Decker, as treasurer	)	
	)	

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On January 6, 1988, the Commission found probable cause to believe that the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer, violated 2 U.S.C.

§ 434(a)(4)(A)(ii). Notice of the Commission's findings with a proposed conciliation agreement was mailed to Respondents by certified mail on January 12, 1988. The date Respondents received the notice is unknown because the return receipt card was never returned. As no response was received, an additional notice of the Commission's findings was mailed to Respondents on February 11, 1988. On February 17, 1988, counsel for Respondents telephoned this Office and asserted that he had only recently been made aware of MUR 2528. Counsel also stated that he would immediately mail the designation of counsel form, plus Respondents' counteroffer to the proposed conciliation agreement. On February 23, 1988, this Office received the promised Designation of Counsel Form. (Attachment 1.) On March 14, 1988, this Office received Respondents' counteroffer. (Attachment 2.)

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II. RECOMMENDATIONS

1. Accept the counterproposal from the Republican Party Of Hawaii - Federal Account and Walter C. Decker, as treasurer.
2. Approve the attached conciliation agreement.

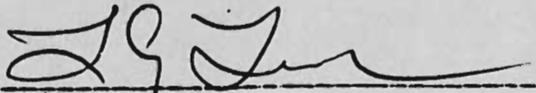
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1/ On July 13, 1987 the Committee filed an amended Statement of Organization naming Walter C. Decker as treasurer. This was filed in accordance with the provisions of 2 U.S.C. § 433(c).

3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

Date 3/28/88

By:   
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Designation of Counsel Form
2. Letter from Counsel
3. Proposed conciliation agreement
4. Letter

Staff Person: Phillip L. Wise

88040704338

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Republican Party of Hawaii -	)	MUR 2528
Federal Account and Walter C.	)	
Decker, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 31, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2528:

1. Accept the counterproposal from the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer, as recommended in the General Counsel's report signed March 28, 1988.
2. Approve the conciliation agreement, as recommended in the General Counsel's report signed March 28, 1988.
3. Approve the letter, as recommended in the General Counsel's report signed March 28, 1988.

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

Attest:

4/1/88  
Date

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

Received in the Office of Commission Secretary:	Tues.,	3-29-88,	10:32
Circulated on 48 hour tally basis:	Wed.,	3-30-88,	4:00
Deadline for vote:	Thurs.,	3-31-88	4:00

98040704339

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Republican Party of Hawaii - ) MUR 2528  
Federal Account and Walter C. )  
Decker, as treasurer )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Walter C. Decker, treasurer of the Republican Party of Hawaii - Federal Account (Attachment 1). The agreement contains no changes from the agreement approved by the Commission on March 31, 1988.

Also attached is a copy of a check for \$900.00 representing payment of the civil penalty (Attachment 2).

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

5/12/88  
Date

By:   
Lois G. Lerner  
Associate General Counsel

Staff Person: Phillip L. Wise

88040704340

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Republican Party of Hawaii - )  
Federal Account and Walter C. )  
Decker, as treasurer )

MUR 2528

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 18, 1988, the Commission decided by a vote of 5-0 to take the following actions in MUR 2528:

1. Accept the conciliation agreement with the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer, as recommended in the General Counsel's report signed May 12, 1988.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed May 12, 1988.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote.

Attest:

5/18/88  
Date

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

Received in the Office of Commission Secretary:	Fri.,	5-13-88,	11:28
Circulated on 48 hour tally basis:	Mon.,	5-16-88,	11:00
Deadline for vote:	Wed.,	5-18-88,	11:00

88040704341

Wise



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 24, 1988

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mark N. Henry, Esquire  
Dinman, Nakamura, Elisha,  
Nakatani & Neeley  
707 Richards St., PH-1  
Honolulu, Hawaii 96813

RE: MUR 2528  
Republican Party of Hawaii-  
Federal Account and Walter C.  
Decker, as treasurer

88040704342

Dear Mr. Henry:

On May 18, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Republican Party Of Hawaii - ) MUR 2528  
Federal Account and Walter C.Decker )  
as treasurer )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Republican Party Of Hawaii - Federal Account and its treasurer, ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(ii).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation, pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.

II. Respondents have had a reasonable opportunity to 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:

1. Respondent, the Republican Party Of Hawaii - Federal Account, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, Walter C. Decker, is the treasurer of the Republican Party Of Hawaii - Federal Account.

88040704343

3. Respondents were required to file their 1986 12 Day Pre-General Election Report by October 23, 1986. On May 11, 1987, respondents filed an amended 1986 Year End Report containing the information that \$250 in contributions to three federal candidates, had occurred during the reporting period of the 1986 12 Day Pre-General Election Report, thereby making it 199 days late.

4. John W. Anderson, Jr., was treasurer when the late filing occurred.

V. Respondents failed to file their 1986 12 Day Pre-General Election Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Nine Hundred dollars (\$900.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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 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.

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

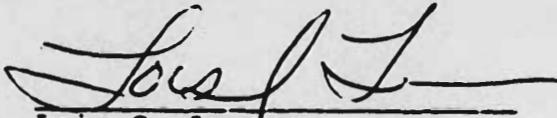
880440704344

IX. Respondents 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.

X. 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

By:   
Lois G. Lerner  
Associate General Counsel

May 24, 1988  
Date

FOR THE RESPONDENTS:

  
Walter C. Decker  
Treasurer

April 25, 1988  
Date

83040704345



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2528

DATE FILMED 6/3/88 CAMERA NO. 2

CAMERAMAN K.A.U.

88040704346



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

*✓ R 8.25.88*

THE FOLLOWING MATERIAL IS BEING ADDED TO THE  
PUBLIC FILE OF CLOSED MUR 2528 .

88040712674

BEFORE THE FEDERAL ELECTION COMMISSION 88 MAY 13 AM 11:28

In the Matter of	)	
	)	
Republican Party of Hawaii -	)	MUR 2528
Federal Account and Walter C.	)	
Decker, as treasurer	)	

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

Attached is a conciliation agreement which has been signed by Walter C. Decker, treasurer of the Republican Party of Hawaii - Federal Account (Attachment 1). The agreement contains no changes from the agreement approved by the Commission on March 31, 1988.

Also attached is a copy of a check for \$900.00 representing payment of the civil penalty (Attachment 2).

**II. RECOMMENDATIONS**

1. Accept the attached conciliation agreement with the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble  
General Counsel

5/12/88  
Date

By:   
Lois G. Lerner  
Associate General Counsel

Staff Person: Phillip L. Wise

98040712675

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
	)	
Republican Party of Hawaii -	)	MUR 2528
Federal Account and Walter C.	)	
Decker, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 18, 1988, the Commission decided by a vote of 5-0 to take the following actions in MUR 2528:

1. Accept the conciliation agreement with the Republican Party of Hawaii - Federal Account and Walter C. Decker, as treasurer, as recommended in the General Counsel's report signed May 12, 1988.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report signed May 12, 1988.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote.

Attest:

5/18/88

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

Received in the Office of Commission Secretary:	Fri.,	5-13-88,	11:28
Circulated on 48 hour tally basis:	Mon.,	5-16-88,	11:00
Deadline for vote:	Wed.,	5-18-88,	11:00

88040712676



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 24, 1988

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mark N. Henry, Esquire  
Dinman, Nakamaura, Elisha,  
Nakatani & Neeley  
707 Richards St., PH-1  
Honolulu, Hawaii 96813

RE: MUR 2528  
Republican Party of Hawaii-  
Federal Account and Walter C.  
Decker, as treasurer

Dear Mr. Henry:

On May 18, 1988, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(ii), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

88040712677

glen

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Republican Party Of Hawaii - ) MUR 2528  
Federal Account and Walter C.Decker )  
as treasurer )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Republican Party Of Hawaii - Federal Account and its treasurer, ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(ii).

NOW, THEREFORE, the Commission and the Respondents, having duly entered into conciliation, pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.
- II. Respondents have had a reasonable opportunity to 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:
  - 1. Respondent, the Republican Party Of Hawaii - Federal Account, is a political committee within the meaning of 2 U.S.C. § 431(4).
  - 2. Respondent, Walter C. Decker, is the treasurer of the Republican Party Of Hawaii - Federal Account.

88040712678

3. Respondents were required to file their 1986 12 Day Pre-General Election Report by October 23, 1986. On May 11, 1987, respondents filed an amended 1986 Year End Report containing the information that \$250 in contributions to three federal candidates, had occurred during the reporting period of the 1986 12 Day Pre-General Election Report, thereby making it 199 days late.

4. John W. Anderson, Jr., was treasurer when the late filing occurred.

V. Respondents failed to file their 1986 12 Day Pre-General Election Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(ii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Nine Hundred dollars (\$900.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. 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 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.

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

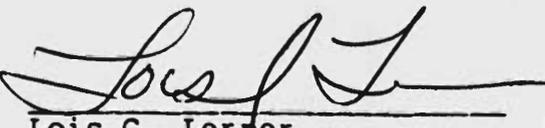
R 8 0 4 0 7 1 2 6 7 9

IX. Respondents 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.

X. 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

By:   
Lois G. Lerner  
Associate General Counsel

May 24, 1988  
Date

FOR THE RESPONDENTS:

  
Walter C. Decker  
Treasurer

April 25, 1988  
Date

83040712680