

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS**

In Re: D.C. Republican Committee

Administrative Hearing
No. 08-002

Re: Request for waiver of Party
Certification Deadline for
Presidential and Vice-
Presidential Nominees and
Electors

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics (hereinafter “The Board”) on Wednesday, February 6, 2008, and involved a request by the District of Columbia Republican Committee (“the Committee”) for a waiver of the September 1, 2008 deadline for nominations by message and presidential elector affidavits. Chairman Charles R. Lowery, Jr. and Dr. Lenora Cole presided over the matter. The Committee’s Executive Director, Paul Craney, appeared on its behalf.

Pursuant to the election statute,

[t]he executive committee of the organization recognized by the national committee of each such party as the official organization of that party in the District of Columbia shall nominate by appropriate means the presidential electors for that party. Nominations shall be made by message to the Board on or before September 1st next preceding a presidential election, unless the deadline is waived for good cause, by the Board.

D.C. CODE § 1-1001.08(d) (2001 Ed.) (as amended).

The Board’s administrative regulations further provide that, in addition to nominations by message, the Committee must also submit affidavits from each of the three candidates for electorate. *See* D.C. MUN. REGS. tit. 3, § 1500.9 (1998) (providing

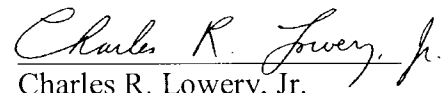
that the nomination by message and presidential elector affidavits “shall be filed with the Board not later than 5:00 p.m. on September 1st of each presidential election year, unless the deadline for these documents has been waived by the Board for good cause[.]”).

By letter dated January 15, 2008, Mr. Robert Kabel, Chairman of the Committee, formally requested a waiver of the aforementioned provisions, and asserted as the basis for the request the fact that the Republican National Committee had scheduled its 2008 National Convention, at which Presidential and Vice-Presidential nominees will be elected, to begin on September 1, 2008. According to custom, the roll call during which the nominees – and, consequently, their electors in the District of Columbia - are elected will not occur until the final day of the convention, which is September 4, 2008 – three days after the September 1, 2008 deadline.

Because the Republican Party nominees for President and Vice-President, and their electors, will not be elected until September 4, 2008, the Board finds good cause to waive the September 1, 2008 deadline for the submission of nominations by message and presidential elector affidavits. Accordingly, it is hereby

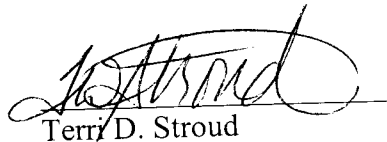
ORDERED, that the September 1, 2008 deadline for nominations by message and presidential elector affidavits is hereby waived for the Committee for the November 4, 2008 Presidential General Election. The required documentation shall be due no later than September 5, 2008 at 4:45pm.

February 7, 2008


Charles R. Lowery, Jr.
Chairman

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was delivered by first-class mail this 8th of February, 2008 to Robert Kabel, Chairman, District of Columbia Republican Committee, 1275 K Street, N.W., Suite 102, Washington, D.C. 20005.

A handwritten signature in cursive script, appearing to read "Terry D. Stroud", written over a horizontal line.

Terry D. Stroud