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FEDERAL ELECTION
COMMISSION
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SENSITIVE

October 2, 2007

The Honorable Robert Lenhard
Chairman
Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR # 5945

Re: Violations of FECA by Kieran Michael Lalor

Dear Chairman Lenhard:

I have reason to believe that Kieran Michael Lalor, candidate for U.S. Congress in New York's 19th District, is in violation of the Federal Election Campaign Act ("FECA"). The FECA places requirements on candidates for federal office including a requirement that candidates for federal office and their authorized committee file with the FEC once becoming a candidate for office and file regular disclosure reports.

Factual Background

By April 14, 2007, Mr. Lalor informed members of the news media that he had raised more than \$20,000 in support of his candidacy for the United States Congress.¹ At that time, Lalor said, "The early support for my candidacy is confirmation that voters in the district are excited to embrace a true conservative."²

Lalor has established a website at <https://www.kml2008.com> which contains the following statement: "Kieran Michael Lalor is a proven leader who has demonstrated uncommon devotion to his country and to the Hudson Valley. With your help, we can reclaim our seat in the House of Representatives so it reflects our values, not those of Hollywood elites and liberal extremists." The website also contains a number of news articles about his candidacy.

¹ See Martin Wilbur, "First Potential Hall Challenger Steps Forward," North Country News, available at: http://www.kml2008.com/North_Country_News_411.htm (visited July 30, 2007); Attached as Exhibit A.
² Id.

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Lalor paid for an advertisement appearing in the New York Conservative Party's 45th Annual Dinner program on July 19, 2007.³

A news report on July 21, 2007 indicated that Mr. Lalor was running for the Republican nomination for the 19th District and has raised more than \$60,000.⁴

As of October 2, 2007, there was no indication that Lalor has filed any documents with the FEC or with the IRS to disclose the existence of his organization that claims to be accumulating funds or of the existence of his candidacy.

Count I: Failure to File Declaration of Candidacy with the FEC

The FECA requires that candidates for office file a Declaration of Candidacy within 15 days of "becoming a candidate," for federal office.⁵ A person is a candidate for office once he or she has collected contributions or made expenditures of more than \$5,000 in support of their candidacy.⁶

Mr. Lalor has told news outlets cited above that he has raised more than \$20,000 in support of his candidacy in April 2007. Further, Mr. Lalor has made at least one expenditure in support of his candidacy when he purchased an advertisement in the Conservative Party dinner program that clearly indicates "With your help we can reclaim our seat in the House of Representatives...."⁷

These actions suggest that he is a candidate for office and has failed to file a Declaration of Candidacy in accordance with the FECA.

Count II: Failure to File a Statement of Organization and Quarterly Disclosures

The FECA requires that candidates file a Statement of Organization within 10 days of filing the Declaration of Candidacy.⁸ Lalor has indicated on his website that contributions are governed by the FECA with the following disclaimer:

Contributions are not deductible as charitable contributions for federal income tax purposes. Federal Election Law requires us to report the name, address, occupation, and employer for contributions that aggregate in excess of \$200 in an election cycle. The maximum an individual may contribute is \$2,300 per election. Couples may contribute

³ Attached as Exhibit B (Ad and Rate Sheet).

⁴ See "Would Be Challengers Target Hall," Brendan Scott, Record Online, July 21, 2007 available at: <http://www.recordonline.com/apps/pbcs.dll/article?AID=/20070721/NEWS/707210326> (visited July 30, 2007); Attached as Exhibit C.

⁵ 11 CFR 101.1

⁶ 11 CFR 100.3(a)

⁷ See Attachment B.

⁸ 11 CFR 102.1

\$4,600. Federal PACs may contribute \$5,000 per election. Contributions from corporations, labor unions, federal government contractors, national banks, and foreign nationals without permanent residency status are prohibited.⁹

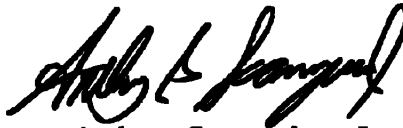
This appears to indicate to the public that Lalor has authorized a political committee to serve as his principal campaign committee. However, as of October 2, 2007, Lalor has failed to file this document.¹⁰

Authorized committees are required to file on a quarterly schedule. As of October 2, 2007, Lalor's committee has not filed a first or second quarter report in 2007.

Conclusion

We believe that the forgoing facts constitute a violation of multiple provisions of the FECA. We ask that the Commission investigate Mr. Lalor's failure to file a Declaration of Candidacy, failure to file a Statement of Organization and failure to file disclosures with the FEC. We ask the Commission investigate and take appropriate action to address these multiple violations by Mr. Lalor's campaign.

Sincerely,



Anthony Scannapieco, Jr.

Mahopac, New York 10541

⁹ <http://www.kml2008.com/contribute.htm>

¹⁰ Alternatively, if Lalor is found to be "testing the waters" he has also failed to file Form 8871 with the IRS and the mid-year Form 8872 with the IRS.

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Anthony Scannapieco Jr., hereby verifies that the statements made in the above complaint are, upon information and belief, true.

Sworn to pursuant to 18 U.S.C. § 1001.


Anthony Scannapieco Jr.

Putnam County
State of New York

The foregoing instrument was subscribed and sworn before me this 2 day of October, 2007 by


Notary Public

My commission expires 4/28/11

NANCY L. COLLIER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CO6091480
Qualified in Putnam County
My Commission Expires April 28, 2011

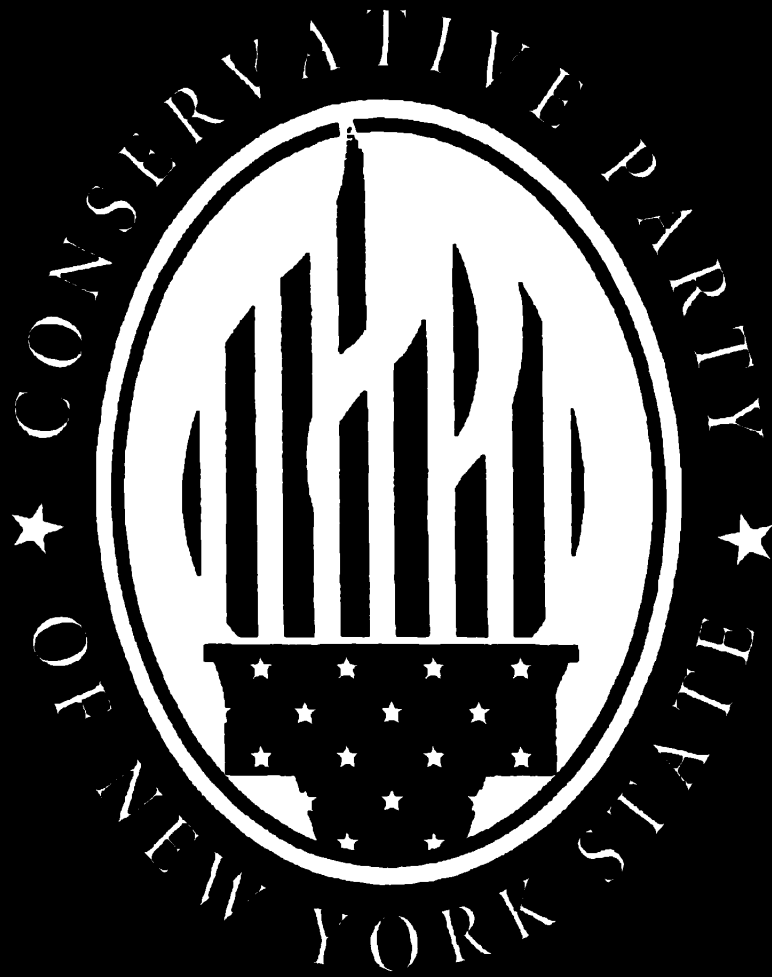
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Attachment B

Re: Violations of FECA by Kieran Michael Lalor

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Strengthening *America*



NEW YORK STATE CONSERVATIVE PARTY

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Kieran Michael
LALOR 2008

A Fighter and a Patriot

CONGRESSIONAL EXPLORATORY COMMITTEE

PRO-VICTORY ✦ PRO-TAXPAYER ✦ PRO-FAMILY



Strong National Defense

As a Marine Corps infantryman who conducted operations in five countries on three continents, Kieran Michael Lalor has seen the necessity of a strong defense. He is committed to victory in the war against radical Islam and knows that confronting terrorists on their turf is essential to thwarting attacks on ours.

He also understands that fighting them over there while letting them in over here is a deeply flawed policy. According to Kieran, true homeland security requires protecting our borders and prosecuting illegal immigrants and those who hire or enable them.

Limited Government

"The nine most terrifying words in the English language are, 'I'm from the government and I'm here to help.'" - President Ronald Reagan

President Reagan's commitment to limited government and individual liberty is enthusiastically embraced by Kieran and he is ever wary of the stifling effect of meddling government and high taxes. The Founders, who declared Independence in part because of an unbearable tax burden, could scarcely recognize a nation where the average American pays upwards of forty cents of every dollar earned to the government.

Traditional Values

Kieran understands that preserving the institutions that have been the bedrock of our society is essential to the continued prosperity of the nation. He insists that a free people do not wait around for a bare majority of nine unelected, life-tenured lawyers on the Supreme Court to tell them what they can and cannot do. No longer can we allow liberal activists to abuse the courts to circumvent the will of the American people.

Because his daughter spent much of her early life in hospitals having surgery to correct a severe congenital heart defect, Kieran has seen parents fighting desperately to keep their children alive and knows that human life at all stages is sacred and must be protected. Kieran is 100% Pro-Life.

The Right Leader, at the Right Time

Kieran Michael Lalor, a veteran of Operation Iraqi Freedom, is a proven leader who has demonstrated uncommon devotion to his country and the Hudson Valley. He is aggressively exploring a run in New York's 19th Congressional District. With your help, we can reclaim our seat in the House of Representatives so it reflects our values, not those of Hollywood elites and liberal extremists.

www.KML2008.com

Paid For By: Kieran Michael Lalor 2008 Congressional Exploratory Committee
PO Box 2215 Peekskill, NY 10566 • (845) 616-3509

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New York State Conservative Party 45TH ANNUAL STATE DINNER AND JOURNAL

Guest Speaker

NEWT GINGRICH

FORMER SPEAKER OF THE HOUSE

Charles Edison Memorial Award Recipient

Dinner Chairman

THOMAS D. COOK

Journal Chairman

EDWARD WALSH, JR.

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Hilton New York • 1335 Avenue of the Americas (at West 53rd Street & 6th Avenue) • New York City
Wednesday Evening, July 18, 2007

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