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November 26, 1990

*NOT ADMITTED IN CONNECTICUT

Lawrence Noble, Esq.
General Counsel
Federal Elections Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Sir:

I write as counsel to the Connecticut Republican Party for an expedited advisory opinion on the following set of facts.

Congressman John Rowland became the nominee of the Connecticut Republican Party for Governor in the 1990 gubernatorial election. At the time he became its nominee, there existed a committee known as "Rowland Congress", which was the principal campaign committee designated by him to promote his then-anticipated re-election to Congress in 1990. Prior to his nomination as the Party's gubernatorial candidate, Rowland Congress transferred its excess campaign funds, as permitted by federal and state law, to various charities; and contributed the balance of \$103,765.12 to the Connecticut Republican Party. Through what the State of Connecticut Elections Enforcement Commission determined to be a clerical error, that sum was deposited in the "state bank account" of the Party, useable for state and local elections, instead of the "federal bank account", useable only for federal elections, according to the interpretation of the Connecticut Elections Enforcement Commission and despite the absence of any statutes or regulations

AOR
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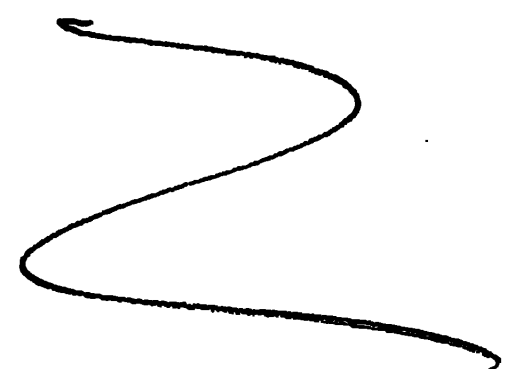
General Counsel
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prescribing the existence of such funds or governing their use. Because on occasion the balance in that "state bank account" fell below \$103,765.12, the Rowland contribution inevitably was drawn upon to some extent.

The Connecticut Republican Party, without agreeing to the correctness of this interpretation, but recognizing what the Connecticut Commission determined to be the clerical error that resulted in the funds being so deposited, is willing to accede to the desire of the Connecticut Elections Enforcement Commission that the sum be transferred from the "state bank account" to the "federal bank account". Because of the complexity of the federal statutes and regulations, however, we want to be certain before doing so that whatever we do is in compliance with them. Accordingly, for the time being, we have placed these funds in a third, separate, "escrow account".

I write to request your advice as to whether there is any federal statute which would affect and/or prohibit the Connecticut Republican Party's transferring to its "federal bank account" from its "state bank account" the sums received from the "Rowland Congress Committee" inadvertently deposited in the latter.

Very truly yours,

RGE:jrc
cc: Hon. Richard Foley,
Chairman