



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4058

DATE FILMED 3-29-95 CAMERA NO. 2

CAMERAMAN S.E.G.

250433632037

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE

SEP 20 11 06 AM '94

83 Main Street
P.O. Box 148
Hampton, CT 06247

Orig.
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 20 12 29 PM '94

General Counsel
Federal Election Commission
999 E Street NW
Washington, D.C. 20463

MUR 4058

RE: Campaign Violation by Ed Munster for Congress '94 Committee and its Treasurer

Dear Sir:

I, Rhoda M. Micocci, believe that the Ed Munster for Congress '94 Committee and its treasurer, Joseph DiMichele, are violating the Commission's "best efforts" solicitation regulations at 11 CFR 104.7.

Specifically, I am submitting to the Commission reproductions of two written solicitations authorized by the Ed Munster for Congress '94 Committee which, on their face, are in violation of the solicitation disclosure requirements under 11 CFR 104.7. On both written solicitations the following statement is omitted:

"Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year."

Failure to include such statement in a clear and conspicuous manner on two written solicitations or on any response material included in the solicitations constitutes reason to believe that the Ed Munster for Congress '94 Committee cannot demonstrate compliance with the Commission's "best efforts" rules to obtain, maintain and report the identification of individuals who contribute more than \$200 in a calendar year.

Sincerely,

Rhoda M. Micocci
Rhoda M. Micocci

Enclosures: "From the desk of Ed Munster," "This Time... Ed Munster for Congress!"

Subscribed and sworn to before me, PEGGY AUDETTE, this 19 day of
September, 1994.

Ray Audette
Notary Public

My commission expires:

PEGGY AUDETTE
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 30, 1997

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 20 12 29 PM '94

From the desk of ...

Ed Munster

The race is on ... and I'm up to the challenge! In case you didn't have the opportunity to read the article in the Hartford Courant on Monday 2-14-94, I enclosed a copy for your review. I wanted to make sure that you had a chance to read this one!

The article highlights our race in the Second District as one of the hottest races to be a part of, not just in Connecticut ... but across the nation.

We have the opportunity to send a Republican majority from Connecticut to the House for the first time in decades. We may even be able to win a couple of new State Senate seats in the Second District which would give our Republican Governor a Senate majority to work with.

I need your financial support now more than ever. Last election we almost beat Gejdenson while being outspent by a tremendous margin. With the right resources we can and will win in 1994.

Please send your financial gift for Munster '94 by March 21 so that we can keep the momentum going and continue our fight that will mean victory in November.

Thank you in advance for your support.

Sincerely,



25043632039

The Hartford Courant.

Established 1764

Monday, February 14, 1994

Hot race likely in 2nd District

Rematch looks to be slugfest

By MATTHEW DALY
Courant Staff Writer

The weather was gloomy, but former state Sen. Edward Munster was beaming as he pumped hands at a Republican dinner last month.

So were the 150 GOP activists who had traveled to a New London restaurant on that frozen, foggy evening to hear Munster tout his rematch against the party's longtime nemesis, U.S. Rep. Sam Gejdenson, D-2nd District.

Mulling about before Munster's speech, the Republicans talked excitedly about recapturing a congressional seat they last won in 1972.

"For the first time, I will predict Republicans will win in the 2nd District — not just come close," state Rep. Andrew M. Norton of Colchester declared.

"That's the hottest race going — not just in Connecticut, but maybe in the country," gushed gubernatorial candidate John G. Rowland. "People love rematches."

Especially when the first face-off was such a squeaker.

Munster, 52, of Haddam, lost to Gejdenson in 1992 by 3,875 votes of nearly 243,000.

Despite being outspent by a ratio of nearly 7-to-1, Munster beat Gejdenson in 35 of 54 towns in the rural district — including Gejdenson's hometown of Bozrah. Only Gejdenson's solid advantage in Democratic strongholds such as Middletown and New London — and a boost from Bill Clinton and U.S. Sen. Christopher J. Dodd at the top of the ticket — allowed him to keep the seat he has held since 1981.

To come so close, after years of failing to knock off the state's senior member of Congress, has Republicans relishing the prospect of victory — and Democrats worried about the GOP's most credible challenger in a decade.

Please see Hot, Page A7

05043632040

☐ Yes Ed, I want to give my early support and help to raise the critical campaign funds to do the job in 1994 and defeat Sam Goldenson and send you to Congress!

Enclosed is my campaign contribution of:

☐ \$250 ☐ \$75 ☐ \$50 ☐ \$100 ☐ Other \$ ____
(payable to Munster for Congress - 94)

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Occupation: _____

Employer: _____

(We are required by law to report the above information.)

Would you volunteer to:

- | | |
|--|--|
| <input type="checkbox"/> Be a town coordinator | <input type="checkbox"/> Host a fundraiser |
| <input type="checkbox"/> Write a letter to the editor | <input type="checkbox"/> Make phone calls |
| <input type="checkbox"/> Distribute lawn signs | <input type="checkbox"/> Distribute campaign materials |
| <input type="checkbox"/> Work at campaign headquarters | <input type="checkbox"/> Stuff envelopes |

Other _____

THANK YOU FOR YOUR SUPPORT

Paid for by Munster for Congress - 94, Joseph DeMichele, Treasurer
Sorry, political contributions are not tax deductible.

25043632041

Voter Survey:

Please rank the following issues in order of importance (1 being most important, 5 being least important):

- ☐ Job creation
- ☐ Crime
- ☐ Health Care Reform
- ☐ Welfare Reform
- ☐ Inflation

Do you agree with a constitutional amendment requiring that Congress balance the federal budget?

- ☐ Yes ☐ No

Do you think that Congress should pass a line-item-veto bill so that the President has the power to reduce pork-barrel spending?

- ☐ Yes ☐ No

Do you support the death penalty?

- ☐ Yes ☐ No

Do you believe that individuals receiving welfare should be given a limit, say two years, after which time they can no longer receive federal monies?

- ☐ Yes ☐ No

Do you support term limits for our elected officials?

- ☐ Yes ☐ No

Thank you for your input. Please return this card to Munster for Congress - 94 P.O. Box 696 Haddam, CT 06441

Ed Munster

for Congress

Political History

Republican Candidate for Congress, Second Congressional District, 1992
Connecticut State Senator, 33rd District, 1990-1992. Served on the Appropriations, Education, and Banking Committees
Board of Tax Review, Town of Haddam, 1989-1990
Haddam Republican Town Committee, 1980-1985, Chairman
Board of Education, Regional District 17, 1976-1977

Community Service

Brainerd Memorial Library Board of Trustees, President
Don't Trash Our River, An Environmental Citizens Group, Treasurer

Professional History

Statistician - Associate Director, Clinical Research, Pfizer Corporation, 1979 - 1993
Instructor in Biostatistics and Epidemiology, University of Connecticut Medical and Dental School, 1972-1979
Research Statistician, Tennessee Eastman Company, 1969-1972

Education

University of Connecticut, M.S. Statistics, 1969

CONGRESS



*This Time . . .
Ed Munster for
Congress!*

2 4 0 2 5 9 5 4 0 5 7

"My campaign for Congress is about change -- change in leadership, change in direction, and a change in priorities so that the people of the Second District come first again!"

Ed Munster

For the past 18 years, Ed Munster has served his community on the Haddam Board of Education, the Republican Town Committee in Haddam, the Haddam Board of Tax Review, and as a State Senator representing the Second District.

In 1992, Munster ran for Congress in the Second District, winning his September 15th primary with 54% of the vote.

In the November general election, Munster gave incumbent Congressman Sam Gejdenson the closest race of his 12 year career. Outspent nearly ten-to-one, Munster came within 3,875 votes of unseating the incumbent, winning in 36 of the District's 54 towns.



Munster lives with his wife of 28 years, Judy, and their three sons, Mark, Eric and Terrence at 25 Horton Rd in Haddam, CT

Munster on the Issues:

Job Creation. Real growth in the economy comes from jobs created by the private sector, not by the government.

Balanced Budget Amendment and Line Item Veto. These are the tools most needed to bring unnecessary, pork barrel spending under control.

Health Care Reform. Costs can be controlled without loss of choice or quality if we give the health care consumer real decision making power. We do not need another costly, ineffective government program which creates huge new state and federal bureaucracies.

Crime. Truth-in-Sentencing and a workable, effective death penalty are necessary deterrents to growing criminal activity.

Route 6 and Route 11. These infrastructure improvements are desperately needed in the Second District for safety of travel and economic development.

University of Connecticut Technology Research Park. It's time that our federal and state representatives worked more aggressively to make this plan a reality.

"In Our Opinion, Ed Munster's Ready and Eager to Serve... Munster is ready to work and, on the basis of what he's said so far, he has some ideas worth hearing."

The Norwich Bulletin
January 29, 1994

I would like to make a contribution to your campaign committee:
 \$1,000 _____ \$500 _____ \$250 _____ \$100 _____
 \$50 _____ Other \$ _____

I would like to be a Munster volunteer _____

I would like to host a fundraiser _____

Name _____
 Address _____
 City, State, Zip _____
 Telephone _____
 Occupation _____
 Employer _____



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 4, 1994

Rhoda M. Micocci
83 Main Street
P.O. Box 148
Hampton, CT 06247

RE: MUR 4058

Dear Ms. Micocci:

This letter acknowledges receipt on September 20, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4058. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

25743632044



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 4, 1994

Joseph E. DeMichele, Treasurer
Munster for Congress '94
P.O. Box 696
Higganum, CT 06441

RE: MUR 4058

Dear Mr. DeMichele:

The Federal Election Commission received a complaint which indicates that the Munster for Congress '94 ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4058. Please refer to this number in all future correspondence.

The complaint was not sent to you earlier due to an administrative oversight. Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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 matter to be made public. 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.

-ED- MUNSTER '94- CONGRESS

P.O. Box 696, Higganum, CT 06441-0696

October 21, 1994

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
OCT 20 9 41 AM '94

Re: MUR 4058

Dear Madames and Sirs:

This letter is being submitted in response to your correspondence dated October 4, 1994 and received by me on October 11, 1994, regarding a complaint filed against the Munster for Congress - 94 committee and myself, as treasurer of that committee.

As I understand the complaint, the Munster for Congress - 94 committee has been accused of failing to "demonstrate compliance with the Commission's 'best efforts' rules to obtain, maintain and report the identification of individuals who contribute more than \$200 in a calendar year." The complainant, Ms. Rhonda M. Micocci, sites two (2) pieces of Munster literature as her examples of failure to comply. Both pieces are defensible.

The first piece Ms. Micocci sites, a letter titled "From the Desk of Ed Munster," was mailed to supporters soliciting funds prior to the implementation of the new solicitation disclosure requirements under 11 CFR 104.7 which took effect in March 1994. Sent along with said solicitation was a reply envelope identical to the one enclosed and marked as Exhibit A. All subsequent contribution envelopes were reprinted to include the newly required language as in evidenced in Exhibit B.

The second piece Ms. Micocci sites, "This Time . . . Ed Munster for Congress," was first produced as a bi-fold piece of literature without a solicitation portion (Exhibit C) and was distributed through March. Subsequently, a third panel was added to the piece that included a solicitation request and the piece was printed. Almost immediately after the piece was printed, it was noticed that the new piece did not include the new disclosure requirements under 11 CFR 104.7. While some of these pieces were inadvertently distributed, each subsequent piece was

labeled with the proper language (Exhibit D).

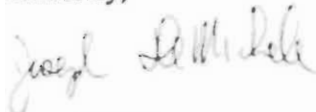
The purpose of the new solicitation disclosure requirements under 11 CFR 104.7 is to insure that a campaign committee make its best efforts to obtain, maintain and report the identification of individuals who contribute more than \$200 in a calendar year. I strongly argue that the Munster for Congress - 94 campaign has an exemplary record in this regard.

As of this correspondence, only one (1) individual contributor's occupation and employer information is incomplete, and this individual has been contacted by the campaign to obtain this information. Please also note that the Munster for Congress - 92 campaign had a 100% compliance with the identification of \$200+ donors, and I fully expect to end this campaign with similar results.

Despite Ms. Micocci's claims of blatant disregard for proper disclosure of campaign contributors, the Munster for Congress - 94 campaign has fully abided by federal law requiring disclosure. Oversight on one piece of literature was accidental and remedied immediately.

If you have any questions concerning any of the above, please do not hesitate to contact me at (203) 345-4281.

Sincerely,



Joseph DeMichele
Treasurer
Munster for Congress - 94
P.O. Box 696
Higganum, CT 06441

25043632047

10/23/94

Darren Comras
Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D.C. 20515

I have attached the amended information that I was not able to supply in my 10/15/94 report. The report was for the period 07/01/94 to 09/30/94 (Quarterly Report). I am submitting Employer and Occupation information for the one individual that I did not have. Please note that this individual is in the 10/15/94 report as a contributor (with employer and occupation showing) and brings the occupation/employer information for the 10/15/94 report to 100%.

K. Grahame Walker
1160 Prospect Street
Hartford, Connecticut 06105

Occupation: Chairman and CEO
Employer : Dexter Corp.

If you have any questions please call me at home.

Joseph E. DeMichele *JED*
Treasurer
Munster for Congress - '94
C00284984
230 Killingworth Road
Higganum, Ct 06441
(203)-345-4281

NOTE: This is a copy of my amended 7/1/94 - 9/30/94 report providing the occupation/employee information for the one individual mentioned. My 10/1/94 - 10/19/94 report contains 100% of the information required.

Voter Survey:

Please rank the following issues in order of importance (1 being most important, 5 being least important):

- ☐ Job creation
- ☐ Crime
- ☐ Health Care Reform
- ☐ Welfare Reform
- ☐ Inflation

Do you agree with a constitutional amendment requiring that Congress balance the federal budget?

- ☐ Yes
- ☐ No

Do you think that Congress should pass a line-item-veto bill so that the President has the power to reduce pork-barrel spending?

- ☐ Yes
- ☐ No

Do you support the death penalty?

- ☐ Yes
- ☐ No

Do you believe that individuals receiving welfare should be given a limit, say two years, after which time they can no longer receive federal monies?

- ☐ Yes
- ☐ No

Do you support term limits for our elected officials?

- ☐ Yes
- ☐ No

Thank you for your input. Please return this panel to Munster for Congress - 94, P.O. Box 696, Higganum, CT 06441

Ed Munster

for Congress

Political History

Republican Candidate for Congress, Second Congressional District, 1992
Connecticut State Senator, 33rd District, 1990-1992. Served on the Appropriations, Education, and Banking Committees
Board of Tax Review, Town of Haddam, 1989-1990
Haddam Republican Town Committee, 1980-1985, Chairman
Board of Education, Regional District 17, 1976-1977

Community Service

Brainerd Memorial Library Board of Trustees, President
Don't Trash Our River, An Environmental Citizens Group, Treasurer

Professional History

Statistician - Associate Director, Clinical Research, Pfizer Corporation, 1979 - 1993
Instructor in Biostatistics and Epidemiology, University of Connecticut Medical and Dental School, 1972-1979
Research Statistician, Tennessee Eastman Company, 1969-1972

Education

University of Connecticut, M.S. Statistics, 1969

EXHIBIT 1



*This Time . . .
Ed Munster for
Congress!*

Paid for by Munster for Congress - 94, Joseph DeMichele, Treasurer
P.O. Box 696, Higganum, CT 06441

6 7 0 2 3 9 8 7 5 1

"My campaign for Congress is about change -- change in leadership, change in direction, and a change in priorities so that the people of the Second District come first again!"

Ed Munster

For the past 18 years, Ed Munster has served his community on the Haddam Board of Education, the Republican Town Committee in Haddam, the Haddam Board of Tax Review, and as a State Senator representing the 33rd District.

In 1992, Munster ran for Congress in the Second District, winning his September 15th primary with 54% of the vote.

In the November general election, Munster gave incumbent Congressman Sam Gejdenson the closest race of his 12 year career. Outspent nearly ten-to-one, Munster came within 3,875 votes of unseating the incumbent, winning in 36 of the District's 54 towns.



Munster lives with his wife of 28 years, Judy, and their three sons, Mark, Eric and Terrence at 25 Horton Rd. in Haddam, CT

Munster on the Issues:

Job Creation. Real growth in the economy comes from jobs created by the private sector, not by the government.

Balanced Budget Amendment and Line Item Veto. These are the tools most needed to bring unnecessary, pork barrel spending under control.

Health Care Reform. Costs can be controlled without loss of choice or quality if we give the health care consumer real decision making power. We do not need another costly, ineffective government program which creates huge new state and federal bureaucracies.

Crime. Truth-in-Sentencing and a workable, effective death penalty are necessary deterrents to growing criminal activity.

Route 6 and Route 11. These infrastructure improvements are desperately needed in the Second District for safety of travel and economic development.

University of Connecticut Technology Research Park. It's time that our federal and state representatives worked more aggressively to make this plan a reality.

"In Our Opinion, Ed Munster's Ready and Eager to Serve ... Munster is ready to work and, on the basis of what he's said so far, he has some ideas worth hearing."

**The Norwich Bulletin
January 29, 1994**

I would like to make a contribution to your campaign committee:
☐ \$1,000 ☐ \$500 ☐ \$250 ☐ \$100
☐ \$50 ☐ Other \$ _____

I would like to be a Munster volunteer (346-1666)

I would like to host a fundraiser

"Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year."

Name _____
 Address _____
 City, State, Zip _____
 Telephone _____ Occupation _____ Employer _____

EXHIBIT A

Munster For Congress 94
P.O. Box 696
Higganum, CT 06441-0696

25043832051

☐ Yes Ed, I want to give my early support and help to raise the critical campaign funds to do the job in 1994 and defeat Sam Gejdenson and send you to Congress!

Enclosed is my campaign contribution of:

☐ \$250 ☐ \$75 ☐ \$50 ☐ \$100 ☐ Other \$ _____
(payable to Munster for Congress - 94)

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Occupation: _____

Employer: _____

(We are required by law to report the above information.)

Would you volunteer to:

- | | |
|--|--|
| <input type="checkbox"/> Be a town coordinator | <input type="checkbox"/> Host a fundraiser |
| <input type="checkbox"/> Write a letter to the editor | <input type="checkbox"/> Make phone calls |
| <input type="checkbox"/> Distribute lawn signs | <input type="checkbox"/> Distribute campaign materials |
| <input type="checkbox"/> Work at campaign headquarters | <input type="checkbox"/> Stuff envelopes |

Other _____

THANK YOU FOR YOUR SUPPORT

Paid for by Munster for Congress - 94, Joseph DeMichele, Treasurer.
Sorry, political contributions are not tax deductible.

25943632052

EXHIBIT B

Munster For Congress 94
P.O. Box 696
Higganum, CT 06441-0696

2504332053

☐ Yes Ed, I want to give my early support and help to raise the critical campaign funds to do the job in 1994 and defeat Sam Gejdenson and send you to Congress!

Enclosed is my campaign contribution of:

☐ \$1000 ☐ \$500 ☐ \$250 ☐ \$100 ☐ \$25 ☐ Other \$ _____
(payable to Munster for Congress - 94)

Name: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Occupation: _____

Employer: _____

"Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 per calendar year"

Would you volunteer to:

☐ Be a town coordinator

☐ Write a letter to the editor

☐ Distribute lawn signs

☐ Work at campaign headquarters

☐ Host a fundraiser

☐ Make phone calls

☐ Distribute campaign materials

☐ Stuff envelopes

Other _____

THANK YOU FOR YOUR SUPPORT

Paid for by Munster for Congress - 94, Joseph DeMichele, Treasurer
Sorry, political contributions are not tax deductible.

25743632054

Ed Munster

Congress

Political History

Republican Candidate for Congress, Second Congressional District, 1992
Connecticut State Senator, 33rd District, 1990-1992. Served on the Appropriations, Education, and Banking Committees
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Instructor in Biostatistics and Epidemiology, University of Connecticut Medical and Dental School, 1972-1979
Research Statistician, Tennessee Eastman Company, 1969-1972

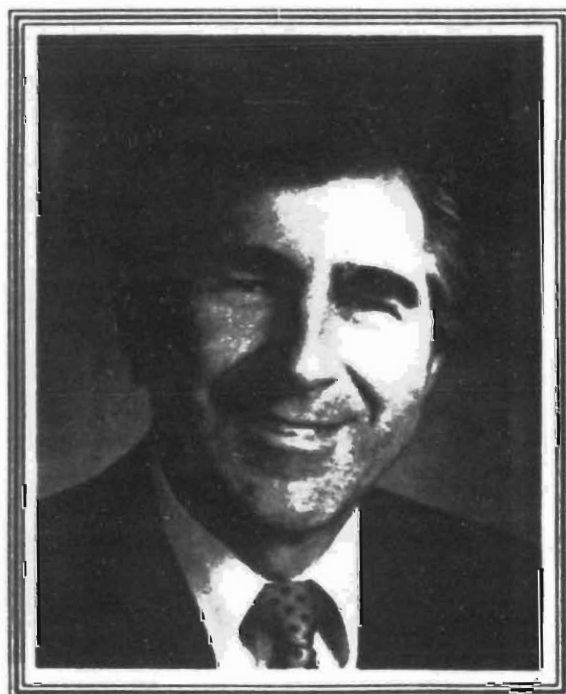
Education

University of Connecticut, M.S. Statistics, 1969

EXHIBIT C

ED MUNSTER '94
CONGRESS

Phone 345-2225 Fax 345-2247
P.O. Box 696, Higganum, CT 06441 0696



"Common Sense ...
for a
Change!"

*Paid for by Munster for Congress '94 Joseph DeMichele Treasurer
P.O. Box 696 Higganum CT 06441

05043832055

"My campaign for Congress is about change — change in leadership, change in direction, and a change in priorities so that the people of the Second District come first again!"

Ed Munster

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Munster on the Issues:

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Balanced Budget Amendment and Line Item Veto. These are the tools most needed to bring unnecessary, pork barrel spending under control.

Health Care Reform. Costs can be controlled without loss of choice or quality if we give the health care consumer real decision making power. We do not need another costly, ineffective government program which creates huge new state and federal bureaucracies.

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Route 6 and Route 11. These infrastructure improvements are desperately needed in the Second District for safety of travel and economic development.

University of Connecticut Technology Research Park. It's time that our federal and state representatives worked more aggressively to make this plan a reality.

"In Our Opinion, Ed Munster's Ready and Eager to Serve ... Munster is ready to work and, on the basis of what he's said so far, he has some ideas worth hearing."

**The Norwich Bulletin
January 29, 1994**

RECEIVED
FEDERAL ELECTION
COMMISSION
JAN 11 1995

BEFORE THE FEDERAL ELECTION COMMISSION JAN '95

SENSITIVE

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

This report is the General Counsel's Monthly Report to recommend that the Commission no longer pursue the identified lower priority and stale cases under the Enforcement Priority System.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 22 cases which do not warrant further pursuit relative to the other pending cases.¹ A short description of

1. These matters are: PM 305; MUR 3976; MUR 4023; MUR 4026; MUR 4031; MUR 4032; MUR 4036; MUR 4050; MUR 4051; MUR 4052; MUR 4055; MUR 4056; MUR 4058; MUR 4063; MUR 4068; MUR 4072; MUR 4073; MUR 4075; MUR 4078; MUR 4081; MUR 4082; and MUR 4083.

25043632057

each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-22. For the Commission's convenience, the responses to the complaints for the externally-generated matters and the referral for the internally-generated matter are available in the Commission Secretary's office.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 9 cases that have remained inactive and assigned to the Central Enforcement Docket for one year and which it believes do not warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is based on staleness, this Office has not prepared separate narratives for these cases. However, for the Commission's convenience, the responses to the complaints for the externally-generated matters and the referrals for the internally-generated matters are also available in the

2. These matters are: MUR 3828; MUR 3829; RAD 93L-73; RAD 93L-75; RAD 93L-78; RAD 93L-83; RAD 93L-84; RAD 93L-88; and RAD 93L-91.

Commission Secretary's office.

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective February 21, 1995. By closing the cases effective February 21, 1995, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record for these cases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective February 21, 1995 in the following matters:

- 1) RAD 93L-73
- 2) RAD 93L-75
- 3) RAD 93L-78
- 4) RAD 93L-83
- 5) RAD 93L-84
- 6) RAD 93L-88
- 7) RAD 93L-91

B. Decline to open a MUR, close the file effective February 21, 1995 and approve the appropriate letter in PM 305.

25043632059

C. Take no action, close the file effective February 21, 1995, and approve the appropriate letter in the following matters:

- 1) MUR 3828
- 2) MUR 3829
- 3) MUR 3976
- 4) MUR 4023
- 5) MUR 4026
- 6) MUR 4031
- 7) MUR 4032
- 8) MUR 4036
- 9) MUR 4050
- 10) MUR 4051
- 11) MUR 4052
- 12) MUR 4055
- 13) MUR 4056
- 14) MUR 4058
- 15) MUR 4063
- 16) MUR 4068
- 17) MUR 4072
- 18) MUR 4073
- 19) MUR 4075
- 20) MUR 4078
- 21) MUR 4081
- 22) MUR 4082
- 23) MUR 4083

25743632060
Date

2/13/95


Lawrence M. Noble
General Counsel

In the Matter of)
) Agenda Document
Enforcement Priority) #X95-14

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 28, 1995, do hereby certify that the Commission took the following actions with respect to Agenda Document #X95-14:

A. Decline to open a MUR and close the file effective February 28, 1995 in the following matters:

- 1) RAD 93L-75
2) RAD 93L-78
3) RAD 93L-84

B. Take no action, close the file effective February 28, 1995, and approve appropriate letters in the following matters:

- ```

1) MUR 3828
2) MUR 4026
3) MUR 4031
4) MUR 4032
5) MUR 4056
6) MUR 4058

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(continued)

Federal Election Commission  
Certification: Enforcement Priority  
February 28, 1995

Page 2

- 7) MUR 4068
- 8) MUR 4083

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively on the decision with respect to each of these matters.

2. Decided by a vote of 5-1 to decline to open a MUR and close the file effective February 28, 1995 with respect to RAD #93L-91.

Commissioners Aikens, Elliott, McGarry, Potter, and Thomas voted affirmatively for the decision; Commissioner McDonald dissented.

Attest:

3-2-95  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

25743632062



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 6, 1995

Rhoda M. Micocci  
83 Main Street  
P.O. Box 148  
Hampton, CT 06247

RE: MUR 4058

Dear Ms. Micocci:

On September 20, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondent. See attached narrative. Accordingly, the Commission closed its file in this matter on February 28, 1995. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

*Mary L. Taksar* (#25)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

25743632083

MUR 4058

ED MUNSTER FOR CONGRESS '94

Rhonda M. Micocci filed a complaint alleging that the Ed Munster for Congress '94 Committee failed to provide the best efforts solicitation statement on two solicitations.

In response to the complaint, the Munster Committee states that the first solicitation was mailed to supporters prior to the implementation of the new solicitation disclosure requirements. The Committee states that during March, the Committee inadvertently distributed letters from the second solicitation without the new disclosure requirements. The Committee indicates that soon after the second solicitation was printed, it was noticed that it did not include the required information and the solicitation letter was then corrected. According to the Committee, all subsequent solicitations contained the required information.

This matter is less significant relative to other matters pending before the Commission and remedial action was taken upon knowledge of the violation.

25443632064



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 6, 1995

Joseph E. DeMichele, Treasurer  
Munster for Congress '94  
P.O. Box 696  
Higganum, CT 06441

RE: MUR 4058

Dear Mr. DeMichele:

On October 4, 1994, the Federal Election Commission notified Munster for Congress '94 ("Committee") and you, as treasurer, 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 the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on February 28, 1995.

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 at (202) 219-3400.

Sincerely,

*Mary L. Taksar* (x25)  
Mary L. Taksar  
Attorney

Attachment  
Narrative

25743632065

MUR 4058

ED MUNSTER FOR CONGRESS '94

Rhonda M. Micocci filed a complaint alleging that the Ed Munster for Congress '94 Committee failed to provide the best efforts solicitation statement on two solicitations.

In response to the complaint, the Munster Committee states that the first solicitation was mailed to supporters prior to the implementation of the new solicitation disclosure requirements. The Committee states that during March, the Committee inadvertently distributed letters from the second solicitation without the new disclosure requirements. The Committee indicates that soon after the second solicitation was printed, it was noticed that it did not include the required information and the solicitation letter was then corrected. According to the Committee, all subsequent solicitations contained the required information.

This matter is less significant relative to other matters pending before the Commission and remedial action was taken upon knowledge of the violation.

25043832068



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 4058

DATE FILMED 3-29-95 CAMERA NO. 2

CAMERAMAN S.E.G.

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