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September 18, 1994

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Bronx, NY 10467

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Federal Elections Commission
Office of General Counsel
999 E. Street NW
Washington, D.C. 20463
Attn: Brad Litchfield

AOR 1994-32

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
SEP 12 10 04 AM '94

Dear Mr. Litchfield:

I would like to submit the following questions for an advisory opinion. Does it violate any confidentiality requirements of federal election law for me to give the enclosed letter to a Times reporter, given that this letter is part of a complaint that I filed with the FEC against a presidential campaign from a past election cycle? This letter is a letter I wrote to the Manhattan District Attorney and made public to the press prior to my having filed a complaint with the FEC. The contents of this letter had been written about in the NYC press prior to my having filed a complaint with the FEC.

Can I tell this reporter that I worked as a volunteer for the cited presidential campaign and that I received no money from the campaign and that the campaign fraudulently lists me as receiving money? Can I tell this reporter other things that I know about the campaign, such as are discussed in that letter, without violating federal election laws that prohibit the public disclosure of any "investigation conducted by the Commission?" Can I tell any reporter that I have filed a complaint with the FEC?

Signed,

Kellie Gasink

Kellie Gasink

DGC Note: Enclosure not circulated
as public document. See
memo attached.

15-Sep-1994 Thu

MEMORANDUM

TO: Readers of
Advisory Opinion Request 1994-32

FROM: N. Bradley Litchfield 
Associate General Counsel

SUBJECT: Non-circulation of AOR enclosure

Advisory Opinion Request 1994-32 refers to an enclosed letter sent by Ms. Kellie Gasink to the Manhattan District Attorney. This five page letter, dated June 10, 1993, was submitted as part of the request and is on file with OGC Docket. However, it is not made public at this time because it was also previously submitted in an enforcement matter which remains under consideration at the Commission.

If the Commission issues an advisory opinion concluding that the confidentiality requirements of 2 U.S.C. 5437g(a)(12) and 11 CFR 111.21 do not apply to the cited letter, it will be included in the public file for this opinion. If the Commission's advisory opinion reaches the opposite result, the letter will not be placed in the public advisory opinion file until the related enforcement matter is concluded and placed on public record.