FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Sarah Brown, Treasurer
Ohio State Republican Party
211 S. Fifth Street
Columbus, OH 43215

JAN 29 2003

Identification Number: C00162339

Reference: October Quarterly Report (07/01/02-09/30/02)

Dear Ms. Brown:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of $5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from <u>each</u> person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule A of your report (pertinent portion(s) attached) discloses one or more contributions from an organization(s) which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR 103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.7(a)(1)(iii)(A) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution". The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.7(a)(1)(iii)(B)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.7(a)(1)(iii)(A))

-Schedule H3 of your report discloses a transfer(s)-in from a non-federal account(s) for "Franklin Cnty" which appears to exceed the permissible amount(s) indicated by your allocation ratio for this event. Please be advised that transfers for shared activity must not exceed the non-federal share of the joint disbursements and that these transfers must be made within a 70-day time period: no more than 10 days before or 60 days after payment to the vendor. 11 CFR §§106.5(g)(2) and 106.6(e)(2) Please clarify the nature of this transfer(s)-in from the non-federal account.

The Commission recommends that you immediately transfer the total excessive amount received by your federal account back to your non-federal account Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Schedule H2 of your report indicates that your committee participated in ***State Card Program*** activities or events during the reporting period. However, there are no corresponding disbursements reflected on your Schedule H4. Note that you need not include activities on Schedule H2 if there are no corresponding payments made for the activity during the reporting period. If any disbursements were incorrectly reported, you should file an amended Schedule H4 with the correct unique identifying code or title, or provide clarifying information regarding the activities on Schedule H2.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "see memo entries". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Schedule H4 discloses a $3,000 disbursement to "CP RIEBEL DIRECT MAIL SERVICES" that is categorized as exempt activity. Please be advised that a state or local party committee may pay for campaign materials (such as bumper stickers) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §100.7(b)(15) and (17), 11 CFR §100.8(b)(16) and (18) and to the Campaign Guide for Party Committees.

Please clarify the nature of the aforementioned disbursement(s). If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B or F supporting Line 23 or 25 of the Detailed Summary Page as appropriate.

-Your report disclosed certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page:

- **Transfers received from your joint fundraising committee(s) should be properly disclosed on a separate Schedule A, supporting Line 12 of the Detailed Summary Page.**
- **In-kind contributions made to federal candidates and/or committees should be properly disclosed on a separate Schedule B, supporting Line 23 of the Detailed Summary Page.**
- **Operating expenses should be properly disclosed on a separate Schedule B or H4, supporting Line(s) 21(b) or 21(a) of the Detailed Summary Page.**

Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days

of the date of this letter. Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,

Julie Perry
Campaign Finance Analyst
Reports Analysis Division

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23037952535

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

Use separate schedule(s) or each category of the Detailed Summary Page

FOR LINE NUMBER (check only one) PAGE 47 / 321

☐ 11a ☐ 11b ☐ 11c ☒ 12
☐ 13 ☐ 14 ☐ 15 ☐ 16 ☐ 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
OHIO REPUBLICAN PARTY

A. Full Name (Last, First, Middle Initial)
Mr. Michael Chernesky
Mailing Address
10 Courthouse Plaza SW
City: Dayton State: OH Zip Code: 45402
FEC ID number of contributing federal political committee.
Name of Employer: Chernesky, Heyman
Occupation: Attorney
Receipt For: Primary General Other (specify)
Aggregate Year-to-Date: .00

Date of Receipt: 06 24 2002
Amount of Each Receipt this Period: 5000.00
Ohio's Republican Salute
Jt Comm
[MEMO ITEM]
Transaction ID: SA12.58230

B. Full Name (Last, First, Middle Initial)
Mr. L. William Crotty
Mailing Address
5223 Newmark Drive
City: Mt. Pleasant State: OH Zip Code: 45542
FEC ID number of contributing federal political committee.
Name of Employer: Van Dyne Crotty Inc
Occupation: requested
Receipt For: Primary General Other (specify)
Aggregate Year-to-Date: .00

Date of Receipt: 06 03 2002
Amount of Each Receipt this Period: 5000.00
Ohio's Republican Salute
Jt Comm
[MEMO ITEM]
Transaction ID: SA12.58231

C. Full Name (Last, First, Middle Initial)
Mr. Beth Duke
Mailing Address
1231 Hook Estate Drive
City: Dayton State: OH Zip Code: 45405
FEC ID number of contributing federal political committee.
Name of Employer: Webster Stated Development
Occupation: requested
Receipt For: Primary General Other (specify)
Aggregate Year-to-Date: .00

Date of Receipt: 06 24 2002
Amount of Each Receipt this Period: 200.00
Ohio's Republican Salute
Jt Comm
[MEMO ITEM]
Transaction ID: SA12.58236

SUBTOTAL of Receipts This Page (optional) ▶ 0.00

TOTAL This Period (last page this line number only) ▶

FEC Schedule A (Revised 1/2001)

23037952536

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

Use separate schedule(s) of each category of the Detailed Summary Page

FOR LINE NUMBER (check only one): [X] 11a [ ] 11b [ ] 11c [ ] 12 [ ] 13 [ ] 14 [ ] 15 [ ] 16 [ ] 17

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NAME OF COMMITTEE (In Full)
OHIO REPUBLICAN PARTY

A. Full Name (Last, First, Middle Initial)
Mr. Ushifa Coombs
Mailing Address
7586 Beverly Lane
City: Oakes Mills | State: OH | Zip Code: 44040
FEC ID number of contributing federal political committee.
Name of Employer: | Occupation: Letter Sent
Receipt For: 2002 | Aggregate Year-to-Date ▼
X Primary | General
Other (specify) ▼
400.00

Date of Receipt: 08 18 2002
Amount of Each Receipt this Period: 150.00
Transaction ID: SA11A1.55059

B. Full Name (Last, First, Middle Initial)
Mr. L. Willyn Crotts
Mailing Address
3849 Wood Hollow
City: Kettering | State: OH | Zip Code: 45429-1243
FEC ID number of contributing federal political committee.
Name of Employer: Van Dyne Crotty, Inc. | Occupation: Chairman
Receipt For: 2002 | Aggregate Year-to-Date ▼
X Primary | General
Other (specify) ▼
1500.00

Date of Receipt: 08 08 2002
Amount of Each Receipt this Period: 1500.00
Transaction ID: SA11A1.52015

C. Full Name (Last, First, Middle Initial)
Mr. Ronald L. Dunnigham
Mailing Address
P.O. Box 6 | 16 East Drive
City: Martville | State: OH | Zip Code: 44052-0002
FEC ID number of contributing federal political committee.
Name of Employer: None | Occupation: Retired
Receipt For: 2002 | Aggregate Year-to-Date ▼
X Primary | General
Other (specify) ▼
250.00

Date of Receipt: 07 31 2002
Amount of Each Receipt this Period: 250.00
Transaction ID: SA11A1.51844

SUBTOTAL of Receipts This Page (optional) ▶ 1900.00

TOTAL This Period (last page this line number only) ▶

FEC Schedule A (Revised 1/2001)

23037952537

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

Use separate schedule(s) for each category of the Detailed Summary Page

FOR LINE NUMBER: PAGE 69 / 352
(check only one)
[ ] 11a [X] 11b [ ] 11c [ ] 12
[ ] 13 [ ] 14 [ ] 15 [ ] 16 [ ] 17

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NAME OF COMMITTEE (In Full)
OHIO REPUBLICAN PARTY

A. Full Name (Last, First, Middle Initial)
Auglaize County Rep. Exec. Com

Mailing Address
202 Jacobs Drive

City: Wapakoneta | State: OH | Zip Code: 45895

FEC ID number of contributing federal political committee.

Name of Employer: County Party
Occupation: POLITICAL PARTY COMM.

Receipt For: 2002
X Primary General
Other (specify)

Aggregate Year-to-Date: 273.36

Date of Receipt: 07 22 2002

Amount of Each Receipt this Period: 79.36

TAX CHECK-OFF FUNDS

Transaction ID: SA11B.50707

B. Full Name (Last, First, Middle Initial)
Citizens for Householder

Mailing Address
Gary A. Wills, CPA, Treasurer 138 East High Street

City: Glenford | State: OH | Zip Code: 43739

FEC ID number of contributing federal political committee.

Name of Employer: Candidate Committee
Occupation: Candidate Committee

Receipt For: 2002
X Primary General
Other (specify)

Aggregate Year-to-Date: 5000.00

Date of Receipt: 08 02 2002

Amount of Each Receipt this Period: 5000.00

Transaction ID: SA11B.51902

C. Full Name (Last, First, Middle Initial)
Crawford City Republican Comm.

Mailing Address
Honorable Don Long 112 Mansfield Street

City: Bucyrus | State: OH | Zip Code: 44820

FEC ID number of contributing federal political committee.

Name of Employer: Crawford City Republican Comm.
Occupation: Crawford City Republican Comm.

Receipt For: 2002
X Primary General
Other (specify)

Aggregate Year-to-Date: 345.27

Date of Receipt: 07 19 2002

Amount of Each Receipt this Period: 103.87

TAX CHECK-OFF FUNDS

Transaction ID: SA11B.50347

SUBTOTAL of Receipts This Page (optional) ▶ $183.23

TOTAL This Period (last page this line number only) ▶

FEC Schedule A (Revised 1/2001)