



REPUBLICAN PARTY OF NEW MEXICO

JOHN DENDAHL
Chairman

JUL 6 3 15 PM '98

June 30, 1998

Mr. F. Andrew Turley, Supervisory Attorney
Central Enforcement Docket
Office of General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

Dear Mr. Turley:

This letter is submitted by the Republican Campaign Committee of New Mexico ("the party") in response to the complaint filed by the Democratic Party of New Mexico, identified by the Commission as MUR 4754. We received notice of this MUR on June 15, 1998, which would set a due date for our response of June 30.

We have confidence that the party's activities with respect to the election are in compliance with Commission regulations, and we believe this complaint to be totally without merit. All expenditures are being made from the party's federal accounts. Further, the complaint completely fails to recognize the indispensable role of the Republican Party's volunteers with regard to this mailing. Without the involvement of the party's volunteers, this mailing could not have happened.

There was a substantial volunteer effort involved in getting this mailing out. After the absentee mail piece was commercially printed, using the specific printer required by State law, the mail was received at party headquarters. As many as 31 volunteers worked on this mailing which consumed an entire day. Attached are copies of the volunteer sign-in sheets for your review. The volunteers unloaded the mail at party headquarters, hauled the mail upstairs to be processed by them, the volunteers then stamped the party's non-profit indicia on each and every piece, (without the indicia stamp, this mailing could not have been sent), the volunteers used rubber bands to bundle the mail. Volunteers hauled the mail downstairs, loaded the truck, and took the mail to the U.S. Post Office, where the volunteers unloaded the mail.

This level of volunteer involvement clearly removes this mailing from the category of a direct mail piece, and qualifies this mailing as a volunteer-exempt activity under 11 CFR

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§100.7(b)(15). This activity is in contrast to the situations the Commission reviewed in MURs 2288 and 2559, in which the party sent the mail back to the direct mail house to prepare and distribute the mail following the volunteers' involvement. In our situation, volunteers played a much greater role, including continuing the process of preparing the mail for distribution, and physically bringing the mail to the post office.

With respect to the phone bank effort, this was an activity performed by automated dialing machines using phone lines at the State party headquarters (these phone line charges, during the special election, have been paid fully with Federal funds). The cost of these phones is viewed as an in-kind contribution to the Heather Wilson campaign and will be included on the next FEC report.

Accordingly, in light of the information presented above, we respectfully request that the Commission close the file with respect to MUR 4754, with the determination that no violation of any Commission regulations has occurred.

Sincerely,



Laurie Fowler
Treasurer

Encls.

1st Absentee

May 27, 1998
Volunteer Sign In Sheet

NAME

PHONE

1. Edie Camas
2. Joanne Walsh
3. Helen Cole
4. John Cole
5. Gene L. Ciriacke
6. Lourdes G. Ruiz
7. Ronald Gehring
8. Lloyd Devore
9. K. Smalley
10. Kip Hillard
11. Eric Hansen
12. Dolie Murray
13. Don Lucas
14. Machine Lucas
15. Anita Pope
16. Roger J. O'Neil
17. Mary J. Anderson
18. Jim Reddin
19. April Robertson
20. Billie F. Watson
21. Jo Alvord
22. Rusty Bactor
23. Ellen Worthen

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May 27, 1998
Volunteer Sign In Sheet

NAME

PHONE

FAX

PHONE

EMAIL

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24. Arnetta B. Joyner
25. Hans Braut
26. Chris Williams
27. Ann Wood
28. Jamie Hirsch
29. Joyce Cook
30. Dick Moore
31. Joe Muller
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