FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4017

DATE FILMED 10-15-94 CAMERA NO. 2

CAMERAMAN JMH

9404359004884

Levy for Congress Committee

Post Office Box 323, Lynbrook, New York 11563

July 25, 1994

Mr. Lawrence Noble, General Counsel
FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

MUR 4017

Dear Mr. Noble:

I am writing to request the commission's immediate investigation into activities being conducted by a committee calling itself the "Dan Frisa for Congress Committee."

I ask for this investigation because the Dan Frisa for Congress Committee, without having filed any documents with the commission for the purpose of establishing a federal campaign committee or for reporting contributions used in a federal campaign (as required by 2 U.S.C. 432, 433 and 434) has taken numerous steps to support my opponent in New York's September 13th Republican congressional primary. For the record, I am a candidate for the United States House of Representatives and have filed a statement of candidacy with the commission. Mr. Frisa, who resides at 631 The Plain Road, Westbury, New York 11590, has also qualified for New York's Republican primary ballot.

Among the activities in which the Frisa for Congress Committee has engaged, without having filed any documents with the commission, are:

-the printing, distribution and filing of designating petitions under New York's Election Law;

-the holding of one or more fundraising events to benefit the Frisa election effort;

-the printing and distribution of bumper stickers advocating Mr. Frisa's election and the establishment of an "800" number for supporters;

-the printing and mailing of literature, on three occasions, to members of the Republican and Conservative Parties in New York's 4th Congressional District seeking support for Mr. Frisa's petition effort and advocating his election;

It cannot be disputed that Dan Frisa is running for congress and is not merely "testing the waters."

I respectfully ask that the commission investigate Frisa for Congress Committee and take whatever steps are necessary

Paid for by Levy for Congress Committee.
Contributions to Levy for Congress Committee are not deductible as charitable contributions for federal income tax purposes.

9 28 AM '94
GENERAL COUNSEL

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to require compliance with The Federal Election Campaign Act.

Respectfully,

David A. Levy
Member of Congress

STATE OF NEW YORK, COUNTY OF NASSAU

The contents of this complaint are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters, I believe them to be true.

David A. Levy, M.C. 7/25/94
Date

Sworn to before me on July 25, 1994.

x Robert D. Barra

ROBERT D. BARRA
NOTARY PUBLIC, State of New York
No. 4845411
Qualified in Nassau County
Commission Expires 7-31-95

9404359004486

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 3, 1994

Representative David A. Levy
Levy for Congress Committee
P.O. Box 323
Lynbrook, NY 11563

RE: MUR 4017

Dear Mr. Levy:

This letter acknowledges receipt on July 28, 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 4017. 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

9404359 0487

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 3, 1994

Patrick H. O'Sullivan, Treasurer
Dan Frisa for Congress Committee
23 Canyon Lane
Westbury, NY 11590

RE: MUR 4017

Dear Mr. O'Sullivan:

The Federal Election Commission received a complaint which indicates that Dan Frisa for Congress Committee ("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 4017. 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.

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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

9404359048 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 3, 1994

Dan Frisa
631 Plain Road
Westbury, NY 11590

RE: MUR 4017

Dear Mr. Frisa:

The Federal Election Commission received a complaint which indicates that you 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 4017. 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 you 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.

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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

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RECEIVED
FEDERAL ELECTION
COMMISSION
AUG 26 10 07 AM '94

STEVEN G. LEVENTHAL, P.C.
ATTORNEYS AT LAW
15 REMSEN AVENUE
ROSLYN, NEW YORK 11576

STEVEN G. LEVENTHAL (N.Y., N.J.)◊
EILEEN GONG (N.J.)
◊CERTIFIED PUBLIC ACCOUNTANT (N.Y.)

19 LINDSAY DRIVE
MORGANVILLE, N.J. 07751

TELEPHONE: (516) 484-5700
TELECOPIER: (516) 484-2710

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Aug 26 12 35 PM '94

BY CERTIFIED MAIL

PLEASE RESPOND TO NEW YORK ADDRESS

August 23, 1994

Lawrence Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Dan Frisa

Patrick H. O'Sullivan, Treasurer,
Dan Frisa for Congress Committee

MUR 4017

Dear Mr. Noble:

This is written in response to the letters of Mary Taksar, Esq., dated August 3, 1994, addressed to Dan Frisa and Patrick H. O'Sullivan, Treasurer, Dan Frisa for Congress Committee. Duly executed Statements of Designation of Counsel are enclosed, designating the undersigned as counsel for both respondents.

For the following reason, the complaint does not set forth a possible violation of the Federal Election Campaign Act of 1971 and, accordingly, no action should be taken against either respondent.

This Matter Under Review was commenced by the complaint of Congressman David A. Levy, dated July 25, 1994. In his complaint, Mr. Levy alleged that the Dan Frisa for Congress Committee had taken various steps to support his opponent in the Republican Congressional Primary without filing a Statement of Organization, and that Mr. Frisa had qualified for the Republican primary ballot without filing a Statement of Candidacy.

An individual must designate a principal campaign committee within 15 days after becoming a candidate, either by filing a Statement of Candidacy, or by letter. Within 10 days thereafter, the committee must register by filing a Statement of Organization.

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Mr. Frisa became a candidate as defined by the Act on or about July 12, 1994. Contrary to Congressman Levy's claim, Dan Frisa for Congress Committee filed a Statement of Organization, and Mr. Frisa filed a Statement of Candidacy, on July 18, 1994. Enclosed are copies of the Statements dated July 12, 1994, and Certificates of Mailing indorsed by the U.S. Postal Service on July 18, 1994.

Congressman Levy also alleged that the Dan Frisa for Congress Committee failed to file reports of contributions. However, as indicated in Congressman Levy's letter, Mr. Frisa is a candidate in the New York Republican Congressional Primary scheduled for September 13, 1994. The Pre-Election Report is not due until 12 days before the primary election. The Committee's first quarterly report is not due until October 15, 1994.

For the foregoing reasons, it is respectfully requested that this Matter Under Review be closed without action against either respondent.

Very truly yours,

cc: Mr. Patrick H. O'Sullivan, Treasurer
Dan Frisa for Congress Committee

Dan Frisa

Certified Mail No. P 853 025 473

9404359049 3

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4017

NAME OF COUNSEL: Steven G. Leventhal, P.C.

ADDRESS: 15 Remsen Avenue
Roslyn, New York 11576

TELEPHONE: (516) 484-5700

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
AUG 26 12 35 PM '94

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8/15/94
Date

Signature

RESPONDENT'S NAME: DANIEL FREISA

ADDRESS: 631 THE PLAIN ROAD
WESTBURY NY 11590

TELEPHONE: HOME

BUSINESS (516) 333-7414

9404359049 4

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4017

NAME OF COUNSEL: Steven G. Leventhal, P.C.

ADDRESS: 15 Remsen Avenue
Roslyn, New York 11576

TELEPHONE: (516) 484-5700

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
AUG 26 12 35 PM '94

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

8/17/94
Date

Signature

RESPONDENT'S NAME: Patrick O'Sullivan

ADDRESS: 23 Canyon Lane
Westbury N.Y. 11590

TELEPHONE: HOME

BUSINESS (516) 483-6550

9404359049 5

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:

DAN FRISA FOR CONGRESS
23 CANYON LANE
WESTBURY NY 11590

One piece of ordinary mail addressed to:

CLERK OF THE HOUSE OF REPRESENTATIVES
OFFICE OF RECORDS AND REGISTRATION
1036 LONGWORTH OFFICE BLDG
WASHINGTON DC 20515-6612

PS Form 3817, Mar. 1989 *U.S.G.P.O.: 1992-320-023/60237

U.S. POSTAGE PAID HICKSVILLE, NY 11801 JUL 18 '94 AMOUNT $0.50 00014748-25

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE—POSTMASTER

Received From:

Dan Frisa for Congress
23 Canyon Lane
Westbury NY 11590

One piece of ordinary mail addressed to:

N.Y. Secretary of State
162 Washington Av.
Albany NY 12231

PS Form 3817, Mar. 1989 *U.S.G.P.O.: 1992-320-023/60237

U.S. POSTAGE PAID HICKSVILLE, NY 11801 JUL 18 '94 AMOUNT $0.50 00014748-25

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[redacted]

1. (a) NAME OF COMMITTEE (In Full) ☐ (Check if name is changed)
DAN FRISA FOR CONGRESS

2. DATE
JULY 12, 1994

(b) Address and Street Address ☐ (Check if address is changed)
23 CANYON LANE

3. FEC IDENTIFICATION NUMBER

(c) City, State and ZIP Code
WESTBURY NY 11590

4. IS THIS STATEMENT AN AMENDMENT?
☐ YES ☒ NO

5. TYPE OF COMMITTEE (Check one)

☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)

☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate	Candidate Party Affiliation	Office Sought	State/District
DANIEL FRISA	REPUBLICAN-CONSERV	US HOUSE	NY/4

☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(name of candidate)

☐ (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)

☐ (e) This committee is a separate segregated fund.

☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship

Type of Connected Organization
☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address	Title or Position
PATRICK H. O'SULLIVAN	23 CANYON LANE WESTBURY NY 11590	TREASURER

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
THE BANK OF NEW YORK	514 OLD COUNTRY ROAD WESTBURY NY 11590

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER	SIGNATURE OF TREASURER	DATE
PATRICK O'SULLIVAN	[signature]	7/12/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

For further information contact:
Federal Election Commission
Toll-free 800-424-9530
Local 202-376-3120

FEC FORM 1
(revised 2/87)

mailed 7/12/94

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STATEMENT OF CANDIDACY

(see reverse side for instructions)

1. (a) Name of Candidate (in full)
DANIEL FRISA

(b) Address (number and street) ☐ Check if address changed
631 THE PLAIN ROAD

(c) City, State, and ZIP Code
WESTBURY NY 11590

2. Identification Number

3. Party Affiliation
REPUBLICAN-CONSERVATIVE

4. Office Sought
U.S. HOUSE

5. State & District of Candidate
NY - 4TH DISTRICT

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

6. I hereby designate the following named political committee as my Principal Campaign Committee for the 1994 (year of election) election(s).

NOTE: This designation should be filed with the appropriate office listed below.

(a) Name of Committee (in full)
DAN FRISA FOR CONGRESS

(b) Address (number and street)
23 CANYON LANE

(c) City, State and ZIP Code
WESTBURY NY 11590

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

7. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate: Daniel Frisa

Date: 7/12/94

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

CANDIDATES FOR THE OFFICE OF:

President mail to:
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

U.S. Senate mail to:
Secretary of the Senate
Office of Public Records
232 Hart Senate Office Bldg.
Washington, DC 20510-7116

U.S. House of Representatives mail to:
Clerk of the House of Representatives
Office of Records and Registration
1036 Longworth Office Bldg.
Washington, DC 20515-6612

For further information contact:
Federal Election Commission
Toll-free 800/424-9530
Local 202/219-3420

FEC FORM 2
(rev. 7/4/93)

mailed 7/12/94

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
SEP 22 9 43 AM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) Enforcement Priority
)
)

GENERAL COUNSEL'S MONTHLY REPORT

I. INTRODUCTION

This report is the first Enforcement Priority System Monthly Report.[1] The purpose of this August Monthly 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

---

1. Prior to this report, Enforcement Priority System reports were done on a quarterly basis. However, on July 19, 1994, the Commission decided to change the reporting frequency from quarterly to monthly. Because this Office needed sufficient time to implement the change in reporting frequency, the August Monthly Report includes cases for July and August. In the future, the Monthly Report will reflect one month's activity.

Additionally, this Office previously indicated to the Commission that at the end of each quarter, we will provide a statistical recap for the activity that occurred during the quarter. Sometime in early October, this Office will provide a report for third quarter activity.

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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.[2] A short 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 or sua sponte submission.

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 5 cases that do not

2. These matters are: MUR 3963; MUR 3981; MUR 3982; MUR 3983; MUR 3989; MUR 3992; MUR 3993; MUR 3994; MUR 4006; MUR 4011; MUR 4015; MUR 4017; MUR 4020; MUR 4021; and PM 300.

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warrant further investment of significant Commission resources.[3] 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 externally-generated matters, the complaint and response(s) are attached to the report and for internally-generated matters, the referral is attached. See Attachments 17-21.

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3. These matters are: MUR 3784; MUR 3788; RAD 93L-52, RAD 93NF-23, and PM 287.

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IV. **RECOMMENDATIONS**

A. Decline to open a MUR, close the file, and approve the appropriate letter in the following matters:

1) RAD 93L-52
2) RAD 93NF-23

4) PM 287
5) PM 300

B. Take no action, close the file, and approve the appropriate letter in the following matters:

1) MUR 3784
2) MUR 3788
3) MUR 3963
4) MUR 3981
5) MUR 3982
6) MUR 3983
7) MUR 3989
8) MUR 3992
9) MUR 3993
10) MUR 3994
11) MUR 4006
12) MUR 4011
13) MUR 4015
14) MUR 4017
15) MUR 4020
16) MUR 4021

9-21-94
Date

L M Noble (SGP)
Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	Agenda Document
Enforcement Priority	)	#X94-94

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 27, 1994, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the above-captioned matter:

A. Decline to open a MUR, close the file, and approve the appropriate letter in the following matters:

1) RAD 93L-52;
2) RAD 93NF-23;
3) PM 287;
4) PM 300.

B. Take no action, close the file, and approve the appropriate letter in the following matters:

1) MUR 3784;
2) MUR 3788;
3) MUR 3963;
4) MUR 3981;
5) MUR 3982;
6) MUR 3983;
7) MUR 3989;

(continued)

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8) MUR 3992;
9) MUR 3993;
10) MUR 3994;
11) MUR 4006;
12) MUR 4011;
13) MUR 4015;
14) MUR 4017;
15) MUR 4020;
16) MUR 4021.

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

Attest:

9-29-94
Date

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

9404359050 4

SEP 29 1994

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Representative David A. Levy
Levy for Congress Committee
P.O. Box 323
Lynbrook, NY 11563

RE: MUR 4017

Dear Mr. Levy:

On July 28, 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 Dan Frisa for Congress Committee and Patrick H. O'Sullivan, as treasurer and Dan Frisa. See attached narrative. Accordingly, the Commission closed its file in this matter. 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
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file: SEP 27 1994

9404359050 5

MUR 4017
DAN FRISA FOR CONGRESS COMMITTEE

On July 28, 1994, Representative David Levy filed a complaint alleging that Dan Frisa and the Dan Frisa for Congress Committee failed to file a statement of candidacy, a statement of organization, and disclosure reports. The complainant states that because Dan Frisa and his Committee have been engaged in activities to support Mr. Frisa's candidacy, including fundraising activities, these statements as well as disclosure reports are required.

In response to the complaint, respondents state that Dan Frisa became a candidate on or about July 12, 1994 and Mr. Frisa filed a statement of candidacy and his Committee filed a statement of organization on July 18, 1994. Respondents also indicate that the Committee is not required to file its first disclosure report until October 1994.

This matter involves less significant issues relative to the other issues pending before the Commission.

9404359050 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 29 1994

Steven G. Leventhal, P.C.
15 Remsen Avenue
Roslyn, NY 11576

RE: MUR 4017
Dan Frisa for Congress
Committee and Patrick H.
O'Sullivan, as treasurer
Dan Frisa

Dear Mr. Leventhal:

On August 3, 1994, the Federal Election Commission notified your clients 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 your clients. See attached narrative. Accordingly, the Commission closed its file in this matter.

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.

9404359050 7

If you have any questions, please contact or Joan McEnery at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Attachment
Narrative

Date the Commission voted to close the file: SEP 27 1994

9404359050 8

MUR 4017
DAN FRISA FOR CONGRESS COMMITTEE

On July 28, 1994, Representative David Levy filed a complaint alleging that Dan Frisa and the Dan Frisa for Congress Committee failed to file a statement of candidacy, a statement of organization, and disclosure reports. The complainant states that because Dan Frisa and his Committee have been engaged in activities to support Mr. Frisa's candidacy, including fundraising activities, these statements as well as disclosure reports are required.

In response to the complaint, respondents state that Dan Frisa became a candidate on or about July 12, 1994 and Mr. Frisa filed a statement of candidacy and his Committee filed a statement of organization on July 18, 1994. Respondents also indicate that the Committee is not required to file its first disclosure report until October 1994.

This matter involves less significant issues relative to the other issues pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4017

DATE FILMED 10-13-94 CAMERA NO. 2

CAMERAMAN JMH

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