

Republican
National
Committee

Counsel's Office

December 21, 2004

Mr. Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 DEC 22 A 10:20

HAND DELIVERED

RE: MUR 5602

Dear Mr. Jordan:

Attached please find: 1) Response of the Republican National Committee to the Complaint filed by Barbara J. Evans, and 2) Statement of Designation of Counsel.

Please do not hesitate to contact me at (202) 863-8638 if I can clarify any of this information for you. We look forward to a prompt resolution of this matter.

Sincerely,

Charles R. Spies
Election Law Counsel

Enclosure

98609206157



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of)

The Complaint Filed by)
Barbara J. Evans with the)
Federal Election Commission)

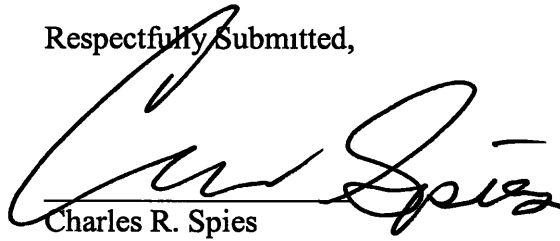
MUR 5602

RESPONSE OF THE REPUBLICAN NATIONAL COMMITTEE
TO THE COMPLAINT OF BARBARA J. EVANS

This is in response to the Complaint identified as MUR 5602 filed by Barbara J Evans against the Republican National Committee ("RNC"). The complaint in this matter is facially deficient, both in law and in fact, in that the complaint fails to allege a violation of the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 *et seq.*)(hereinafter "the Act") by Respondent RNC. Although the complaint notes Ms. Evans' paranoid suspicion of a "nefarious" reason for her getting a telephone solicitation from the RNC, that vague allegation does not even come close to meeting the Commission's minimal requirement for a complaint alleging a facial violation of the Act. Consequently, the RNC respectfully requests that the FEC dismiss Barbara Evans' complaint against the RNC, find no reason to believe that the RNC violated the Act, and close the file with respect to the RNC as it pertains to MUR 5602.

Finally, although the complaint is facially deficient and should be dismissed without any further inquiry by the Commission, in an attempt to satisfy curiosity the RNC did a cursory search of donors named "Barbara Evans" from California, and turned up three that have given to the RNC in 2004. See Attachment A. The fact that there are multiple donors with the same or similar names is the likely innocuous explanation for why Ms. Evans received a telephone solicitation.

Respectfully Submitted,



Charles R. Spies
Election Law Counsel

Counsel for the Republican National
Committee and Michael L. Retzer,
as Treasurer

December 21, 2004

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Republican National Committee Donor Record

Record #15507171 -0				
Prefix Mrs.	First Name Barbara	Middle Name J.	Last Name Evans	Suffix
Addr(1)			Occupation	
Addr(2)			Employer	
Street	4214 Loma Riviera Lane		Salutation	
City	San Diego		Salutation(2)	
State	CA		Home Phone (619)223-7534	
Zip	92110		Business Phone () - x	
County	073	Cong Dist	53 FAX () -	
Donor Type	I	Maj/Low \$	L	
Flag Codes	MM4 · MNEW05 · MZ · V042			
Club Codes				
Email				
SSN				
Gender				
DOB				

Donation History

Donor Mrs. Barbara J. Evans	
Date of First Gift 5/6/2002 Amount of First Gift \$15.00 Original Source N2PN05	RNC Year To Date \$25.00 RNC Cumulative \$85.00 BF Year To Date BF Cumulative
Highest Prev Cont Date 1/27/2004 Highest Prev Cont \$25.00 Highest Prev Cont Source M04HEPE	RNSEC Year To Date RNSEC Cumulative PAC Year To Date PAC Cumulative
Date of Last Gift 1/27/2004 Amount of Last Gift \$25.00	RNSEC Admin Year To Date RNSEC Admin Cumulative
YTD No of Gifts 1 YTD Contributions \$25.00	Total No of Gifts 5 Total Contributions \$85.00

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Republican National Committee

Contributions

CMDI Rec# 15507171

Name Mrs. Barbara J. Evans

Entry Date	Batch Date	Batch#	Amount	Source	Fund Code	Money Type	SoftCredit	Trans#
01/27/2004	01/27/2004	7028	\$25 00	M04HEPE	R	CH		38706944
01/13/2003	01/13/2003	5277	\$10 00	S03TK01	R	CH		36557171
12/09/2002	12/09/2002	5071	\$10 00	S2TK57	R	CH		36390716
11/01/2002	11/01/2002	3042	\$25 00	F2HR62	R	CH		36266980
05/06/2002	05/06/2002	5155	\$15 00	N2PN05	R	CH		34734394

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Republican National Committee Donor Record

Record #18567540 - 5				
Prefix Ms.	First Name Barbara	Middle Name	Last Name Evans	Suffix
Addr(1)	Street 5461 Hanna Drive		Occupation Retired	
Addr(2)	City Santa Barbara		Employer	
State CA	Zip 93111		Salutation	
County 083	Cong Dist		Salutation(2)	
			Home Phone (805)967-5455	
			Business Phone () - x	
			FAX () -	
Donor Type I	Maj/Low \$ L		Comments	
Flag Codes MM3 · MM4 · MZ				
Club Codes				
Email				
SSN				
Gender				
DOB				

Donation History

Donor Ms. Barbara Evans	
Date of First Gift 7/8/2003 Amount of First Gift \$15.00 Original Source M03PGCR	RNC Year To Date \$20.00 RNC Cumulative \$50.00 BF Year To Date BF Cumulative
Highest Prev Cont Date 1/5/2004 Highest Prev Cont \$20.00 Highest Prev Cont Source M04HENY	RNSEC Year To Date RNSEC Cumulative PAC Year To Date PAC Cumulative
Date of Last Gift 1/5/2004 Amount of Last Gift \$20.00	RNSEC Admin Year To Date RNSEC Admin Cumulative
YTD No of Gifts 1 YTD Contributions \$20.00	Total No of Gifts 3 Total Contributions \$50.00

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Republican National Committee

Contributions

CMDI Rec# 18567540

Name Ms. Barbara Evans

Entry Date	Batch Date	Batch#	Amount	Source	Fund Code	Money Type	SoftCredit	Trans#
01/05/2004	01/05/2004	5019	\$20 00	M04HENY	R	CH		38508901
08/27/2003	08/27/2003	9048	\$15 00	M03PGCR	R	CH		37905933
07/08/2003	07/08/2003	7089	\$15 00	M03PGCR	R	CH		37715002

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Republican National Committee Donor Record

Record #18211151 - 0				
Prefix	First Name	Middle Name	Last Name	Suffix
Mrs.	Barbara		Evans	
Addr(1)			Occupation	
Addr(2)			Employer	
Street	38211 Devils Canyon Drive		Salutation	
City	Palm Desert		Salutation(2)	
State	CA		Home Phone (760)341-4097	
Zip	92260		Business Phone () - x	
County	065	Cong Dist 45	FAX () -	
Donor Type	I	Maj/Low \$ L	Comments	
Flag Codes	G2 · MZ · V042			
Club Codes				
Email				
SSN				
Gender				
DOB				

Donation History

Donor Mrs. Barbara Evans	
Date of First Gift 8/21/2002 Amount of First Gift \$25.00 Original Source S2PV92	RNC Year To Date \$96.00 RNC Cumulative \$149.00 BF Year To Date BF Cumulative
Highest Prev Cont Date 10/27/2004 Highest Prev Cont \$50.00 Highest Prev Cont Source V04BR040	RNSEC Year To Date RNSEC Cumulative PAC Year To Date PAC Cumulative
Date of Last Gift 10/27/2004 Amount of Last Gift \$50.00	RNSEC Admin Year To Date RNSEC Admin Cumulative
YTD No of Gifts 2 YTD Contributions \$96.00	Total No of Gifts 4 Total Contributions \$149.00

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Republican National Committee

Contributions

CMDI Rec# 18211151

Name Mrs. Barbara Evans

Entry Date	Batch Date	Batch#	Amount	Source	Fund Code	Money Type	SoftCredit	Trans#
10/27/2004	10/27/2004	9083	\$50 00	V04BR040	R	CH		41789158
01/22/2004	01/22/2004	1015	\$46 00	S04HA54	R	CH		38660585
03/10/2003	03/10/2003	5185	\$28 00	S03HA57	R	CH		37020455
08/21/2002	08/21/2002	9046	\$25 00	S2PV92	R	CH		35548003

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STATEMENT OF DESIGNATION OF COUNSEL

MUR: 5602

NAME OF COUNSEL: Thomas J. Josefiak, Chief Counsel
Charles R. Spies, Election Law Counsel
Republican National Committee
310 First Street, SE
Washington, DC 20003

TELEPHONE: (202) 863-8638

FAX: (202) 863-8654

The above-named individuals are hereby designated as my counsels and are authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Date: December 21, 2004



Jay Banning, Assistant Treasurer

RESPONDENT'S NAME: Mike Retzer
Treasurer

ADDRESS: Republican National Committee
310 First Street, SE
Washington, DC 20003

TELEPHONE: HOME ()
BUSINESS (202) 863-8821

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