



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

RALPH V. MARTIN
Chair

PAULA A. FRANZESE
Vice Chair

LYNNAN B. WARE
Commissioner

SUSAN S. LEDERMAN, Ph.D.
Commissioner

Respond to:
P.O. Box 185
Trenton, New Jersey 08625-0185

(609) 292-8700

Web site: <http://www.elec.state.nj.us/>

FREDERICK M. HERRMANN, Ph.D.
Executive Director

JEFFREY M. BRINDLE
Deputy Director

GREGORY E. NAGY
Legal Director

JAMES P. WYSE
Counsel

August 16, 2001

Peter G. Sheridan, Esq.
Graham, Curtin & Sheridan
50 West State Street
Trenton, New Jersey 08608

Advisory Opinion No. 07-2001

Dear Mr. Sheridan:

Your request for an advisory opinion, submitted on behalf of the Republican National Committee (hereafter, RNC), has been considered by the Commission, and the Commission has directed me to issue this response.

Submitted Facts

You write that the RNC is interested in making independent expenditures in New Jersey for communications, including television, radio, direct mail, and other forms of public communications, that would expressly advocate the election or defeat of a clearly identified gubernatorial candidate in the 2001 general election. You also indicated that the RNC may make independent expenditures for other candidates as well. You have further stated that the RNC would include the "required disclaimers," that is, political identification information, on its independent expenditure communications, would not consult with the gubernatorial campaign of Bret Schundler or its agents about the communications, and "would be solely responsible for the content, production and placement" of the communications.

In your request, you explained that the RNC, an unincorporated association, is the "governing body of the Republican Party at the national level," and was created by the Rules of the Republican Party, adopted by the Republican Party on July 31, 2000, by the Republican National Convention in Philadelphia, Pennsylvania. According to your request, the RNC "is involved in elections for public office across the United States at the federal, state and local level." Also, the RNC and the New Jersey Republican State Committee (hereafter, RSC) "are separate and distinct organizations." You have indicated that each organization has its own employees and bylaws, raises contributions separately, and "has its own decision-making process." Further you have stated that "RNC has no control over RSC in any manner."

Commission records indicate that an entity entitled the Republican National State Elections Committee (hereafter, RNSEC) is currently filing quarterly reports (Forms R-3) as a continuing political committee (hereafter, CPC). On its Continuing Political Committee-Registration Statement and Designation of Organizational Depository (Form D-4), filed on April 10, 1995, the RNSEC described itself as the “National Party Committee organized to assist candidates in various states and Republican organizations.” Based upon this description, and for the purpose of this response, the Commission has considered that the RNSEC is the “national committee of a political party,” as that term is defined at N.J.A.C. 19:25-1.7, and that the RNC and RNSEC are the same entity.

The Commission notes that as the national committee of a political party, the RNSEC is subject to the \$72,000 annual limit on contributions to the State political party committee; see N.J.S.A. 19:44A-11.4a(2) (as adjusted pursuant to N.J.S.A. 19:44A-7.2). Contributions by the RNSEC are otherwise subject to the contribution limits applicable to a CPC; see N.J.S.A. 19:44A-11.3 through 11.4 and N.J.A.C. 19:25-11.2. The most recent quarterly report filed by the RNSEC with the Commission on July 18, 2001, reports that the RNSEC had cash-on-hand on June 30, 2001, in the amount of \$2,283,993.22. You have confirmed in a telephone conversation with staff on August 13, 2001, that the RNSEC is an account of the RNC, and that if the RNC is permitted to make independent expenditures for New Jersey candidates in the 2001 general election, such expenditures will be made from the RNSEC organizational depository. Therefore, in this response, the Commission will refer to the RNC as the RNSEC.

At the Commission public meeting conducted on this date, you have amplified on your request and orally represented two additional facts to the Commission. First you stated that if the Commission finds that the RNSEC may make independent expenditures in the 2001 general election, it will not use “common vendors,” that is, it will not use the same vendors as the Schundler campaign, to determine the content, or to produce or place the communications. Second, you indicated that the RNSEC would agree that it may not accept any contributions from entities that are prohibited from making contributions to New Jersey candidates and committees by statutes that are not part of the New Jersey Campaign Contributions and Expenditures Reporting Act and therefore not under the jurisdiction of the Commission.

Questions Presented

The Commission believes that your inquiry gives rise to the following two questions:

1. Pursuant to the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq. (hereafter, the Act), and Commission regulations, N.J.A.C. 19:25-1 et seq., may the RNSEC make independent expenditures in New Jersey for communications, including television, radio, direct mail, and other forms of public communications, that expressly advocate the election or defeat of a clearly identified gubernatorial candidate in the 2001 general election and other candidates if the communications are made without coordination or consultation with or the consent of the affected candidates and if the communications contain required political identification information?

2. Assuming the Act permits the RNSEC to make independent expenditures for communications in the 2001 general election that expressly advocate the election or defeat of a clearly identified gubernatorial or other candidate, what reporting obligations arise as a result of those independent expenditures?

Commission Response to Question One

The Commission concludes that nothing contained in the Act prohibits or otherwise limits the RNSEC, a national political party committee, from making independent expenditures for communications that expressly advocate the election or defeat of a clearly identified gubernatorial or other candidate in the 2001 general election. The Commission notes that while there are explicit limits placed on the activities of a State political party committee, and on the county and municipal political party committees in regard to a gubernatorial candidate, the Act is silent in regard to similar limits on independent expenditure activity by a national political party committee; see N.J.S.A. 19:44A-29d and 29e. The silence is present notwithstanding that in other respects the national political party committees are explicitly regulated in regard to the amount they may contribute; see N.J.S.A. 19:44A-11.4a(2), limiting the amount a national committee may contribute to a State committee. In the absence of any statutory prohibition or limitation, the Commission lacks statutory authority to prohibit independent expenditures. Further, the Commission believes that any attempt to limit such independent expenditures may be constitutionally suspect.

Constitutional Protection of Independent Expenditures

Independent expenditures made by individuals or associational entities for communications that expressly advocate the election or defeat of a clearly identified gubernatorial or other candidate in the 2001 general election are permissible as constitutionally protected speech under the First Amendment. Beginning with the decision of the United States Supreme Court in Buckley v. Valeo, 424 U.S. 1 (1976), courts have consistently upheld the right of a person or entity to make expenditures for communications that expressly advocate the election or defeat of a clearly identified candidate if the expenditures are made independently of a candidate and his or her campaign. Such independent expenditures are protected by the United States Supreme Court as “core First Amendment expression.” Buckley, 424 U.S. at 48.

More recently, while it did not address the issue of independent expenditures in the context of a publicly-financed election, the United States Supreme Court held that limits contained in the Federal Election Campaign Act on the amount that a State political party committee can expend on independent expenditures were impermissible infringements on the Free Speech of that political party entity, and therefore those limits were struck down; see Colorado Republican Federal Campaign Comm. v. Federal Election Comm’n, 518 U.S. 604 (1996) (Colorado I). The Court noted that:

“[a] political party’s independent expression not only reflects its members’ views about the philosophical and governmental matters that bind them together, it also seeks to convince others to join those members in a practical democratic task, the task of creating a government that voters can instruct and hold responsible for subsequent success or failure. The independent expression of a political party’s views is “core” First Amendment activity no less than is the independent expression of individuals, candidates, or other political committees.” Colorado I at 615-616.

Requirements for Independent Expenditures

In order for an expenditure to be independent of any candidate, the following requirements must be met: neither the gubernatorial or other candidate nor any member of his or her campaign staff or its agent may in any way authorize, consent to, coordinate with, or consult with the RNSEC concerning any aspect of the content, production or placement of the communication; each communication must clearly state the name and address of the RNSEC and that the communication has been paid for by the RNSEC; each communication must include a clear and conspicuous statement that it was not made with the cooperation or prior consent of, or in consultation with or at the request or suggestion of, the gubernatorial or other candidate, or any person or committee acting on behalf of the gubernatorial or other candidate; and the communication must be reported to the Commission as discussed below. See N.J.A.C. 19:25-12.7, 12.8, 13.2, 13.3, 15.28, and 15.29.

As applied to the RNSEC, Commission regulations define an independent expenditure for a candidate as “[a]n expenditure by a . . . continuing political committee . . . to support or defeat a candidate, which expenditure is made without the cooperation or prior consent of, or in consultation with or at the request or suggestion of, a candidate or any person or committee acting on behalf of a candidate . . .” (N.J.A.C. 19:25-12.7(a)). The determination of whether or not an expenditure is a constitutionally protected independent expenditure, or is instead an expenditure coordinated with a candidate, requires an individualized, fact-sensitive inquiry into the actions and communications between the candidate and the entity making the expenditure.

The Commission finds that the factors to be considered in determining whether or not an expenditure is independent of or coordinated with a candidate include, but are not limited to:

1. Whether or not the gubernatorial or other candidate or his or her candidate committee has consented to, authorized, or exercised control over the production or circulation of the communication;
2. Whether or not the expenditure was made at the request or suggestion of the candidate, the candidate committee, or its agents;
3. Whether or not the candidate, any members of the candidate’s campaign, its staff or agents participated in decisions by or provided information to the RNSEC/RNC with regard to the content, timing, location, mode, intended audience, distribution, or placement of the television, radio, direct mail, or other forms of public communications;
4. Whether or not there was substantial discussion or negotiation between the purchaser, creator, producer, or distributor of the communication and the candidate or his or her agents that results in collaboration or agreement about the content, timing, location, mode, intended audience, distribution, or placement of the communication;
5. Whether or not the candidate or his or her campaign staff or agents and the RNSEC shared information or held discussions on campaign or media strategy;
6. Whether or not the RNSEC shared its polling or other research with the candidate’s campaign and whether or not the campaign shared its polling or other research with the RNSEC; and,
7. Whether or not the RNSEC and the campaign used the same consultants, employees, staff, or agents to create, target, or place the television, radio, direct mail, and other forms of public communications.

Publicly-Financed Gubernatorial Campaign

The Commission notes that the deadline for a candidate to file to qualify to participate in the 2001 gubernatorial matching fund program is September 4, 2001. For the purpose of this response only, the Commission has assumed that Republican Party Candidate Bret Schundler will apply to receive matching funds and will be deemed qualified to participate in the public financing program in the 2001 general election.

As a condition of receipt of public matching funds in the 2001 general election, each publicly-financed gubernatorial candidate is subject to an \$8.4 million expenditure limit; see N.J.S.A. 19:44A-7 (as adjusted pursuant to N.J.S.A. 19:44A-7.1) and N.J.A.C. 19:25-11(a)3. In order to protect the integrity of the expenditure limit, N.J.A.C. 19:25-15.29, Coordinated expenditures, specifically requires that if a person or entity other than the gubernatorial campaign, such as the RNSEC, spends funds to make a communication, the costs of the communication are a contribution to the publicly-financed gubernatorial candidate, subject to the contribution limit, and an expenditure allocable against the \$8.4 million expenditure limit if:

1. The communication makes a reference to the gubernatorial candidate in an audio, visual, printed, or electronic format which reference names, depicts, pictures, characterizes, represents, dramatizes, or in any written, spoken, visual, or electronic manner represents a gubernatorial candidate or opponent; and
2. The gubernatorial candidate or his or her campaign committee has consented to, authorized, or exercised control over the production or circulation of the communication.

You have specifically stated in your request that the RNSEC communications will expressly advocate the election or defeat of a clearly identified gubernatorial candidate in the 2001 general election, and therefore will make a reference to the gubernatorial candidate as defined in N.J.A.C. 19:25-15.29(a)1. Therefore, if the communication expenditures contemplated by the RNSEC are in any way coordinated with or controlled by, authorized, or consented to by the publicly-financed gubernatorial candidate or his agents, the expenditures will be considered coordinated and will be allocated against Candidate Schundler's \$8.4 million expenditure limit; see N.J.A.C. 19:25-15.29(a)2.

Prohibition on Independent Expenditures by the State Political Party Committee

In New Jersey, the Commission has found that the general election gubernatorial candidate is in a position to control the State political party committee based upon the fact that the gubernatorial candidate "influences the selection of his or her party's chairperson and thereby exerts influence over the direction and activities of the party." See 28 N.J.R. 4395 at 4398 (October 7, 1996). N.J.A.C. 19:25-15.28A therefore prohibits the State political party committees in the general election from making independent expenditures to support or defeat a candidate for Governor or in aid of the candidacy of a candidate for Governor. Accordingly, the Commission concludes that the RNSEC may not consult with or coordinate with the RSC concerning the expenditures for public communications that expressly advocate the election of Candidate Schundler or the defeat of his opponent in the 2001 general election.

Response to Question Two

Independent expenditures by the RNSEC are subject to the reporting and political identification requirements of the Act and Commission regulations.

Quarterly and 48-Hour Notice Reporting

N.J.A.C. 19:25-15.28 governs the reporting of independent expenditures in a publicly-financed gubernatorial election, and provides that if the RNSEC makes, incurs or authorizes an independent expenditure, for a communication to support or defeat a gubernatorial candidate in the general election it must report the independent expenditure pursuant to N.J.A.C. 19:25-12.8. Therefore, each separate expenditure made independently by the RNSEC for a gubernatorial or other candidate must be specifically reported on Schedule C (Itemized Operating Disbursements) of the CPC's quarterly reports (Forms R-3). For each expenditure, the RNSEC must report the date of the expenditure, the full name and address of the payee, and the purpose and amount of the expenditure; see N.J.A.C. 19:25-9.1, 19:25-12.1, and 19:25-12.2.

In addition to reporting each expenditure on the quarterly report (Form R-3), if an independent expenditure is made by the RNSEC after September 30, 2001 (the closing date of the 2001 third quarter report period), and on or before November 6, 2001 (the day of the 2001 general election), the expenditure is subject to 48-hour notice reporting as an expenditure made immediately before the general election; see N.J.A.C. 19:25-9.4.

Political Identification Requirement

You have indicated in your request the RNSEC will include political identification information on all communications. Please be advised that the RNSEC must on each independent expenditure communication clearly state its name and business address, as that information appears on the Form D-4 filed with the Commission, and shall also state that it has paid for the communication. The text of the communication must include a clear and conspicuous statement that the communication was not made with the cooperation or prior consent of, or in consultation with or at the request or suggestion of, any candidate, or any person or committee acting on behalf of any candidate; see N.J.S.A. 19:44A-11 and 19:44A-22.3, N.J.A.C. 19:25-13.2 and 19:25-13.3, and N.J.A.C. 19:25-15.28.

The same reporting and political identification requirements apply for independent expenditures for non-gubernatorial candidates.

Thank you for your inquiry, and your interest in the work of the Commission.

Very truly yours,

NEDDA G. MASSAR
Deputy Legal Director

ADVISORY OPINION REQUEST

DUPLICATE

A person, committee or entity subject to, or reasonably believing he, she or it may be subject to, any provision or requirement of the Campaign Reporting Act may request that the Commission provide an advisory opinion pursuant to N.J.S.A. 19:44A-6. Such request must be in writing (please type) and must include the following:

1. This request for an Advisory Opinion is being submitted on behalf of:

Full Name of Person, Committee or Entity

Republican National Committee ("RNC")
310 First Street, S.E.
Washington, DC 20003

Mailing Address

Peter G. Sheridan, Esq.
c/o Graham, Curtin & Sheridan
50 West State Street
Trenton, New Jersey 08608

Day Telephone No.

(609) 695-0098

2. Indicate if the above named person, committee or entity currently files reports with the Commission.

Yes X No

a. If yes, indicate in what capacity it is filing:

Candidate Committee	<u> </u>	Recall Committee	<u> </u>
Joint Candidate Committee	<u> </u>	Recall Defense Committee	<u> </u>
Political Committee	<u> </u>	Lobbyist	<u> </u>
Continuing Political	<u> </u>	Legislative Agent	<u> </u>
Political Party Committee	<u> </u>	Personal Financial Disclosure statement	<u> </u>
Legislative Leadership <u> </u>	<u> </u>	Other (please describe) National Political Party	<u>X</u>

b. If no, indicate if the above named person, committee or entity has in the past filed reports with the Commission, giving elections (i.e., 1992 general election) or calendar years, and identify filing capacity.

c. If reports are or were filed under a different name than that appearing in 1 above, provide that name:

RECEIVED
2001 AUG -7 P 2 25
LAW ENFORCEMENT
COMMISSION

3. **Please provide below a statement of the cognizable question of law arising under the Campaign Report Act, including specific citations to pertinent sections of the Campaign Reporting Act and Commission regulations (if known).**

The RNC is interested in making independent expenditures in New Jersey in the form of communications (television, radio, direct mail, and other forms of public communications) that expressly advocate the election or defeat of a clearly identified gubernatorial candidate, and possibly other candidates, who are running for election in the 2001 general election. The RNC requests an opinion, based on the facts set forth herein, as to whether RNC independent expenditures would constitute coordination under N.J.A.C. 19:25-12.7; N.J.A.C. 19:25-15.28 and N.J.A.C. 19:25-15.29.

4. **Please provide below a full and complete statement of all pertinent facts and contemplated activities that are the subject of the inquiry. Your statement must affirmatively state that the contemplated activities have not already been undertaken by the person, committee or entity requesting the opinion, and that the person, committee or entity has standing to seek the opinion, that is the opinion will affect the person's or committee reporting or other requirements under the Act (attach additional sheets if necessary).**

The RNC is an unincorporated association created by the Rules of the Republican Party adopted on July 31, 2000, by the Republican National Convention in Philadelphia, Pennsylvania. The RNC is the governing body of the Republican Party at the national level, subject to direction from the Republican National Convention. The RNC is involved in elections for public office across the United States at the federal, state and local level.

The RNC and the New Jersey Republican State Committee ("RSC") are separate and distinct organizations. Each has its own organization, and employees. Each operates under its own bylaws. Each raises contributions separately. Each has its own decision-making process. RNC has no control over RSC in any manner.

The RNC has not engaged in any of the contemplated activities referenced in this request. If the Commission rules that the RNC may make independent expenditures in New Jersey, the RNC would be solely responsible for the content, production and placement of any such public communications, and the RNC would not consult with the Schundler campaign or any of its agents regarding any such communications.

5. **Please provide a statement of the result that the person, committee, or entity seeks, and a statement of the reasoning supporting that result.**

The RNC seeks an advisory opinion confirming whether it can make independent expenditures in New Jersey expressly advocating the election or defeat of a clearly identifiable gubernatorial candidate and possibly other candidates in the 2001 general election, so long as the communications contain the required disclaimers, were not in fact made in coordination or consultation with the affected candidates, and otherwise comport with N.J.A.C. 19:25-15.28 and N.J.A.C. 19:25-5.29.

Discussion

Pursuant to the political communications rule (N.J.A.C. 19:25-15.29) any expenditure which depicts the image of a likeness of a gubernatorial candidate, and is made with the cooperation or prior consent of, or in consultation with the candidate or any person acting on behalf of the candidate shall be charged to a gubernatorial candidate as a contribution. See also, Friends of Governor Tom Kean v. New Jersey Election Law Enforcement Com'n, 114 N.J. 33, 38 (1989). In Kean, certain non-gubernatorial candidates over whom Kean's campaign had no control or authority utilized Kean's name in their political communications. The court ruled that a Commission regulation which automatically allocated such expenditures against the gubernatorial candidate was in excess of the

Commission's statutory authority. The Commission must show consent, consultation or control in order to require allocation. Kean, supra, 114 N.J. at 38.

As such, a coordinated expenditure has been defined as a communication that references a gubernatorial candidate or his or her opponent that the candidate or their committee has consented to, authorized, or exercised control over. N.J.A.C. 19:25-15.29.

Just this summer the United States Supreme Court in Federal Election Comm'n v. Colorado Republican Federal Campaign Comm., 533 U.S. ____ (2001), reaffirmed that political parties have a fundamental constitutional right to make unlimited independent expenditures that expressly advocate the election or defeat of political candidates. See also Federal Election Comm'n v. Colorado Republican Federal Campaign Comm., 518 U.S. 604, 616 (1996) (holding that "[t]he independent expression of a political party's views is 'core' First Amendment activity no less than is the independent expression of individuals, candidates, or other political committees").

In New Jersey, independent expenditures by a state political party to a gubernatorial candidate are expressly prohibited by N.J.A.C. 19:25-15:28A. This regulation states:

No state committee of a political party and no legislative leadership committee shall make an independent expenditure to support or defeat a candidate for Governor or in aid of the candidacy of a candidate for Governor in the general election.

The rationale for this regulation was founded on the fact that in New Jersey "the gubernatorial candidate influences the selection of his or her party's chairperson and thereby exerts influence over the direction and activities of the party." See, 28 N.J.R. 4395 at 4398 (Oct. 7, 1996).

This rationale is not applicable herein because the gubernatorial candidate has very little or no influence in such national matters. There is no similar regulatory or statutory prohibition against a national political party. As a result, the regulatory prohibition pertaining to state political parties making independent expenditures to gubernatorial candidates in the general election does not

encompass national political parties for good reason. There is no legal or factual linkage between the national party and the gubernatorial candidate. Further, by its plain language, the regulatory prohibition pertaining to state political parties making independent expenditures to gubernatorial candidates in the general election does not encompass national political parties. Accordingly, any RNC independent expenditures would be subject to the provisions of N.J.A.C. 19:25-15.28, which would require the RNC to:

- (1) Report the independent expenditure pursuant to N.J.A.C. 19:25-12.8;
- (2) Clearly state on the communication the name and address of the person, candidate committee, joint candidate committee, political committee, or continuing political committee making the independent expenditure pursuant to N.J.A.C. 19:25-13.2(a), and that the communication has been paid for by that person or committee; and
- (3) Include in the communication a clear and conspicuous statement that the communication was not made with the cooperation or prior consent of, or in consultation with or at the request or suggestion of, any candidate, or any person acting on behalf of any candidate.

If, therefore, an independent expenditure made by the RNC comports with N.J.A.C. 19:25-15.28(a), we believe it would not be a coordinated expenditure under New Jersey law and would not be allocable or subject to any candidate's contribution or expenditure limits.

In addition, and subsequent to the New Jersey Supreme Court's Kean decision, the federal law concerning the standard for coordination (when evaluating whether an independent expenditure is truly independent) has greatly evolved in the direction of allowing more independent expenditures. Under the federal regulation, an expenditure by a third party spender is prohibited only when there is a showing of coordination and the expenditure expressly advocates the election or defeat of a clearly identifiable candidate. See, Buckley v. Valeo 424 U.S. 1 (1976); FEC v Massachusetts Right to Life, 479 U.S. 238 (1986); FEC v. Christian Coalition, 52 F. Supp. 2d 44 (DDC 1999).

One commentator has noted that determining what constitutes "coordination" is a thorny issue. In many instances "discussions between a spender and campaign with regard to candidate positions did not rise to the level of consultation or coordination". See Obstacles to Effective Enforcement of FECA, 52 Administrative Law Review 576, 599 (Spring 2000). It appears that coordination means some measure of collaboration beyond mere inquiry. See, Clifton v. FEC, 114 F. 3rd 1309, 1311 (1st Cir. 1997) cert. denied 118 S. Ct. 1036 (1998).

Illustratively, the Federal District Court for the District of Columbia examined the issue of independent expenditures under the federal election laws and determined that coordination occurs where a candidate exercises control or where there has been a substantial discussion or negotiation between the spender and the campaign over the content, timing, location, or volume of a communication. FEC v. Christian Coalition, 52 F. Supp. 2d 45, 66 (DDC 1999). The novel issue explored in Christian Coalition was whether the Coalition's extensive meetings and discussions with campaign staff of certain candidates (including the Bush campaign) regarding distribution of voter guides and other materials turned otherwise permissible campaign related materials into illegal in kind contributions. Christian Coalition, supra, 52 F. Supp. 2d at 48-49. There was proof that representatives of the Christian Coalition regularly met with campaign officials of George Bush's campaign. In fact, George Bush met with Pat Robertson on several occasions. The Bush representatives always accepted information provided by the Coalition, but the record was devoid of proof that Bush's representatives had any input into the plans of the Christian Coalition. Frequent contact between the Coalition's representatives and the campaign staffs of various candidates were not sufficient to treat expenditures as "coordinated". Id. at 92. The Court ruled that the First Amendment requires a strict scrutiny of what constitutes coordination, since anything less chills associational freedom. Thus, under Christian Coalition, coordination is defined as substantial discussion or negotiation such that the candidate and spender emerge as partners or joint venturers in the expressive expenditure. Id. at 92.

The federal court in Christian Coalition comprehensively interpreted the federal regulations on independent expenditures, and its finding on what is a constitutionally permissible standard for coordination could be useful to the Commission as it considers this request.

6. Person who is submitting request on behalf of committee or entity listed in item 1 above;

Full name: Peter G. Sheridan, Esq.

Day Telephone: (609) 695-0098

Home Telephone: (609) 275-4903

Cellular Telephone: (609) 658-7283

Fax Number: (609) 695-1298

Mailing Address:

Graham, Curtin & Sheridan, PA

50 West State Street,

Suite 1008

Trenton, New Jersey 08608

Of Counsel:

Michael E. Toner

Thomas J. Josefiak

Charles R. Spies

Republican National Committee

310 First Street, S.E.

Washington, DC 20003

a. Official capacity of person requesting opinion:

- Candidate

- Treasurer

- Organizational Treasurer

New Jersey Attorney representing person,
committee or entity:

Other _____

7. ~~I hereby consent to an extension of the 10-day response period provided in N.J.S.A. 19:44A-8F to a 30-day period for Commission response, which period shall start on the date of Commission receipt of the completed advisory opinion request (Cross out paragraph if consent is withheld).~~

Due to the proximity to the election, RNC is willing consent to a reasonable extension but it must be substantially less than 30 days.

8. **A request for an advisory opinion will not be considered filed until a fully completed and signed application is received by the Commission.**

8/6/01
Dated:

Peter A Sheridan
Peter G. Sheridan, Esq.