

FEDERAL ELECTION COMMISSION**FIRST GENERAL COUNSEL'S REPORT****MUR: 7572**

DATE COMPLAINT FILED: February 25, 2019

DATE OF NOTIFICATION: February 28, 2019

LAST RESPONSE RECEIVED: May 17, 2019

DATE ACTIVATED: December 5, 2019

EARLIEST SOL: October 23, 2023

LATEST SOL: November 27, 2023

ELECTION CYCLE: 2018

COMPLAINANT:

Eric Ryan

RESPONDENTS:

Hawaii Republican Party and Mary Smart,
in her official capacity as treasurer
Cam Cavasso 4 Congress and Sandra Lee Ahn,
in her official capacity as treasurer
Melba Cavasso
Mikio Izuka
Shirlene Ostrov
Miriam Hellreich
Celyn Chong Kee
Greg Lussier
David Ross
Steve Yoder
Gary Grimmer
Andresen Blom
Pam Smith

**RELEVANT STATUTES
AND REGULATIONS:**

52 U.S.C. § 30101(8)(A)(i)
52 U.S.C. § 30104(b)
52 U.S.C. § 30116(a), (f)
52 U.S.C. § 30122
52 U.S.C. § 30125
18 U.S.C. § 1519
11 C.F.R. § 100.52(d)(1)
11 C.F.R. § 102.9
11 C.F.R. § 109.20
11 C.F.R. § 109.30
11 C.F.R. § 109.32
11 C.F.R. § 109.34
11 C.F.R. § 110.6
11 C.F.R. § 300.62

1 **INTERNAL REPORTS CHECKED:** Disclosure Reports

2

3 **FEDERAL AGENCIES CHECKED:** None

4

5 **I. INTRODUCTION**

6 The Complaint in this matter alleges that Hawaii Republican Party and Mary Smart, in
7 her official capacity as treasurer (the “Party” or “HRP”), violated the act by making a prohibited
8 or excessive contribution to Cam Cavasso 4 Congress and Sandra Lee Ahn, in her official
9 capacity as treasurer (“Cavasso Committee”) when it accepted contributions from donors Melba
10 Cavasso and Mikio Izuka and made payments totaling \$9,800 to two vendors on behalf of the
11 Cavasso Committee during the 2018 general election.¹

12 While the available information suggests that Cavasso and Izuka may have directed that
13 their contributions to the Party be earmarked for the Cavasso Committee, resulting in excessive
14 contributions to the Cavasso Committee, we recommend that the Commission exercise
15 prosecutorial discretion and dismiss the allegation that Melba Cavasso and Mikio Izuka violated
16 52 U.S.C. § 30116.² Similarly, we recommend that the Commission dismiss allegations that
17 Cavasso 4 Congress and Sandra Lee Ahn, in her official capacity as treasurer, violated 52 U.S.C.
18 §§ 30116(f), 30125(e), and 30104(b) by receiving and failing to properly report excessive
19 contributions from Cavasso and Izuka. We further recommend that the Commission dismiss the
20 allegation that Hawaii Republican Party and Mary Smart, in her official capacity as treasurer
21 violated 52 U.S.C. § 30104(b) by failing to properly report earmarked contributions. In addition,
22 we recommend that the Commission dismiss allegations that respondents Shirlene Ostrov,

¹ Compl. at 1-4. Melba Cavasso is a relative of Cam Cavasso; she and the Committee filed a joint response to the Complaint (“Cavasso Joint Resp.”). Mikio Izuka is not related to the candidate.

² See *Heckler v. Chaney*, 470 U.S. 821 (1985).

1 Miriam Hellreich, Celyn Chong Kee, Greg Lussier, David Ross, Steve Yoder, Gary Grimmer,
2 Andresen Blom, and Pam Smith violated the Act in this matter.

3 Finally, we recommend that the Commission dismiss the allegation in the Complaint
4 Supplement that the Party failed to maintain records related to this matter, in violation of
5 11 C.F.R. § 102.9.

6 **II. FACTUAL AND LEGAL ANALYSIS**

7 **A. Facts**

8
9 The Complaint alleges that Melba Cavasso and Mikio Izuka made contributions to HRP
10 for \$2,500 and \$7,320, respectively, which were earmarked for the Cavasso Committee for the
11 express purpose of subverting campaign contribution limits.³ The Complaint further alleges that
12 HRP then used those contributions to pay two vendors' invoices — \$8,300 to Frank Petsche for
13 “digital campaign consulting/media” and \$1,500 to Dennis Linn for “professional video
14 services” — on behalf of the Cavasso Committee.⁴ The Complaint, relying on an audio file,
15 alleges that during a November 27, 2018, Executive Committee meeting, State Chair Shirlene
16 Ostrov said to committee members, “So [these two donors] already gave him [Cavasso] too
17 much, and so he [Cavasso] used us [HRP] as a pass-through [to pay the vendors].”⁵
18 Complainant contends that such comments are proof that the Party served as an illegal conduit to
19 launder money through its bank account on behalf of the two contributors.⁶ The Complaint
20 names as respondents the HRP executive committee members present during that meeting,

³ Compl. at 2-4.

⁴ *Id.*

⁵ Compl. at 2, Attach. (audio file of HRP Executive Committee meeting 11/27/18).

⁶ Compl. at 2.

1 specifically, committee chair Shirlene Ostrov, Miriam Hellreich, Celyn Chong Kee, Greg
2 Lussier, David Ross, and Steve Yoder (collectively “Executive Committee Respondents”), and
3 Gary Grimmer, an attorney who the Complaint alleges is HRP’s General Counsel.⁷

4 Izuka’s response states, “I followed Mr. Cavasso’s instruction what (*sic*) he discussed
5 with me to issue two (2) checks (to him and to HRP) for the amounts of \$2,700 for him...and
6 \$7,300 to the [HRP].”⁸ Izuka further states, “What [Cavasso] discussed with me was by LAW
7 (*sic*) my personal gift was limited to \$2,700, but added that the balance could pass to him
8 through the HRP.”⁹ Melba Cavasso did not provide a statement as to the circumstances
9 surrounding her contribution to the Party, but instead joined in the Cavasso Committee’s
10 response. The Cavasso Committee Response does not specifically address the earmarking
11 allegations, but states generally that the contributions complied with the Act’s requirements, as
12 did the transactions between HRP and the Cavasso Committee, which it asserts were lawful
13 coordinated party expenditures.¹⁰

14 The Party admits that it received and reported contributions from Izuka and Cavasso—
15 \$7,320 and \$2,500, respectively, on November 2, 2018—and it issued checks to pay invoices
16 from Petsche and Linn on behalf of the Cavasso Committee on November 1, 2018.¹¹ However,
17 the Party asserts that the contributions were not earmarked for the Cavasso Committee because it

⁷ *Id.*

⁸ Izuka Resp. at 1.

⁹ *Id.*

¹⁰ Cavasso Joint Resp. at 1-2.

¹¹ Party Resp. at 3-6; *See also* Izuka Resp. at 1. In that response, Izuka said he gave money to the Party after Cavasso told him that he had already made the maximum \$2,700 contribution to the Cavasso Committee, and that he could continue to support Cavasso by giving money to the Party. The response does not specifically state that when Izuka gave the funds to the Party, it understood that the contribution was to be used only for Cavasso’s campaign.
Id.

1 received no instructions from the contributors that the funds were to be used to support the
2 Cavasso Committee, the Party understood the funds were wholly within its discretion to spend,
3 and the Party contemporaneously reported the funds as “coordinated party expenses,” not as
4 “earmarked donations.”¹² The Party further responds that the Executive Committee’s discussion
5 of these transactions, particularly the description of the contributions as a “pass-through” to
6 Cavasso, was simply inartful, and the members of the committee are not election law
7 specialists.¹³ The Party argues that the discussion at the meeting does not indicate that
8 contributors restricted the Party’s use of the funds.¹⁴ HRP verified that the funds received did
9 not exceed each donors’ state party contribution limits, and the expenditures it made to the
10 vendors did not exceed its coordinated expenditure limits of \$49,700.¹⁵ HRP further contends
11 that its receipts and expenditures were properly reported, it contacted the Commission before
12 making the vendor payments, and received written confirmation from the Commission that such
13 transactions were permissible as state party coordinated expenditures.¹⁶ At the end of HRP’s
14 response, Ostrov signed it as “acknowledged,” and the response stated that Ostrov would provide
15 a separate “testimony” regarding the Complaint, but she did not.¹⁷

¹² Party Resp. at 2-3.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* The Party’s disclosure reports reflect payments to Cavasso Committee vendors Frank Petsche and Dennis Linn totaling \$9,800 on November 1, 2018 and receipts totaling \$9,820 from Izuka and Melba Cavasso on November 2, 2018.

¹⁶ *Id.* at 3-6. The Complaint includes email exchanges between executive members discussing the Commission’s rules for party coordinated expenditures. Amend. Compl. at Attach.

¹⁷ *Id.* at 2, 6.

1 Hellreich, Kee, Lussier, Ross, and Yoder submitted separate statements asserting that
2 they had no involvement in the transactions and only learned of them during the November 27,
3 2018, teleconference, during which Ostrov told them the transactions had already occurred.¹⁸

4 A Supplement to the Complaint alleges that HRP and Executive Committee violated
5 18 U.S.C. § 1519 by engaging in a “sustained in-house documents shredding operation” to
6 destroy evidence that might support the Complaint’s allegations.¹⁹ Respondents deny these
7 allegations and assert the shredding of documents by volunteers was part of a routine
8 administrative practice to dispose of outdated personal information.²⁰ HRP specifically asserts
9 that no documents related to the current matter were shredded during the time period described
10 in the Supplemental Complaint.²¹ The Executive Committee respondents state they have no
11 knowledge of the events described in the Supplemental Complaint.²²

12 B. Analysis

13 Under the Act, a contribution is defined as “any gift, subscription, loan, advance, or
14 deposit of money or anything of value made by any person for the purpose of influencing any

¹⁸ See Hellreich Resp.; Kee Resp.; Lussier Resp.; Ross Resp.; Yoder Resp. Respondents also note that Complainant Ryan was not authorized to participate in the teleconference or record the meeting, that he did not receive permission from the participants to make such recording, and that the portion of the recording he submits as an attachment to the complaint is incomplete and misleading. *Id.*; Kee Resp.; Lussier Resp.; Ross Resp.; Yoder Resp. Gary Grimmer submits a sworn declaration asserting: 1) he is not the General Counsel for HRP nor is he an officer or director; 2) his law firm has occasionally acted as counsel for the HRP on an “as-requested,” pro-bono basis and has never served as counsel for the Cavasso Committee; 3) he was not present during the November 27, 2018, meeting nor consulted by any of the parties regarding the transactions at issue; and 4) he first became aware of the facts when he was notified by the Commission of the Complaint. Grimmer Resp. 1-2.

¹⁹ Compl. Supp. at 1.

²⁰ Party Supp. Resp. at 1.

²¹ *Id.*

²² See Hellreich Supp. Resp.; Kee Supp. Resp.; Lussier Supp. Resp.; Ross Supp. Resp.; Yoder Supp. Resp.

1 election for Federal office.”²³ “Anything of value” includes in-kind contributions.²⁴ In-kind
2 contributions result when goods or services are provided without charge or at less than the usual
3 and normal charge,²⁵ and when a person makes an expenditure in cooperation, consultation or in
4 concert with, or at the request or suggestion of a candidate or the candidate’s authorized
5 committee or their agents.²⁶ The Act prohibits federal candidates from soliciting, receiving,
6 directing, or spending funds in connection with an election for Federal office unless the funds are
7 in amounts and from sources permitted by the Act.²⁷ During the 2018 cycle, the contribution
8 limit for individuals was \$2,700 per election.²⁸

9 **1. Earmarking and Excessive Contribution Allegations**

10 The Act and Commission regulations prohibit persons from using intermediaries to
11 circumvent the contribution limits.²⁹ For the purposes of the Act, “all contributions made by a
12 person, either directly or indirectly, on behalf of a particular candidate, including contributions
13 which are in any way earmarked or otherwise directed through an intermediary or conduit to
14 such candidate, shall be treated as contributions from such person to such candidate.”³⁰
15 Commission regulations define the term “earmarked” as “a designation, instruction, or
16 encumbrance, whether direct or indirect, express or implied, oral or written, which results in all

²³ 52 U.S.C. § 30101(8)(A)(i).

²⁴ 11 C.F.R. § 100.52(d)(1).

²⁵ *Id.*

²⁶ 52 U.S.C. § 30116(a)(7)(B); 11 C.F.R. § 109.20. *See also Buckley v. Valeo*, 424 U.S. 1, 46-47 (1976).

²⁷ 52 U.S.C. §§ 30116(f), 30125(e)(1)(B); 11 C.F.R. § 300.62.

²⁸ *See* <https://transition.fec.gov/info/contriblimitschart1718.pdf>.

²⁹ *See* 52 U.S.C. §§ 30116(a)(8), 30122; 11 C.F.R. §§ 110.4, 110.6.

³⁰ 52 U.S.C. § 30116(a)(8).

1 or part of a contribution or expenditure being made to, or expended on behalf of, a clearly
2 identified candidate or a candidate's authorized committee."³¹ Contributions earmarked for a
3 candidate through a conduit or intermediary are contributions from the original contributor to
4 that candidate, and are reportable as such.³² The intermediary must report the original source
5 and the intended recipient of an earmarked contribution to both the Commission and the intended
6 recipient.³³

7 When a party committee receives and forwards an earmarked contribution to a candidate
8 or a candidate's authorized committee, the party committee is serving as a conduit.³⁴ The party
9 committee must forward the earmarked contribution to the recipient candidate committee within
10 10 days of receiving the contribution.³⁵ In addition to reporting this activity on the relevant
11 report, the party committee will also give a special transmittal report to the authorized committee
12 receiving the contribution.³⁶ The report includes all of the information that the candidate
13 committee will need for its own records and to report receiving the earmarked contributions.

14 Coordinated party expenditures are permitted under the Act, subject to certain
15 limitations.³⁷ Under 11 C.F.R. § 109.20(a), coordinated expenditures are those made "in

³¹ 11 C.F.R. § 110.6(b) (1).

³² See 52 U.S.C. § 30116(a)(8); 11 C.F.R. § 110.6(a). If the conduit exercises direction or control over the choice of the recipient candidate, then the contributions are treated as contributions from both the original contributor and from the conduit to the recipient candidate and must be reported as such by both entities. See 11 C.F.R. § 110.6(d).

³³ 52 U.S.C. § 30116(a)(8); 11 C.F.R. § 110.6(c)(1).

³⁴ See discussion Advisory Op. 2006-30 (ActBlue) (conduits must forward earmarked contributions to candidate within 10 days).

³⁵ *Id.*

³⁶ On its regularly scheduled reports, the party committee will report receiving and forwarding earmarked contributions on Schedules A and B.

³⁷ 52 U.S.C. § 30116(d); 11 C.F.R. §§ 109.30, 109.32, 109.34.

1 cooperation, consultation or concert with, or at the request or suggestion of a candidate, [or] a
2 candidate's authorized committee."³⁸ In making a coordinated party expenditure, the party
3 committee may pay for goods or services in coordination with a candidate but does not give the
4 money directly to the candidate or candidate committee, similar to that of an in-kind
5 contribution. However, coordinated party expenditures differ from in-kind contributions in that:
6 1) they may only be made in connection with the general election; 2) they count against a
7 separate limit that is distinct from the contribution limits; 3) there is only one coordinated party
8 expenditure limit per candidate; 4) their expenditure limits are larger than the contribution limits
9 and may count against either the coordinated party expenditure limit or the contribution limit for
10 the candidate; and 5) they are reported by the party committee only.³⁹

11 In prior matters, the Commission has found that contributions were earmarked where there
12 was "clear documented evidence" of a designation or instruction by the contributor to the
13 recipient committee.⁴⁰ The Commission has rejected earmarking allegations where the
14 complaints provided no information beyond alleged similarities in amounts and timing, and

³⁸ Coordinated and Independent Expenditures, 68 Fed. Reg. 421, 425 (Jan. 3, 2003) ("2003 Coordination E&J"); *see also* Advisory Op. 2011-14 (Utah Bankers Association).

³⁹ 11 C.F.R. §§ 109.30, 109.32, 109.34. *See e.g.*, Advisory Op. 2006-36 (GSCC). The coordinated party expenditure limit for 2018 general election was \$49,700. *See* 83 Fed Reg. 6022 (Feb. 12, 2018), https://www.fec.gov/resources/cms-content/documents/fedreg_notice2018-03.pdf. The individual state party contribution limit for 2018 was \$10,000. *See* 82 Fed Reg. 10904 (Feb. 16, 2017), <https://transition.fec.gov/info/contriblimitschart1718.pdf>.

⁴⁰ *See* Factual and Legal Analysis at 6, MUR 5732 (Matt Brown for U.S. Senate, *et al.*) (citing MURs 4832/5274 (Nixon Campaign Fund, *et al.*) (finding earmarking where there was documentation in the form of checks with memo lines that stated "Nixon" among other written designations)).

1 where credible information suggested that similar contributions were not earmarked.⁴¹ More
2 recently, however, a plurality of the Supreme Court observed in *McCutcheon v. FEC*, a challenge
3 to the aggregate contributions limits for individuals, that the Commission's earmarking
4 regulations, "define earmarking broadly," and apply to "implicit agreements" as well as explicit
5 ones.⁴²

6 Several factors support the Complaint's allegations that the contributors earmarked their
7 contributions to the HRP for the Cavasso Committee. Izuka stated that he spoke directly to
8 Cavasso, who told him that he could continue to support the Cavasso campaign by contributing
9 to the Party, and those funds would "pass-through" to Cavasso.⁴³ Similarly, Izuka stated that he
10 contributed to HRP only because he believed it was a lawful way to support the Cavasso
11 Committee.⁴⁴ The excerpt of the Executive Committee meeting, submitted with the Complaint,
12 corroborates Izuka's description of the transaction, as HRP Chair Ostrov stated that Cavasso was
13 using the Party as a "pass-through" to receive contributions, just as Izuka characterized it.⁴⁵
14 Additionally, Ostrov never provided the alternate explanation of the term "pass-through" that the
15 Party promised she would submit.⁴⁶ Finally, the close proximity in time between the donors'

⁴¹ See Factual and Legal Analysis at 6-7, MUR 6985 (Lee Zeldin, *et al.*) (finding no reason to believe where alleged reciprocal contributions were not closely linked in timing and amount, respondents denied the allegations, and there was no information indicating that any of the contributions were earmarked or encumbered by "express or implied instructions to the recipient committees"); Factual and Legal Analysis at 507, fn. 4, MUR 5732 (Matt Brown for U.S. Senate, *et al.*); see also MUR 7246 (Buddy Carter for Congress, *et al.*); MUR 5520 (Billy Tauzin Congressional Committee, *et al.*); MUR 5445 (Geoffrey David for Congress); MUR 5125 (Paul Perry for Congress, *et al.*).

⁴² See 134 S. Ct. 1434, 1447 (2014).

⁴³ Izuka Resp. at 1.

⁴⁴ *Id.*

⁴⁵ Compl. at 2, Attach.

⁴⁶ Izuka Resp. at 1. Committee members participating in the meeting state that the transactions had already been made at the time they were learning of them during the November 27 teleconference, and that they had no

1 contributions to HRP and its issuance of payments in the same amount (\$9,800) to Cavasso's
2 vendors is consistent with earmarking.

3 There is, however, some information supporting the HRP's contention that the
4 transactions were coordinated party expenditures, not earmarked contributions.
5 Contemporaneous emails between Ostrov, Andresen Blom, and Pam Smith that are attached to
6 the Complaint refer to the vendor payments as coordinated party expenditures and make no
7 reference to the funds being earmarked for Cavasso.⁴⁷ Further, the emails reflect Ostrov's
8 concern that HRP comply with the Act and HRP's efforts to seek advice from the Commission
9 on the rules governing coordinated party expenditures.⁴⁸ And, consistent with HRP's
10 documents, it reported its \$9,800 payments to the Cavasso Committee vendors as coordinated
11 party expenditures.⁴⁹

12 On balance, the available information suggests that the donors may have implicitly or
13 explicitly directed that their contributions to HRP be earmarked for the Cavasso Committee.
14 However, we recommend the Commission exercise its prosecutorial discretion and dismiss the
15 earmarking allegations. The amount potentially in violation is not particularly significant, and
16 determining the actual message each contributor communicated to HRP when making the

involvement in the receipt or disbursement of the funds at issue. Hellreich Resp.; Kee Resp.; Lussier Resp.; Ross Resp.; Yoder Resp.

⁴⁷ Amended Compl. at Attach; Party Resp. at 4; Smith Resp. at 1.

⁴⁸ Amended Compl. at Attach; Party Resp. at 5; Smith Resp. at 1.

⁴⁹ See 2018 Post General Election Report, <https://docquery.fec.gov/pdf/534/201812069134786534/201812069134786534.pdf>. Each contribution to HRP was less than \$10,000, and these contributors made no other contributions to HRP in the 2018 cycle. Including the expenditures at issue here, the coordinated party expenditures made by HRP in 2018 would not have exceeded the \$49,700 per candidate limit. HRP made no direct payments to the Cavasso campaign and only paid these two vendors' invoices.

1 contribution would require the use of Commission resources that might be used more efficiently
2 in other matters.

3 Accordingly, we recommend that the Commission exercise prosecutorial discretion and
4 dismiss allegations that Melba Cavasso and Mikio Izuka violated 52 U.S.C. § 30116 by making
5 excessive contributions to the Cavasso Committee. Additionally, we recommend that the
6 Commission dismiss allegations that Cavasso 4 Congress, and Sandra Lee Ahn in her official
7 capacity as treasurer, received and failed to properly report excessive contributions in violation
8 of 52 U.S.C. §§ 30116(f), 30125(e), 30104(b). We also recommend the Commission dismiss
9 allegations that Hawaii Republican Party and Mary Smart, in her official capacity as treasurer,
10 violated 52 U.S.C. § 30104(b) by failing to properly report earmarked contributions. We further
11 recommend that the Commission dismiss allegations that Shirlene Ostrov, Miriam Hellreich,
12 Celyn Chong Kee, Greg Lussier, David Ross, Steve Yoder, Gary Grimmer, Andresen Blom, and
13 Pam Smith violated the Act in this matter.

14 **2. Alleged Failure to Preserve Documents**

15 Commission regulations at Section 102.9(c) provide, “The treasurer shall preserve all
16 records and accounts required to be kept under 11 C.F.R. § 102.9 for 3 years after the report to
17 which such records and accounts relate is filed.”⁵⁰ The regulations further state, “In performing
18 recordkeeping duties, the treasurer or his or her authorized agent shall use his or her best efforts
19 to obtain, maintain and submit the required information and shall keep a complete record of such
20 efforts.”⁵¹ Moreover, as set forth in 18 U.S.C. § 1519, anyone who “knowingly alters, destroys,
21 mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or

⁵⁰ 11 C.F.R. § 102.9(c).

⁵¹ 11 C.F.R. § 102.9(d).

1 tangible object with the intent to impede, obstruct, or influence the investigation or proper
2 administration of any matter within the jurisdiction of any department or agency of the United
3 States” may be fined or imprisoned up to 20 years, or both.⁵²

4 When notified that a complaint had been filed with the Commission, Respondents were
5 informed of their obligations under 18 U.S.C. § 1519 “to preserve all documents, records and
6 materials relating to the subject matter of the complaint until such time as [they] are notified that
7 the Commission has closed its file in this matter.”⁵³

8 The Complaint provides insufficient information that HRP’s treasurer failed to maintain
9 the required records under 11 C.F.R. § 102.9 or that the HRP violated its document preservation
10 obligations under 18 U.S.C. § 1519. The information upon which the Complaint relies--the
11 unsworn allegations of a whistleblower and a copy of a letter to the U.S. Attorney that attached
12 pictures of a bin of shredded documents and with bags of what are alleged to be shredded
13 documents—is speculative, and HRP directly denies the allegations.⁵⁴ Because there is
14 insufficient information to support the allegation that HRP made efforts to destroy evidence
15 relevant to the Complaint, we recommend that the Commission dismiss the allegation that
16 Hawaii Republican Party, and Mary Smart in her official capacity as treasurer, violated
17 11 C.F.R. § 102.9 and make no recommendations as to whether the HRP violated 18 U.S.C.
18 § 1519, which the Complainant has already reported to the Department of Justice.

⁵² 18 U.S.C. § 1519.

⁵³ See Notification Letters (Feb. 28, 2019).

⁵⁴ Compl. Supp. at Attach.

1 **III. RECOMMENDATIONS**

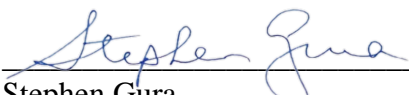
- 2 1. Dismiss the allegations that Melba Cavasso and Mikio Izuka violated 52 U.S.C.
3 § 30116 by making excessive contributions;
- 4 2. Dismiss the allegations that Cavasso 4 Congress, and Sandra Lee Ahn in her official
5 capacity as treasurer, violated 52 U.S.C. §§ 30116(f), 30125(e), and 30104(b) by
6 receiving and failing to properly report excessive contributions;
- 7 3. Dismiss the allegations that Hawaii Republican Party, and Mary Smart, in her official
8 capacity as treasurer, violated 52 U.S.C. § 30104(b) by failing to properly report
9 earmarked contributions;
- 10 4. Dismiss the allegations that respondents Shirlene Ostrov, Miriam Hellreich, Celyn
11 Chong Kee, Greg Lussier, David Ross, Steve Yoder, Gary Grimmer, Andresen Blom,
12 and Pam Smith violated the Act in this matter;
- 13 5. Dismiss the allegations that Hawaii Republican Party, and Mary Smart, in her official
14 capacity as treasurer, violated 11 C.F.R. § 102.9 by failing to maintain records
15 relating to this matter;
- 16 6. Approve the attached Factual and Legal Analysis;
- 17 7. Approve the appropriate letters; and

1 8. Close the file.

2 Lisa J. Stevenson
3 Acting General Counsel

4
5
6 Charles Kitcher
7 Acting Associate General Counsel
8 for Enforcement

9
10
11
12 3.30.20
13 Date



Stephen Gura
Deputy Associate General Counsel
for Enforcement

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19 _____
20 Lynn Y. Tran
21 Assistant General Counsel

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25 _____
26 Camilla Jackson Jones
27 Attorney

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