



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR #

DATE FILMED 6/13/96 CAMERA N

CAMERAMAN EES

96045741763

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

DEC 13 8 45 AM '95

7706 Tiverton Drive
Springfield, VA 22152
December 11, 1995

MUR 4288

DEC 13 9 43 AM '95

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

General Counsel
Federal Elections Commission
999 E. Street, NW
Washington, DC 20463

Re: Complaint pursuant to 2 USC 437 g(a)(1)

Dear General Counsel:

In reviewing the individual contributor list for Congressman Eliot Engel I noted an individual contributor appears to have exceeded the legal limit on primary election contributions. Mr. Joseph J. Szlavik is recorded as contributing \$ 250.00 on November 11, 1993, designated 1994 primary contribution; \$750.00 on May 10, 1993, designated 1994 primary contribution, \$750.00 on June 23, 1994, designated 1994 primary contribution and; \$250.00 on Aug 3, 1994, designated 1994 primary contribution. It would thus appear that \$1,000 of the contribution was accepted in violation of Federal Election Law which limits primary contributions to \$1,000 per election cycle.

I have attached in pertinent part the FEC contributor list noting this information. I have no additional information in support of this complaint.

Sincerely,


Barry R. Ziman

Subscribed and sworn before me this 11 day of December 1995.



Notary

My Commission Expires September 30, 1997

96043741764

NY

ROSENBERG, HENRY
ENGEL FOR CONGRESS

SECTION I INDIVIDUAL

CONTRIBUTOR/LENDER/TRANSFERER STREET ADDRESS CITY
REPORTING ENTITY
MICROFILM LOCATION TRANSACTION TYPE

SLOVIN, BRYCE NY
ENGEL FOR CONGRESS
94HSE/541/0113 #0936908 CONTRIBUTION

SPERLING, HIRSHEL MD OVERSEA
ENGEL FOR CONGRESS
94HSE/5377-779 #0720901 CONTRIBUTION PHYSICIAN

SPRINGER, DAVID WASH DC
ENGEL FOR CONGRESS
94HSE/552/0093 #0936818 CONTRIBUTION ROPELL

SRLAVIK, JOSEPH J WASH DC
ENGEL FOR CONGRESS
94HSE/509/0290 #0366494 CONTRIBUTION SRLAVIK

SRLAVIK, JOSEPH J WASH DC
ENGEL FOR CONGRESS
94HSE/509/0290 #0366493 CONTRIBUTION SRLAVIK

STAHL, ROBERT NY
ENGEL FOR CONGRESS
94HSE/553/0466 #1014717 CONTRIBUTION

STATSKY, ROBIN NY
ENGEL FOR CONGRESS
94HSE/537/4786 #1014717 CONTRIBUTION

STEIN, MITCHELL S NY
ENGEL FOR CONGRESS
94HSE/553/0466 #1014717 CONTRIBUTION JULIAN

STERN, ALAN MD
ENGEL FOR CONGRESS
94HSE/553/0466 #1014717 CONTRIBUTION

THAYER, ROBERT NY
ENGEL FOR CONGRESS
94HSE/553/0466 #1014717 CONTRIBUTION

37144
1014
1014

96043741765

NY 10019 OCTOBER QUARTERLY PRIMARY 250
 ADDRESS 1994

SECTION I - INDIVIDUAL CONTRIBUTIONS

96043741766

CITY	STATE ZIP	TYPE OF FILER	REPORT TYPE	DATE	ELECTION	AMOUNT
NY	NY 10023		OCTOBER QUARTERLY	1994	GENERAL	500
CHERRAN	NY 10023		PRE-PRIMARY	9JUL94	PRIMARY	500
PHYSICIAN	DC 20015		PRE-GENERAL	11OCT94	GENERAL	500
WASHINGTON	DC 20015		YEAR-END	11NOV93	PRIMARY	250
ERLAVIK, HOSEN, MILLER	DC 20015		YEAR-END	11NOV93	GENERAL	250
WASHINGTON	DC 20015		POST-GENERAL	4NOV94	GENERAL	250
KAT STABLE	NY 10019		PRE-PRIMARY	7AUG94	PRIMARY	500
NEW YORK	NY 10019		GENERAL	8OCT94	GENERAL	500
FINANCIAL MANAGEMENT	DC 20015		GENERAL	10NOV93	GENERAL	75
WASHINGTON	DC 20015		GENERAL	10NOV93	GENERAL	75





FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 19, 1995

Barry R. Ziman
7706 Tiverton Drive
Springfield, VA 22152

RE: MUR 4288

Dear Mr. Ziman:

This letter acknowledges receipt on December 13, 1995, 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 4288. 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

96043741767



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 19, 1995

Charlotte Friedman, Treasurer
Engel For Congress
12 Harding Pkwy
Mt. Vernon, NY 10552

RE: MUR 4288

Dear Ms. Friedman:

The Federal Election Commission received a complaint which indicates that Engel for 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 4288. 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.

26043741768

If you have any questions, please contact Alva E. Smith 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

96043741769



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 19, 1995

Joseph J. Szlavik
2950 Van Ness Street, NW
Washington, DC 20008

RE: MUR 4288

Dear Mr. Szlavik:

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 4288. 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.

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.

26043741770

If you have any questions, please contact Alva E. Smith 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. Resignation of Counsel Statement

96043741771

ENGEL FOR CONGRESS
P.O. BOX 60
BRONX, N.Y. 10463

January 3, 1996

General Counsel's Office
Federal Election Commission
999 E Street NW
Washington, DC 20463

Re: MUR 4288

To Whom It May Concern:

In reference to MUR 4288, an examination of our records indicate the following:

Mr. Ziman refers to four contributions made by a Mr. Joseph Szlavik.

May 10, 1993	\$750
November 11, 1993	\$250
June 23, 1994	\$750
August 3, 1994	\$250

Mr. Ziman contends that all four of the contributions were designated to our 1994 Primary Election.

The \$750 contributed on May 10, 1993 was not designated for our 1994 Primary campaign but was designated for 1992 debt reduction. A copy of the relevant page from the July 31st mid-year report (Jan. 1, 1993 through June 30, 1993) is attached.

The other three contributions were designated to the 1994 primary election. As such we are returning to Mr. Szlavik a check for \$250 which would equal the amount in excess of the limit (copy attached).

In addition, please note that on August 14, 1995, I submitted FEC Form 1 Statement of Organization (copy attached) which indicates that I assumed the role of Treasurer from Charlotte Friedman to whom your letter was addressed. Please correct your records.

Thank you for your consideration in the above matter.

Very truly yours,

Debby Linhardt
Debby Linhardt
Treasurer

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JAN 16 10 33 AM '96

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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Engel For Congress

26043241773

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Al Fred H. Howell 4602 Palisade Ave. Brook NY 10471	Retired	4/20/93	9 2.50 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date > \$ 250	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Thomas M. O'Brien 170 Tulip Ave Flora Park NY 11001	Northside Savings Bank	4/19/93	2 250 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Banker	Aggregate Year-to-Date > \$ 250	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Irving Dargament 551 5th Ave. NY NY 10017	Self-Employed	4/30/93	2 500 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Real Estate	Aggregate Year-to-Date > \$ 500	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Joseph J. Szlavik 2950 Van Ness St. NW #418 Washington DC 20048	Szlavik, Hogan & Miller	5/10/93	9 750 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 92 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation International Consulting	Aggregate Year-to-Date > \$ 750	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
David A. A/Pert 179 Central Blvd Mt Vernon NY 10552	Riverside Memorial Chapel	5/12/93	9 1000 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Funeral Director	Aggregate Year-to-Date > \$ 1000	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Pasquale Cantor Jr 62-60 99th St. 920 Rego Park NY 11374	Bergdorf Goodman	5/13/93	2 250 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Computer oper.	Aggregate Year-to-Date > \$ 250	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
William Bernstein Martha J. O'Sullivan 500 Independence Ave. Bx 10471	Kalkines Ardy Falla Bernstein	5/19/93	4 250 ⁰⁰
Receipt For: <input checked="" type="checkbox"/> Primary 94 <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation Lawyers	Aggregate Year-to-Date > \$ 250	

SUBTOTAL of Receipts This Page (optional)

\$3250.00

TOTAL This Period (last page this line number only)

ENGEL FOR CONGRESS
P.O. BOX 60
BRONX, N.Y. 10463

January 3, 1996

Joseph J. Szlavik
3003 Van Ness St. NW
West 1126
Washington, DC 20008

Dear Mr. Szlavik:

An examination of the records of the Engel for Congress Committee indicate that you may have contributed in excess of the legal limit during the 1994 election cycle. As such, I am enclosing a refund check in the amount of \$250 from the Committee.

Please be assured that we greatly appreciate your continued support and apologize for any inconvenience.

Very truly yours,



Debby Linhardt
Treasurer

26043741774

1100

ENGEL FOR CONGRESS PRIMARY

DATE Jan 1996 ¹⁻²⁴⁰⁴/₂₁₀

PAY TO THE ORDER OF Joseph Szlavik \$ 250⁰⁰

Two Hundred Fifty⁰⁰ DOLLARS



CHASE
The Chase Manhattan Bank, N.A.
511 Gramatan Avenue
Mt. Vernon, NY 10552

FOR Refund Debra Szlavik

⑆001100⑆ ⑆021000021⑆ 404 1 133788⑆

26043741775

STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. (a) NAME OF COMMITTEE IN FULL <input type="checkbox"/> (Check if name is changed) ENGEL FOR CONGRESS	2. DATE 8/14/95
(b) Number and Street Address <input checked="" type="checkbox"/> (Check if address is changed) C/O LINHARDT 12 HARDING PKWY.	3. FEC IDENTIFICATION NUMBER C00236513
(c) City, State and ZIP Code MT. VERNON, N.Y. 10552	4. IS THIS STATEMENT AN AMENDMENT <input checked="" type="checkbox"/> YES <input type="checkbox"/> 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 |
|-------------------|-----------------------------|---------------|----------------|
| | | | |
- (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.

8. 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
DEBBY LINHARDT	12 HARDING PKWY., MT. VERNON, NY 10552	TREASURER

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
DEBBY LINHARDT	12 HARDING PKWY., MT. VERNON, NY 10552	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
CHASE MANHATTAN BANK	511 GRAMARTAN AVE. MT. VERNON, NY 10552

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 DEBBY LINHARDT	SIGNATURE OF TREASURER 	DATE 8/14/95
--	----------------------------	------------------------

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 4/87)

96043741776

Joseph J. Szlavik
3003 Van Ness Street, N.W.
Apartment W-1126
Washington, DC 20008
(202) 363-5787

1 February 1996

FEB 6 1 00 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

General Counsel
Federal Election Commission
Washington, DC 20463

Dear Sir:

RE: MUR4288

This is in response to a letter from Mary L. Taksar, Attorney, Central Enforcement docket, regarding a complaint filed by Barry R. Ziman concerning my contributions to the campaign of U.S. Representative Elliot Engel.

It is clear from the complaint -- which asserts that I contributed \$1,000 over the legal limit to Congressman Engel's primary election campaign -- that the alleged contributions were in fact meant for Congressman Engel's general election campaign. It seems that the contributions alleged to be over the limit were mistakenly designated (by someone on the Congressman's campaign staff? by a data-entry clerk at the FEC?) as meant for the primary election campaign rather than for the general election.

Here is the sequence of contributions as reported in the complaint:

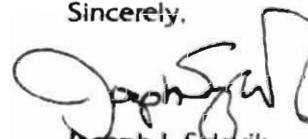
\$750.00 donated May 10, 1993
\$250.00 donated November 11, 1993
\$750.00 donated June 23, 1994
\$250.00 donated August 3, 1994

It seems clear, even at a glance, that the final two contributions -- June 23, 1994, and August 3, 1994 -- were intended to be used in the general election campaign.

As I understand federal election law, the limits permit \$1,000 contributions for a primary election and \$1,000 contributions for a general election.

I hope this clears up the matter.

Sincerely,


Joseph J. Szlavik

cc: Mary L. Taksar
Barry R. Ziman

26043741777

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

MUR: 4288

DATE COMPLAINT FILED: December 13, 1995

DATE OF NOTIFICATION: December 19, 1995

DATE ACTIVATED: March 22, 1996

STAFF MEMBER: Mark Allen

COMPLAINANT: Barry R. Ziman

RESPONDENTS: Engel for Congress and Charlotte Friedman, as treasurer
Joseph J. Szlavik

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)

RELEVANT REGULATIONS: 11 C.F.R. § 110.1(b)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a complaint on December 13, 1995 from Barry R. Ziman alleging that Joseph J. Szlavik made excessive contributions to the Engel for Congress Committee in connection with the 1994 primary election.¹

¹ Mr. Ziman filed another complaint against the Engel for Congress Committee, MUR 4224, for accepting an excessive contribution from another contributor in connection with the 1994 primary election. The Committee refunded the \$1,000 excessive, and the Commission closed MUR 4224 on March 5, 1996 without taking any action.

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II. FACTUAL AND LEGAL ANALYSIS

A. Law

The Federal Election Campaign Act of 1971, as amended ("the Act") provides that no person shall contribute in excess of \$1,000 to any candidate committee with respect to any election. 2 U.S.C. § 441a(a)(1)(A). The Commission's regulations provide that "with respect to any election" means, in the case of a contribution designated in writing by the contributor for a particular election, the election so designated. 11 C.F.R. § 110.1(b)(2)(i). In the case of a contribution not designated in writing by the contributor, "with respect to any election" means the next election for that federal office after the contribution is made. 11 C.F.R. § 110.1(b)(2)(ii). Further, a contribution designated in writing for a particular election, but made after that election, shall be made only to the extent that the contribution does not exceed net debts outstanding from such election. 11 C.F.R. § 110.1(b)(3)(i). In addition, the Act provides that committees shall not knowingly accept contributions that violate section 441a. 2 U.S.C. § 441a(f).

B. Analysis

The complaint alleges that Joseph J. Szlavik made four contributions totaling \$2,000 to Engel for Congress in connection with the 1994 primary election, thus constituting a \$1,000 excessive contribution.² See 2 U.S.C. § 441a(a)(1)(A). The Committee's disclosure reports identify the \$2,000 as \$750 designated for 1992 primary election debt and \$1,250 designated for the 1994 primary. The Committee's response to the complaint acknowledges receipt of a \$250

² The Committee's disclosure reports indicate that Mr. Szlavik contributed \$750 on May 10, 1993, \$250 on November 11, 1993, \$750 on June 23, 1994, and \$250 on August 3, 1994. Mr. Szlavik contributed an additional \$500 during this period designated on the Committee's disclosure reports for the 1994 general election.

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excessive contribution and provides a copy of a \$250 refund check to Mr. Szlavik, which the Committee disclosed on its 1996 April Quarterly Report. See 2 U.S.C. § 441a(f). Joseph J. Szlavik responded that it is clear from the complaint that \$1,000 was intended for the primary and the other \$1,000 was in fact meant for the 1994 general election.

Neither the complaint nor the responses include copies of any written designations by contributor Joseph Szlavik for the contributions. Because Mr. Szlavik made all the contributions prior to the September 13, 1994 New York primary election, if he provided no written designations to the Committee, all the contributions are considered designated to the next election, i.e., the primary. See 11 C.F.R. § 110.1(b)(2)(ii). As noted above, the Committee reported \$750 of the contributions as designated to 1992 primary election debt. This Office has not performed a formal analysis regarding the Committee's net debts outstanding, but the Committee's disclosure reports indicate debts significantly in excess of cash on hand for the period of the 1992 primary election, so the Committee may have had sufficient net debts outstanding to allow for the 1992 designation.³ See 11 C.F.R. § 110.1(b)(2)(i) and (b)(3)(i).

Even assuming that \$750 of the contributions was properly designated for 1992 debt retirement, the information at hand indicates that Joseph J. Szlavik made, and the Committee received, an excessive contribution of \$250. Therefore, this Office recommends that the Commission find reason to believe that Joseph J. Szlavik violated 2 U.S.C. § 441a(a)(1)(A) and that Engel for Congress and Charlotte Friedman, as treasurer, violated 2 U.S.C. § 441a(f).

and in light of the Committee's \$250 refund to Mr.

³ The public record does not indicate any other contributions made by Mr. Szlavik in connection with the 1992 election.

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Szlavik, this Office also recommends that the Commission take no further action regarding Joseph J. Szlavik and Engel for Congress and Charlotte Friedman, as treasurer, and close the file. This Office will admonish Mr. Szlavik and the Committee.

III. RECOMMENDATIONS

1. Find reason to believe that Joseph J. Szlavik violated 2 U.S.C. § 441a(a)(1)(A).
2. Find reason to believe that Engel for Congress and Charlotte Friedman, as treasurer, violated 2 U.S.C. § 441a(f).
3. Take no further action regarding Joseph J. Szlavik and Engel for Congress and Charlotte Friedman, as treasurer.
4. Approve the appropriate letters.
5. Close the file.

Lawrence M. Noble
General Counsel

5/9/96
Date

BY: [Signature]
Lois G. Lerner
Associate General Counsel

96043741781

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Engel for Congress and Charlotte) **MUR 4288**
Friedman, as treasurer;)
Joseph J. Szlavik.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 16, 1996, the Commission decided by a vote of 5-0 to take the following actions in MUR 4288:

1. Find reason to believe that Joseph J. Szlavik violated 2 U.S.C. § 441a(a)(1)(A).
2. Find reason to believe that Engel for Congress and Charlotte Friedman, as treasurer, violated 2 U.S.C § 441a(f).
3. Take no further action regarding Joseph J. Szlavik and Engel for Congress and Charlotte Friedman, as treasurer.

(continued)

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4. Approve the appropriate letters, as recommended in the General Counsel's Report dated May 9, 1996.

5. Close the file.

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

Attest:

5-16-96
Date


Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Fri., May 10, 1996 2:16 p.m.
Circulated to the Commission: Mon., May 13, 1996 11:00 a.m.
Deadline for vote: Thurs., May 16, 1996 4:00 p.m.

bjr

96043741783



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Barry R. Ziman
7706 Tiverton Drive
Springfield, VA 22152

RE: MUR 4288

Dear Mr. Ziman:

This is in reference to the complaint you filed with the Federal Election Commission on December 13, 1995, concerning contributions made by Joseph J. Szlavik to Engel for Congress.

Based on that complaint, on May 16, 1996, the Commission found that there was reason to believe that Joseph J. Szlavik violated 2 U.S.C. § 441a(a)(1)(A) and that Engel for Congress and its treasurer violated 2 U.S.C. § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission determined to take no further action against Joseph J. Szlavik and Engel for Congress and its treasurer, and closed the file in this matter on May 16, 1996. This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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

Sincerely,

Mark Allen
Attorney

Enclosure
General Counsel's Report

96043741784



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1996

Debby Linhardt, Treasurer
Engel for Congress
12 Harding Parkway
Mt. Vernon, NY 10552

RE: MUR 4288
Engel for Congress and
Debby Linhardt, as treasurer

Dear Ms. Linhardt:

On May 16, 1996, the Federal Election Commission found reason to believe that Engel for Congress and its treasurer violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that accepting excessive contributions from individuals is a violation of 2 U.S.C. § 441a(f). You should take steps to insure that this activity does not occur in the future.

The confidentiality provisions at 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 before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Mark R. Allen, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

96043741785



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1996

Joseph J. Szlavik
3003 Van Ness Street, N.W.
Apartment W-1126
Washington, DC 20008

RE: MUR 4288
Joseph J. Szlavik

Dear Mr. Szlavik:

On May 16, 1996, the Federal Election Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that making contributions to federal candidates in excess of \$1,000 per election is a violation of 2 U.S.C. § 441a(a)(1)(A). You should take steps to insure that this activity does not occur in the future.

The confidentiality provisions at 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 before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Mark R. Allen, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,

Lee Ann Elliott
Chairman

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4283

DATE FILMED 6/13/96 CAMERA NO. 2

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