



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4190

DATE FILMED 4/4/95 CAMERA NO. 1

CAMERAMAN SES

5043632908

REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: June 25, 1992

ANALYST: **ANDREW DODSON**

I. COMMITTEE:

The President's Dinner/AKA 1991
 Republican Senate-House Dinner
 Committee (C00250845)
 Stan Huckaby, Treasurer
 1101 17th Street, NW, #808
 Washington, DC 20036

II. RELEVANT STATUTE:

A. 11 CFR §106.5(g)(1), 2 U.S.C. §441b(a)
 B. 2 U.S.C. §441b(a)

III. BACKGROUND:

A. Receipt of Corporate In-Kind Contributions for Shared Federal and Non-Federal Activity
 11 CFR §106.5(g)(1), 2 U.S.C. §441b(a)

The 1991 Mid-Year Report of the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee ("the Committee") disclosed an in-kind transfer of \$609,114 on June 13, 1991 from the The President's Dinner Trust-1991 and Building Fund for shared fundraising costs. This in-kind transfer was subsequently disclosed as 100% non-federal disbursements to twenty-nine (29) corporate vendors for allocable fundraising activities (Attachment 2).

B. Receipt of Apparent Corporate Contributions
 2 U.S.C. §441b(a)

The Committee's report also disclosed an apparent impermissible receipt of \$7,500 from the Metropolitan Washington Orthopedic Association PAC, an apparent unregistered organization, and \$12,000 from the Carlyle Group PAC, an apparent corporation, on May 29, 1991 and June 17, 1991, respectively (Attachment 3).

On February 7, 1992, the Reports Analysis Division ("RAD") sent a Request for Additional Information ("RAI") noting that the Committee received an in-kind transfer of

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\$609,114, from its non-federal account, and subsequently disclosed numerous payments for allocable fundraising costs which were provided solely by the non-federal account. The RFAI explained that these transactions resulted in the federal account's receipt of corporate contributions by virtue of the non-federal account providing 100% of various allocable costs and that any such contributions received by the Committee should be transferred-out of the Committee's federal account. The RFAI also questioned the permissibility of the funds received from the corporation (The Carlyle Group) and an unregistered organization (The Metropolitan Washington Orthopedic Association) (Attachment 4).

On February 27, 1992, RAD sent a Second Notice stating that the Committee had failed to respond to the RFAI of February 7, 1992 (Attachment 5).

On April 6, 1992 the RAD analyst spoke to Ms. Trudy Matthes Barksdale, the Committee's assistant treasurer, and informed her that the Committee had not responded to the RFAI of February 7, 1992. Ms. Barksdale stated that the Committee's response would be filed promptly (Attachment 6).

On April 9, 1992 the Commission received the Committee's response to the RFAI of February 7, 1992 (Attachment 7). The Committee's response indicated that the in-kind contributions were originally received by the Committee's non-federal account and subsequently used for an allocable joint fundraising activity. As a result, the non-federal account provided 100% of various allocable expenses and the Committee felt it was necessary to "adjust upwards" the federal share of other Committee expenses to account for these non-federal receipts and maintain a proper allocation ratio. The Committee stated that "In fact, we refigured the federal share of expenditures other than the in-kind contributions at approximately 53.9%, so that the overall allocation would match the 38.3% federal/61.7% non-federal requirement."

The Committee's response also indicated that the Committee had been misinformed by the Metropolitan Washington Orthopedic Association about the corporate sources of their funds. The Committee transferred \$7,500 on March 13, 1992 to its non-federal account and included a copy of the transfer check with the response. Although the Committee's response indicated that The Carlyle Group is a partnership, information provided to the Commission by the District of Columbia Corporate Division disclosed that The Carlyle Group was registered as a corporation in the District of Columbia on May 9, 1988.

5043632910

FEDERAL ELECTION COMMISSION
1991-1992
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 18JUN92

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
				TYPE OF FILER		
PRESIDENT'S DINNER/AA 1991 REPUBLICAN SENATE-HOUSE DINNER COMMITTEE				ID #000250845 PARTY QUALIFIED		
CONNECTED ORGANIZATION: NRCC NRSC				JOINT FUNDRAISING		
	1991 STATEMENT OF ORGANIZATION			11MAR91	2	91FEC/690/0177
	CONDUIT REPORT			13JUN91	18	91FEC/698/0136
	MID-YEAR REPORT	3,684,885	3,676,431	1JAN91 -30JUN91	241	91FEC/706/5036
	MID-YEAR REPORT - AMENDMENT	-	-	1JAN91 -30JUN91	5	92FEC/746/1462
	MID-YEAR REPORT - AMENDMENT	3,684,885	3,676,431	1JAN91 -30JUN91	4	92FEC/756/0613
	REQUEST FOR ADDITIONAL INFORMATION			1JAN91 -30JUN91	7	92FEC/737/3389
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN91 -30JUN91	8	92FEC/741/0424
	YEAR-END	377,145	374,856	1JUL91 -31DEC91	40	92FEC/735/0240
	YEAR-END - AMENDMENT	377,145	374,856	1JUL91 -31DEC91	2	92FEC/758/0618
	REQUEST FOR ADDITIONAL INFORMATION			1JUL91 -31DEC91	1	92FEC/746/1426
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL91 -31DEC91	2	92FEC/753/3821
	1992 APRIL QUARTERLY	77	7,500	1JAN92 -31MAR92	4	92FEC/748/4831
	TOTAL	4,062,107	0 4,058,787		334	TOTAL PAGES

All reports have been reviewed.

Cash on hand as of 3/31/92: \$3,221
 Debts owed to the Committee as of 3/31/92: \$0.00
 Debts owed by the Committee as of 3/31/92: \$0.00

5 7 4 3 6 3 2 9 1 1

RECEIPT SCHEDULE NS
(Effective 1/1/84)

TRANSFERS FROM
NON-FEDERAL ACCOUNTS

PAGE 1 OF 6
FOR LINE 10

NAME OF COMMITTEE THE PRESIDENT'S DINNER/aka 1991 Republican Senate-House Dinner		TOTAL AMOUNT TRANSFERRED
NAME OF ACCOUNT The President's Dinner Trust - 1991 and Building Fund	DATE OF RECEIPT 6/28/91	\$ 231,610.83

	BREAKDOWN OF TRANSFER RECEIVED		
	ADMIN/VOTER DRIVE AMOUNT	DIRECT FUND-RAISING AMOUNT	EXEMPT ACTIVITY/DIRECT CANDIDATE SUPPORT
i) Total Administrative/Voter Drive			
ii) Direct Fundraising (List Events Amount For Each)			
a) <u>The President's Dinner</u>		231,610.83	
b) _____			
c) _____			
d) Total Amount Transferred For Direct Fundraising			
iii) Exempt Activity/Direct Candidate Support (List Events Amount For Each)			
a) _____			
b) _____			
c) _____			
d) Total Amount Transferred For Exempt Activity/Direct Candidate Support			

NAME OF ACCOUNT The President's Dinner Trust - 1991 and Building Fund		DATE OF RECEIPT 6/13/91	TOTAL AMOUNT TRANSFERRED \$ 609,114.00 (In-Kind)
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	BREAKDOWN OF TRANSFER RECEIVED		
	ADMIN/VOTER DRIVE AMOUNT	DIRECT FUND-RAISING AMOUNT	EXEMPT ACTIVITY/DIRECT CANDIDATE SUPPORT
i) Total Administrative/Voter Drive			
ii) Direct Fundraising (List Events Amount For Each)			
a) <u>The President's Dinner</u>		609,114.00 (In-Kind)	
b) _____			
c) Total Amount Transferred For Direct Fundraising			
iii) Exempt Activity/Direct Candidate Support (List Events Amount For Each)			
a) _____			
b) _____			
c) Total Amount Transferred For Exempt Activity/Direct Candidate Support			

SUBTOTAL THIS PAGE	TOTALS FOR BREAKDOWN OF TRANSFER RECEIVED		
	ADMIN/VOTER DRIVE AMOUNT	DIRECT FUND-RAISING AMOUNT	EXEMPT ACTIVITY/DIRECT CANDIDATE SUPPORT
		840,724.83	840,724.83
TOTAL THIS PERIOD		1,299,296.33	1,299,296.33

11037057135

ADD

NAME OF COMMITTEE
THE PRESIDENT'S DINNER/aka 1991 Republican Senate-House Dinner

A FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Saturn Corp 4701 Lydell Rd Cheverly, MD 20781	Computer services/TPD	6/28/91	532.45	286.94	245.51
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
B FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Albert Elovitz, Inc 1812 Penn Ave Pittsburg, PA 15201	Bush License plates/TPD	as of 6/13/91	33,600.00 In Kind		33,600.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
C FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
American Meat Institute PO Box 3556 Washington, DC 20007	Dinner entree/TPD	as of 6/13/91	40,000.00 In Kind		40,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Anheuser-Busch 1776 I St NW Washington, DC 20006	Beer/TPD	as of 6/13/91	700.00 In Kind		700.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
E FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Bethany Limousine 2401 M St NW Washington, DC 20037	10 Limousines/TPD	as of 6/13/91	10,000.00 In Kind		10,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
F FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Brown-Foreman Beverage Co. 11350 McCormick Rd Hunt Valley, MD 21031	Liquor/TPD	as of 6/13/91	216.00 In Kind		216.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
GRAND TOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			85,048.45	286.94	84,761.51
TOTAL THIS PERIOD FOR THE FEDERAL SHARE (add the federal share to Pt a) and non-Fed share to Pt e B)					
TOTAL THIS PERIOD FOR THE NON-FEDERAL SHARE (add to the 9' of the detailed summary sheet)					

5943632913

Page No. _____
 Date _____

NAME OF COMMITTEE
 THE PRESIDENT'S DINNER/aka 1991 Republican Senate-House Dinner

A. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT FIARA/TPD	DATE as of	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Capaco, Inc 1529 14th St NW Washington, DC 20005		6/13/91	1,260.00 In Kind		1,260.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
B. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Chamber's Development 10700 Frankstown Rd Pittsburgh, PA 15235	Security underwriting/TPD	5/13/91	20,000.00 In Kind		20,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
C. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Creative Cakes 2074 Distribution Circle Silver Spring, MD 20920	Cakes for Gift bags /TPD	6/13/91	15,000.00 In Kind		15,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Coca-Cola Enterprises 6770 Foxwood Woods Dr Columbia, MD 21046	Soft drinks & mixers/ TPD	6/13/91	969.00 In Kind		969.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
E. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Temporarily Den 7400 Woodmont Ave Bethesda, MD 20814	Fabric & labor for tables/TPD	6/13/91	150,000.00 In Kind		150,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
F. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
FTD PO Box 2227 Southfield, MI 48037	Candles & greenery for event/ TPD	6/13/91	20,000.00 In Kind		20,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: I <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
SUBTOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			207,229.00		207,229.00
TOTAL THIS PERIOD (this page to end the printed form is 2) and non-fed share is 2) all					
TOTAL THIS PERIOD FOR THE NON-FEDERAL SHARE (end to the 3) of the printed summary page)					

5043632914

DISBURSEMENT SCHEDULE (M
 (Effective 1/91)

JOINT FEDERAL/NON-FEDERAL
 ACTIVITY SCHEDULE

Attachment 2
 pg 4 of 6

FORM NO. 1
 10/1/91

NAME OF COMMITTEE
 THE PRESIDENT'S DINNER/aka 1991 Republican Senate-House Dinner

5943632915
 3/5/91

A. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE as of	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
FED-COM International Inc 200 N 14th St Arlington, VA 22201	Office machines/TPD	6/13/91	25,203.00 <u>In Kind</u>		25,203.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
B. FULL NAME, MAILING ADDRESS & ZIP CODE National-American Wholesale Grocers' Association 201 Park Washington Ct Falls Church, VA 22046	Dinner vegetables/TPD	6/13/91	23,175.00 <u>In Kind</u>		23,175.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
C. FULL NAME, MAILING ADDRESS & ZIP CODE Park Hyatt 24th & M St NW Washington, DC 20037	Hotel Suites/TPD	6/13/91	1,300.00 <u>In Kind</u>		1,300.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D. FULL NAME, MAILING ADDRESS & ZIP CODE Gabbert & Associates 2007 M St NW Washington, DC 20036	Rice for the dinner/TPD	6/13/91	2,500.00 <u>In Kind</u>		2,500.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
E. FULL NAME, MAILING ADDRESS & ZIP CODE Grand Hyatt Washington 1000 H St NW Washington, DC 20001	Hotel Suites/TPD	6/13/91	6,327.00 <u>In Kind</u>		6,327.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
F. FULL NAME, MAILING ADDRESS & ZIP CODE Hallmark Cards, Inc 1815 L St NW Washington, DC 20036	Favors for dinner/TPD	6/13/91	22,000.00 <u>In Kind</u>		22,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
SUBTOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			180,505.00		180,505.00
TOTAL THIS PERIOD FOR JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE					
TOTAL THIS PERIOD FOR NON-FEDERAL SHARE (used for the 30% of the donor's summary report)					

FOR THE YEAR

NAME OF COMMITTEE
 THE PRESIDENT'S DINNER/also 1991 Republican Senate-House Dinner

5043632916

A FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Heublein Incorporated 1825 I St NW Washington, DC 20006	Vodka & Tequila/TPD	as of 6/13/91	2,250.00 <u>In Kind</u>		2,250.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D SYSTEMS 1413 K St NW Washington, DC 20005	ID Badges/TPD	as of 6/13/91	4,000.00 <u>In Kind</u>		4,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
TPS 29263 Clemons Rd Cleveland, Ohio 44145	Center-pieces/TPD	as of 6/13/91	5,000.00 <u>In Kind</u>		5,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
Motorola 5656 3rd St NE Washington, DC 20011	Radios/TPD	as of 6/13/91	6,000.00 <u>In Kind</u>		6,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
Pizza Movers 5029 Cann Ave NW Washington, DC 20008	Pizza for Volunteers/TPD	as of 6/13/91	500.00 <u>In Kind</u>		500.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
The Ritz-Carlton Hotel 2100 Mass Ave NW Washington, DC 20008	Hotel Suites/TPD	as of 6/13/91	1,000.00 <u>In Kind</u>		1,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
S. TOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			18,750.00		18,750.00
TOTAL THIS PERIOD FOR THE FEDERAL SHARE (look for the 31 of the detailed summary page)					
TOTAL THIS PERIOD FOR THE NON-FEDERAL SHARE (look for the 31 of the detailed summary page)					

NAME OF COMMITTEE
THE PRESIDENT'S DINNER/aka 1991 Republican Senate-House Dinner

A FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE as of	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
Roses, Inc. PO Box 99 Haslett, MI 48840	Roses for centerpieces /TPD	6/13/91	20,000.00 <u>In Kind</u>		20,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
B FULL NAME, MAILING ADDRESS & ZIP CODE UST 100 West Putnam Ave Greenwich, CT 06830	Wine, glasses & labels /TPD	6/13/91	83,174.00 <u>In Kind</u>		83,174.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
C FULL NAME, MAILING ADDRESS & ZIP CODE The Willard Inter-Continental Water 1401 PA Ave NW Washington, DC 20004	3 Water Suites/TPD	6/13/91	4,600.00 <u>In Kind</u>		4,600.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D FULL NAME, MAILING ADDRESS & ZIP CODE Vichy Springs Mineral Water Corp 2605 Vichy Springs Rd Lkiah, CA 95482	Sparkling water & Brandy/TPD	6/13/91	2,560.00 <u>In Kind</u>		2,560.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
E FULL NAME, MAILING ADDRESS & ZIP CODE W A Taylor & Co 587 Kevins Dr Arnold, MD 21012	Maker's Mark Bourbon/TPD	6/13/91	780.00 <u>In Kind</u>		780.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
F FULL NAME, MAILING ADDRESS & ZIP CODE Woodward & Lothrop 2800 Eisenhower Ave Alexandria, VA 22314	Furniture/ toiletries/ TPD	6/13/91	7,000.00 <u>In Kind</u>		7,000.00
CATEGORY: <input type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input checked="" type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR TO DATE: 1 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
SUBTOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			118,114.00		118,114.00
TOTAL THIS PERIOD (for page for each the original share to 21c and non-fed share to 21c)			2,105,931.00	806,674.73	4,200,206.73
TOTAL THIS PERIOD FOR THE NON-FEDERAL SHARE (used for the 3' of Pa detailed summary page)					

5043632917

Attachment 3
pg 2 of 2

SCHEDULE A

REGISTERED RECEIPTS

Page 14 of
Line No.

17
11C

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

Name of Committee:
The President's Dinner/aka 1991 Republican Senate-House Dinner Committee

Stone-Pac
150 North Michigan Avenue
Chicago, IL 60602
RECEIPT FOR: N/A

EMPLOYER
OCCUPATION:
Date
05/20/91
Amount
\$,000.00
AGGREGATE YTD: \$,000.00

RECEIPT FOR: N/A
TGI Fridays, Inc. Political
Action Committee
P.O. Box 80902
Dallas, TX 75208
RECEIPT FOR: N/A

EMPLOYER
OCCUPATION:
Date
04/09/91
Amount
1,000.00
AGGREGATE YTD: 10,000.00

RECEIPT FOR: N/A
Television & Radio Political
Action Committee
1771 W Street, N.W.
Washington, DC 20036
RECEIPT FOR: N/A

EMPLOYER
OCCUPATION:
Date
06/12/91
Amount
15,000.00
AGGREGATE YTD: 15,000.00

The Bluebonnet Fund PAC
3000 One Shell Plaza
Houston, TX 77002
RECEIPT FOR: N/A

EMPLOYER
OCCUPATION:
Date
04/04/91
Amount
15,000.00
AGGREGATE YTD: 15,000.00

The Carlyle Group PAC
1001 Pennsylvania Avenue, NW
Washington, DC 20004
RECEIPT FOR: N/A

EMPLOYER
OCCUPATION:
Date
06/17/91
Amount
12,000.00
AGGREGATE YTD: 12,000.00

TOTAL of Receipts This Page:

5043632919
12037373333
110375.153

15,000.00 ASD
Inc 5/9/84

Attachment 4
Pg 1 of 7



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

BQ-2

Stan Wuckaby, Treasurer
President's Dinner/AKA 1991
Republican Senate - House Dinner
Committee
1101 17th Street, NW, 0808
Washington, D.C. 20036

FEB 7 1992

Identification Number: C00250845

Reference: Mid-Year Report (1/1/91-6/30/91)

Dear Mr. Wuckaby:

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 H3 of your report discloses the receipt of a \$609,114 In-kind transfer from your non-federal account for shared direct fundraising. Schedule H4 of your report, pertinent portions attached, discloses numerous transactions in which the non-federal account provides 100% of the goods and services for a shared Federal/Non-Federal fundraising activity. Schedule H3, however, discloses that all transactions for the event "TTP" should reflect the federal account providing at least 38.3% of the goods and services or payments to vendors. These transactions apparently result in your federal account's receipt of corporate contributions by virtue of your non-federal account providing 100% of various allocable costs. You are advised that contributions from corporations are prohibited by the Act, unless made from separate segregated funds established by the corporations. (2 U.S.C. §441b(a))

Although the Commission may take further legal steps concerning the acceptance of prohibited contributions, prompt action by your committee to transfer-out the amount will be taken into consideration.

SW

-Your report does not include a Schedule H1 to allocate administrative and generic voter drive costs. This ratio is determined at the beginning of each two-year election cycle. All shared administrative and generic voter drive costs incurred during the two-year cycle

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must be allocated according to this ratio, unless the federal account elects to pay a higher percentage of its cost. 11 CFR §106.5(b)(2), (d)(1), (d)(2) and 11 CFR §§104.10(b)(1)(ii)(B) and 106.6(c)

-Line 11(a)(i) of the Detailed Summary Page of your report discloses a total of \$1,667,797 in itemized contributions from individuals. The sum of the entries itemized on Schedule A, however, indicates the total to be \$1,498,247. Please amend your report to clarify the discrepancy.

-Your report discloses an apparent contribution(s) from a corporation(s) (pertinent portion attached). You are advised that a contribution from a corporation is prohibited by the Act, unless made from a separate segregated fund established by the corporation. (2 U.S.C. §441b(a)) If you have received a corporate contribution(s), the Commission recommends that you refund the full amount to the donor(s) in accordance with 11 CFR §103.3(b). Alternatively, if you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. In the best interests of the committee, all refunds and transfers-out should be made within thirty (30) days of the treasurer's receipt of the contribution. See 11 CFR §103.3(b). Refunds and transfers-out should be disclosed on a supporting Schedule B for line 28 or 22 of the report covering the period during which they are made.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of a prohibited contribution, prompt action by your committee to refund or transfer-out the amount will be taken into consideration.

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. Under 11 CFR §102.5(b), organizations which are not political committees under

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the Act must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If your committee does not finance non-federal activity, the receipt of the referenced contribution(s) may violate the limitations and prohibitions of the Act. (2 U.S.C. §§441a(f) and 441b) If your committee engages in both federal and non-federal activity, either through a separate non-federal account, or one account that finances activity in connection with both federal and non-federal elections, your committee may be in violation of 11 CFR §102.5(a).

Please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received funds which are not permissible, the Commission recommends that you refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). Alternatively, if you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. Should you choose to refund or transfer-out the funds, the Commission will presume the funds were impermissible, absent a statement from your committee to the contrary. Refunds and transfers-out should be disclosed on a supporting Schedule B for Line 28 or 22 of the report covering the period during which they are made.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of prohibited contributions, prompt action by your committee in refunding or transferring-out the amounts will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal

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Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3500.

Sincerely,



Andrew J. Dodson
Senior Reports Analyst
Reports Analysis Division

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1 2 3 7 3 7 3 3 2

Attachment 4
Pg 5 of 7

SCHEDULE A

STANDARD RECEIPTS

Page 14 of 17
Line No. 11c

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

Name of Committee:
The President's Dinner/ake 1991 Republican Senate-House Dinner Committee

Stone-Pan	EMPLOYER OCCUPATION:	Date	Amount
150 North Michigan Avenue Chicago, IL 60604		03/20/91	9,000.00
RECEIPT FOR: N/A	AGGREGATE YTD:	9,000.00	

	EMPLOYER OCCUPATION:	Date	Amount
RECEIPT FOR: N/A	AGGREGATE YTD:		

TGI Fridays, Inc. Political Action Committee	EMPLOYER OCCUPATION:	Date	Amount
P.O. Box 82962 Dallas, TX 75200		04/03/91	15,000.00
RECEIPT FOR: N/A	AGGREGATE YTD:	15,000.00	

	EMPLOYER OCCUPATION:	Date	Amount
RECEIPT FOR: N/A	AGGREGATE YTD:		

Television & Radio Political Action Committee	EMPLOYER OCCUPATION:	Date	Amount
1772 W Street, N.W. Washington, DC 20036		06/22/91	15,000.00
RECEIPT FOR: N/A	AGGREGATE YTD:	15,000.00	

The Bluebonnet Fund PAC	EMPLOYER OCCUPATION:	Date	Amount
3000 One Shell Plaza Houston, TX 77002		04/04/91	15,000.00
RECEIPT FOR: N/A	AGGREGATE YTD:	15,000.00	

The Carlyle Group PAC	EMPLOYER OCCUPATION:	Date	Amount
1001 Pennsylvania Avenue, NW Washington, DC 20004		06/17/91	12,000.00
RECEIPT FOR: N/A	AGGREGATE YTD:	12,000.00	

TOTAL of Receipts This Page:

ADJ
Lc 5/9/89

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

Name of Committee:
The President's Dinner/aka 1991 Republican Senate-House Dinner Committee

General Electric PAC
EMPLOYER
OCCUPATION:
Date Amount
05/20/91 6,000.00
AGGREGATE YTD: 6,000.00

Glenns Distilleries Company
PAC
EMPLOYER
OCCUPATION:
Date Amount
05/08/91 3,000.00
AGGREGATE YTD: 3,000.00

Goldman Sachs PAC
Suite 700
EMPLOYER -
OCCUPATION:
Date Amount
05/09/91 15,000.00
AGGREGATE YTD: 15,000.00

RECEIPT FOR: N/A
EMPLOYER
OCCUPATION:
Date Amount
AGGREGATE YTD:

RECEIPT FOR: N/A
EMPLOYER
OCCUPATION:
Date Amount
AGGREGATE YTD:

Health Insurance PAC
Suite 1200
EMPLOYER
OCCUPATION:
Date Amount
05/28/91 3,000.00
AGGREGATE YTD: 3,000.00

Wells Fargo Financial Services Lt
Suite 3000 LTD. - PAC
EMPLOYER
OCCUPATION:
Date Amount
06/10/91 15,000.00
AGGREGATE YTD: 15,000.00

SUBTOTAL of Receipts This Page:

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Inc 6/24/85

AD

Attachment 4
Pg 9 of 7

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

Name of Committee:
The President's Dinner/aka 1991 Republican Senate-House Dinner Committee

The Chubb Corporation Political EMPLOYER
P.O. Box 1615 Action Committee OCCUPATION:
15 Mountain View Road
Warren, NJ 07062
RECEIPT FOR: N/A
Date 04/23/91 Amount 15,000.00
AGGREGATE YTD: 15,000.00

The Freedom Fund EMPLOYER
91st Floor OCCUPATION:
1301 McKinney
Houston, TX 77010
RECEIPT FOR: N/A
Date 04/26/91 Amount 3,000.00
AGGREGATE YTD: 3,000.00 ASD

The Metropolitan Washington EMPLOYER
Orthopedic Association, Inc. OCCUPATION:
6146 Oxon Hill Road
Oxon Hill, MD 20745
RECEIPT FOR: N/A
Date 05/19/91 Amount 7,000.00
AGGREGATE YTD: 7,000.00

The Morgan Companies PAC EMPLOYER
60 Wall Street OCCUPATION:
New York, NY 10006
RECEIPT FOR: N/A
Date 01/01/91 Amount 15,000.00
AGGREGATE YTD: 15,000.00

The National Beer Wholesalers EMPLOYER
Suite 1600 Association OCCUPATION:
9200 Leesburg Pike
Falls Church, VA 22041
RECEIPT FOR: N/A
Date 05/19/91 Amount 3,000.00
AGGREGATE YTD: 3,000.00

The National Good Government EMPLOYER
Vigon & Ekins Fund OCCUPATION:
1455 Pennsylvania Avenue, NW
Washington, DC 20004
RECEIPT FOR: N/A
Date 06/17/91 Amount 3,000.00
AGGREGATE YTD: 3,000.00

The Orthopedic PAC EMPLOYER
Suite 100 OCCUPATION:
317 Massachusetts Avenue, NE
Washington, DC 20002
RECEIPT FOR: N/A
Date 05/31/91 Amount 3,000.00
AGGREGATE YTD: 3,000.00

SUBTOTAL of Receipts This Page: 49,000.00

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Attachment 5



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RO-3

February 27, 1992

Stan Huckaby, Treasurer
President's Dinner/ACA 1991
Republican Senate - House Dinner
Committee
1101 17th Street, NW, #808
Washington, D.C. 20036

Identification Number: C00250845

Reference: Mid-Year Report (1/1/91-6/30/91)

Dear Mr. Huckaby:

This letter is to inform you that as of February 26, 1992, the Commission has not received your response to our request for additional information, dated February 7, 1992. That notice requested information essential to full public disclosure of your federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received 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 Andrew Dodson on our toll-free number (800) 424-9530 or our local number (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

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92037410424

TELECON

ANALYST: Andrew Dodson
CONVERSATION WITH: Ms Trudy Barksdale , Assistant Treasurer
COMMITTEE: PRESIDENT'S DINNER/AKA 1991 REPUBLICAN
SENATE-HOUSE DINNER COMMITTEE C00250845
DATE: April 6, 1992
SUBJECT(S): RFAI dated 2/7/92

I spoke to Ms Trudy Barksdale today concerning the RFAI referencing the President's Dinner/AKA 1991 republican Senate-House Dinner Committee's 1991 Mid Year report (1/1/91 - 6/30/91). Ms Barksdale stated that a response to the RFAI would be delivered to the Commission on 4/7/92.

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Gary Vander Jagt
Chairman
National Republican
Congressional Committee

Robert H Michel
Republican Leader of the House

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FEDERAL ELECTION COMMISSION
GEORGE BUSH

THE PRESIDENT'S DINNER

Attachment 7
pg 1 of 4

Howard H. Baker, Jr.
Dinner Chairman

Bob Dole
Republican Leader of the Senate

March 19, 1992

FILED

Andrew J. Dodson
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: ID #C00241182
Mid-Year Report, 1/1/91 - 6/30/91

Dear Mr. Dodson,

This letter responds to your inquiry about information contained in the Mid-Year Report of The President's Dinner/aka The 1991 Republican Senate-House Dinner Committee.

First, you ask about our reporting of \$609,114 of in-kind contributions, which were listed as in-kind transfers from a non-federal account and attributed to the non-federal share of our fundraising costs. (Corresponding disbursements were itemized to balance the receipt of the in-kind contributions.) Due to the new allocation regulations, we recognized that this is a novel issue. As listed on Schedule H2, the Dinner Committee's overall allocation was 38.3% federal and 61.7% non-federal. In-kind contributions were received by the non-federal account. Thus, it was necessary to adjust upwards the federal share of other Dinner Committee expenses to account for these non-federal receipts in order to maintain the proper allocation ratio.

In practice, you will note that the federal share of expenditures listed on Schedule H4, except for the non-federal in-kind receipts and disbursements, is consistently higher than the non-federal share of payment for those expenses. In fact, we refigured the federal share of expenditures other than the in-kind contributions at approximately 53.9%, so that the overall allocation would match the 38.3% federal/61.7% non-federal requirement. Importantly, the "bottom line" of the Dinner Committee's allocable expenses, totaled on page 37 of Schedule H4, demonstrates the overall allocation ratio was precisely followed by use of this approach. Moreover, in the end, we did not raise 38.3% federal funds, and could have used a lower federal allocation.

(202) 659-1771

(202) 833-2491 (FAX)

1101 17th Street, N.W. ♦ Suite 808 ♦ Washington, D.C. 20036

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Paid for by The President's Dinner Committee. Proceeds will be divided evenly between the National Republican Senatorial Committee and the National Republican Congressional Committee for the benefit of Republican candidates. Donations may be designated or reallocated in order to comply with federal laws on political contributions. Contributions to The President's Dinner are not deductible for federal income tax purposes.

Andrew J. Dodson
Federal Election Commission
March 19, 1992
Page 2

Attachment 7
Page 2 of 4

Second, you ask why a Schedule H1 was not included with our Mid-Year Report to show allocation of administrative and generic voter drive costs. The Dinner Committee does not engage in any activity for which a Schedule H1 is necessary. We operate only for purposes of fundraising, and allocate all of our costs accordingly (the "funds received" method for allocation). Treating all of these expenses as fundraising expenses has been sanctioned by the Commission in A.O. 1992-2.

Third, you note a discrepancy in the Dinner Committee's reporting of total itemized contributions from individuals. The figure of \$1,498,247 for line 11(a)(i) is correct, and we are amending our Schedule A's for that line, and the Detailed Summary Page, accordingly.

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Next, you identify three contributions as appearing to be from corporate sources, or as from organizations that are not registered political committees. The contribution from Heitman Financial Services, Ltd. was actually deposited in the Dinner Committee's non-federal account, but was mistakenly reported as having been received by the federal account. The Carlyle Group is, in fact, a partnership, and the contribution from its partners was listed, properly, on Schedule A, line 11(a)(i). The contribution was incorrectly listed, also, on Schedule A, line 11(c). Regarding the contribution from the Metropolitan Washington Orthopedic Association, we inquired about the corporate nature of their sources, and were misinformed by the spokesperson. We have now transferred the funds to our non-federal account, and in accordance with the Commission's directive, we have informed the contributors of this transfer and offered to refund the contribution. All appropriate amendments will be filed with respect to these contributions.

If you have any additional questions, please feel free to contact us.

Sincerely,


Trudy Matthes Barksdale
Assistant Treasurer

Enclosures

Guy Vander Jagt
Chairman
National Republican
Congressional Committee

Robert H Michel
Republican Leader of the House

GEORGE BUS

THE PRESIDENT'S DINNER

Howard H. Baker, Jr.
Dinner Chairman

Attachment 7
3 of 4

Republican Leader of the Senate

HAND DELIVERED

March 13, 1992

The Metropolitan Washington
Orthopedic Association
6144 Oxon Hill Road
Oxon Hill, Maryland 20745

Dear Sir or Madame,

Please be advised that on May 29, 1991, the 1991 President's Dinner received and deposited your contribution to The President's Dinner/aka 1991 Republican Senate-House Dinner Committee, in the amount of \$7,500, to The President's Dinner federal account. Prior to depositing the contribution, the staff of The President's Dinner contacted your office, and was under the impression that The Metropolitan Washington Orthopedic Association was a sole proprietorship. On receiving a request from the Federal Election Commission for clarification of the status of your organization, we contacted your office again, and were advised that your association is, indeed, incorporated.

In order to comply with Federal Election Law, the 1991 President's Dinner Committee has transferred your contribution of \$7,500 to the committee's non-federal account. A copy of the transfer check is enclosed.

Please be advised that you are entitled to a refund of your contribution, if you do not wish it to remain in the 1991 President's Dinner non-federal account. We will be contacting you by phone to follow up on this matter.

Please contact Chris Ward, or me, with any further questions at (202) 659-1771. Thank you very much for your assistance and continued support of The President's Dinner.

Sincerely,

Trudy Matthes Barksdale
Trudy Matthes Barksdale
Assistant Treasurer

Enclosure

(202) 659-1771 (202) 833-2491 (FAX)
1101 17th Street, N.W. ♦ Suite 808 ♦ Washington, D.C. 20036

Paid for by The President's Dinner Committee. Proceeds will be divided evenly between the National Republican Senatorial Committee and the National Republican Congressional Committee for the benefit of Republican candidates. Donations may be disregarded or realized in order to comply with federal laws on political contributions. Contributions to The President's Dinner are not deductible for federal income tax purposes.

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(No Carbon Paper Required)

For Along Perfection

RECEIVED
FEDERAL ELECTION COMMISSION
REPORTS AND DISBURSEMENTS

THE PRESIDENT'S DINNER

1101 17TH ST. NW. SUITE 808
WASHINGTON, DC 20036
202-659-1771

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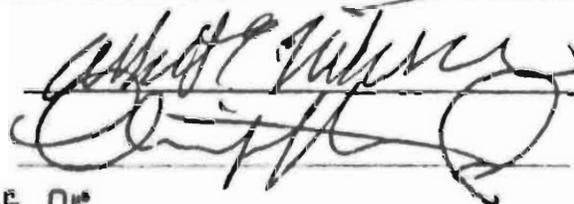
March 13, 19 92

15-126
540 D01

PAY TO THE ORDER OF The President's Dinner Trust 1991 and Building Fund \$ 7,500.00

Seven thousand five hundred dollars and 00/100 ----- DOLLARS

SOVRAN BANK
Sovran Bank/DC Member Washington, DC 20006



⑆003149⑆ ⑆054001204⑆ 200116 0⑆

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY - NO RECEIPT DESIRED

THE PRESIDENT'S DINNER

DELUXE - FORM DYCIP-3 V-2

DATE	DESCRIPTION	AMOUNT
3/13/92	transfer to Trust 1991 of 5/19/91 contribution from The Metropolitan Washington Orthopedic Association	7,500.00

Attachment 7
pg 4 of 4



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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

FEDERAL ELECTION COMMISSION MAR 2 9 44 AM '95
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral # 92L-15
Date Activated: June 1, 1994
Staff Member: Karen V. Johnson
Eric S. Brown

SOURCE: INTERNALLY GENERATED

RESPONDENTS: President's Dinner/AKA 1991 Republican
Senate-House Dinner Committee and
Stan Huckaby, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441b(a)
11 C.F.R. § 106.5(f) & (g)
11 C.F.R. § 106.1(e)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee ("the Committee") and Stan Huckaby, as treasurer, (collectively "Respondents") to the Office of the General Counsel for accepting in-kind corporate contributions relating to a shared fundraising activity during 1991. The Committee also was referred for accepting two prohibited corporate contributions during 1991.

II. FACTUAL AND LEGAL ANALYSIS

A. Applicable Law

1. Payment of Federal Share of In-kind Contributions

Commission regulations effective on January 1, 1991 provide for the allocation of expenses by party committees making disbursements for administrative expenses, fundraising activities,

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exempt activities, or generic voter drives in connection with both Federal and non-federal elections. 11 C.F.R. § 106.1(e). More specifically, party committees that make disbursements in connection with Federal and non-federal elections shall allocate expenses for the direct costs of a fundraising program or event, including disbursements for solicitation of funds and for planning and administration of actual fundraising events, where Federal and non-federal funds are collected by one committee through such a program or event. 11 C.F.R. §§ 106.5(a)(2)(i) and (ii).

Fundraising costs must be allocated on the basis of the particular event or program. A party committee, whether national or not, allocates the direct costs of each fundraising program or event, where both Federal and non-federal funds are collected by that one committee through such program or event. 11 C.F.R. § 106.5(f). A party committee should allocate its fundraising costs based on the ratio of funds received into its Federal account to its total receipts from each fundraising program or event. Each event or program has its own ratio and the committee estimates this ratio before each program or event, based on the committee's reasonable prediction of its Federal and non-federal revenue for the program or event. 11 C.F.R. § 106.5(f)(1). The committee adjusts its ratio no later than 60 days following each such event to reflect the actual ratio of funds received. If either the Federal or non-federal account has paid more than its share, then the necessary transfers will be made and noted in the report for the period in which they are made. 11 C.F.R. § 106.5(f)(2).

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The purpose of these allocation rules is to prevent non-federal funds from paying for the Federal share of a mixed expense. See 55 Fed. Reg. at 26066. Committees have the option of two payment procedures: (1) paying an entire bill from the Federal account and transferring funds from the non-federal to the Federal account to cover the non-federal share; or (2) establishing a separate allocation account, which the Commission considers to be a Federal account, and transferring funds from the Federal account and the non-federal account solely to make allocable payments. 11 C.F.R. §§ 106.5(g)(1)(i) and (ii).

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These allocation regulations, however, do not distinguish between direct and in-kind donations received in connection with allocable activities or functions. On October 14, 1992, the Commission issued Advisory Opinion 1992-33,¹ and addressed the issue of in-kind contributions. The Commission concluded that "a national party committee may accept corporate in-kind donations in connection with fundraising activities only if one of two conditions is met: (1) the amount of the Federal share of goods or services is paid to the non-federal account in advance or on receipt; or (2) sufficient funds to pay for the Federal share of goods or services have been transferred to a non-federal account in advance."

Concerning the second condition, "the committee must, in essence, prepay or escrow an amount of funds that corresponds to

1. This opinion was issued at the request of the General Counsels of the Democratic National Committee and the Republican national Committee by their letter dated August 13, 1992.

the value of the Federal share of the expenses associated with" the in-kind contributions. Additionally, the Commission provided in AO 1992-33 as follows:

The committee must make good faith estimates of the amount of such in-kind donations that are expected and transfer a sufficient amount of funds from the committee's Federal account to a non-federal account to cover the Federal share of the expenses associated with the in-kind donations actually received. The committee may make bulk transfers to accomplish this "escrow" function, rather than separate transfers for each anticipated in-kind donation. By allowing this approach, the Commission is relieving the committees of the practical problem of having to calculate and pay the precise amount of the Federal share of expenses associated with in-kind donations on the same day such donations are received. This escrow of funds is separate and distinct from the allocation account described above and set out at 11 C.F.R. § 106.5(g)(1)(ii).

AO 1992-33 at pages 4-5.

2. Prohibited Corporate Contributions

Under the Federal Election Campaign Act of 1971, as amended (the "Act"), corporations are prohibited from making contributions or expenditures from their general treasury funds in connection with any election of any candidate for Federal office. 2 U.S.C. § 441b. It is also unlawful "for any candidate, political committee, or other person knowingly to accept or receive" any contribution prohibited by 2 U.S.C. § 441b. Id. With respect to corporations, a contribution or expenditure is defined as "any direct or indirect payment, distribution, loan, advance, deposit, or gift of money or any services, or anything of value ... to any candidate, campaign committee or political party or organization, in connection with any" Federal election. 2 U.S.C. § 441b(b)(2).

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B. Analysis

1. Payment of Federal Share of In-Kind Contributions

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The President's Dinner/AKA 1991 Republican Senate-House Dinner Committee (the "Committee") is identified on its Statement of Organization as a joint fundraising committee of the National Republican Congressional Committee (NRCC) and the National Republican Senatorial Committee (NRSC). On Schedule H3 of the Committee's 1991 Mid-Year Report, the Committee discloses an in-kind "transfer-in" of \$609,114 from The President's Dinner Trust-1991 and Building Fund (the Committee's non-federal account) for shared fundraising costs. See Attachment A at page 5. The date of the "transfer-in" is June 13, 1991, the actual date of the 1991 President's Dinner fundraising event, and the date, on or about which, the in-kind contributions of goods and services were received by the Committee. The Committee listed, on Schedule H4, the names of each of the twenty-nine corporate vendors who made in-kind donations on June 13, 1991, and the value of each in-kind donation. See Attachment A at pages 6-10. The in-kind donations were allocated 100% to the non-federal account for a shared fundraising activity (The President Dinner, or "TPD") on Schedule H4.²

RAD sent a Request for Additional Information ("RFAI") noting that the Committee received an in-kind transfer of \$609,114, from its non-federal account, and subsequently disclosed

2. The Date column of each one of these disbursements reads "as of 6/13/91" and the various purposes include "dinner/entree," "10 Limousines," "fabric & labor for tables," "candles & greenery for event," "dinner vegetables," etc.

numerous payments for allocable fundraising costs which were provided solely by the non-federal account. The RFAI explained that these transactions may have resulted in the federal account's receipt of corporate contributions because the federal account failed to pay its share of the value of the in-kind donations to the non-federal account.

The Committee's response stated that the in-kind contributions were originally received by the Committee's non-federal account and used for an allocable joint fundraising event. As a result, the non-federal account provided 100% of various allocable expenses and the Committee felt it was necessary to "adjust upwards" the federal share of other Committee expenses to account for its allocable share of these in-kind contributions, and maintain a proper allocation ratio. The Committee stated that it refigured the federal share of expenditures other than the in-kind contributions at approximately 53.9%, so that the overall allocation would match the 38.3%/61.7% non-federal requirement." Attachment A at page 22. See 11 C.F.R. § 106.5(f).

According to the RAD Analyst, the Committee adjusted the overall allocation as stated. By the last day covered by the Committee's 1991 Mid-Year Report (June 30, 1991), the Committee had achieved a 38.3% federal/61.7% non-federal allocation of costs for this event through the non-federal account's under-allocation and the Federal account's over-allocation of all other event expenses. The Committee adjusted its allocation between the Federal and non-federal accounts and employed the higher federal percentage (53.9%) for allocating other event expenses (even those

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other expenses paid for before June 13, 1991).

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The question presented is not whether the federal account paid for its fair share of allocable expenses, but rather whether it did so in accordance with regulatory or other guidance existing in June, 1991, the first year that the allocation regulations were effective. As previously noted, regulatory provisions concerning the payment of allocable expenses by party committees with separate federal and non-federal accounts are found at 11 C.F.R. § 106.5(g). Two payment methods are provided: (1) payment of joint expenses by the federal account, involving transfers from the non-federal account to the federal account, 11 C.F.R. § 106.5(g)(i), and; (2) payment by a separate allocation account, involving transfers from federal and non-federal accounts to the separate allocation account "solely to make allocable payments", 11 C.F.R. § 106.5(g)(ii)(emphasis added).

Hence, in the absence of additional guidance, a national party committee could accept corporate in-kind donations in connection with joint fundraising activities if it made a transfer from the federal to a non-federal account in the exact amount of the federal share of each in-kind donation on the same day the in-kind donation was received. The Commission later issued AO 1992-33 and provided that:

[A] national party committee may accept corporate in-kind donations in connection with fundraising activities, but only if one of two conditions is met: (1) the amount of the Federal share of goods or services is paid to the non-federal account in advance or on receipt; or (2) sufficient funds to pay for the Federal share of goods or services have been transferred to a non-federal account in advance.

AO 1992-33 at page 4.

There is no question that the Committee failed to make a transfer from the federal to a non-federal account in the exact amount of the federal share of each of the twenty-nine in-kind donations at issue on the same day they were received (on or about June 13, 1991). Nevertheless, by June 30, 1991, the Committee had achieved the 38.3% federal/61.7% non-federal allocation of costs for this event by under-allocating the cost to the non-federal account and over-allocating the cost to the federal account of other expenses related to the joint fundraising event.

In light of the foregoing, this Office recommends that the Commission find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 106.5 by accepting prohibited corporate in-kind contributions. This Office also recommends, however, that the Commission take no further action against the Committee for the following reasons.

First, the Committee was attempting to comply with complex regulations which were recently enacted. Second, although the federal account should have transferred 38.3% of \$609,114 (\$233,290.66) to the Committee's non-federal account by June 13, 1991, it did achieve this same result seventeen days later. Finally, the delay does not appear to have resulted from an inability to pay, because the federal account appears to have had

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sufficient funds on hand to make the transfer on June 13, 1991.³

For all of these reasons, this Office recommends that, in the proper ordering of its priorities and resources, Heckler v. Chaney, 470 U.S. 821 (1985), the Commission take no further action and instead include in the notification letter an admonishment informing the Committee that allocation of in-kind contributions must conform to the methodology set forth in AO 1992-33.

2. Prohibited Corporate Contributions

The Committee's 1991 Mid-Year Report disclosed a \$7,500 contribution from the Metropolitan Washington Orthopedic Association PAC, identified by RAD as an unregistered organization, on May 29, 1991, and a \$12,000 contribution from The Carlyle Group PAC, identified by RAD as a corporation, on June 17, 1991. On February 7, 1992, RAD sent an RFAI to the Committee questioning the permissibility of the funds received from the two organizations.

A. Metropolitan Washington Orthopedic Association

The Committee responded to the RFAI, informing RAD that the \$7,500 received from the Metropolitan Washington Orthopedic Association PAC (the "Association") was transferred to the President's Dinner's non-federal account on March 13, 1992. Trudy Matthes Barksdale, the assistant treasurer, explained in a letter

3. The 1991 Mid-year Report shows total federal receipts of \$2,385,589.60 and total federal disbursements of \$2,377,134.71. Included in the federal disbursements is \$1,563,000.00 in proceeds which were transferred out to the intended beneficiaries of the fundraiser, the NRCC and the NRSC. In fact, \$272,000.00 was transferred out to the NRSC on June 18, 1991. The remaining \$822,589.60, was used to pay the federal share of the joint fundraising expenses, including the in-kind contributions.

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accompanying a copy of the transfer-out check that she was originally misinformed by the Association regarding the source of these funds.

Given the limited amount involved in the refunded Metropolitan Washington Orthopedic Association PAC contribution, this Office recommends that the Commission find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a), by accepting a prohibited corporate contribution from the Metropolitan Washington Orthopedic Association, but take no further action. This Office will include in the notification letter an admonishment informing the Committee that acceptance of corporate contributions is a violation of 2 U.S.C. § 441b(a).

B. The Carlyle Group

The Committee also addressed the \$12,000 contribution from The Carlyle Group, stating that, "The Carlyle Group is, in fact, a partnership, and the contribution from its partners was listed, properly, on Schedule A, line 11(a)(i)." The contribution was listed, also, on Schedule A, line 11(c), as a partnership contribution. The Committee has not refunded or transferred-out the \$12,000 amount.

The contribution was questioned because the Committee's PAC receipt schedule disclosed a contribution from the Carlyle Group PAC, which was found by RAD to be not registered as a PAC, but to

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be registered as a corporation in the District of Columbia. (An unincorporated partnership is also registered.) On the same report, on the Committee's receipt schedules for contributions from individuals, a \$12,000 contribution received on June 10, 1991 from The Carlyle Group (identified on the schedule as a partnership) appears. These two entries on the Committee's receipt schedules appear to refer to the same contribution.⁵

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The RAD Referral states that information provided by the District of Columbia Corporate Division indicates that The Carlyle Group was registered as a corporation in the District of Columbia on May 9, 1988. However, the Corporate Registration Division of the Department of Consumer and Regulatory Affairs of the District of Columbia also has a general partnership registered under the name, "The Carlyle Group," qualified in the District of Columbia on April 6, 1988 and established in Delaware as a general limited partnership under the name "The Carlyle Group, L.P." with an establishment date of April 30, 1987. The Dun & Bradstreet, Million Dollar Directory indicates that The Carlyle Group Limited Partnership is a subsidiary of the Carlyle Holding Corporation. The similarity in name and relationship between the two entities probably accounts for the discrepancy in information concerning the The Carlyle Group.

In light of the above, this Office recommends the Commission

5. The contribution is attributed \$6,000 each to two individuals identified as partners, Stephen L. Norris and Daniel A. D'Aniello. This Office notes that the reported attribution to two partners (\$6,000 each) would not be in excess of the limitations on contributions from persons at 2 U.S.C. § 441a, because of the Committee's status as a joint-fundraiser.

find no reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) by accepting a prohibited corporate contribution from The Carlyle Group.

IV. RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 106.5, by accepting prohibited corporate in-kind contributions, but take no further action.

3. Find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) by accepting a prohibited corporate contribution from the Metropolitan Washington Orthopedic Association, but take no further action.

4. Find no reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) with regard to the contribution from The Carlyle Group.

5. Approve the appropriate letters.

6. Close the file.

Lawrence M. Noble
General Counsel

Date

3/1/95

BY:



Lois G. Lerner
Associate General Counsel

Attachments:

A. Referral Materials

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

President's Dinner/AKA 1991
Republican Senate-House Dinner
Committee and Stan Huckaby, as
treasurer.

)
)
) RAD Referral
) #92L-15
)
)

MUR 4190

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 7, 1995, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral #92L-15:

1. Open a MUR.
2. Find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 106.5, by accepting prohibited corporate in-kind contributions, but take no further action.
3. Find reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) by accepting a prohibited corporate contribution from the Metropolitan Washington Orthopedic Association, but take no further action.

(continued)

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4. Find no reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and Stan Huckaby, as treasurer, violated 2 U.S.C. § 441b(a) with regard to the contribution from The Carlyle Group.

5. Approve the appropriate letters, as recommended in the General Counsel's Report dated March 1, 1995.

6. Close the file.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Potter recused himself from this matter and did not cast a vote.

Attest:

3-7-95
Date

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

Received in the Secretariat:	Thurs., Mar. 02, 1995	9:44 a.m.
Circulated to the Commission:	Thurs., Mar. 02, 1995	4:00 p.m.
Deadline for vote:	Tues., Mar. 07, 1995	4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 14, 1995

Stan Huckaby, Treasurer
President's Dinner/AKA 1991
Republican Senate - House
Dinner Committee
1101 17th Street, N.W., #808
Washington, D.C. 20036

RE: MUR 4190

Dear Mr. Huckaby:

On March 7, 1995, the Federal Election Commission found reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and you, as treasurer, violated 2 U.S.C. § 441b(a) by accepting corporate contributions. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. Additionally, the Commission found no reason to believe that the President's Dinner/AKA 1991 Republican Senate-House Dinner Committee and you, as treasurer, violated 2 U.S.C. § 441b(a) with regard to a contribution from The Carlyle Group.

The Commission reminds you your federal account must pay its fair share of allocable expenses in accordance with Commission regulations at 11 C.F.R. § 106.5. The Commission also reminds you that accepting corporate contributions is a violation of 2 U.S.C. § 441b(a). You should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

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Stan Huckaby
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If you have any questions, please contact Karen V. Johnson,
the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lee Ann Elliott
Vice Chairman

Enclosure
First General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 490

DATE FILMED 4/4/95 CAMERA NO. 1

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