



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

FEDERAL ELECTION COMMISSION
SECRETARIAT
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SENSITIVE

MEMORANDUM

September 30, 2005

TO: The Commission

THROUGH: James A. Pehrkon *AC/JP*
Staff Director

FROM: Allan D. Silberman *AS*
Director, ADR Office

BY: Lynn M. Frase *LF*
Assistant Director, ADR Office

SUBJECT: ADR 299 Harris County Republican Party and
Larry M. Hicks, Treasurer
Recommendation to Assign Case

On September 16, 2005, the ADR Office received RR 05L-52 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case is appropriate for ADR and recommend that it be assigned to the ADR Office.

SUMMARY: RAD referred the Harris County Republican Party and Larry M. Hicks, Treasurer Respondents for failing to disclose adequate payments for administrative expenses when they filed their 2004 30 Day Post-General Report. RAD stated that Respondents disclosed a total of \$88,493.49 in disbursements for the reporting period, but failed to disclose adequate payments for administrative expenses. In reply to the RFAI and repeated telephone calls to the Committee, an amended 30 Day Post-General Report was filed on May 18, 2005. The amended report disclosed \$4,720.44 in telephone service on schedule B, and in a text memo the Committee stated "No paid staff member spent more than 25% of his or her time on federal activities." Although RAD explained to Respondents that further disclosure was needed as to administrative costs for such things as rent, no further reports or communications were received on clarifying this issue.

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Attached for the Commission's review is the ADR Case Analysis Report. The ADR Case Analysis Report includes an analysis of the case and a description of the issues that the ADR Office anticipates addressing if the case is assigned to ADR. In addition, the ADR Case Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case.

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

RECOMMENDATION:

1. Assign ADR 299/RR 05L-52 to the ADR Office.

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ADR CASE ANALYSIS REPORT

ADR Case: 299

Respondents:

Harris County Republican Party
Larry M. Hicks, Treasurer

RAD Referral: 05L-52

Respondents' Rep.: Larry M. Hicks

Date Forwarded to ADRO: 9/16/05

Committee Type: County Party

Date Reviewed by ADRO: 9/23/05

Committee Name: Harris County
Republican Party

District & State: TX

Election Won-Lost: N/A

Election Cycle: 2004

Summary of Referral: RAD referred the Harris County Republican Party and Larry M. Hicks, Treasurer ("Respondents" or the "Committee") for failing to disclose adequate payments for administrative expenses when they filed their 2004 30 Day Post-General Report. RAD stated that Respondents disclosed a total of \$88,493.49 in disbursements for the reporting period, but failed to disclose adequate payments for administrative expenses.

Respondents' Reply to RAD: In reply to the RFAI and repeated telephone calls to the Committee, an amended 30 Day Post-General Report was filed on May 18, 2005. The amended report disclosed \$4,720.44 in telephone service on schedule B, and in a text memo the Committee stated "No paid staff member spent more than 25% of his or her time on federal activities."

Issues:

- Failure to disclose adequate administrative expenses 2 U.S.C. § 434(b)(4)(A), 11 C.F.R. § 106.7

Recommendation:

Assign to ADRO

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