



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3945

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JmH

24043563392

February 28, 1994

Office of the General Counsel
Federal Elections Commission
Washington, D.C. 20463

Dear Sir/Madam:

I am writing to bring several apparent violations of federal election law to your attention. As you well know, these election laws were instituted to ensure that all candidates present accurate and timely information about their campaigns and their campaign finances so that voters can make a more informed decision before casting their ballots.

In accordance with the guidelines set forth in the Federal Elections Commission (FEC) "Campaign Guidelines" and as set forth in federal law at 2 U.S.C. Sec. 247g and 11 CFR 111, please accept this letter and attachments as a formal complaint.

All complaints contained in this letter are lodged against Greg Didonato and the Greg L. Didonato for Congress Campaign (Respondent). Mr. Didonato is currently a Member of the Ohio State House of Representatives and is a candidate for U.S. Congress in the 18th District of Ohio.

The first complaint arises from a violation by Mr. Didonato of federal election law, which bars the transfer of monies from a candidate's nonfederal committee to a federal campaign committee. As you know, under FEC regulations "a candidate's authorized (federal) committee may not accept funds or assets transferred from a committee established by the same candidate for a nonfederal election campaign." Mr. Didonato has apparently violated this regulation on several occasions. First, Mr. Didonato sent letters to several households in the 18th District announcing his intention to file petitions as a candidate for Congress, announcing his campaign travel schedule, and announcing upcoming campaign events throughout the Congressional District. (Attachment A) It is also important to note that several of these letters were mailed to voters living outside of his current State House District. This material, which is clearly being used in a campaign for federal office, was printed on stationary which not only features the "Ohio House of Representatives" and Mr. Didonato's address there, but, more importantly, includes a disclaimer from his State Representative election committee (Citizens for Greg Didonato Committee).

24043563893

RECEIVED
FEB 29 1994
FEB 29 1994
FEB 29 1994

Page Two

Enclosed with those letters was a newsletter entitled "The Didonato News." (Attachment B) As you can see, there is no disclaimer whatsoever on this newsletter, which was dated "Fall, 1993." I can only draw the conclusion that this newsletter was either printed with funds from Mr. Didonato's state campaign with an omission of any disclaimer or, even worse, was printed at state taxpayer expense and is now being utilized for federal campaign purposes.

In addition, the letter and accompanying newsletter were mailed in envelopes which, again, were clearly paid for by Mr. Didonato's state campaign fund or state taxpayers. (Attachment C)

I believe that these three examples clearly illustrate that Mr. Didonato and his campaign have either ignored or misunderstood the prohibition of the transfer of funds or assets from a nonfederal committee to a federal campaign committee.

The second complaint involves the absence of the appropriate disclaimers when soliciting funds. Enclosed are tickets for a "Greg Didonato For U.S. Congress FUNDRAISER" on March 5, 1994. (Attachment D) The ticket requests a donation of \$10 but does not include any disclaimer stating that donations are not tax deductible as required. The disclaimer also does not appear on the letter which accompanied the tickets. (Attachment E) To our knowledge, no other materials were included in the package. In conclusion, it appears that the required disclaimers appeared on none of the materials contained in the mailing, therefore violating Section 6113 of the Internal Revenue Code.

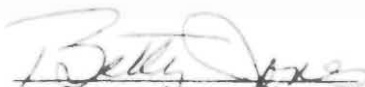
I believe that the integrity of the campaign process is essential as those who wish to be elected must gain the trust and support of those who elect them. These rules were established so that voters, the media, and others could have access to information which may be pertinent in an upcoming election. The Didonato campaign has either shown a blatant disregard for these rules of fair play or has misunderstood them. Therefore, I respectfully ask the FEC to consider the aforementioned complaints. With the primary election rapidly approaching, I also respectfully urge the Commission to consider these matters as soon as possible.

Sincerely,



Sworn to and subscribed by Scott Schertzer
on this 8th day of March, 1994,
in my presence.

Scott Schertzer
24 N. 5th Street
Martins Ferry, Ohio 43935



Betty Jones, Notary
Comm. Ex. 9-30-96

060 513
JIM HART

FOR CONGRESS

Hon. Doug Applegate, Honorary Chairman

For Immediate Release
March 1, 1994

For More Information:
Scott Schertzer (614)-635-4278

MUR 3945

HART CAMPAIGN ASKS FOR INVESTIGATION

The Jim Hart for Congress Campaign (D-Martins Ferry) today asked the Federal Elections Commission (FEC) and the Ohio Secretary of State's office to investigate several apparent violations of federal election laws by the Greg Didonato for Congress Campaign. Both are candidates for the U.S. Congress in Ohio's 18th District.

The Hart Campaign filed two complaints with the FEC citing the illegal use of funds from Didonato's state campaign committee for use in the congressional campaign as well as the potential misuse of state taxpayer funded materials. Federal law prevents the use of state campaign funds or assets in a congressional campaign. A complaint was also filed against Didonato for failure to place required disclaimers on fundraising solicitations. Each of the violations carry a maximum fine of \$10,000.

An additional complaint was filed with the Ohio Secretary of State's office questioning the Didonato campaign's potential misuse of materials which may have been paid for with state taxpayer funds.

"Honesty and integrity are two essential ingredients which voters not only seek, but which they deserve in their elected officials," Scott Schertzer, Hart's Campaign Manager, said. "Election laws were designed to allow voters access to information and to provide full financial disclosure by candidates."

The Hart campaign challenged the Didonato campaign to immediately reimburse taxpayers for any funds or materials which may have been improperly used.

The complaint filed with the FEC contained examples of Didonato campaign materials prepared either using property of Mr. Didonato's state campaign committee or property used in his capacity as a State Representative. Additionally, the complaint included examples of Didonato fundraising invitations which did not include required tax disclosures. The Internal Revenue Code requires that fundraising solicitations include language stating that contributions are not tax deductible.

The complaint filed with the Secretary of State's office contained examples of the use of a newsletter entitled "The Didonato News" which was included in campaign mailings in recent weeks. The newsletter highlighted Mr. Didonato's activities in the State House and was dated "Fall, 1993."

Paid for by the Friends of Jim Hart Committee, Gene Cerra, Treas.
P. O. Box 357, Martins Ferry, Ohio 43935

RECEIVED
FEDERAL ELECTION
COMMISSION
MAR 14 9 23 AM '94

February 28, 1994

The Honorable Robert Taft, III
Secretary of State
State Office Tower
Columbus, Ohio 43215

Dear Mr. Secretary:

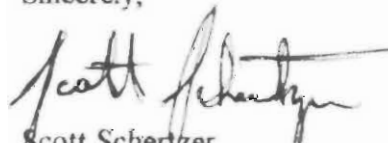
Please find the enclosed complaint which I have filed with the Federal Elections Commission (FEC) concerning apparent violations of federal election law by the Greg Didonato for U.S. Congress Campaign. As you know, Mr. Didonato, currently a Member of the Ohio State House of Representatives, is a candidate for Congress in Ohio's 18th District.

I would also like to call to your attention, a possible violation of state law by the Didonato campaign. It is my understanding that Ohio law prohibits the use of materials prepared at taxpayer expense in campaign activities.

Specifically, I would like to bring to your attention a newsletter that Mr. Didonato enclosed in a recent campaign mailing entitled "The Didonato News" and dated "Fall, 1993." Because of the date and because the contents of the newsletter largely consist of reports of Mr. Didonato's actions as a State Representative, I can only assume that the newsletter was printed under the auspices of his State Representative's office and at taxpayer expense. The newsletter accompanied letters recently sent by his campaign (also attached) asking for the support of voters in his upcoming bid for Congress. Many of these letters were sent to voters outside of his current State House District.

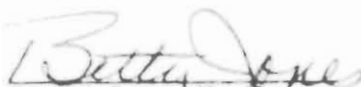
It is my understanding that materials used in official House duties and paid for at taxpayer expense may not be used in campaign activities. Therefore, I ask your office to investigate this matter and, should these or other violations have occurred, administer the appropriate penalties to ensure that taxpayers' funds are recovered and protected from future misuse. Should you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,



Scott Schertzer
24 N. 5th Street
Martins Ferry, Ohio 43935

Sworn to and subscribed by Scott Schertzer
this 28 day of March, 1994, in my
presence.


Betty Jones, Notary
Comm. Ex. 9-30-96

Ohio House of Representatives



Columbus
43215

GREG L. DIDONATO
State Representative
77 S. High Street, 11th Floor
Columbus, Ohio 43266-0603

Office (614) 466-5476
Toll Free 1-800-282-0253
FAX (614) 644-9494

97th House District
Tuscarawas and
Guernsey Counties

COMMITTEES:

Economic Affairs & Federal
Relations
Vice Chairman
Transportation and Urban Affairs
Vice Chairman
Agriculture and Natural Resources
Economic Development and
Small Business
Human Resources
Local Government

Barbara Lenz
424 Elm St.
Martins Ferry, Ohio 43935

Dear Barbara

On Thursday, February 10, 1994, I will be filing my Declaration of Candidacy petition for the Democratic nomination to the U.S. Congress from the 18th District. On the same day, I will travel throughout the district to meet with Democratic Central Committee members.

I will be in Steubenville, Thursday, Feb. 10, at 8:15 a.m., at the Jefferson County Commissioners' office located in the Jefferson County Court House. I will then travel to St. Clairsville for a 10:00 a.m. stop at the Belmont County Commissioners' office located at 100 W. Main St.

I look forward to seeing you Thursday at whichever location is convenient to you. If you have any questions, please contact me at 1-800-WIN-GREG (1-800-946-4734). Thank you very much for your support.

Sincerely,
Greg L. DiDonato
Ohio State Representative
Candidate for U.S. Congress

the DiDonato News

Endorsement Edition

DIDONATO IN THE NEWS

The Times The Reporter

A Journal Register Company Newspaper

Opinion

The Times-Reporter
Dover-New Philadelphia, Ohio

Founded as
The Iron Valley Reporter, 1872
The Daily Times, 1903

James Shrader, Publisher

Richard J. Farrell, Editor

Sandra S. Stewart, Managing Editor

Richard W. Craven, Assistant Managing Editor

Darrin Lautenschlager, City Editor

Amy Beth Graves, Weekend Editor

David Whitmer, Sports Editor

R. Stephen Long, Editorial Page Editor

Ronald M. Waite Jr., Advertising Director

Bret E. Kettlewell, Controller

Michael B. Starn, Circulation Director

Thursday, Oct. 29, 1992

Page A-4

DiDonato delivers

One of the easier endorsements *The Times-Reporter* will make this election year is that for Democratic incumbent Greg DiDonato of New Philadelphia, who is seeking his second term as 97th House District representative.



DIDONATO

DiDonato has delivered on his promise to be the people's representative, protesting to the leaders of both parties when he sees trouble ahead for his district.

He has fought the bureaucracies and chided them when necessary. His work in Columbus to cut EPA paperwork on behalf of the \$17.8 million IMKO Recycling Inc. expansion in Uhrichsville did not go unnoticed by the executives of that firm. (The net effect of DiDonato's work? Jobs.)

DiDonato also has matured while in office, realizing that he can't change the political world in one fell swoop. But that hasn't deterred him from energizing battles against out-of-state sludge dumping in the Tuscarawas Valley.

Although not considered a power broker yet, DiDonato has earned the respect of his colleagues and constituents.

He deserves to be returned to the Legislature.

24043563898

REP. DIDONATO WORKING HARD FOR CONSTITUENTS

The Times The Reporter

A Journal Register Company Newspaper

Opinion

The Times Reporter
Dover, New Philadelphia, Ohio

Founded as
The Iron Valley Reporter, 1872
The Daily Times, 1903

James Shrader, Publisher

Richard J. Ferrell, Editor

Sandra S. Stewart, Managing Editor

Richard W. Craven, Assistant Managing Editor

Darrin Lautenschlager, City Editor

Amy Beth Graves, Weekend Editor

David Whitmer, Sports Editor

R. Stephen Long, Editorial Page Editor

Ronald M. Waite Jr., Advertising Director

Bret E. Kettlewell, Controller

Michael B. Starn, Circulation Director

Thursday, Oct. 1, 1992

Page A-4

A community victory

Give freshman Rep. Greg DiDonato, D-New Philadelphia, some credit. Because of his intensity, along with the pressure applied by many Tuscarawas Valley residents, Bio Gro Systems Inc. has abandoned plans to dispose of thousands of tons of East Coast sludge at a strip mine site in Dover Township.

That may take some interest away from the work of a special subcommittee, of which DiDonato has been named chairman by House Speaker Vern Riffe.

DiDonato had called for an investigation into the proposal by Bio Gro and the pending approval by the Ohio Environmental Protection Agency. Bio Gro's withdrawal has minimized the urgency of DiDonato's committee, but not its importance.

"We will move forward with the hearings," DiDonato said Wednesday. "The problem still has to be looked at because they're dumping sludge in other areas of my district and the state."

DiDonato added he wants his panel to fashion legislation to both restrict sewer sludge dumping and to require tighter monitoring of its effects on ground water and other health-related resources. He hopes to schedule the subcommittee's first hearing for mid-November.

DiDonato's correct. We can savor the victory today, but we need to get back to work tomorrow.

And, in case anyone has forgotten, that site in Dover Township still needs to be reclaimed.

94043563099

the DiDonato News

Semi-Annual Issue
Fall 1993

DiDonato Serving Second Term

State Representative Greg DiDonato represents the 97th House District which includes Tuscarawas and Guernsey Counties. Greg DiDonato previously represented Tuscarawas and Carroll Counties, but after a series of state re-apportionments resulting from the 1990 United States Census figures, many legislators were moved to different legislative districts. Greg is happy to serve the people of the 97th District in his second term in office.

The 120th General Assembly is fresh underway, and Rep. DiDonato is striving to uphold his campaign

promises to reduce government and run it more efficiently, help restore confidence in our democratic system and striving to bring the District's legislative ideas to Columbus. His efforts are apparent by the issues he has backed and the legislation which he has introduced. Rep.

DiDonato has introduced House Bills 122, 123, 180, and 406, all of which will positively impact the 97th House



Rep. DiDonato meeting with constituents

"I welcome the opportunity to serve the people of the 97th House District...I grew up in the area and feel a sense of loyalty to bring the best possible representative government to our hard-working taxpayers"

-Greg DiDonato

Meet The Representative

Greg DiDonato has met with great success as a legislator in Ohio's State Government. In his first term,

Greg was the only freshman legislator who received an appointment of Vice-Chairman to a standing committee. This is only Greg's second term, and he has been appointed to two Vice-Chairmanships; one to the Economic Affairs & Federal Relations Committee and another to the Transportation and Urban Affairs Committee.

Rep. DiDonato is one of very few legislators to have two vice-chairmanships this General Assembly. Greg also serves on the Economic Development and Small Business, Human Resources, Local Government, and Agriculture & Natural Resources

Committees. He was also appointed to chair a select subcommittee under the Agriculture and Natural Resources

Committee studying the effects of land applications of municipal sewage sludge.

Representative DiDonato is a full time legislator for the State of Ohio and partakes of many community activities in the 97th House District. Greg has participated in both the Tuscarawas and Guernsey County Fairs, held community office hours at

town halls to better accommodate his constituents, and has appeared on several radio shows, as well as speaking at community functions. Representative DiDonato was elected to serve his constituents and wants to hear your ideas.



District. They span a variety of issues ranging from regulating land applications of sewage sludge to requiring non-violent criminal offenders pay probationary fees. Ohioans from Tuscarawas and Guernsey Counties can be confident that issues are being addressed while Rep. DiDonato is in office.

Budget Bill Signed into State Law

The Ohio House of Representatives approved the \$30.8 billion two year state budget on June 30th providing more funding for education, public safety and economic development for all of Ohio. The Governor later signed the bill which became law as of July 1st. Rep. DiDonato voted in favor of this economic package which will positively impact the people of Tuscarawas and Guernsey Counties. If you care to hear the background on certain appropriations for the state budget, and funding levels for programs in the District, please write or call the numbers listed on the reverse of this page.

DiDonato's Bills Reduce Government

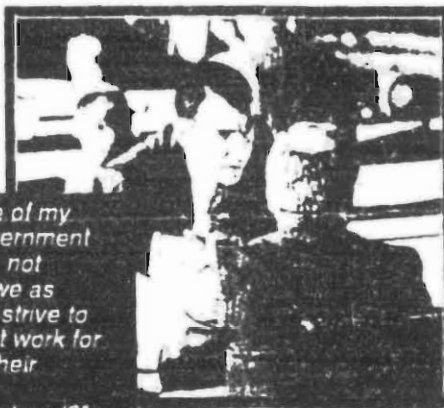
House Bill 122

Rep. DiDonato was approached by the Ohio Department of Mental Retardation and Developmental Disabilities to be the sponsor of this bill because of the work he has done and awards he has received in the past to help persons with disabilities. This legislation passed the House without a negative vote after weeks of amending. The bill would help the MR/DD agency to bring efficient, quality care to Ohioans with disabilities. It amended sections of the Revised Code which govern the agency and gives more flexibility for them to operate such programs as Family Resource Services, Early Intervention, and respite care. The bill would help move the agency away from institutionalizing children with disabilities, and offer guidance and financial support to parents who wish to care for children with disabilities in their own home, potentially saving the state millions in administrative costs. The bill would also give county agencies more ability to work with the department. This bill was added to Senate Bill 21 which was signed by the Governor just recently.

House Bill 123

Rep. DiDonato has long been concerned about the amount of government paperwork small businesses, hospitals and local governments must process for the state. This concern prompted Greg to introduce legislation

which will reduce the amount of state government forms-red tape that must be processed by 25 percent over the next five years. It is an effort to streamline government operations to prevent duplication of already processed information. The State of Ohio already operates a Forms Man-



Rep. DiDonato during a session in the Ohio House

"I want the people of my district to feel government works FOR them, not against them... If we as legislators do not strive to make government work for people how can their confidence in our Democracy be restored?"

- Greg DiDonato

agement Control Agency, but this department was

established thirteen years ago and needed some restructuring. This bill will allow the agency to work side-by-side with agency directors to reduce forms, potentially saving the state millions of dollars and relieving taxpayers from considerable red tape. Over the thirteen year span, the State Forms Management Control Agency has saved some \$73 million in paper costs. This measure would save approximately \$100 million in five years, almost double the that savings of thirteen years. "State government in Ohio spends more than \$20 million a year on paper alone. We've cleared entire forests just to make enough paper to feed state government. This bill says 'enough is enough.' Measuring savings is one thing, but we cannot begin to calculate the benefit to citizens of reducing government red tape. This bill forces government to respond to citizens' desire for a simpler, more hassle-free state government," Rep. DiDonato said.

House Bill 180

There has been growing concern across the nation about the land applying of municipal sewage sludge. The U.S. EPA banned ocean dumping of sludge in 1988, and since then municipalities have been trying to find new methods of disposal. Many Eastern states are ship-

ping their sludge out west and using huge amounts to reclaim land disturbed by strip mining. The 97th District has much to be concerned about. Tuscarawas and Guernsey Counties have many strip mines and there is a movement by the Ohio EPA to reclaim these lands because of the environmental damage from mine-runoff. Scientists have not been in agreement that this substance is suitable for land applications to farms and strip mines. This bill places a stop to land applying sludge until new regulations can be adopted, and scientists can agree on its beneficial use. The bill is currently being amended.

House Bill 406

Are you hard-working taxpayers and law abiding citizens of Ohio tired of paying for criminals who repeatedly break the law and wind up back on the streets? If the answer is yes, then you are in agreement with Rep. DiDonato. Ohio has roughly 83,000 individuals on probation, all are being rehabilitated through state probation programs supported by your tax dollars. This legislation which passed the House without a negative vote would require non-violent criminal offenders on probation to pay a fee of at least \$20 per month for the costs involved in their supervision. Most people would think that criminals on probation are poor and unemployable, but Rep. DiDonato's research found that most offenders can afford a reasonable fee. This bill would give almost \$45 million back to county parole authorities statewide to supervise criminals. The money generated by offenders paying their own supervision costs can be used for their drug treatment, education or job training. Criminal offenders who are absolutely poor can be ordered to perform community service.

Ohio House of Representatives

Rep. Greg DiDonato

77 South High Street
Columbus, Ohio 43266
1-800-282-0253 or (614) 466-5476



Staff:

Heather Frey, Secretary
John Bocchieri, Legislative Aide
Toby Norris, House Assistant

OHIO
the heart of it all!

9 4 0 4 3 5 6 3 9 0 2

Ohio House of Representatives

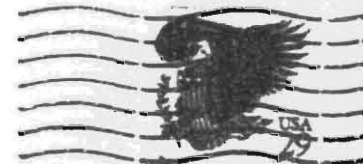


GREG L. DIDONATO
P.O. Box 30
New Philadelphia, OH 44663

~~Barbara Lenz~~

~~424 Elm St.~~

Barbara Lenz
424 Elm St.
Martins Ferry, Ohio 43935



State Representative
Greg DiDonato for Congress

P.O. Box 30 New Philadelphia, Ohio 44663
Telephone 1-800-WIN-GREG or (216) 364-2532

February 5, 1994

Patricia Oyer
Court House
Carrollton, Ohio 44615

Dear Patricia

It is my pleasure to extend to you a personal invitation to our breakfast fundraiser Saturday, March 5, from 9-11 a.m. at St. John's Villa in Carrollton. Breakfast will include Scrambled Eggs, Bacon, Sausage and Sweet Rolls.

It was my privilege to have served you as an Ohio State Representative, and I look forward to working for you as your next U.S. Congressman. My 15 years of government experience cannot be matched. In fact, I am the only candidate running in the Democratic primary who has ever held an elected office.

As a councilman, mayor, businessman and two-term state representative, I have a strong record of responsible and experienced leadership. My business experience has proved to be of great help to me as Vice-Chairman of the Economic Affairs and Federal Relations Committee. It has also aided me in my successful efforts to cut waste and create jobs.

Together, we can bring a responsible and common sense approach to government. I have enclosed two tickets to our breakfast fundraiser, and I sincerely hope you will be able to attend. I look forward to seeing you Saturday, March 5. Thank you very much for your support. Please RSVP by March 1, 1994.

Sincerely,
Greg L. DiDonato
Ohio State Representative
Candidate for U.S. Congress

Name _____
Address _____
City _____
Phone _____
Sorry I cannot attend _____
My contribution is enclosed.
NO# 436

BREAKFAST WITH
STATE REPRESENTATIVE
GREG DIDONATO
FOR U. S. CONGRESS FUNDRAISER

Saturday, March 5, 1994 • 9:00 am to 11:00 am
at St. John's Villa in Carrollton

MENU: Scrambled Eggs, Bacon, Sausage, Sweet Rolls
R. S. V. P.: March 1, 1994 • Information call 1-800-WIN-GREG
Donation: \$10.00 per person

Paid for by Greg L. DiDonato for U. S. Congress Committee.
Linda Warner, Treasurer, 615 N. Water St., Uhrichsville, Ohio 44683



Name _____
Address _____
City _____
Phone _____
Sorry I cannot attend _____
My contribution is enclosed.
NO# 435

BREAKFAST WITH
STATE REPRESENTATIVE
GREG DIDONATO
FOR U. S. CONGRESS FUNDRAISER

Saturday, March 5, 1994 • 9:00 am to 11:00 am
at St. John's Villa in Carrollton

MENU: Scrambled Eggs, Bacon, Sausage, Sweet Rolls
R. S. V. P.: March 1, 1994 • Information call 1-800-WIN-GREG
Donation: \$10.00 per person

Paid for by Greg L. DiDonato for U. S. Congress Committee.





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MARCH 18, 1994

Scott Schertzer
24 N. 5th Street
Martins Ferry, OH 43935

RE: MUR 3945

Dear Mr. Schertzer:

This letter acknowledges receipt on March 14, 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 3945. 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

94043563905



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20460

MARCH 18, 1994

Linda Warner, Treasurer
Citizens for Greg DiDonato
615 N. Water Street
Uhrichsville, OH 44683

RE: MUR 3945

Dear Ms. Warner:

The Federal Election Commission received a complaint which indicates that Citizens for Greg DiDonato ("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 3945. Please refer to this number in all future correspondence.

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.

94043563906

Linda Warner, Treasurer
Citizens for Greg DiDonato
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

94043563907



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MARCH 18, 1994

Linda Warner, Treasurer
Greg DiDonato for U.S. Congress
P.O. Box 30
New Philadelphia, OH 44663

RE: MUR 3945

Dear Ms. Warner:

The Federal Election Commission received a complaint which indicates that Greg DiDonato for U.S. Congress ("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 3945. Please refer to this number in all future correspondence.

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24043563908

Linda Warner, Treasurer
Greg DiDonato for U.S. Congress
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

94043563909



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20542

MARCH 18, 1994

Representative Greg DiDonato
c/o Greg DiDonato for U.S. Congress
P.O. Box 30
New Philadelphia, OH 44663

RE: MUR 3945

Dear Mr. DiDonato:

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24043563210

Representative Greg DiDonato
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

94043563911

UAC 757

Ohio House of Representatives



APR 11 15 AM '94

GREG L. DIDONATO

State Representative
P. O. Box 30
Monroe Mall

1260 Monroe Ave., Suite 117-I
New Philadelphia, Ohio 44663
Toll Free # 1-800-WIN-GREG
Office # (216) 364-2532
FAX # (216) 364-2886

Columbus
43215

COMMITTEES:

Economic Affairs & Federal
Relations
Vice Chairman
Transportation and Urban Affairs
Vice Chairman
Agriculture and Natural Resources
Economic Development and
Small Business
Human Resources
Local Government

P.O. Box 30
New Philadelphia, Ohio 44663
March 28, 1994

Office of the General Counsel
Federal Election Commission
999 East Street N.W.
Washington, D.C. 20463
c/o Joan McEnery or Mary Taksar

Dear Office of the General Counsel,

This letter is to inform you we are requesting all information
be open to the public, in regards to MUR 3945.

Sincerely Yours

Linda M. Warner

Treasurer, Greg DiDonato
for U.S. Congress

91 APR 4 PM 12:10

RECEIVED

Ohio House of Representatives



APR 15 AM '94

GREG L. DIDONATO

State Representative
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Monroe Mall

1260 Monroe Ave., Suite 117-I
New Philadelphia, Ohio 44663

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P.O. Box 30

New Philadelphia, Ohio 44663

March 28, 1994

Office of the General Counsel
Federal Election Commission
999 East Street N.W.
Washington, D.C. 20463
c/o Joan McEnery or Mary Taksar

Dear Office of the General Counsel,

This letter is being sent in regards to MUR 3945.

There needs to be some points clarified before we begin to answer the complaints.

1. Linda Warner, Treasurer - Citizens for Greg DiDonato and Linda Warner, Treasurer for Greg DiDonato for U.S. Congress is one in the same person. Note: According to the Federal Election Commission's (telephone number 1-800-424-9530) we questioned if whether there would be a problem with using the same treasurer at the state level for our congressional campaign committee and was told there were no laws against this or a problem.

2. During the time of "testing the waters" and waiting on Mr. Applegate's announcement of retirement - our campaign title was going to be Citizens for Greg DiDonato, with the same title, same treasurer and same address.

3. Due to a possibility of conflict or misunderstanding, we chose to change the title at the time of filing to Greg DiDonato for U.S. Congress - instead of keeping "Citizens for Greg DiDonato."

Complaint # 1A and #1C - Mr. DiDonato distributed campaign stationary and envelopes with a state disclaimer (Citizens for Greg DiDonato), paid for from his state funds for his congressional campaign.

1. Exhibit A and B (enclosed) Please find copies of Bloom's printing documents showing the printed stationary and envelopes were purchased with U.S. Congress Committee funds - paid on January 28, 1994 check #1009 for envelopes and paid on February 24, 1994 check #1083 for first 1000 of 5000 letterheads.

At the time of ordering this stationary and envelopes in late December, we were using the title Citizens for Greg DiDonato as explained in paragraph two (2) above.

This clearly shows that the envelopes and stationary were in fact paid with funds for U.S. Congress.

Complaint #1B - no disclaimer on the "DiDonato Newsletter"

The newsletter in question was computer generated and paid for personally by Greg DiDonato. There were no state funds or assets used in producing this newsletter. This newsletter was part of a three (3) piece package which classifies it as a direct mailing that contained several items. (AO 1980 - 145). The cover page, which is missing from the complainant's exhibit "B" clearly displays a disclaimer on the front bottom page. See our exhibit "C".

Complaint #2 involves the absence of the appropriate disclaimers when soliciting funds. Violating Section 6113 of the Internal Revenue Code.

Under the Internal Revenue Code, Political committees whose gross annual receipts normally exceed \$100,000 must carry a disclaimer on solicitations.

Having never been involved in a previous campaign that exceeded \$25,000. in donations or in expenditures, it was hard to foresee an annual income of over \$100,000.

Our goal is to get to the May primary and win. But if our bid for U.S. Congress ends with the primary, we will never reach annual receipts of \$100,000., and a disclaimer of this type will never be needed and in our opinion is a moot point.

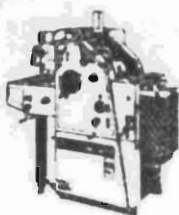
In conclusion, our State and Federal reports will be open to your inspection at any time, and we have taken extra steps to prevent what has been alleged in these charges.

Sincerely Yours

Linda M. Ruben
Greg L. DiDonato

24043563714

Bloom's



PRINTING

Exhibit A

1077

4792 N. 4th St. Ext. S. E., Dennison, Ohio 44621 Phone: (614) 922-1765

Name: Long 2250 to campaign for Long

Street Address: _____

City: _____

State: _____

Phone: _____

Date: 1-7-94

INVOICE

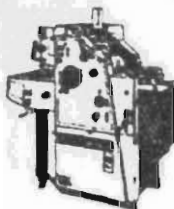
QUANTITY	DESCRIPTION	PRICE	
200	Dear Friend Letters	20	00
400	#6 Envelopes	40	00
400	Imitations	65	00
400	#5 1/2 Envelopes	40	00
400	Pledge Cards	65	00
400	Imp. Letters 6 1/2" x 9 1/2"	35	00
1,000	#6 Envelopes	40	00
2,500	Pledge Cards	75	00
*2,000	Long #10 Envelopes	95	00
1,000	Business Card	35	00
5,000	Calling Cards	125	00
12,000	Campaign Cards, 2 sides	300	00
Sub Total		935	00
Sales Tax		60	78
TOTAL		995	78
"Top Quality Printing at Fair Prices"			

Paid
1-28-94
check 1009

Thank You

We appreciate your patronage and hope we may be of service to you on any of your future printing needs. If you have any questions, please give us a call.

Bloom's



4792 N. 4th St. Ext. S. E., Dennison, Ohio 44621 Phone: (614) 922-1765

Name: _____

Street Address:

City:

State:

Phone:

Date: _____

1-26-94

9 4 0 4 3 5 6 3 2 1 6

QUANTITY	DESCRIPTION	PRICE
3 000	Reg. # 10 Envelopes	130 00
1 000	Candidate Cards	40 00
5 sets	Tickets, #1ed	125 00
* 5 000	Letter heads, 25% cotton	195 00
175	Programs (algiers)	40 00
2,500	Reg. 6 3/4 Envelopes	95 00
35,200	Cable Inserts, Shipping	547 50
	+ typesetting	
1200	your Inserted to meeto Cards	45 00
300	more. Tuscany Park tickets	10 00
200	Tuscany Cards	25 00
	original	
	Invoice	
	Sub Total	1,243 50
	Sales Tax	80 36
	TOTAL	1,322 86
	"Top Quality Printing at Fair Prices"	

"Top Quality Printing at Fair Prices"

Thank You

We appreciate your patronage and hope we may be of service to you on any of your future printing needs. If you have any questions, please give us a call.

Past due accounts subject to 1.5% monthly service charge 20 days net.

(Was paid 2.24.94
Charles 1083

Accounts subject to 1.5% monthly service charge

Exhibit C

Greg DiDonato for Congress

P.O. Box 30 New Philadelphia, Ohio 44663
Telephone 1-800-WIN-GREG or (216) 364-2532

January 4, 1994

FIELD(FIRSTNAME) FIELD(LASTNAME)
FIELD(address)
FIELD(city) FIELD(state) FIELD(zip)

Dear FIELD(firstname)

I want to take this opportunity to announce my candidacy for the 18th District of the United States House of Representatives. I am currently serving my second term in the Ohio House of Representatives, representing the 97th district. I am the former mayor of Dennison (1984-1990) and former Dennison council member (1980-1983).

I am a lifelong resident of the 18th District, currently living in New Philadelphia and a full-time Ohio Representative. I have led the drive to eliminate wasteful government spending, more equitable usage of tax dollars for 97th District schools, the prevention of sludge dumping and several other pressing issues which are described in the enclosed newsletters.

In my state 97th House District, I have served Tuscarawas, Guernsey and Carroll Counties, and I am establishing solid support throughout the rest of the 18th district. We are going to face a very formidable foe in November, and it is imperative that we offer the voters a candidate who can win the general election in November and will be able to unite the entire 18th District.

I will offer a new look for the 18th District, one of loyal representation for the entire district and a return to addressing the important concerns of everyone in the district. My terms as a state representative have been a relentless pursuit of these issues and my record amplifies the same.

I plan to maintain the present four district offices, which will operate full-time, to field and address concerns from all constituents. I also plan to uphold regular communication between myself and all citizens in the 14 counties I represent.

I am a traditional Democrat whose voting record proves I do not bow to petty party politics and the polarization of issues. I look at what is best for the people I represent.

I was born and raised in the 18th District and I will work for the people I represent with the same dedication as I do now. We have to return to making decisions in government based on right and wrong, with the best interests of the constituents we serve being the priority. I have been performing these duties in the statehouse and I am confident I can do them in Washington D.C..

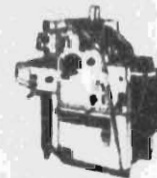
If you wish to have more information or want to assist in my campaign, please feel free to contact our headquarters at the toll free number listed above.

Sincerely Yours,

Greg L. DiDonato



Exhibit D



4792 North 4th St. Ext. S. E., Dennison, Ohio 44621
Phone: (614) 922-1765 • FAX (614) 922-2195

March 28, 1994

To whom it concerns:

I Richard Bloom, owner of Bloom's Printing, testify that the first 1,000 ea. pieces of stationary and 2,000 ea. envelopes were printed with "Citizens for Greg DiDonato" disclaimers and were paid for from the funds of "DiDonato for U. S. Congress Committee".

A handwritten signature of Richard Bloom in cursive script, written over a horizontal line.

Richard Bloom

JUN 30 3 55 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S QUARTERLY REPORT

I. INTRODUCTION

This report is the second Enforcement Priority System Quarterly Report. The purpose of this Quarterly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

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

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 16 cases which do not warrant further pursuit relative to the other pending cases.¹ A short

1. These matters are: MUR 3920; MUR 3930; MUR 3934; MUR 3939; MUR 3942; MUR 3943; MUR 3945; MUR 3948; MUR 3953; MUR 3955; MUR 3957; MUR 3964; MUR 3965; MUR 3967; RAD 94L-22; and RAD 94L-25.

94043563919

description of 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 1-16. For the Commission's convenience, the narratives for externally-generated matters are immediately followed by the complaint and response(s) and the narratives for internally-generated matters are immediately followed by the referral.

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 42 cases that

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

2. These matters are: MUR 3132; MUR 3432; MUR 3466; MUR 3470; MUR 3473; MUR 3495; MUR 3558; MUR 3575; MUR 3581; MUR 3594; MUR 3600; MUR 3625; MUR 3647; MUR 3663; MUR 3684; MUR 3698; MUR 3712; MUR 3733; MUR 3744; MUR 3749; MUR 3756; MUR 3759; MUR 3767; MUR 3776; MUR 3779; RAD 92L-26, RAD 93L-25; RAD 93L-26; RAD 93L-29; RAD 93L-31; RAD 93L-33; RAD 93L-35; RAD 93L-36; RAD 93L-38; RAD 93L-39; RAD 93NF-02; RAD 93NF-03; RAD 93NF-06; RAD 93NF-10; RAD 93NF-12; RAD 93NF-15; and RAD 93NF-20.

narratives for these cases. However, for externally-generated matters in which the Commission has made no findings, the complaint and response(s) are attached to the report and for internally-generated matters in which the Commission has made no findings, the referral is attached. See Attachments 17-53. Because the Commission has already made findings in five of the stale cases, no additional information is being attached to this report in regard to these cases.³

3. These matters are: MUR 3132, MUR 3432, MUR 3466, MUR 3495, and MUR 3733.

9 4 0 4 3 5 6 3 9 2 2

This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the identified cases effective August 1, 1994. This will allow the Legal Review Team adequate time to prepare the Pre-MUR and MUR files so that the cases can appear on the public record by September 1, 1994, within 30 days of the August 1, 1994, closing date. This timeframe also will enable this Office to prepare closing letters so that the letters can be mailed on August 2, 1994. Additionally, the Press Office will need time to review the files for inclusion in one of its press releases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
- 2) MUR 3473
- 3) MUR 3558
- 4) MUR 3575
- 5) MUR 3581
- 6) MUR 3594
- 7) MUR 3600
- 8) MUR 3625
- 9) MUR 3647
- 10) MUR 3663
- 11) MUR 3684
- 12) MUR 3698
- 13) MUR 3712
- 14) MUR 3744
- 15) MUR 3749
- 16) MUR 3756
- 17) MUR 3759
- 18) MUR 3767
- 19) MUR 3776
- 20) MUR 3779
- 21) MUR 3920
- 22) MUR 3930
- 23) MUR 3934
- 24) MUR 3939
- 25) MUR 3942
- 26) MUR 3943
- 27) MUR 3945
- 28) MUR 3948
- 29) MUR 3953
- 30) MUR 3955
- 31) MUR 3957
- 32) MUR 3964
- 33) MUR 3965
- 34) MUR 3967


2 4 0 4 3 5 6 3 9 2 3

C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

Date

6/30/94


Lawrence M. Noble
General Counsel

24043563924

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Enforcement Priority) Agenda Document
#X94-72

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 19, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to Agenda Document #X94-72:

A. Decline to open a MUR and close the file in the following matters to be effective on August 1, 1994:

- 1) RAD 92L-26
- 2) RAD 93L-25
- 3) RAD 93L-26
- 4) RAD 93L-29
- 5) RAD 93L-31
- 6) RAD 93L-33
- 7) RAD 93L-35
- 8) RAD 93L-36
- 9) RAD 93L-38
- 10) RAD 93L-39
- 11) RAD 94L-22
- 12) RAD 94L-25
- 13) RAD 93NF-02
- 14) RAD 93NF-03
- 15) RAD 93NF-06
- 16) RAD 93NF-10
- 17) RAD 93NF-12
- 18) RAD 93NF-15
- 19) RAD 93NF-20

(continued)

94043563925

Federal Election Commission
Certification: Enforcement Priority
July 19, 1994

Page 2

- B. Take no action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3470
2) MUR 3473
3) MUR 3558
4) MUR 3575
5) MUR 3581
6) MUR 3594
7) MUR 3600
8) MUR 3625
9) MUR 3647
10) MUR 3663
11) MUR 3684
12) MUR 3698
13) MUR 3712
14) MUR 3744
15) MUR 3749
16) MUR 3756
17) MUR 3759
18) MUR 3767
19) MUR 3776
20) MUR 3779
21) MUR 3920
22) MUR 3930
23) MUR 3934
24) MUR 3939
25) MUR 3942
26) MUR 3943
27) MUR 3945
28) MUR 3948
29) MUR 3953
30) MUR 3955
31) MUR 3957
32) MUR 3964
33) MUR 3965
34) MUR 3967

(continued)

Federal Election Commission
Certification: Enforcement Priority
July 19, 1994

Page 3

C. Take no further action, close the file effective on August 1, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3132
- 2) MUR 3432
- 3) MUR 3466
- 4) MUR 3495
- 5) MUR 3733

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

Attest:

7-20-94
Date

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

94043563927



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1994

Scott Schertzer
24 N. 5th Street
Martins Ferry, OH 43935

RE: MUR 3945

Dear Mr. Schertzer:

On March 14, 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 respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994. 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

Mary L. Taksar
Attorney

Attachment
Narrative

94043563923

MUR 3945

GREG DIDONATO FOR CONGRESS

The Jim Hart for Congress Committee filed a complaint alleging that the Greg DiDonato for Congress Committee ("Committee") accepted impermissible transfers of funds from the Citizens for Greg DiDonato, a state committee, in the form of printing and mailing costs for a newsletter and three mailings in support of Mr. DiDonato's federal campaign. The complainant also alleges that the Committee failed to provide proper disclaimers on campaign materials and fundraising invitations.

The respondents replied that during the "testing the waters" period, the Committee was known as "Citizens for Greg DiDonato" and that the printing and mailing costs for federal campaign-related mailings were paid by Mr. DiDonato personally and later by the federal committee. Due to the possibility of confusion between the state and federal committees, at the time of filing with the Commission, the Committee chose to use its current name, Greg DiDonato for Congress. In regard to the alleged lack of disclaimers, the Committee states that other inserts in each mailing contained the proper disclaimers.

This matter involves players inexperienced in federal elections and a limited amount of money. There is no indication of any serious intent to violate FECA.

24043563922



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 2, 1994

The Honorable Greg DiDonato
c/o Greg DiDonato for U.S. Congress
P.O. Box 30
New Philadelphia, OH 44663

RE: MUR 3945

Dear Mr. DiDonato:

On March 18, 1994, the Federal Election Commission notified you 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 you. See attached narrative. Accordingly, the Commission closed its file in this matter on August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043563930

MUR 3945

GREG DIDONATO FOR CONGRESS

The Jim Hart for Congress Committee filed a complaint alleging that the Greg DiDonato for Congress Committee ("Committee") accepted impermissible transfers of funds from the Citizens for Greg DiDonato, a state committee, in the form of printing and mailing costs for a newsletter and three mailings in support of Mr. DiDonato's federal campaign. The complainant also alleges that the Committee failed to provide proper disclaimers on campaign materials and fundraising invitations.

The respondents replied that during the "testing the waters" period, the Committee was known as "Citizens for Greg DiDonato" and that the printing and mailing costs for federal campaign-related mailings were paid by Mr. DiDonato personally and later by the federal committee. Due to the possibility of confusion between the state and federal committees, at the time of filing with the Commission, the Committee chose to use its current name, Greg DiDonato for Congress. In regard to the alleged lack of disclaimers, the Committee states that other inserts in each mailing contained the proper disclaimers.

This matter involves players inexperienced in federal elections and a limited amount of money. There is no indication of any serious intent to violate FECA.

24043563931



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 2, 1994

Linda Warner, Treasurer
Greg DiDonato for U.S. Congress
P.O. Box 30
New Philadelphia, OH 44663

RE: MUR 3945

Dear Ms. Warner:

On March 18, 1994, the Federal Election Commission notified Greg DiDonato for U.S. Congress ("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 August 1, 1994.

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 Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043563922

MUR 3945

GREG DIDONATO FOR CONGRESS

The Jim Hart for Congress Committee filed a complaint alleging that the Greg DiDonato for Congress Committee ("Committee") accepted impermissible transfers of funds from the Citizens for Greg DiDonato, a state committee, in the form of printing and mailing costs for a newsletter and three mailings in support of Mr. DiDonato's federal campaign. The complainant also alleges that the Committee failed to provide proper disclaimers on campaign materials and fundraising invitations.

The respondents replied that during the "testing the waters" period, the Committee was known as "Citizens for Greg DiDonato" and that the printing and mailing costs for federal campaign-related mailings were paid by Mr. DiDonato personally and later by the federal committee. Due to the possibility of confusion between the state and federal committees, at the time of filing with the Commission, the Committee chose to use its current name, Greg DiDonato for Congress. In regard to the alleged lack of disclaimers, the Committee states that other inserts in each mailing contained the proper disclaimers.

This matter involves players inexperienced in federal elections and a limited amount of money. There is no indication of any serious intent to violate FECA.

94043563933



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3945

DATE FILMED 8-31-94 CAMERA NO. 2

CAMERAMAN JM/K

94043563234