



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

SEP 04 2003

Paul A. Matteucci
1870 Shiloh Valley Drive
Chesterfield, MO 63005-8425

RE: MUR 5383

Dear Mr. Matteucci:

On August 27, 2003, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

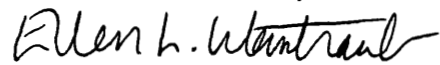
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Mary L. Taksar, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Ellen L. Weintraub
Chair

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

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II. FACTS AND LEGAL ANALYSIS

Based on information available to the Commission, AM & PM, Inc., may have been the source of a short-term loan – since repaid – in order to assist in covering printing costs of a book. Paul Matteucci, Mr. Federer's former campaign manager, admitted that his company, AM & PM, Inc., advanced \$11,491 to the Federer for Congress Committee (the "Committee") or to the printing company for 3,000 copies *America's God and Country*, and the campaign later reimbursed AM & PM, Inc., a Missouri corporation. The book was purportedly distributed at campaign fundraisers, usually to individuals making contributions of at least \$50, and occasionally to individuals who did not make contributions.

According to the information, Mr. Federer stated that at the time that AM & PM, Inc., paid for the books, the campaign did not have the funds available to have additional copies printed for the campaign. Mr. Matteucci provided an invoice from Dickinson Press indicating an "Add on to Job #18747" for 3,000 copies of the book and an invoice from AM & PM, Inc., to the Committee. The Committee later reimbursed AM & PM, Inc.

Because corporate contributions are prohibited and AM & PM, Inc.'s purchase of \$11,491 worth of books for the Committee represented a transfer of something of value, AM & PM, Inc. made a prohibited contribution. According to the information available, the Committee did not have the funds available at the time to purchase the books for use in the campaign, and AM & PM, Inc., made the purchase and the books were, in fact, used in the campaign. Mr. Matteucci had a role in the transaction as Mr. Federer's campaign manager and as an officer of the corporation. Therefore, there is reason to believe that Paul Matteucci, as an officer of AM & PM, Inc., violated 2 U.S.C. § 441b(a) by consenting to the making of a corporate contribution and by accepting or receiving the prohibited contribution.