



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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March 30, 2006

**MEMORANDUM**

TO: The Commission

**SENSITIVE**

THROUGH: Robert J. Costa *RC*  
Acting Staff Director

FROM: Allan D. Silbermann *ADS/mef*  
Director ADR Office

SUBJECT: ADR 315 – Minamyer for Congress and Ralph Lee Minamyer, Treasurer,  
Recommendation to Assign Case

On February 21, 2006, the ADR Office received RR 06L-02 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case, ADR 315, is appropriate for ADR, and recommend that it be assigned to the ADR Office.

**Summary:** RAD referred Minamyer for Congress and Ralph Lee Minamyer, Treasurer, (the “Respondents” or “Committee”) for receiving excessive contributions totaling \$47,600.00 for the 2005 Special Primary Election. Respondents received the subject contributions in the form of three loans, totaling \$56,000.00, from four individuals. The subject contributions, listed on Schedule A (Itemized Receipts) and Line 13(b) (All Other Loans) on the Detailed Summary Page with the 2005 July Quarterly Report, were neither refunded, redesignated, nor reattributed within sixty days from the date of receipt, or within sixty days from the date of the initial notice sent to the Committee by RAD. The Candidate advised RAD that he was unaware that loans from family members were considered excessive contributions. After making attempts to obtain a loan to refund the subject excessive contributions, the Candidate advised RAD that he obtained a loan to the Committee in the amount of \$47,600 to make the subject refunds.

Attached for the Commission’s review is the *ADR Case Analysis Report* on ADR 315, along with a copy of the 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. 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:**

1. Assign ADR 315/RR 06L-02 to the ADR Office.

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## ADR CASE ANALYSIS REPORT

ADR Case: 315

Respondents: Minamyer for Congress  
Ralph Lee Minamyer, Treasurer

RR: 06L-02

Respondents Rep: Ralph Lee Minamyer

Case Opened: 1-13-06

Committee Type: Authorized

Date Forwarded to ADRO: 2-21-06

Committee Name: Minamyer for Congress

Date Reviewed by ADRO: 3-17-06

Election Cycle: 2006

District #/or State: Special Election/2<sup>nd</sup> C.D., OH

Election: Lost

Complainant: RAD Referral

**Summary of Referral:** RAD referred Minamyer for Congress and Ralph Lee Minamyer, Treasurer, (the "Respondents" or "Committee") for receiving excessive contributions totaling \$47,600.00 for the 2005 Special Primary Election. Respondents received the subject contributions in the form of three loans, totaling \$56,000.00, from four individuals. The subject contributions were neither refunded, redesignated, nor reattributed within sixty days from the date of receipt, or within sixty days from the date of the initial notice sent to the Committee by RAD.

Respondents filed on July 11, 2005 the 2005 July Quarterly Report covering the period from April 1, 2005 to June 30, 2005. The Report disclosed the receipt of three loans of varying amounts totaling \$55,000.00 on Schedule A (Itemized Receipts) and Line 13(b) (All Other Loans) on the Detailed Summary Page. The subject loans were received from four individuals, and were designated for the 2005 Special Primary Election. The report also disclosed a \$1,000 contribution on schedule A for Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees)\*. Of the \$56,000.00 in loans and contributions received from the four aforementioned contributors, \$47,600.00 was in excess of the \$2,100 per election limit.

During a conversation between RAD and Respondents on November 22, 2005, regarding a failure to file the 2005 October Quarterly Report, Respondents were questioned regarding the Committee's failure to respond to a RFAI sent on September 20, 2005 questioning the excessive contributions. Respondents were advised by RAD of the corrective actions that could be taken to remedy the excessive contributions matters.

**Respondents' Reply:** Respondents explained in conversations with RAD in November and December that the Candidate was trying to secure a loan in order to refund the excessive contributions. The Candidate advised RAD on December 20, 2005, that he was unaware that loans

\* The 2005 July Quarterly Report listed the contributor of the \$1,000 contribution as also the source of a \$10,000 loan.

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from family members were considered excessive contributions. Thereafter, the Candidate described efforts he was making to obtain a loan to make the necessary refunds. On January 11, 2006, the Committee filed an e-text attachment (Miscellaneous Electronic Report) which advised that the Candidate had applied for a home mortgage loan to be used to pay the Committee's incurred debt. A later e-text attachment from March 11, 2006, advised that the Candidate had made a personal loan to the Committee in the amount of \$47,600 to refund the subject excessive contributions.

**Recommendation: Assign to ADR**

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