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October 8, 2009

Jeff Jordan, Esq.
Supervisory Attorney
Complaints Examination Legal Administration
Federal Elections Commission
Washington, DC 20463

Subject Matter: MUR 6212 (Respondent Ronald S. Bass)

Dear Mr. Jordan:

Please accept the following response to the complaint by Mr. Keith Recine, assigned the above-referenced identification MUR code 6212. This response was prepared by Ronald S. Bass, Treasurer, Orange County Republican Executive Committee ("OCREC").

I submit and request that no action should be taken by the FEC on this matter with respect to Mr. Recine's allegations. The content of this response demonstrates clearly that there is no reason to believe any violations have occurred.

Please allow me to underscore that:

1. The FEC-related claims are very few and very simple.
2. The claims can be quickly dismissed based on the review of just a few documents, one of which Mr. Recine conveniently omitted from his complaint.
3. Most of the matters have already been reviewed and dismissed by Florida agencies.
4. The amounts of money involved are apparently *de minimis* by FEC standards.
5. I am not a public official or candidate; I am just a volunteer.
6. This complaint was filed as part of long-standing political vendetta against Lew Oliver (Chairman of OCREC) to retaliate for unrelated matters, with the knowledge that even baseless and unfounded allegations are damaging to his reputation as long as they are pending.

I would therefore respectfully request that, in the interest of justice, the FEC expedite its review and dismissal of this matter.

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I. SUMMARY & BACKGROUND

1. The complaint contains only a few, simple FEC-related matters.

The complaint is disorganized, and contains mostly allegations unrelated to federal statutes, federal regulations, federal elections, or federal campaign accounts. Therefore, respectfully, most of the allegations appear beyond the jurisdiction (or interest) of the FEC. This complaint is essentially identical to one filed by Mr. Recine with the Florida Elections Commission and the State's Attorney of Florida's 9th Judicial Circuit. The complaint to State's Attorney was subsequently referred to the Orange County Sheriff's Department and then to the Florida Department of Law Enforcement for final disposition. (See Exhibit "A" for complaint to State's Attorney.)

2. Only a short review is required to dismiss the complaint.

The few FEC-related matters referenced by Mr. Recine can be easily dismissed based on a review of just a few simple documents (2 FEC federal reports, 2 non-federal REC reports, copies of 3 checks and 1 copy of an invoice). None of the documents submitted by Mr. Recine actually support his complaint in any way. The few documents he submitted either directly contradict his claims, do not support the substance of the claims, or relate solely to state and local matters. Mr. Recine must have misread the FEC reports (either negligently or deliberately) with respect to of the transfer of funds, and he omits the Hillsborough County FEC report from his complaint (again, either negligently or deliberately). Mr. Recine simply asserts the absence of receipts for reimbursements to Mr. Oliver, offering nothing to support this assertion. The receipts do exist, they are for legitimate federal expenditures, and copies are attached. Neither Mr. Recine nor anyone else ever requested to see these receipts prior to alleging that they did not exist.

3. Non-FEC matters have already been reviewed and dismissed by State agencies.

The matters that do not appear to involve FEC jurisdiction have already been addressed and dismissed by the Florida Elections Commission and the Florida Department of Law Enforcement (FDLE), and should therefore not need to be re-addressed by the FEC. (See letters from Florida Elections Commission and Florida Department of Law Enforcement attached as Exhibit "B").

4. Allegations involve de minimis sums.

By FEC Standards, the alleged violations included in the complaint involve, both individually and collectively, relatively small amounts of money: (a) a \$10,000 transfer between 2 REC's, and; (b) a specific \$3,000 reimbursement to Mr. Oliver for yard signs. The other allegations involve unspecified (and non-existent) alleged payments to Mr. Oliver from the federal account. These payments are not identified, described, or supported by any type evidence.

5. Neither Mr. Oliver nor myself are public officials or candidates for any office.

Mr. Oliver was singled out in this complaint for retaliatory political and personal reasons. Mr. Oliver has been chairman of the Orange County Republican Executive Committee for almost a full decade, and has never been investigated, charged, fined, etc. for any crime of any kind, politically-related or otherwise. Additionally, in nearly 25 years as a member of the Florida and Georgia Bar Associations, Mr. Oliver has never been the subject of a complaint for any matter of any kind, much less the subject of any type of disciplinary action. The complaint does not make direct accusations against me (Ron Bass, OCREC Treasurer), I become involved by my role as Treasurer. I have been Treasurer of OCREC for almost 3 years, and I have never been the subject of any previous complaint for any matter, politically-related, financially-related, or otherwise.

6. The Complaint is part of a long-standing political vendetta, intended purely to harass Mr. Oliver.

Complainant Keith Recine has been a political adversary of Mr. Oliver's for nearly 2 decades. He is a known close associate of Mr. Doug Guetzloe, who has also been an adversary of Mr. Oliver's for nearly 2 decades. Recently, and prior to the complaint, Mr. Oliver filed a grievance against Mr. Guetzloe requesting that Mr. Guetzloe be removed from OCREC for activities damaging to the Republican Party. Immediately after Mr. Oliver's grievance against Mr. Guetzloe was referred to the RPOF Grievance Committee for action, this complaint, and its Florida counterparts, were filed and then widely publicized by both Mr. Recine and Mr. Guetzloe. This false complaint has been the subject of numerous news reports, including a network TV affiliate interview by Mr. Recine.

II. ALLEGED FEDERAL MATTERS

The complaint arguably alleges or raises up to 6 *potential* areas of FEC jurisdiction, each of which are addressed in detail in this Section II.

10044263541

Jeff Jordan, Esq.
October 8, 2009
Page 4 of 8

1. Unlawful transfer or "laundering" of monies between federal and non-federal accounts.

This claim is perhaps the most serious of the false claims made by Mr. Recine, but it is patently false, outrageously defamatory and conclusively contradicted by all available evidence. In fact, and contrary to Mr. Recine's claim, the transfers between the two committees were entirely lawful, fully and properly documented "*federal-to-federal*" and "*non-federal-to-non-federal*" transfers, respectively. Explanation/detail follows:

Mr. Recine claims in paragraph 4 of his complaint that:

"\$10,000 from the Orange County Republican Executive Committee (non-federal account) was sent to the Hillsborough County (federal account). The next day a check came from the Hillsborough Executive Committee and was deposited into the Orange County REC Federal Account. This is clearly "laundering" money and violative of many campaign laws both federally and locally."

Each of these 3 sentences is clearly, unambiguously and provably false in every material respect. Mr. Recine either misread and omitted the relevant reports in a fit of gross negligence, or he deliberately misstated and omitted relevant portions them in an intentional effort to create an illusion of impropriety.

The transfer from the Orange County Republican Executive Committee (OCREC), was correctly identified by Mr. Recine as coming from a non-federal account, and was correctly reported as such on the attached Exhibit "C", filed by OCREC with the Orange County Supervisor of Elections, as required by Florida Statutes.

However, and more importantly, the check transfer from OCREC to the Hillsborough REC was not sent to or deposited in the Hillsborough REC FEDERAL account as Mr. Recine falsely claims. Instead, it was made out to, and deposited in, the Hillsborough REC NON-FEDERAL account as clearly and unambiguously shown in the Hillsborough REC report to its local Supervisor of Elections (attached hereto as Exhibit "D"). This was an entirely permissible transfer between affiliated committees involving only non-federal accounts. Inexplicably, Mr. Recine attached to his complaint the Hillsborough report that clearly and unambiguously contradicts and disproves his own false claim.

The cancelled check from OCREC, dated 10/30/08, for this *non-federal to non-federal* transfer is attached hereto as Exhibit "E" as additional backup.

This non-federal-to-non-federal (or "state to state") transfer is permitted by State Law in Florida, and would not appear to involve or be of interest to the FEC. The Florida Elections Commission has already reviewed this portion of the complaint and found no violations of Florida law (see Exhibit "B"). (Florida regulatory and statutory references are available upon request).

10044263542

Jeff Jordan, Esq.
October 8, 2009
Page 5 of 8

Next, the FEC report by Hillsborough County (attached as Exhibit "F") very clearly documents a \$10,000 transfer from the Hillsborough REC federal account to the OCREC federal account. **IT IS EXTREMELY IMPORTANT TO NOTE THAT MR. RECINE CONVENIENTLY OMITTS THIS VITAL, WHOLLY EXCULPATORY, AND PUBLICLY AVAILABLE REPORT FROM HIS COMPLAINT.**

This report clearly and unambiguously contradicts and disproves Mr. Recine's claim and is the missing "4th leg" of documentation of the 2-way transaction (the other 3 legs being the OCREC federal report and the two state reports). His failure to include this most vital public record is clear evidence of bad faith and/or gross negligence, and may well constitute perjury.

OCREC correctly and accurately reported this transfer from the Hillsborough REC federal account to the OCREC federal account in the FEC report attached hereto as Exhibit "G". Inexplicably, this report was included in Mr. Recine's complaint even though it actually contradicts his claim.

The actual check associated with this federal-to-federal transfer, dated 10/30/08, is attached hereto as Exhibit "H" as further backup proof of the *federal-to-federal* transfer.

Such transfers are very clearly permitted by FEC regulations (see attached Exhibit "I").

Prior to writing the checks, as evidence of good faith, the transfers were vetted by OCREC's federal account consultant. As Treasurer of OCREC's federal account, I also reviewed, downloaded and retained copies of the relevant FEC regulations (see attached Exhibit "I").

Notwithstanding the fact that Mr. Recine was not a member of OCREC at the time of these transfers (October 2008) and could therefore not have any direct knowledge of the claims he has made, he was nevertheless present as a member in good standing at an April 2009 OCREC meeting where a question was raised about this same transfer by another OCREC member, Mr. Recine's friend and associate Doug Guetzloe. At this time, I (OCREC Treasurer Ron Bass) and OCREC Chairman Lew Oliver both accurately and correctly explained this transfer to the committee (including Mr. Recine and Mr. Guetzloe) in some detail, including the information set forth above. There were many witnesses to this explanation. Notwithstanding this careful and correct explanation, Mr. Recine nonetheless proceeded with this false claim. At no time did he or anyone else request from Mr. Oliver, myself (OCREC Treasurer Ron Bass), or anyone else within the OCREC office copies of the relevant reports (all of which are public records anyway) or any additional information or explanation of the transfers. Therefore, Mr. Recine either knew or should have known that this claim was false.

10044263543

Jeff Jordan, Esq.
October 8, 2009
Page 6 of 8

In conclusion, the claim of illegal transfer or "laundering" of monies between federal and non-federal accounts is demonstrably false based conclusively on all of the relevant evidence. There is no evidence whatever of the claim made by Mr. Recine. On the contrary, the evidence suggests gross and malicious bad faith, extreme negligence and/or willful perjury by Mr. Recine.

2. \$3,000 check to Mr. Oliver for Yard Signs.

Mr. Recine alleges that Mr. Oliver received a check for \$3,000 from the OCREC federal account (check # 1002), not as an actual payment/reimbursement for the purchase of yard signs (which yard signs Mr. Recine suggests were never ordered or received), but rather presumably as some sort of improper payment.

(a) Mr. Recine has made this charge without a shred of evidence of any kind. It is a baseless assertion.

(b) At the time of the complaint, neither Mr. Recine, nor anyone else, had ever requested copies of invoices or receipts related to this transaction. They could not possibly know whether any such receipts existed or not. Accordingly, they would have no reasonable basis for any type of assertion either way.

(c) In fact, a detailed and clear set of backup for this reimbursement exists and has been part of the OCREC treasurer's files since the date of the check. The backup includes the invoice from the billing agency dated October 13, 2008 (Exhibit "J") kept in OCREC records dating to October 2008, together with the transmitting e-mails confirming that the charge was for yard signs (Exhibit "K"). In addition, OCREC has copies of Mr. Oliver's own personal credit card statements (Exhibit "L") showing the charge.

(d) Mr. Recine misstates the date of the writing of the check in an effort to link this reimbursement to the above-discussed transfers of funds. He states that Mr. Oliver "*wrote himself*" this check "*the day after*" OCREC got federal funds from the Hillsborough REC. This is clearly false. In fact, the date of the \$3,000 federal account check to Mr. Oliver is October 23, 2008 (see check attached as Exhibit "M"). The Federal account transfer from the Hillsboro REC actually took place a week later on October 30, 2008, not a day earlier as Mr. Recine has falsely claimed. Further, Mr. Oliver did not sign the check and therefore did not "write himself" the check. The check was signed by OCREC Treasurer Ron Bass and OCREC Vice-Chairman Gary Pfister (refer to Exhibit "M"), not by Mr. Oliver. It is important to note that the correct dates of the transactions are clearly shown in the reports that Mr. Recine attached to his own complaint. Mr. Recine has once again offered evidence that clearly disproves his own allegation.

10044263544

(c) The payment was in fact for yard signs, and those signs were actually received. There are, in addition to the invoice, e-mail backup and personal credit card statement referenced above, literally dozens of volunteers and campaign staff who witnessed the delivery of the signs just a few days later. The signs support clearly identified Federal candidates, and were therefore paid for entirely with federally permissible funds.

3. "Secret" Federal Account.

Mr. Recine asserts that the OCREC federal account was some sort of "secret" that was "never reported to the membership" and was only "discovered" after "further examination and questioning". It is not clear how an account could be "secret" when reports and disclosure forms have been filed with the FEC and are readily available on the worldwide web, however, putting that aside:

(a) The OCREC federal account has been carefully reported to the FEC from its inception through every relevant FEC reporting period.

(b) The OCREC federal account is discussed and reflected in numerous OCREC meeting minutes and OCREC treasurer reports (samples attached as Exhibit "N").

(c) The OCREC federal account was a source of pride for OCREC and was therefore frequently touted at meetings and in the media.

(d) There are literally hundreds of eyewitnesses to the above, many of whom will sign affidavits confirming same.

(e) The OCREC account was well known to State Party and other County REC committees. The Hillsborough County REC could not have proposed the transfer (discussed above) of funds from their federal account to the OCREC federal account if the account were "secret".

4. "Mr. Oliver was a direct beneficiary to many of these funds".

This statement is completely false. Mr. Recine has offered no proof for the simple reason that none exists. If Mr. Recine is accusing Mr. Oliver of getting *additional* checks from the federal account over and above the \$3,000 check for yard signs already addressed above then he is again incorrect. There are no other payments to Mr. Oliver from the federal account shown on any FEC report, and no such payments have been made. Reimbursements to Mr. Oliver from the non-federal account were reviewed by the Florida Department of Law Enforcement and found to be proper expenditures (see Exhibit B). It is difficult to further respond to this unsupported, non-specific allegation other than to suggest that the FEC dismiss it due to the absence of any supporting evidence whatsoever.

10044263545

Jeff Jordan, Esq.
October 8, 2009
Page 8 of 8

5. Mr. Oliver has been coordinating Federal campaign contributions with Orange County Mayor Rich Crotty.

There is no explanation of what this means. Mayor Crotty has never been a federal candidate, nor was he on the ballot in 2008. I therefore respectfully submit that this allegation should be dismissed for lack of explanation, lack of supporting evidence, and/or both.

6. Mr. Oliver failed to obtain full OCREC Committee Approval of Expenditures.

This claim is factually false. All expenditures by OCREC in the 2008 election cycle were part of an approved campaign budget adopted by the full OCREC committee. It is also respectfully submitted that, provided that expenditures are for appropriate purposes and are properly reported, the internal procedures of how OCREC makes its spending decisions with respect to federal (or other) accounts would appear beyond the jurisdiction of the FEC.

This concludes my detailed response to the false Complaint filed by Mr. Recine.

Mr. Recine has offered no evidence of any violation of any matter within the jurisdiction of the FEC. On the contrary, there is clear, convincing and uncontroverted exculpatory evidence in every instance.

Further, this matter has been brought by the complainant frivolously, and possibly in bad faith, in an effort to punish and/or intimidate the Chairman of OCREC for matters wholly unrelated to the FEC.

I therefore respectfully request an expeditious dismissal of this matter.

Thank you.

Sincerely,



Ronald S. Bass
Treasurer
Orange County Republican Executive Committee

10044263546

Exhibit "E" (1 of 1)

Image# 2883357801

**DETAILED SUMMARY PAGE
of Disbursements**

FEC Form 28X (Rev. 02/2002)

Page 4

R. DISBURSEMENTS

**COLUMN A
Total This Period**

**COLUMN B
Calendar Year-to-Date**

	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Shared Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	3928.52	42500.48
(ii) Non-Federal Share	10101.94	100857.88
(b) Other Federal Operating Expenditures	2788.81	4422.45
(c) Total Operating Expenditures (add 21(a)(i), 21(a)(ii) and 21(b))	16820.27	158180.81
22. Transfers to Authorized Party Committees	10000.00	10000.00
23. Contributions to Federal Committees, Conventions and Other Political Committees	0.00	0.00
24. Independent Expenditures (see Schedule E)	0.00	0.00
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 6449a) (see Schedule F)	0.00	0.00
26. Loan Repayments Made	0.00	0.00
27. Loans Made	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	400.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	0.00	400.00
29. Other Disbursements	0.00	0.00
30. Federal Election Activity (2 U.S.C. 6312(a))		
(a) Shared Federal Election Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) "Loan" Share	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	3514.33	82485.78
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))	3514.33	82485.78
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c))	62334.60	25819.36
32. Total Federal Disbursements (subtract Line 21(a)(i) and Line 30(b) from Line 31)	52232.66	149751.87

10044263547

Exhibit "6" (1 of 1)

Image# 2004021001

**SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS**

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

FOR LINE NUMBER: PAGE 4/10

(check only one)

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

Any information copied from such Reports and Statements may not be valid or used by any person for the purpose of copying 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)

ORANGE COUNTY REPUBLICAN EXECUTIVE COMMITTEE

Full Name (Last, First, Middle Initial)
MELISSA J. COOPER, ORANGE COUNTY REPUBLICAN EXECUTIVE COMMITTEE
Mailing Address P. O. Box 2808

Date of Receipt
10 31 2008

City State Zip Code
Orlando FL 32809

Transaction ID: SA12.4251
Amount of Cash Receipt This Period
10000.00

FED ID number of contributing
federal political committee. C 000431643

Name of Employer Occupation

Transfer from affiliated
or

Receipt For: Primary General Other (specify) v
Aggregate Year-to-Date v
10000.00

Full Name (Last, First, Middle Initial)
REPUBLICAN PARTY OF FLORIDA
Mailing Address 430 E. Jefferson Street
P.O. BOX 311

Date of Receipt
10 25 2008

City State Zip Code
Tallahassee FL 32301

Transaction ID: SA12.4246
Amount of Cash Receipt This Period
2100.00

FED ID number of contributing
federal political committee. C 000000009

Name of Employer Occupation

Transfer from affiliate

Receipt For: Primary General Other (specify) v
Aggregate Year-to-Date v
21400.00

Full Name (Last, First, Middle Initial)
REPUBLICAN PARTY OF FLORIDA
Mailing Address 430 E. Jefferson Street
P.O. BOX 311

Date of Receipt
11 08 2008

City State Zip Code
Tallahassee FL 32301

Transaction ID: SA12.4252
Amount of Cash Receipt This Period
2867.19

FED ID number of contributing
federal political committee. C 000000009

Name of Employer Occupation

Transfer from affiliate

Receipt For: Primary General Other (specify) v
Aggregate Year-to-Date v
28467.19

SUBTOTAL of Receipts This Page (optional) 14167.19

TOTAL This Period (last page this line number only) 14167.19

FINANCER

FEC Schedule A (Form 3X) (Revised 08/2002)

10044263548

Exhibit "I" (1 of 1)

Contributions and Other Sources of Funds

Overdrafts

If a bank honors a check written by a committee with insufficient funds in its account, no contribution from the bank results as long as the overdraft:

- is made on an account subject to automatic overdraft protection;
 - is subject to the usual and customary interest rate; and
 - is subject to a repayment schedule. 100.82(d).
- An overdraft that does not meet the above conditions is a prohibited contribution.

Overdraft protection secured through a line of credit is subject to the rules on bank loans.

contributions. Rebates, however, must be offered in the ordinary course of business and on the same terms and conditions as those offered to nonpolitical entities. Otherwise, the rebate may be considered a contribution—a prohibited contribution if the vendor is a corporation. See, for example, AOs 1986-22 and 1985-28.

Transfers from Other Party Committees

A party committee may receive unlimited transfers of permissible funds from other party committees and party organizations. A party organization making such transfers, however, may trigger federal registration. 102.6(a)(1)(i), (ii) and (ii)(2).

6. Interest and Dividends

A committee may earn interest and dividends on funds invested in, for example, a savings account, money market fund or certificate of deposit. Interest and dividends are not contributions.

Disclosure of Bank on Statement of Organization

- Any bank where the committee deposits funds must be listed on the Statement of Organization (Form 1) or an amendment.
- Other institutions holding committee investments (such as stocks, bonds, mutual funds, etc.) are not disclosed on Form 1. Before disbursing such funds, however, the committee must transfer them to a checking account maintained at one of the committee's campaign depositories. 102.10 and 103.3(a). See also AOs 1998-8, 1997-6, 1986-18 and 1980-39.

Taxes

A committee must generally pay taxes on interest and dividend income. See Appendix F for IRS information.

7. Other Sources of Funds

Offsets to Operating Expenditures

Offsets to operating expenditures, such as returns of deposits, refunds and rebates, are not considered

Transfers of Candidate Campaign Funds

A candidate's authorized committee may transfer unlimited campaign funds to a party committee or organization. 113.2(c). Any nonfederal law that would prohibit such a transfer to a party organization is preempted by federal law. See AO 1993-8.

Loan Repayments

If a party committee makes a loan to another party committee or organization, the loan repayments received are not contributions but must be composed of permissible funds.

Any interest charged on the loan must also be paid with permissible funds. Interest payments are not considered contributions unless they exceed the prevailing interest rates. 100.52(b)(5).

Loans to non-party political committees are subject to contribution limits.

Ballot Access Payments

Fees paid to a party committee as a condition of ballot access are not contributions. This exemption covers ballot access fees paid by federal candidates as a requirement of state law and those paid to state and subordinate party committees by delegates and delegate committees. Such fees must be paid with permissible funds, except that individual delegates may use funds that are not subject to the limits. 100.90 and 110.14(c)(1)(i) and (2). See Appendix D for information on delegate activity.

Building Fund Donations

State, district and local party committees may accept unlimited funds donated specifically to defray