

2 2 JUN 1976

Mr. James E. Mitchell
Vassalboro, Maine 04989

Re: MUR 152 (76)

Dear Mr. Mitchell:

77040030310
This acknowledges receipt of your letter dated April 28, 1976, inquiring about the legality of a campaign contribution received by Neif R. Rolde. I have reviewed your allegations and have concluded that there is no reason to believe that a violation of statutes within the jurisdiction of the Commission has been committed. At the time the contribution was made, it was permissible under the then applicable interpretation of 18 U.S.C. Section 608(b)(3). See *Eckley v. Valio*, 519 f.2d 821, at 854 (D.C. Cir. 1975); also A.O. 1975-65 (40 fd 58392). Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Federal Election Campaign Laws, please contact me. The attorney assigned to this matter was Andrew Athy, Jr. (Telephone no. 202-382-4055). The file reference number was MUR 152 (76).

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy
General Counsel

JMurphy/pg/6/9/76

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Neil R. Rolde)
Candidate for Congress)

MUR 152 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on June 22, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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770407:031

JUN 16 1976

DATE AND TIME OF TRANSMITTAL: _____

NO. MUR 152 (76)

REC'D: 5/23/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: James E. Mitchell (unnotarized)

Respondent's Name: Neil R. Rolde Candidate for Congress

Relevant Statute: Section 608(b)(1)

Internal Reports Checked: Respondent's Reports from October 10 to date

Federal Agencies Checked: _____

SUMMARY OF ALLEGATION

Contributions from one person totalling in excess of \$1,000 were accepted
by respondent.

PRELIMINARY LEGAL ANALYSIS

Contributions in question were made on October 9 and 21, 1975, and were
identified as being from respondent's father; under existing law at the
time the contributions were made they were subject only to the \$25,000
limitation of Section 608(b)(3). See Buckley v. Valeo, 519 F.2d 821, at
854 (D.C. Cir. 1975); A.O. 1975-65. Accordingly, there is no reason to
believe a violation of the Federal Election Campaign Laws has been committed.

RECOMMENDATION

Close file.

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Date of Next Commission Review: _____

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CHATHMAN FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

7 7 0 4 0 0 1 3 1
ACCORDING TO PUBLIC RECORD ON FILE WITH MAINE SECRETARY OF STATE, NEIL R HOLDE, CANDIDATE FOR UNITED STATES REPRESENTATIVE, MAINE, DISTRICT ONE, RECEIVED MORE THAN ONE THOUSAND DOLLARS FROM AT LEAST ONE INDIVIDUAL WHOSE MONEY MR HOLDE DID NOT CONTROL PRIOR TO HIS CANDIDACY.

HE HAS APPARENTLY ASKED FOR THE COMMISSION'S ADVICE ON THE LEGALITY OF SUCH CONTRIBUTIONS.

AS I UNDERSTAND THE LAW, THIS CONTRIBUTION WAS ILLEGAL WHEN MADE AND CONTINUES TO BE SO. APPARENTLY ONLY THE COMMISSION CAN MAKE FINAL DETERMINATION AND REQUIRE CORRECTIVE ACTION. NO DETAILED INVESTIGATION IS REQUIRED SINCE THE CONTRIBUTIONS ARE PUBLIC RECORDS.

PLEASE ADVISE ME, AS AN OPPOSING CANDIDATE, ON AN APPROPRIATE COURSE OF ACTION TO DETERMINE WHETHER MR HOLDE HAS RECEIVED ILLEGAL CONTRIBUTIONS AND, IF HE HAS, HOW TO FORCE HIM TO STOP USING SUCH ILLEGALLY RAISED FUNDS.

OUR PRIMARY ELECTION IS JUNE 8, 1976. IF THE COMMISSION FAILS TO ACT IMMEDIATELY ITS DECISION WILL MAKE NO DIFFERENCE. I REQUESTED NO ACTION FORMALLY UNTIL COMMISSION RECEIVED ENFORCEMENT POWERS THROUGH ITS RECONSTITUTION

JAMES E MITCHELL
VASSALBORO
MAINE 04989

22:38 EST

MGMWSHT HSB

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SCHEDULE A

ITEMIZED RECEIPTS—CONTRIBUTIONS, SALES AND COLLECTIONS, LOANS, AND TRANSFERS
 ROLDE FOR U.S. REP. COMMITTEE
 NEIL R. ROLDE

(Full Name of Candidate or Committee)

Part No. 1
 (Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS

(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code	Occupation and Principal Place of Business, if any (if self-employed, also check box)		Amount of Receipt This Period
			Aggregate Year-to-Date	
10/21/75	L. Robert Rolde (Father) 55 Court Street Boston, Mass. 02108	Semi-retired Construction ☐	\$ 2,500	This period \$ 1,000
11/7/75	William L. Dunfey 490 Lafayette Road Hampton, New Hampshire 03842	☐	\$ 200	This period \$ 200
	Austin Kibbee, Jr. 6 Hallmark Road Portland, Maine 04110	☐	\$ 15	This period \$ 15
	William E. Baston 24 Church Street York Beach, Maine 03910	Retired ☐	\$ 20	This period \$ 20
	Mrs. Paul (Viola) Williams York Street York, Maine 03909	☐	\$ 25	This period \$ 25
	Herbert D. Bracy Woodbridge Road York, Maine 03909	Retired ☐	\$ 10	This period \$ 10
	Richard Maki Box 361 York Harbor, Maine 03911	Retired ☐	\$ 10	This period \$ 10
11/10/75	Mrs. E. Randolph (Elisabeth) "Old House" Bennett York Village, Maine 03909	Housewife ☐	\$ 10	This period \$ 10
	Robert J. Barr 2 Field Avenue York, Maine 03909	Machinest PNSY ☐	\$ 10	This period \$ 10
	Norman B. Chase Cliff Road Cape Neddick, Maine 03902	☐	\$ 10	This period \$ 10
	James L. Ritchie, Jr. RFD Box 128F Cape Neddick, Maine 03902	Retired ☐	\$ 100	This period \$ 100

TOTAL THIS PERIOD
 (Last page of this Schedule A)

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SCHEDULE A

ITEMIZED RECEIPTS—CONTRIBUTIONS, SALES AND COLLECTIONS, LOANS, AND TRANSFERS

FORM FOR CANDIDATE COMMITTEE (formerly Form for U.S. Rep.
(Full Name of Candidate or Committee) Committee)

Part No. 1
(Use for itemizing Part 1, 2, 3, 4, or 5)

SEE REVERSE SIDE FOR INSTRUCTIONS
(Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code	Occupation and Principal Place of Business, if any (if self-employed, also check box)	Amount of Receipt This Period
10/9/75	L. Robert Baldo (Father) 55 Court Street Boston, Massachusetts 02108	☐ Aggregate Year-to-Date \$ 1,500.00	This period \$ 1,500.00
		☐ Aggregate Year-to-Date \$	This period \$
		☐ Aggregate Year-to-Date \$	This period \$
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		☐ Aggregate Year-to-Date \$	This period \$
		☐ Aggregate Year-to-Date \$	This period \$

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TOTAL THIS PERIOD \$1,500.00
(Last page of this Part only)

FEDERAL ELECTION COMMISSION

MURPHY WOLDAKE May 25, 1977

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| ☐ (1) Classified Information | ☐ (6) Personal privacy |
| ☐ (2) Internal rules and practices | ☐ (7) Investigatory files |
| ☐ (3) Exempted by other statute | ☐ (8) Banking Information |
| ☐ (4) Trade secrets and commercial or financial information | ☐ (9) Well Information (geographic or geophysical) |
| ☒ (5) Internal Documents | |

Signed ALJ

date _____