



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael M. Moriarty, Esq.
Windels, Marx, Lane & Mittendorf
156 West 56th Street
New York, NY 10019

May 8, 2001

RE: MUR 5142
Rick Lazio

Dear Mr. Moriarty:

On November 9, 2000, 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 May 2, 2001.

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 Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan".

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment:
Narrative

21-04-405-0800