



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3943

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JMN

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cap 393



March 3, 1994

MUR 3943

79:111 / - 111

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Sir:

As treasurer of the Machtley for Congress Committee, I am hereby filing a formal complaint under the Federal Election Commission laws Part 104.15, Chapter 1, Title 11 - Federal Elections. Pursuant to this section of the Federal Election Laws no information from any of the reports filed by the Machtley for Congress Committee are to be used by any person for the purpose of soliciting contributions. In an effort to protect the privacy of our contributors, we filed three pseudonyms with the Federal Election Commission with our report for the period ended August 26, 1992. Please see the attached letter dated August 21, 1992, listing the three pseudonyms.

The specific violation as referred to above was committed by Mr. Lincoln Almond, operating as the Almond for Governor Committee. Please see attached solicitation letter from the Almond Committee, dated December 8, 1993, and sent to the second pseudonym listed in our above mentioned letter (). The Almond for Governor Committee address and telephone number are listed on the enclosed copy of the Almond for Governor Committee solicitation letter. We have also been notified by several of our supporters that they have received solicitations from the Almond for Governor Committee. Some of these individuals are not even registered voters in Rhode Island. It is extremely unlikely that the names would be available anywhere other than through the Federal Election Commission reports filed by us. We can provide additional names if requested.

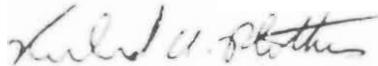
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Office of the General Counsel
Federal Election Commission
March 3, 1994

Page 2

I may be reached either through the Machtley Campaign office (401-849-5900 or more directly at my office 401-849-3134). The above matter is most disturbing because it has violated the privacy rights of our contributors. This is of special concern since Mr. Lincoln Almond served as U.S. Attorney for several years and is aware or should have been aware of the appropriate laws.

Sincerely,



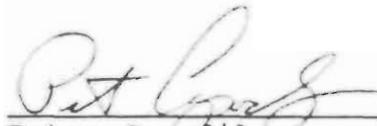
Richard A. Plotkin
Treasurer

Enclosure

STATE OF RHODE ISLAND

COUNTY OF NEWPORT

In Newport, in said County, on this 3rd day of March, 1994, before me personally appeared Richard A. Plotkin, to me known and known by me to be the party described in and who executed the foregoing instrument, and he acknowledged the same, by him so executed, to be his free act and deed, and this foregoing instrument was signed and sworn to before me by said Richard A. Plotkin.



Peter Capodilupo
Notary Public

24043563862

Ron Machtley

..... CONGRESS

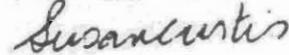
August 21, 1992

Todd Gerlough, Reports Analyst
Federal Election Commission
Washington, DC 20463

Dear Todd:

Here are the names of 3 pseudonyms which will
appear on our next report for the period ending 8/26/92.

Sincerely,



Susan Curtis
Custodian of Records

24043563863

ALMOND

FOR GOVERNOR

1 Catamore Boulevard
East Providence, Rhode Island 02914

TEL: (401) 434-9300
FAX: (401) 435-6823

December 8, 1993

Dear

As Rhode Island's U.S. Attorney, I have dedicated myself to uncovering and prosecution criminal wrongdoing.

As President of the Blackstone Valley Development Foundation, I've gained nearly 30 years of experience in economic development issues.

I believe my experience in these two areas uniquely qualifies me to serve as Rhode Island's next Governor, because it's clear to me that voters' top two concerns are corruption in state government and the economy.

Who can better restore a sense of trust in state government than a federal prosecutor who has spent over 20 years putting swindlers, cheats and organized crime leaders in jail?

Who can better lead our state's economy back to health than someone who has succeeded in creating new jobs by attracting businesses through effective economic development planning?

Winning an election requires running an effective political campaign. But winning also happens when a candidate simply fits the current mood of the electorate. That's why I'm confident that I will win this election. The issues are on my side, and I'm determined to do all it takes to run a professional, aggressive, winning campaign.

I need your financial help to provide that kind of campaign. Given the state of our economy, and the fact that we're going to have a highly contested Republican primary, raising money is not going to be an easy task.

This makes your personal commitment to me even more important.



FEDERAL ELECTION COMMISSION

MARCH 11, 1994

Richard A. Plotkin
Machtley for Congress
P.O. Box 4309
Middletown, RI 02840

RE: MUR 3943

Dear Mr. Plotkin:

This letter acknowledges receipt on March 7, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3943. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

24043563865



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20542

MARCH 11, 1994

Lincoln Almond
c/o Almond for Governor
One Catamore Boulevard
East Providence, RI 02914

RE: MUR 3943

Dear Mr. Almond:

The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3943. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

24043563866

Lincoln Almond
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MARCH 11, 1994

Peter Mezel, Treasurer
Almond for Governor
1 Catamore Boulevard
East Providence, RI 02914

RE: MUR 3943

Dear Mr. Mezel:

The Federal Election Commission received a complaint which indicates that Almond for Governor ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3943. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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Peter Mezel, Treasurer
Almond for Governor
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

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DESIMONE & LEACH

Attorneys At Law

Herbert F. DeSimone
Bruce A. Leach
Herbert F. DeSimone, Jr.
Douglas R. DeSimone

APR 4 9 09 AM '94

The Hall Building
49 Weybosset Street
Providence, Rhode Island 02903-2878

Telephone
401-421-8200

Fax
401-421-0677

March 31, 1994

Mary L. Taksar, Esq.
General Counsel's Office
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3943

Dear Ms. Taksar:

I am writing as counsel to the Almond for Governor Committee, in response to your letter dated March 11, 1994, received by the Almond committee March 16, 1994, relative to a complaint filed by the Machtley for Congress Committee, through its treasurer, Richard A. Plotkin. The Almond for Governor Committee is investigating this matter, and it does appear that the committee did use a Machtley for Congress contributors list, together with lists of contributors to state and local campaign committees here in Rhode Island, in its mailing of letters requesting campaign contributions. The committee was completely unaware of the solicitation ban imposed by 2 U.S.C. 438(a)(4). There is no such provision in the Rhode Island State Election Law.

It appears that the committee, which has received contributions from approximately 900 contributors, received contributions from twelve (12) donors who are listed as contributors on the Machtley list, in the total amount of two thousand one hundred (\$2,100) dollars. However, only two of those donors are unique to the Machtley list, as the other ten also appear on other sources of information used by the Almond committee in its fundraising, direct mail and other operations. The two donors unique to the Machtley list contributed a total of one hundred fifty (\$150) dollars, and one of the two actually attended a fundraising reception.

The Almond committee has taken steps to ensure that this situation does not occur again.

Representative Machtley is now running against Mr. Almond for Governor of Rhode Island in the Republican primary. Mr. Plotkin serves as the treasurer of the Machtley for Governor Committee. We would request that this matter be submitted for expeditious conciliation and/or disposition in light of the fact that at most a technical and inadvertent violation was committed, and also because it appears that the Machtley for Governor committee has violated the letter and spirit of the confidentiality provisions of 2 U.S.C. 437g(a)(4)(B) and 2 U.S.C. 437g(a)(12)(A) by making a copy of the complaint available to the media, specifically the Woonsocket Call newspaper, thereby attempting to politicize this matter. The complainant, Mr. Plotkin himself, has spoken with a Woonsocket Call reporter, thereby causing a front page story to be printed by that newspaper prior to our response being due to be received by the Commission. A copy of the article from the March 31, 1994 edition of the Woonsocket Call is attached. The Machtley for Governor Committee has also today issued a press release wherein they disclose that they have

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filed a complaint with the FEC. In that press release, which is attached hereto, Mr. Plotkin is quoted extensively. Clearly, the Machtley committee has exhibited a blatant disregard for the statutory sections requiring that these matters remain confidential. Their actions indicate that they have filed this complaint not out of concern for the privacy rights of their contributors, but rather solely to secure political capital in the Rhode Island Gubernatorial campaign.

Very truly yours,



Herbert F. DeSimone, Jr.

kw

Enclosures

Via Fax and First Class Mail

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MUR 3943

NAME OF COUNSEL: Herbert F. DeSimone, JR.

ADDRESS: De Simone and Leach
49 Weybosset Street
Providence, Rhode Island 02905

TELEPHONE: (401) 421-8200

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf
before the Commission.

3/31/99
Date

Lincoln C. Almond
Signature

RESPONDENT'S NAME: Lincoln C. Almond

ADDRESS: Almond for Governor
One Catamore Blvd.
East Providence, Rhode Island 02914

TELEPHONE: HOME

BUSINESS (401) 434-9300

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MAY 1999



Call Photo: Kristen Lans

Breaking new ground

Congressman Ronald K. Machtley speaks to Smithfield officials about the future of the town's senior center, for which he helped allocate \$600,000. From left are Anthony Zompa of the state Department of Elderly Affairs; Machtley; Town Councilor Burreigh Briggs; and Town Council President William Hawkins.

Machtley lodges complaint against Almond

By JOSEPH B. NADEAU
Staff Writer

Congressman Ronald K. Machtley wants his fellow Republican opponent in the Rhode Island governor's race, Lincoln C. Almond, to clean up his act in the area of campaign finance.

Machtley's campaign yesterday charged Almond with violating federal campaign finance regulations in connection with his alleged improper soliciting of Machtley's contributors.

Almond is alleged to have collected information on Machtley's contributors through records the congressman must file with the Federal Elections Commission for those who contribute more than \$100 to his campaign.

The information provided by Machtley, however, is covered by



Almond

See CAMPAIGN — Page 8

Campaign

a federal law prohibiting its use for solicitation by others, according to Machtley's office.

The prohibition is reported to cover the contributors against anyone using the information, even a candidate in a state election campaign. The two Republicans are expected to face off in a Republican primary that will decide who goes on to the general election for the state's first four-year governor's term.

Richard A. Plotkin, a Newport and Providence certified public accountant who serves as treasurer of the Machtley Campaign Committee, yesterday confirmed he has filed a complaint against Almond with the Federal Election Commission.

"I try to stay out of the political side, but I thought there was a violation here that had been done by a candidate who knew what the federal law was," Plotkin said while explaining why he filed the complaint.

"The evidence clearly indicates an apparent willful violation of Federal Election Commission regulations by the Almond campaign," he said.

"It is absolutely unconscionable that a former U.S. attorney would violate such basic provisions of the federal campaign finance law," Plotkin said.

Scott Avedisian, Almond's campaign manager, last night said he was aware Machtley's campaign had filed a complaint, but charged Machtley's organization was violating the law by talking about the matter.

"The Machtley campaign has obviously filed a complaint for political gain. We are in the process of responding to this complaint," Avedisian said.

But he added "by law, that complaint is supposed to be confidential," Avedisian said he could not

comment further on the matter until he had spoken to the campaign's attorneys.

Almond was not available for comment about the issue.

But Machtley's camp is charging Almond allegedly sent the congressman's contributors a letter asking them to contribute \$1,000 to his own campaign, the maximum allowed in a calendar year under the state's campaign finance laws.

"I know it is a great deal of money, but I hope you agree with me that the state of our state — our urgent need for new leadership — demands that we all step forward to do our part," Almond said in one of the letters viewed by *The Call*. Almond added that if \$1,000 was too much, "please send in what you can."

The letter also detailed Almond's law enforcement career and experience in economic development.

"As Rhode Island's U.S. Attorney I have dedicated myself to uncovering and prosecuting criminal wrongdoing," Almond said.

"As president of the Blackstone Valley Development Foundation, I've gained nearly 30 years of experience in economic development," he said.

Almond continued saying that experience "uniquely qualified" him to serve as governor.

"Who can better restore a sense of trust in state government than a federal prosecutor who has spent over 20 years putting swindlers, cheats and organized crime leaders in jail?" Almond asked.

The Federal Election Commission allows candidates filing information with the agency to set up a small number of "fictitious" mailing addresses within its filings allowing the agency to monitor whether the use prohibitions are violated.

Almond is alleged to have sent his letters to the fictitious addresses as well as Machtley's real contributors.

Plotkin maintained that federal election laws clearly prohibit the use of campaign finance information for solicitation purposes and that is why the Election Commission allows fictitious contributors to be filed with the agency.

"They keep them in a separate file and this is their procedure for protecting the public," Plotkin said.

"If I give money to Ron Machtley, my name has to be made public. But I don't think my name should be made available for any other purposes," Plotkin said while noting the federal records include name, address, home telephone number,

and place of employment for contributors.

"People have a right to not have their names used unlawfully," he said.

Laws against use of the information are needed, Plotkin said, because all of the filings are public information and easily obtained. Lists of the contributors can be obtained through the Federal Elections Commission itself or from mirror filings with the Rhode Island Secretary of State's office, he said.

The treasurer said he has received a letter from commission attorney Mary L. Taksar, notifying him the matter is under review by the federal agency.

"You will be notified as soon as the Federal Election Commission takes final action on your complaint," Taksar wrote.

The official noted Almond was to be notified of the complaint within five days of her March 11 letter.

After such a notification the subject of a complaint has 15 days to respond. The initial review could result in a recommendation that a violation did or did not occur.

If a violation is determined to have occurred, the commission could then vote to open a formal investigation.

That process could end either in an agreeable resolution of the matter between the parties, dismissal by the commission or a vote that a violation had in fact occurred.

In the end, Plotkin said the commission could require the violator to return any illegally obtained funds or meet other remedies approved by the commission.

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435-603



FOR IMMEDIATE RELEASE:
Wednesday, March 30, 1994

CONTACT:
Dick Plotkin, 849-3134
Chris Shaban, 849-5900

ALMOND CHARGED WITH FEDERAL CAMPAIGN FINANCE LAW VIOLATION

A formal complaint charging Republican gubernatorial candidate Lincoln Almond with violating Federal Campaign Finance regulations was filed with the Federal Election Commission (FEC). Richard A. Plotkin, CPA, Finance Chairman for the Machtley for Governor Campaign, filed the complaint.

"The evidence clearly indicates an apparent willful violation of Federal Election Commission regulations by the Almond campaign," Plotkin said.

In the complaint, Plotkin accuses the former United States Attorney of unlawfully using campaign contributor lists of the Machtley for Congress Committee to solicit \$1,000 contributions for the Almond campaign.

Plotkin cited a copy of a fundraising letter from Lincoln Almond to a fictitious name which was included as part of the Machtley list to protect against illegal use of the information.

"It is absolutely unconscionable," Plotkin said, "that a former U.S. Attorney would violate such basic provisions of federal campaign finance law." Plotkin continued by saying that the Federal Election Commission, and this law in particular, was created by Congress as a result of the Watergate scandal, and is designed to prevent this kind of wrongdoing.

Violations of this kind are initially investigated by the Federal Election Commission, which determines the appropriate civil penalties. Along with the significant fines, violations of this kind also require the campaign to return all funds associated with these specific fundraising appeals.

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P.O. Box 4309 • Middletown, RI 02842 • (401) 849-5900 • Fax (401) 849-5901

PAID FOR BY THE MACHTLEY CAMPAIGN COMMITTEE
Richard A. Plotkin, CPA, Treasurer

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

JUN 30 3 55 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
) Enforcement Priority
)

GENERAL COUNSEL'S QUARTERLY REPORT

I. INTRODUCTION

This report is the second Enforcement Priority System Quarterly Report. The purpose of this Quarterly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission approved criteria

By closing such cases the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 16 cases which do not warrant further pursuit relative to the other pending cases.¹ A short

1. These matters are: MUR 3920; MUR 3930; MUR 3934; MUR 3939; MUR 3942; MUR 3943; MUR 3945; MUR 3948; MUR 3953; MUR 3955; MUR 3957; MUR 3964; MUR 3965; MUR 3967; RAD 94L-22; and RAD 94L-25.

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description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-16. For the Commission's convenience, the narratives for externally-generated matters are immediately followed by the complaint and response(s) and the narratives for internally-generated matters are immediately followed by the referral.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 42 cases that

do not warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate

2. These matters are: MUR 3132; MUR 3432; MUR 3466; MUR 3470; MUR 3473; MUR 3495; MUR 3558; MUR 3575; MUR 3581; MUR 3594; MUR 3600; MUR 3625; MUR 3647; MUR 3663; MUR 3684; MUR 3698; MUR 3712; MUR 3733; MUR 3744; MUR 3749; MUR 3756; MUR 3759; MUR 3767; MUR 3776; MUR 3779; RAD 92L-26, RAD 93L-25; RAD 93L-26; RAD 93L-29; RAD 93L-31; RAD 93L-33; RAD 93L-35; RAD 93L-36; RAD 93L-38; RAD 93L-39; RAD 93NF-02; RAD 93NF-03; RAD 93NF-06; RAD 93NF-10; RAD 93NF-12; RAD 93NF-15; and RAD 93NF-20.

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narratives for these cases. However, for externally-generated matters in which the Commission has made no findings, the complaint and response(s) are attached to the report and for internally-generated matters in which the Commission has made no findings, the referral is attached. See Attachments 17-53. Because the Commission has already made findings in five of the stale cases, no additional information is being attached to this report in regard to these cases.³

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3. These matters are: MUR 3132, MUR 3432, MUR 3466, MUR 3495, and MUR 3733.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the identified cases effective August 1, 1994. This will allow the Legal Review Team adequate time to prepare the Pre-MUR and MUR files so that the cases can appear on the public record by September 1, 1994, within 30 days of the August 1, 1994, closing date. This timeframe also will enable this Office to prepare closing letters so that the letters can be mailed on August 2, 1994. Additionally, the Press Office will need time to review the files for inclusion in one of its press releases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

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B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

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C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

6/30/94
Date



Lawrence M. Noble
General Counsel

24043563831

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Enforcement Priority) Agenda Document
#X94-72

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 19, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to Agenda Document #X94-72:

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

(continued)

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B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967

(continued)

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C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

7-20-94
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

94043563834



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 2, 1994

Peter Mezel, Treasurer
Almond for Governor
1 Catamore Boulevard
East Providence, RI 02914

RE: MUR 3943

Dear Mr. Mezel:

On March 11, 1994, the Federal Election Commission notified Almond for Governor ("Committee") and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24013563385

MUR 3943
ALMOND FOR GOVERNOR

The Machtley for Congress Committee filed a complaint alleging that the Almond for Governor Committee produced and mailed solicitation letters using contributor information obtained from disclosure reports filed by the Machtley Committee. A solicitation letter was sent by the Almond Committee to a pseudonym submitted to the Commission by the Machtley for Congress Committee.

The Almond for Governor Committee responded that it had used information from a report filed by the Machtley for Congress Committee but was unaware of the solicitation ban. The Committee stated that it had received a total of \$2,100 in contributions from 12 of the contributors listed on the Machtley Committee's report. According to the Committee, only two contributors, who contributed a total of \$150, were unique to the list of contributors disclosed on the Machtley Committee's report. The Committee stated that the other ten contributors appeared on other sources of information which the Almond Committee used in its fundraising, direct mail, and other operations. The Almond Committee indicated that it has taken steps to ensure that this situation does not reoccur.

There is no evidence that the activity had significant impact on the process and it involves insubstantial amounts of money. There appears to be no serious intent to violate FECA.

24043563886



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

August 2, 1994

Richard A. Plotkin
Machtley for Congress
P.O. Box 4309
Middletown, RI 02840

RE: MUR 3943

Dear Mr. Plotkin:

On March 7, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

94043563387

MUR 3943
ALMOND FOR GOVERNOR

The Machtley for Congress Committee filed a complaint alleging that the Almond for Governor Committee produced and mailed solicitation letters using contributor information obtained from disclosure reports filed by the Machtley Committee. A solicitation letter was sent by the Almond Committee to a pseudonym submitted to the Commission by the Machtley for Congress Committee.

The Almond for Governor Committee responded that it had used information from a report filed by the Machtley for Congress Committee but was unaware of the solicitation ban. The Committee stated that it had received a total of \$2,100 in contributions from 12 of the contributors listed on the Machtley Committee's report. According to the Committee, only two contributors, who contributed a total of \$150, were unique to the list of contributors disclosed on the Machtley Committee's report. The Committee stated that the other ten contributors appeared on other sources of information which the Almond Committee used in its fundraising, direct mail, and other operations. The Almond Committee indicated that it has taken steps to ensure that this situation does not reoccur.

There is no evidence that the activity had significant impact on the process and it involves insubstantial amounts of money. There appears to be no serious intent to violate FECA.

24043563888



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 2, 1994

Herbert F. DeSimone, Jr., Esq.
DeSimone and Leach
49 Weybosset Street
Providence, RI 02903-2878

RE: MUR 3943
Lincoln Almond

Dear Mr. DeSimone:

On March 11, 1994, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

2404356339

MUR 3943

ALMOND FOR GOVERNOR

The Machtley for Congress Committee filed a complaint alleging that the Almond for Governor Committee produced and mailed solicitation letters using contributor information obtained from disclosure reports filed by the Machtley Committee. A solicitation letter was sent by the Almond Committee to a pseudonym submitted to the Commission by the Machtley for Congress Committee.

The Almond for Governor Committee responded that it had used information from a report filed by the Machtley for Congress Committee but was unaware of the solicitation ban. The Committee stated that it had received a total of \$2,100 in contributions from 12 of the contributors listed on the Machtley Committee's report. According to the Committee, only two contributors, who contributed a total of \$150, were unique to the list of contributors disclosed on the Machtley Committee's report. The Committee stated that the other ten contributors appeared on other sources of information which the Almond Committee used in its fundraising, direct mail, and other operations. The Almond Committee indicated that it has taken steps to ensure that this situation does not reoccur.

There is no evidence that the activity had significant impact on the process and it involves insubstantial amounts of money. There appears to be no serious intent to violate FECA.

24043563890



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3943

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JMH

24043563891