




FEDERAL ELECTION COMMISSION  
Washington, DC 20463

June 21, 2004

**MEMORANDUM**

TO: The Commission

THROUGH: James A. Pehrkon  
Staff Director

FROM: Allan D. Silberman   
Director, ADR Office

SUBJ: Case for ADR Activation

On May 28, 2004, the ADR Office received from RAD a referral to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, **ADR 174**, is appropriate for ADR and recommend that it be assigned to the ADR Office.

**ADR 174/RR 04L-02:** RAD determined that Respondents – i.e., Ohio State Republican Party and Sarah Brown, Treasurer – failed to explain a 311.9% increase or \$144,725.57 in reported receipts on its August 2003 Monthly Report. Respondents reported on August 20, 2003 no itemized contributions from individuals/persons other than political committees, no unitemized contributions from individuals/persons other than political committees, and no contributions from political party committees nor other federal receipts. Respondents subsequently advised the Commission they were having problems retrieving contributor information from their vendor. Respondents filed on September 18, 2003 an amendment to their August 2003 Monthly Report disclosing \$23,880 in itemized contributions from individuals/persons, \$75,962.97 in unitemized contributions, \$1,442.85 in contributions from political committees, and \$43,439.57 in additional receipts. Respondents, in reply to a RFAI dated 12/17/03, advised that additional receipts disclosed on the amended report were not included on the original filing due to corruption on the contributor database. Respondents further advised that their database vendor had cleared the situation and that all contributions were now correct. As of April 1, 2004 there was no further communication from Respondents regarding this matter.

Attached for the Commission's review is the ADR Case Analysis Report on **ADR 174** with a copy of EPS and ADR Rating Sheets. The Case Analysis Report includes an analysis of the case and a description of the issues that the ADR Office (ADRO) anticipates addressing if the case is assigned to ADR. In addition, the Report has been reviewed by OGC, which concurs in the description of the case.

24-19-025-3763

If the Commission concurs in the recommendation to assign the matter to ADRO, the above case description will be provided to Respondents as part of ADRO's notification package sent to Respondents.

Recommendation: We recommend that **ADR 174/RR 04L-02** be assigned to ADR Office for processing.

24.19.025.3764

## ADR CASE ANALYSIS REPORT

ADR Case: # 174

Respondents Ohio State Republican Party

RR: # 04L-02

Sarah Brown, Treasurer

Case Open Date: 4-2-04

Respondent's Rep: Sarah Brown

Date Forwarded to ADRO 5-28-04

Committee Type: Political Committee

Date Reviewed by ADRO: 6-9-04

Committee Name Ohio State Republican Party

Election Cycle: 2004

District #/or State: N/A

Election – Won/Lost: N/A

Complainant: RAD Referral

**Summary of Referral:** RAD determined that Respondents failed to explain a 311.9% increase – or \$144,725.57 – in reported receipts on its August 2003 Monthly Report. Specifically, Respondents on August 20, 2003 reported no itemized contributions from individuals/persons other than political committees, no unitemized contributions from individuals/persons other than political committees, and no contributions from political party committees nor other federal receipts. After filing the latter report, Respondents advised the Commission that they were having problems retrieving contributor information from their vendor. On September 18, 2003, Respondents filed an amendment to their August 2003 Monthly Report disclosing \$23,880 in itemized contributions from individuals/persons, \$75,962.97 in unitemized contribution, \$1,442.85 in contributions from political committees and \$43,439.57 in additional receipts. A RFAI dated December 17, 2003 requested clarification regarding the \$144,725.57 in total receipts received that were not disclosed on the initial August Report.

**Respondents' Reply:** Respondents replied to the RFAI on December 30, 2003 and explained that the additional receipts disclosed on the amended report were not included on the original filing due to a great deal of corruption discovered on the contributor data-base. In addition, they explained that their database vendor had cleared the situation and that all contributions were now "correct". As of April 1, 2004, there has been no further information from Respondents nor response to the Commission's request for clarification regarding the additional \$144,725.57 in receipts.

**Alleged Violations:** 2 U.S.C. §§ 434(b)(2)(A), 434(b)(2)(D), and 11 C.F.R. §§ 104.3(a)(2)(i)(A), 104.3(a)(2)(i)(B) and 104.3(a)(2)(iv).

**Issues:**

- Failure to report receipts – 2 U.S.C. § 434(b)(2) and 11 C.F.R. § 104.3(a)(2)

24-19-025-3762

24-19-025-3766

**Recommendation: Assign to ADR**

If the Commission concurs in the recommendation to assign the matter to ADRO, the above case description will be provided to Respondents as part of ADRO's notification package sent to Respondents.

Recommendation: We recommend that **ADR 174/RR 04L-02** be assigned to ADR Office for processing.

24.19.025.3767