

RECEIVED
FEC MAIL
OPERATIONS CENTER

2004 OCT -5 A 9 35

San Diego County Republican Central Committee
FEC ID #C00252551
C. April Boling, CPA, Treasurer
7185 Navajo Road Suite L
San Diego CA 92119

Phone: 619-667-7650
Fax: 619-667-7655

September 29, 2004

Federal Election Commission
999 E Street NW
Washington, DC 20463

The following memorandum details conversations held between Andrew Pinto of C. April Boling, CPA and Katrina Singer, FEC Analyst, on 29 September 2004. The procedure used for reporting the following expenditure on FEC Form 3X was based upon this transcription. We trust that we will be contacted if any portion of this record is inaccurate and/or adversely affects our federal reports.

Issue:

The San Diego County Republican Central Committee has printed two-sided door hangers. They are to be distributed to Republican households by volunteers between now and the November 2nd election. The door hanger prominently displays a photo (with name) of two federal candidates: George W. Bush and Bill Jones (U.S. Senate candidate). Total surface space allotted to the federal candidates does not exceed 20%. Besides these two federal candidates, the door hanger lists all of the County Party's endorsed state and local candidates and its position on ballot measures. The door hanger is clearly encouraging the recipient to vote for all of these candidates and measures. The door hanger states the date of the election and the operating hours of polls, as well as a local number for those interested in voting via mail.

Questions Raised for Federal Reporting:

Does this expenditure constitute Federal Election Activity, federal exempt activity, a contribution to one or both federal candidates, or some combination of expenditure? If the door hanger falls under more than one category, how do they relate to one another, and taken together, how is this to be reported? Is a time or space ratio required in this case to obtain cost allocations to the federal candidates?

FEC Response:

- The door hanger expenditure, in its entirety, is a federal exempt expenditure. A memo text entry should be attached to this disbursement detailing the following three items which all serve to clarify why this is exempt: (1) no Republican National Party funds were called for or used to pay for this expenditure; (2) the money used to pay for this expenditure was not raised for one particular federal candidate; (3) the door hangers were distributed by volunteers.

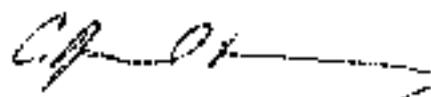
-- The door hangers are considered campaign material, and therefore exempt. They fall within the same category as other "campaign paraphernalia" such as buttons, stickers, and yard signs. The door hangers do not fall within the same category as slate cards or sample ballots.

- The door hangers do NOT constitute federal election activity. There is no formal interaction with voters with regard to GOTV or voter registration/drive activities. The door hangers do not represent a public communication, as defined. In this case, special emphasis is placed on the word "*assistance*" - the County Party, by way of the distribution of the door hangers, is not providing direct *assistance* to voters such that it would constitute FEA.

- The proper allocation ratio to be applied to this exempt expenditure is 36% / 64%, as 2004 is a presidential election year in which a U.S. senatorial race is also taking place in the state of California. Thus, this expenditure will be reimbursed 64% by a County Party non-federal account.

- No time or space ratio is needed because the entire expenditure is allocated 36%/64%.

Sincerely,



C. April Boling, CPA

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
 FOR INCOMING DOCUMENTS**

The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input checked="" type="checkbox"/> USPS Registered/Certified	Postmarked (R/C) 9-30-04
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>sa</i> PREPARER	10-5-04 DATE PREPARED