



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 13, 2023

**Via Electronic Mail Only**

Joseph Powers, Chairman  
Rhode Island Republican State Central Committee (RIGOP)  
1800 Post Road, Suite 17-1  
Warwick, RI 02886

RE: P-MUR 670

Dear Mr. Powers:

This is to acknowledge receipt of your letter on September 11, 2023, advising us that Rhode Island Republican State Central Committee (RIGOP) and Lance Chappell in his official capacity as treasurer may have violated the Federal Election Campaign Act of 1971, as amended. We will review the matter and notify you as soon as the Federal Election Commission takes action on your submission. We have numbered this matter P-MUR 670.

This matter will remain confidential in accordance with 52 U.S.C. §§ 30109(a)(4)(B) and 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies, including the Department of Justice.<sup>1</sup> While the matter remains open, it will remain confidential as set forth above. After the matter is closed, certain documents from the file will be made available to the public on the Commission's website. To learn more about the agency's disclosure policy, please see 81 Fed. Reg. 51, 702 (Aug. 2, 2016). <https://www.fec.gov/resources/cms-content/documents/notice2016-06.pdf>.

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 numbers of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records, and materials relating to the subject matter of the submission until such time as you are notified that the Commission has closed its file in this matter. *See* 18 U.S.C. § 1519.

<sup>1</sup> The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

Any correspondence sent to the Commission must be addressed to **one** of the following (note, if submitting via email, this Office will provide an electronic receipt by email):

<u>Mail</u>	<i>OR</i>	<u>Email</u>
Federal Election Commission Office of Complaints Examination and Legal Administration Attn: Christal Dennis, Paralegal 1050 First Street, NE Washington, DC 20463		CELA@fec.gov

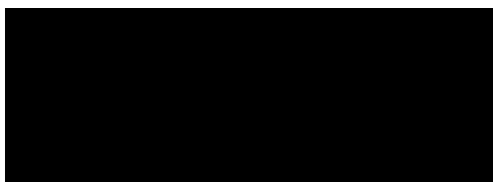
As indicated in the FEC's Notice found at <https://www.fec.gov/resources/cms-content/documents/status-of-fec-operations.pdf>, the office's mailroom is open on a limited basis and, therefore, processing paper correspondence may be delayed. Accordingly, we strongly encourage you to file responses and additional correspondence via email.

If you have any questions, please contact Christal Dennis at (202) 694-1519 or toll free at (800) 424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing submissions such as this.

Sincerely,

*Wanda D. Brown*

Wanda D. Brown  
Assistant General Counsel  
Complaints Examination &  
Legal Administration



**DESCRIPTION OF PRELIMINARY PROCEDURES  
FOR PROCESSING SUA SPONTE SUBMISSIONS FILED WITH THE  
FEDERAL ELECTION COMMISSION**

1050 First Street, N.E.  
Washington, D.C. 20463  
EMAIL: [cela@fec.gov](mailto:cela@fec.gov)

Sua Sponte submissions (“submission(s)”) received by the Federal Election Commission (“Commission”) alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the “Act”) are forwarded to the Enforcement Division of the Office of the General Counsel. The submissions are then assigned a Pre-MUR (Matter Under Review) number and forwarded to the Complaints Examination and Legal Administration (“CELA”) for processing.

After the Commission acknowledges receipt of the submission, it is prioritized and maintained in CELA, or in some instances referred to either the Alternative Dispute Resolution Office or the Administrative Fines program. Submissions warranting the use of Commission resources are assigned as staff becomes available. Submissions not warranting the use of Commission resources are dismissed.

If a submission is assigned to a staff person, the Office of the General Counsel shall report to the Commission making recommendations based upon a preliminary legal and factual analysis of the submission. The report may recommend that the Commission:

- (a) find reason to believe that the submission sets forth a possible violation of the Act; or
- (b) find no reason to believe that the submission sets forth a possible violation of the Act and, therefore, close the file.

If, by an affirmative vote of four Commissioners, the Commission determines that there is reason to believe that a respondent has committed or is about to commit a violation of the Act, the Office of the General Counsel shall open an investigation. The submission, at this stage, is assigned a MUR number. During the investigation the Commission has the power to subpoena documents, to subpoena individuals to appear for a deposition, and to order written answers to interrogatories. The Commission, during this phase, may contact a respondent more than once.

If during this period of investigation, a respondent indicates a desire to enter into conciliation the Office of the General Counsel may recommend that the Commission enter in conciliation prior to a finding of probable cause to believe that a violation has been committed. Conciliation is an attempt to correct or prevent a violation of the Act by informal methods of conference and persuasion. Most often, the results obtained through the conciliation process are an agreement signed by the Commission and the respondent. The Conciliation Agreement, to become final, must be adopted by four votes of the Commission. After approval by the Commission and acceptance by the respondent, the Conciliation Agreement is made public within 30 days of closing of the entire file as to all respondents associated with the MUR.

If the investigation warrants, and no conciliation agreement has been entered into prior to a probable cause to believe finding, the General Counsel must notify the respondent of his/her intent to recommend that the Commission proceed to a vote on probable cause to believe that a violation of the Act has been committed or is about to be committed. The General Counsel shall send the respondent a brief setting forth its position on the legal and factual issues of the case. A response brief stating respondent's position on the issues may be submitted within 15 days of receipt of the General Counsel's Brief. Both briefs are then filed with the Commission Secretary and considered by the Commission. Thereafter, if the Commission determines, by an affirmative vote of four Commissioners, that there is probable cause to believe that a violation of the Act has been committed, or is about to be committed, the Commission must conciliate with the respondent for a period of at least 30 days, but not more than 90 days. If the Commission is unable to correct, or prevent any violation through conciliation, the Office of the General Counsel may recommend that the Commission file a civil suit against the respondent to enforce the Act. Thereafter, the Commission may, upon the affirmative vote of four Commissioners, institute civil action for relief in the United States District Court.

*See 52 U.S.C. § 30109 and 11 C.F.R. Part 111.*

October 2021



**FEDERAL ELECTION COMMISSION**  
**1050 First Street, NE**  
**Washington, DC 20463**

**STATEMENT OF DESIGNATION OF COUNSEL**

Provide one form for each Respondent/Witness

**E-MAIL: cela@fec.gov**

**AR/MUR/RR/P-MUR#** \_\_\_\_\_

Name of Counsel: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Office#: \_\_\_\_\_ Fax#: \_\_\_\_\_

Mobile#: \_\_\_\_\_

E-mail: \_\_\_\_\_

The above-named individual and/or firm 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.

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 (Signature - Respondent/Agent/Treasurer)

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 (Name – Please Print)

**RESPONDENT:** \_\_\_\_\_  
 (Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_

Home#: \_\_\_\_\_ Mobile#: \_\_\_\_\_

Office#: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: \_\_\_\_\_

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.