



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

AUG 18 2004

Mr. Craig C. Donsanto, Director
Election Crimes Branch
Criminal Division
U.S. Department of Justice
Washington, D.C. 20530

RE: MUR 5383/Pre-MUR 399
Federer for Congress Committee and
Thomas M. Busken, as treasurer

Dear Mr. Donsanto:

This is in reference to the matter involving the Federer for Congress Committee, formerly designated as Pre-MUR 399, which your office referred to the Federal Election Commission on April 26, 2001.

On August 27, 2003, the Commission decided to open a matter under review in this case, designated as MUR 5383. At that time, the Commission found reason to believe that the Federer for Congress Committee and Thomas M. Busken, as treasurer ("the Committee"), violated 2 U.S.C. § 441b(a) by accepting a corporate contribution in the form of an advance made by a corporation, AM & PM, Inc., to purchase candidate-authored books for the Committee's use in the 2000 election, and that Paul A. Matteucci, an officer of AM & PM, Inc., violated 2 U.S.C. § 441b(a) by consenting to the making of a corporate contribution in the form of the book advance. The Commission also found no reason to believe that Sue Federer violated 2 U.S.C. § 439a and closed the file with respect to her. No action was taken with respect to William J. Federer based on the vague and unsubstantiated nature of the information contained in the referred materials involving him.

Following an investigation, and after considering all of the circumstances of this matter, the Commission determined to take no further action against the Committee and Mr. Matteucci and closed the file on August 5, 2004. At the same time, the Commission admonished the Committee and Mr. Matteucci that accepting, and consenting to make, a corporate contribution in the form of an advance to purchase items to be used by a political committee is a violation of 2 U.S.C. § 441b(a).

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed.

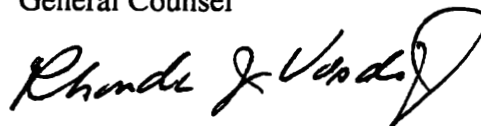
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Reg. 70,426 (Dec. 18, 2003). Copies of the dispositive General Counsel's Reports are enclosed for your information.

We appreciate your cooperation in helping the Commission meet its enforcement responsibilities under the Act. If you have any questions, please contact Dawn M. Odrowski, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lawrence H. Norton
General Counsel



BY: Rhonda J. Vosdigh
Associate General Counsel
for Enforcement

Enclosures
First General Counsel's Report
General Counsel's Report #2