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by Kathryn Ross
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April 19, 2019

VIA EMAIL cela@fec.gov
Federal Election Commission
Office of Complaints Examination & Legal Administration
ATTN: Kathryn Ross, Paralegal
1050 First Street, NE
Washington, DC 20463

RE: MUR 7572
Response of Respondent Shirlene Ostrov
Chair, Hawaii Republican Party (C00085506)

I am the volunteer chair of the Hawaii Republican Party. Aside from what I have learned since taking on this role in June 2017, I have no professional expertise in complying with campaign finance rules. I am assisted by a treasurer and a pro bono legal counsel who is a general civil attorney and not an expert in campaign finance rules. It has been my practice to seek advice from the Federal Election Commission and the Hawaii Campaign Spending Commission when situations arise that present issues beyond my experience. Following that practice, I consulted the Federal Election Commission before engaging in the conduct at issue in the complaint, and acted in accordance with the advice given by the FEC analysts. Accordingly, I believe that my actions and the actions of the Hawaii Republican Party in supporting the candidacy of Cam Cavasso for Congress complied with applicable laws.

Prior to the November 2018 election, the Hawaii Republican Party designed and paid for digital ads supporting 11 federal and state republican candidates, and reported those ads as independent expenditures (we did not “coordinate” with any of these candidates). On or around October 30, 2018, Mr. Andy Blom, the campaign manager for candidate Cam Cavasso, noticed those ads and contacted me, asking if the Hawaii Republican Party could provide additional support for Cavasso’s campaign for Congress. Mr. Blom informed me that under federal law the Hawaii Republican Party had a “coordinated” limit that would allow the Party to provide additional support to Cavasso

beyond the contribution limit. Prior to this call with Mr. Blom, I was not familiar with “coordinated party expenditures,” so following my usual practice I contacted the FEC to educate myself and confirm that Mr. Blom was correct. I spoke with an analyst named David, who affirmed that the Hawaii Republican Party could engage in “coordinated party expenditures” up to \$49,700 and subject to some additional procedures. Still not quite feeling comfortable, I emailed the FEC, and received an email from the Information Division (attached) reiterating the information provided by David.

After this confirmation from the FEC via telephone and email, the Hawaii Republican Party proceeded to make two coordinated expenditures for the benefit of the Cam Cavasso campaign, totaling \$9,800. At the time these payments were made, the Hawaii Republican Party had \$58,485.94 in its federal account. These payments were properly reported as “coordinated expenditures” on the Hawaii Republican Party’s FEC report.

At no time did I discuss with Mr. Blom or anyone else associated with the Cavasso campaign any fundraising in connection with the coordinated expenditures. As mentioned in the previous paragraph, the Hawaii Republican Party had more than sufficient funds in its federal account to pay for the coordinated expenditures without engaging in any additional fundraising. The Hawaii Republican Party received two contributions around the time it issued the payments for the coordinated expenditures, however, I did not solicit the contributions specifically for the purpose of benefitting Cam Cavasso’s campaign, I’m not aware of any other officer of the Hawaii Republican Party making such a solicitation, and the contributors did not provide any sort of “earmarking” or indication the contributions were intended to benefit Cam Cavasso’s campaign (or even that the contributions were intended for the Hawaii Republican Party’s federal account). I had no conversations or interactions with these donors whatsoever. It is the practice of the Hawaii Republican Party to deposit any eligible contributions into our federal account up to the calendar year limit for each donor before depositing any such contribution into our state account; for this reason, these contributions were deposited in the federal account. These contributions were properly reported as direct contributions to the Hawaii Republican Party on the FEC report, and not as “conduit” or “earmarked” contributions to any candidate, based on information known to myself and the Treasurer. The post-election discussion between the officers of the Hawaii Republican Party was perhaps inartful, but in fact does not indicate or reveal any actual knowledge that these contributions were earmarked; instead, it reveals assumptions about the donors’ intentions, but not any instructions communicated by the donors to the Hawaii Republican Party.

Thank you for the opportunity to respond to the baseless complaint. The complainant, Mr. Eric Ryan, is a habitual harasser of the Hawaii Republican Party and our candidates, several of whom obtained temporary restraining orders against Mr. Ryan over the last several election cycles. Myself and other officers of the Hawaii Republican Party appear to be his latest targets. I look forward to receiving notice from the FEC that the investigation has been closed. If you require any additional information from me to make your determination, do not hesitate to reach out.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sho', is placed over a light gray rectangular background.

Shirlene Ostrov
Volunteer Chair
Hawaii Republican Party

Office: 808-593-8180

Cell:

Email: