



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

DEC 21 2016

Mr. Thomas Day

Mills, MA 02054

RE: P-MUR 598

Dear Mr. Day:

The Federal Election Commission (the "Commission"), the regulatory agency that administers and enforces the Federal Election Campaign Act of 1971, as amended (the "Act"), has received information in the normal course of carrying out its supervisory responsibilities indicating that you may have violated provisions of the Act. Notification of this matter is being provided to you pursuant to the Commission's Agency Procedure for Notice to Respondents in Non-Complaint Generated Matters, published in the Federal Register on August 4, 2009 (74 Fed. Reg. 38,617).

Specifically, it has come to our attention that you may have received reimbursements for contributions you made in violation of 52 U.S.C. § 30122. The contribution(s) are summarized below:

Name	Date	Amount	Election	Employer	Occupation
Capuano for Congress	September 28, 2015	\$2,600	P2016	Barletta Engineering Group	Project Manager

The Office of General Counsel is reviewing this information to determine whether to recommend to the Commission that there is reason to believe you may have knowingly and willfully violated 52 U.S.C. § 30122 by permitting your name to be used to effect contributions made in the name of another.

A "reason to believe" finding is not a finding that any person violated the Act; rather, it means only the Commission believes a violation may have occurred. In the event the Commission finds that there is reason to believe, it may authorize the Office of General Counsel to conduct an investigation to determine whether, in fact, a violation occurred or to assess the scope of the alleged violation. See 52 U.S.C. § 30101(a)(2).

Before we make a recommendation to the Commission, we offer you the opportunity to provide a response in writing. Should you choose to respond, you may also submit any materials – including documents or affidavits from persons with relevant knowledge – that you believe may be relevant or useful to the Commission’s consideration of this matter. The Commission will take into account any additional information you provide in determining whether to find reason to believe that you violated the Act of Commission regulations.

Your response, if you choose to make one, must be submitted in writing within 15 days of this letter’s receipt. After 15 days, we will make our recommendations to the Commission. The Commission will then consider the recommendations and take appropriate action.

This matter will remain confidential in accordance with 52 U.S.C. §§ 30190(a)(4)(B) and 30109(a)(12)(A), unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.<sup>1</sup> If you intend to be represented by legal 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.

Any correspondence sent to the Commission must be addressed to one of the following (note, if submitting via email, this Office will provide an electronic receipt by email):

**Mail**  
Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
Attn: Christal Dennis, Paralegal  
999 E Street, NW  
Washington, DC 20463

OR

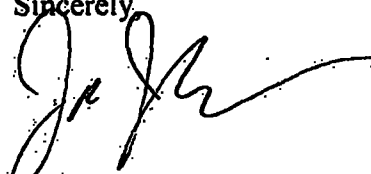
**Email**  
CELA@fec.gov

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<sup>1</sup> The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at (800) 424-9530. For your information, we have enclosed a brief description of the Commission's preliminary procedures for processing submissions such as this.

Sincerely,



Jeff S. Jordan  
Assistant General Counsel  
Complaints Examination &  
Legal Administration

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