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By OGC/CELA at 2:42 pm, Nov 06, 2024

Hawaii Republican Party 500 Ala Moana Boulevard Suite 7400 Honolulu, Hawaii 96813

November 5, 2024

Wanda D. Brown
Assistant General Counsel
Complaints Examination &
Legal Administration
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

By Email

Re: MUR 8302 Supplement #2

Dear Ms. Brown:

With this second supplement to the complaint in MUR 8302 the complainant demonstrates that his complaint is based on unfounded speculation lacking even an allegation of violations of the Federal Election Campaign Act. All of the materials submitted simply reinforce our initial response showing that the complaint is without legal basis and should be dismissed.

The bank statement included in the supplement conclusively disproves the complainant's unfounded speculation that embezzlement is occurring since the funds from the sale of the office building were deposited into an account titled to the Hawaii Republican Party, as we indicated in our initial response. We do note that the subtitle of the account (Federal Account II) is in error. Per FEC regulations, building funds are non-federal funds. The Hawaii Republican Party has treated them as such and we have corrected the account subtitle.

The Aristotle Memo simply summarizes rules in the FECA, FEC Regulations, and FEC Advisory Opinions concerning building fund accounts, in particular as it relates to this MUR that building fund accounts are non-federal and thus building fund transactions are not included on FEC reports.

The Chair's response to the complaint filed with the Hawaii Campaign Spending Commission by the same complainant simply confirms that the HRP is working with the state regulator to determine what state reporting, if any, is appropriate for these funds. See FEC Advisory Opinion 2004-28 (Iowa Ethics and Campaign Disclosure Board).

The documents in the supplement support HRP's arguments that our building fund monies are being handled appropriately. The material directly refutes the complainant's initial unfounded allegations. None of the materials provide evidence or even an allegation of any violation of the FECA.

We renew our request that the Commission dismiss this complaint.

Sincerely,

DocuSigned by:

Handwritten signature of Tamara McKay in black ink.

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Tamara McKay

State Chair, Hawaii Republican Party

DocuSigned by:

Handwritten signature of David Buehler in black ink.

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David Buehler

Treasurer, Hawaii Republican Party