

BEFORE THE FEDERAL ELECTION COMMISSION

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COMMISSION
OFFICE OF GENERAL COUNSEL
Nov 22 1 55 PM '00

In the Matter Of)

MUR 5142

Republican National Committee)
Et al.)
)
)
)

RESPONSE OF THE REPUBLICAN NATIONAL COMMITTEE TO THE
COMPLAINT OF TERY SPATARO

INTRODUCTION

On October 29, 2000, Tery Sparto ("Complainant") filed a Complaint against the Republican National Committee ("RNC") and others alleging that the RNC violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

Specifically, the Complainant alleges that the RNC has violated 2 U.S.C. § 438(a)(4) by copying and then using her name to solicit donations from her.

The complaint is baseless and should, therefore, be dismissed.

ANALYSIS

The solicitation sent to "Mr. Spataro" by the RNC was sent because Ms. Spataro's name and address were contained in a list rented from National Response List Marketing, Inc. ("NRLM") in September of 2000. The RNC paid NRLM \$2,698.82 for the use of that list. Attached as Exhibit A is a copy of that invoice. As a result of this method of obtaining the Complainant's contact information, the RNC complied with both 2 U.S.C. § 438 (a)(4) and 11 C.F.R. § 104.15.

CONCLUSION

The RNC reaffirms its commitment to remain in compliance with the FECA. The RNC properly rented this list in accordance with the accepted practices in the regulated community.

For all the foregoing reasons, the RNC respectfully requests that the FEC find no reason to believe that the RNC violated the FECA in this manner, and close this file with respect to the RNC as it pertains to MUR 5142.

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Respectfully submitted,



Thomas J. Josefiak
Chief Counsel

Alexander N. Vogel
Deputy Counsel

Counsel for the Republican National Committee

November 22 2000

Sincerely,

21.04.405.0720

List Brokerage Invoice For Republican National Committee File Card



*-this has been
[Signature]*

Name of File	Cost Per M	Quantity Ordered	Fees for Selects Specified		Total Select	Run Fees	Net Name Discount	Tape Fee	Ship Fee	Rental Approved	Mail- date Approved	Total List	List Cost Per Name
			Select	Select									
	54.00	5,000	\$10+	0.00 0.00 0.00	0.00	0.00	1.00			Rental Approved	7/10/00	270.00	0.05
	80.00	5,000	\$50+ Multis	0.00 0.00 0.00	0.00	0.00	1.00	25.00	25.00	Rental Approved	7/10/00	450.00	
	95.00	5,000	\$10+	0.00 0.00 0.00	0.00	0.00	1.00	25.00	27.00	Rental Approved	7/10/00	527.00	0.11
	125.00	14,354	\$10+ <0-18 Months Males	0.00 0.00 0.00	0.00	21.54	0.85	25.00	15.00	Rental Approved	7/10/00	1,586.54	0.11
	125.00	23,744	\$10+ <0-12 Months	118.72 118.72 0.00	237.44	47.49	0.80	25.00	20.00	Rental Approved	7/17/00	2,704.31	0.11
	60.00	20,000	\$25+	0.00 0.00 0.00	0.00	0.00	1.00	55.00		Rental Approved	7/10/00	1,255.00	0.06
	100.00	15,000	\$5+ <0-24 Months	0.00 0.00 0.00	0.00	0.00	1.00			Rental Approved	7/10/00	1,500.00	
	125.00	38,000	\$100-499.99	570.00 0.00 0.00	570.00	45.60	0.85	25.00	12.00	Rental Approved	7/24/00	4,690.10	0.12
ELIZABETH DOLE DONORS	140.00	19,013		0.00 0.00 0.00	0.00	0.00	1.00	25.00	12.00	Rental Approved	9/11/00	2,698.82	0.14
47527 66-950-6400													

Please refer to NRLM Job Number: 200608

REVISED****