



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE END OF NF # 128

Date Filmed 4/25/79 Camera No. --- 2

Cameraman SPC.

79040120291

79040120291

79040120292

PS Form 3811, Apr 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered ..... c
  - Show to whom, date, and address of delivery ..... c
  - RESTRICTED DELIVERY  
Show to whom and date delivered ..... c
  - RESTRICTED DELIVERY  
Show to whom, date, and address of delivery \$ \_\_\_\_\_  
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Mr. Allard Lowenstein*  
*305 East 74th St. Apt. 17F*  
*New York - NY 10010*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>9288</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

4. *Graham S. ...*  
**FOR ALLARD W. LOWENSTEIN**

DATE OF DELIVERY POSTMARK

*1 JAN 25 1979*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

*128*

*NF (APR 74) Theford*

79040120293

128

FS Form 3811, Apr 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER. Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... c  
 Show to whom, date, and address of delivery ..... c  
 RESTRICTED DELIVERY Show to whom and date delivered ..... c  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ ..... (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Mr. Harvey J. Lippman  
 Avenue of Americas 45th  
 New York, NY 10019*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *943238* |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*H. Masih*

4. DATE OF DELIVERY *3/24/79* POSTMARK *NEW YORK NY 3/24/79*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

*helped n* ☆GPO. 1977-0-249-596



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

March 23, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Harvey J. Lippman, Treasurer  
Elect Lowenstein to Congress  
Committee  
1345 Avenue of the Americas-45th Floor  
New York, NY 10019

RE: MUR 747/NF 128

Dear Mr. Lippman:

On March 5, 1979, the Commission voted to accept the conciliation agreement which you signed and dated on February 21, 1979. A copy of the agreement signed by you and the Commission's General Counsel is enclosed.

Accordingly, and upon my recommendation, the Commission has closed the file in this matter.

If you have any questions, please contact Judy Thedford, at 202-523-4529.

Sincerely,

A handwritten signature in cursive script, which appears to read "William G. Oldaker", is written over the typed name.

William G. Oldaker  
General Counsel

Enclosure  
Conciliation Agreement

40120294  
79040120294

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

*Shed*  
GCC#  
128 9447

In the Matter of )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

901061

79 FEB 7 AM 10:13

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

79040120295

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120296

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: 3/22/79

William C. Oldaker  
William C. Oldaker  
General Counsel

Date: February 21, 1979

Harvey J. Lippman  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120297

3

300\*  
9526

RECEIVED  
FEDERAL ELECTION  
COMMISSION

'79 MAR 7 AM 9:41

VITO P. BATTISTA  
141 WILLOUGHBY STREET  
BROOKLYN, NEW YORK 11201

901268

March 1, 1979

Mr. William C. Oldaker, General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C.

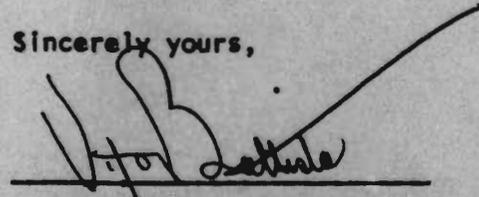
Gentlemen:

Enclosed herewith is a check for \$50.00 for the  
Civil Penalty as voted by the Commission.

The file on this matter is MUR 747/NF#128.

I respectfully appreciate and thank you for  
your help in this matter.

Sincerely yours,



Vito P. Battista, R.A.

Enc: check

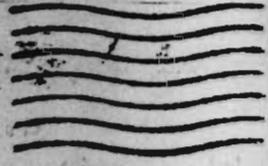
79040120298

VID: 35



719040120300

VITO P. BATTISTA, R.A.  
141 WILLOUGHBY ST., BKLYN. NY 11201

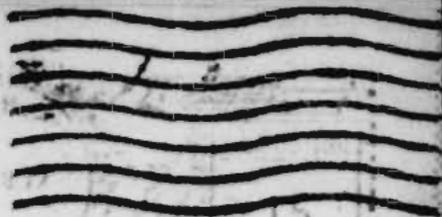


'79 MAR 7 AM 9:41

Mr. William C. Oldaker, General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C.

ATTENTION:  
JUDY THEDFORD

VITO P. BATTISTA, R.A.  
141 WILLOUGHBY ST., BKLYN. NY 11201



'79 MAR 7 AM 9:41

Mr. William C. Oldaker, General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C.

ATTENTION:

JUDY THEDFORD

040120301

March 1, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: NF 128

Please have the attached Memo and conciliation agreement distributed to the Commission on a 48 hour tally basis.

Thank you.

79040120302



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

79 MAR 1 P 2: 47

March 1, 1979

MEMORANDUM

TO: The Commissioners

FROM: William C. Oldaker *WCO*

SUBJECT: MUR 747/NF #128 *by dg.*

Attached is a conciliation agreement signed by the respondent Elect Lowenstein For Congress's treasurer, Harvey J. Lippman on February 21, 1979, and offered as settlement in this matter. The \$250 civil penalty was also submitted to the Commission with the signed agreement.

The attached agreement is identical to the original conciliation agreement approved by the Commission on November 7, 1978.

The Office of the General Counsel recommends that the conciliation agreement be accepted by the Commission as settlement of this matter.

79040120303

Sheaford  
GCC# 9447

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

901661

NOV 11 10:13

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

79040120304

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120305

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: February 21, 1979

\_\_\_\_\_  
*Harvey J. Lippman*  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120306

79040120307

ELECT LOWENSTEIN TO CONGRESS COMMITTEE

457

February 21 1979 1-103  
210

PAY  
TO THE  
ORDER OF

United States Treasurer

\$250.00

Two Hundred Fifty & 00/100

DOLLARS



BANKERS TRUST COMPANY

1345 AVENUE OF THE AMERICAS  
NEW YORK, N. Y. 10019

78

Harvey J. Lippman  
Treasurer

⑈000457⑈ ⑆⑆021001033⑆ 078⑈41406007⑈

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Elect Lowenstein to  
Congress Committee

MUR 747/NF #128

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on March 5, 1979, the Commission accepted by a vote of 6-0 the conciliation agreement, signed by the respondent Elect Lowenstein For Congress's treasurer, Harvey J. Lippman, which was attached to the General Counsel's Memorandum dated March 1, 1979. The \$250 civil penalty was also submitted to the Commission with the signed agreement.

Attest:

3/5/79

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary to the Commission

Received in Office of Commission Secretary: 3-1-79, 2:47  
Circulated on 48 hour vote basis: 3-1-79, 4:15

79040120308

79040120307

ELECT LOWENSTEIN TO CONGRESS COMMITTEE

457

February 21 1979 1-103  
210

DAY  
TO THE  
ORDER OF

United States Treasurer

\$250.00

Two hundred fifty and

DOLLARS



BANKERS TRUST COMPANY

1345 AVENUE OF THE AMERICAS  
NEW YORK, N. Y. 10019

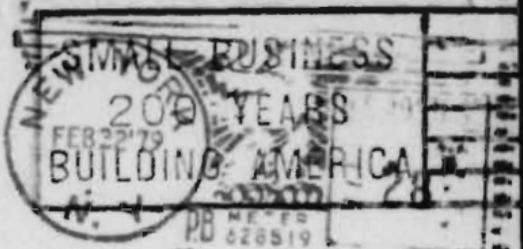
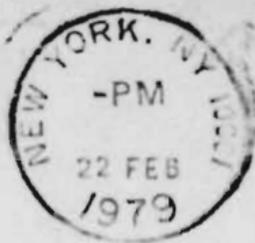
78

Harvey J. Lippman  
TREASURER

⑈000457⑈ ⑆⑆021001033⑆ 078⑈41406007⑈

Elect Lowenstein to Congress Committee  
c/o Harvey J. Lippman, Treasurer  
1345 Avenue of the Americas - 45th floor  
New York, New York 10019

7904012031



Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

79 FEB 27 AM 10:13



Attention: Ms. Judy Thedford

February 7, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: NF 128

Please have the attached Memorandum distributed  
to the Commission on an informational basis.

Thank you.

79040120311



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

February 7, 1979

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker *W.C.O.*

SUBJECT: MUR 747/NF#128 ADDENDUM to Memorandum and  
Conciliation Agreement circulated to the  
Commission dated February 2, 1979

The Office of the General Counsel recommends that the conciliation agreement attached to the Memorandum dated February 2, 1979 and signed by the respondent Vito Battista on January 24, 1979, be accepted by the Commission in settlement of this matter.

79040120312



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

*Gar*

February 7, 1979

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker *W.C. for W.C.O.*

SUBJECT: MUR 747/NF#128 ADDENDUM to Memorandum and  
Conciliation Agreement circulated to the  
Commission dated February 2, 1979

The Office of the General Counsel recommends that the conciliation agreement attached to the Memorandum dated February 2, 1979 and signed by the respondent Vito Battista on January 24, 1979, be accepted by the Commission in settlement of this matter.

79040120313

79040120314

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered..... c
  - Show to whom, date, and address of delivery..... c
  - RESTRICTED DELIVERY Show to whom and date delivered..... c
  - RESTRICTED DELIVERY Show to whom, date, and address of delivery..... c
- (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
*Vito Battista*  
*141 Wolloughby St*  
*Brooklyn, NY 11201*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *91129-1* |

(Always obtain signature of addressee or agent)

I have received the article described above  
 SIGNATURE  Addressee  Authorized agent

4. *Vincenzo Battista*  
 DATE OF DELIVERY *FEB 20 1970* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

*NY 128 Medford* © GPO 1977-0-249-595



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

February 12, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Vito Battista  
141 Willoughby Street  
Brooklyn, NY 11201

Re: MUR 747/NF#128

Dear Mr. Battista:

On February 9, 1979, the Commission voted to accept the conciliation agreement you signed and dated January 24, 1979. A copy of the agreement signed by you and the Commission's General Counsel is enclosed.

The \$50 civil penalty should be submitted to the Commission within thirty days and the check made payable to the "U.S. Treasurer."

Accordingly, and upon my recommendation, the Commission has closed the file in this matter.

Should you have any questions, please contact Judy Thedford at 202-523-4057.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", written over the typed name.

William C. Oldaker  
General Counsel

Enclosure:  
Conciliation Agreement

79040120315



- C. That respondent failed to file his Ten Day Pre-Primary Election Report on September 2, 1978.
- D. That respondent filed a 30 Day Post-Election Report/Termination Report on November 22, 1978 which covered the ten day pre-primary election reporting period.

Therefore, respondent agrees:

- I. Respondent's action in failing to file a candidate statement by August 6, 1978, was in violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his Ten Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- III. That he will pay a civil penalty in the amount of ~~\$250~~ <sup>\$50.00</sup> pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- IV. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

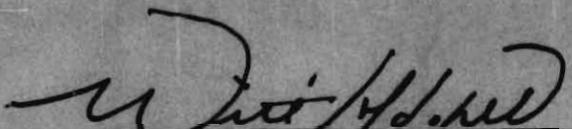
- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire

79040120317

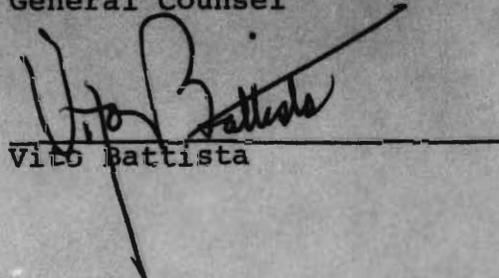
agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

DATE: 12 FEB 1979

  
\_\_\_\_\_  
William C. Oldaker  
General Counsel

DATE: January 24, 1979

  
\_\_\_\_\_  
Vito Battista

79040120318





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *MWE*  
DATE: FEBRUARY 9, 1979  
SUBJECT: CERTIFICATION ON MUR 747/NF 128

The General Counsel's Memorandum dated February 2, 1979, was received in the Office of Commission Secretary on Friday, February 2, 1979 at 5:07. The document was circulated on a 48 hour vote basis on Monday, February 5, 1979 at 12:00.

One hour before the voting deadline, the Commission Secretary's Office received another Memorandum from the General Counsel, dated February 7, 1979, regarding the lack of "recommendation" language in the first Memorandum. The February 7 Memorandum was circulated, as per instructions from the General Counsel's Office, on an informational basis at 11:15, February 7, 1979, fifteen minutes after receipt in the Commission Secretary's Office.

At 10:30, February 9, 1979, the sixth confirmation regarding the voting on this matter was received in the Office of Commission Secretary.

A certification reflecting the vote on this matter is attached.

ATTACHMENT:  
Certification - MUR 747/NF 128

79040120320

February 2, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: NF 128

Please have the attached Memo to the Commission on NF 128 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040120321



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

79 FEB 2 P 5: 07

February 2, 1979

MEMORANDUM

TO: The Commission  
FROM: William C. Oldaker *WCO*  
SUBJECT: MUR 747/NF #128

79040120322

Attached for the Commission's approval is a conciliation agreement signed by the respondent Vito Battista and offered as settlement in this matter. After initiating conciliation with the respondent, Mr. Battista filed a 30 Day Post-Primary Election/Termination report which covered the ten day pre-primary reporting period; and his candidate statement. Thus, the attached agreement reflects Mr. Battista's late filing status instead of non-filing.

In a conciliatory effort, Mr. Battista filed his candidate statement on January 2, 1979. The statement does not reflect designation of a principal campaign committee as Mr. Battista did not have a designated committee for the primary election. He spent all his personal funds in the campaign and has reported as such.

Mr. Battista also counterproposes a civil penalty of \$50 and submitted the attached letter (Exhibit A) in his defense.

Attachments:  
Conciliation Agreement  
Letter

*Medford*

6007  
G172

VITO P. BATTISTA  
141 WILLOUGHBY STREET  
BROOKLYN, NEW YORK 11201

73 JAN 20 PM 2:13

WILLIAM C. OLDAKER (GENERAL COUNSEL)  
FEDERAL ELECTION COMMISSION  
1325 K STREET NORTH WEST  
WASHINGTON, D. C. 20463

JANUARY 24, 1979

DEAR WILLIAM C. OLDAKER:

LAST YEAR THE REPUBLICAN COUNTY LEADER SUGGESTED THAT I RUN FOR CONGRESS IN THE 15 C.D. AND SUBMITTED MY NAME TO BE PLACED ON THE DESIGNATING PETITION. I WAS MADE TO UNDERSTAND THAT I WOULD NOT HAVE A PRIMARY. INSTEAD, A LAST MINUTE CHANGE BY THE LOCAL REPUBLICAN LEADERS FORCED ME INTO A PRIMARY. IT WAS TOO LATE TO WITHDRAW MY NAME FROM BALLOT AND I WAS COMPLETELY DISCOURAGED TO CARRY ON A CAMPAIGN FOR I LACKED THE FUNDS TO DO SO.

- I HAD NO LOCAL POLITICAL HEADQUARTERS IN 15 C.D.
- I DID NOT APPOINT ANY COMMITTEE TO RAISE FUNDS
- I HAD NO LOCAL ORGANIZATION SUPPORT!

Yes, I WENT THROUGH THE MOTIONS OF RUNNING A CAMPAIGN AND SPENT A FEW THOUSAND DOLLARS WHICH I REPORTED TO THE COMMISSION. THE EXPENSES WERE ALL PAID BY ME FROM PERSONAL FUNDS WHICH I COULD NOT AFFORD TO USE.

AS A PERSONAL PROBLEM, I HAVE A WIFE WHO IS VERY, VERY SICK IN A NURSING HOME (WOODBURY, L.I.) WHICH IS COSTING \$500 PER WEEK. THIS HAS CREATED A GREAT FINANCIAL BURDEN AND HARDSHIP CAUSING ME TO DIG INTO MY ASSETS AND THAT OF MY WIFE. WE HAVE BOTH SOLD ALL OUR INSURANCE POLICIES AND I AM IN FINANCIAL DISTRESS.

I NOW APPEAL TO YOU IF YOU COULD HELP ME TO REDUCE THE CIVIL PENALTY TO \$50.

I SINCERELY HOPE AND PRAY THAT THIS WILL BE ACCEPTABLE TO THE COMMISSION.

VERY RESPECTFULLY YOURS,

*Vito P. Battista*  
 \_\_\_\_\_  
 VITO P. BATTISTA

000504

79040120323

(Exhibit A)

BEFORE THE FEDERAL ELECTION COMMISSION  
January 11, 1979

In the Matter of     )  
                          )  
Vito Battista         )

MUR 747/NF #128

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Vito Battista violated 2 U.S.C. §432(e) (1) and 11 C.F.R. §101.2 by filing his candidate statement late; and 2 U.S.C. §434(a) (1) (A) (i) by filing his Ten Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Vito Battista having duly entered into conciliation pursuant to §437g(a) (5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent Vito Battista has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That respondent filed a designating petition with the City Board of Elections in New York on July 27, 1978, thereby obtaining status as a candidate for the U.S. House of Representatives.
  - B. That respondent filed his candidate statement on January 2, 1979, the candidate statement was filed 149 days late.

79040120321

C. That respondent failed to file his Ten Day Pre-Primary Election Report on September 2, 1978.

D. That respondent filed a 30 Day Post-Election Report/ Termination Report on November 22, 1978 which covered the ten day pre-primary election reporting period.

Therefore, respondent agrees: ~~was~~

I. Respondent's action in failing to file a candidate statement by August 6, 1978, was in violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2.

II. Respondent's action in failing to file his Ten Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).

III. That he will pay a civil penalty in the amount of \$50.00 ~~\$250~~ pursuant to 2 U.S.C. §437g(a)(6)(B)(i).

IV. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire

79040120325

agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

DATE: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

DATE: January 24, 1979

Vito Battista  
Vito Battista

79040120326

6007  
9172

VITO P. BATTISTA  
141 WILLOUGHBY STREET  
BROOKLYN, NEW YORK 11201

FEDERAL ELECTION  
COMMISSION

'79 JAN 29 PM 2:13

WILLIAM C. OLBAKER (GENERAL COUNSEL)  
FEDERAL ELECTION COMMISSION  
1325 K STREET NORTH WEST  
WASHINGTON, D. C. 20463

JANUARY 24, 1979

DEAR WILLIAM C. OLBAKER:

LAST YEAR THE REPUBLICAN COUNTY LEADER SUGGESTED THAT I  
RUN FOR CONGRESS IN THE 15 C.D. AND SUBMITTED MY NAME TO BE PLACED ON  
THE DESIGNATING PETITION. I WAS MADE TO UNDERSTAND THAT I WOULD NOT  
HAVE A PRIMARY. INSTEAD, A LAST MINUTE CHANGE BY THE LOCAL REPUBLICAN  
LEADERS FORCED ME INTO A PRIMARY. IT WAS TOO LATE TO WITHDRAW MY NAME  
FROM BALLOT AND I WAS COMPLETELY DISCOURAGED TO CARRY ON A CAMPAIGN FOR  
I LACKED THE FUNDS TO DO SO.

- I HAD NO LOCAL POLITICAL HEADQUARTERS IN 15 C.D.
- I DID NOT APPOINT ANY COMMITTEE TO RAISE FUNDS
- I HAD NO LOCAL ORGANIZATION SUPPORT!

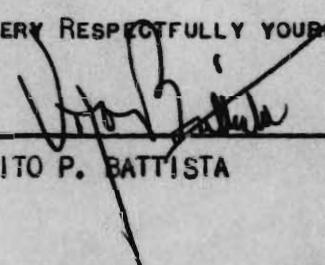
YES, I WENT THROUGH THE MOTIONS OF RUNNING A CAMPAIGN AND  
SPENT A FEW THOUSAND DOLLARS WHICH I REPORTED TO THE COMMISSION. THE  
EXPENSES WERE ALL PAID BY ME FROM PERSONAL FUNDS WHICH I COULD NOT AFFORD  
TO USE.

AS A PERSONAL PROBLEM, I HAVE A WIFE WHO IS VERY, VERY SICK IN A  
NURSING HOME (WOODBURY, L.I.) WHICH IS COSTING \$500 PER WEEK. THIS HAS  
CREATED A GREAT FINANCIAL BURDEN AND HARDSHIP CAUSING ME TO DIG INTO MY  
ASSETS AND THAT OF MY WIFE. WE HAVE BOTH SOLD ALL OUR INSURANCE POLICIES  
AND I AM IN FINANCIAL DISTRESS.

I NOW APPEAL TO YOU IF YOU COULD HELP ME TO REDUCE THE CIVIL  
PENALTY TO \$50.

I SINCERELY HOPE AND PRAY THAT THIS WILL BE ACCEPTABLE TO THE  
COMMISSION.

VERY RESPECTFULLY YOURS,

  
\_\_\_\_\_  
VITO P. BATTISTA

900494

79040120327

VITO P. BATTISTA  
141 WILLOUGHBY STREET  
BROOKLYN, NEW YORK 11201

7904012032



WILLIAM C. OLDAKER (GENERAL COUNSEL)  
FEDERAL ELECTION COMMISSION  
1325 K STREET, NORTH WEST  
WASHINGTON, D. C. 20463

79040120329

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... c  
 Show to whom, date, and address of delivery ..... c  
 RESTRICTED DELIVERY  
 Show to whom and date delivered ..... c  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery \$ \_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Direct how related to Congress*  
*Harold Kipperman*  
*1345 Avenue of the Americas - 45th*  
*New York, NY 10019*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *90286* | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*H. Masich*

4. DATE OF DELIVERY | POSTMARK  
*1/29* | *NY 1977*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

MUR 747/14178 *Sheffield* ☆ GPO 1977-0-249-595



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

January 22, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Elect Lowenstein to Congress  
Committee  
c/o Mr. Harvey J. Lippman  
Treasurer  
1345 Avenue of the Americas-45th Floor  
New York, NY 10019

Re: MUR 747/NF 128

Dear Mr. Lippman:

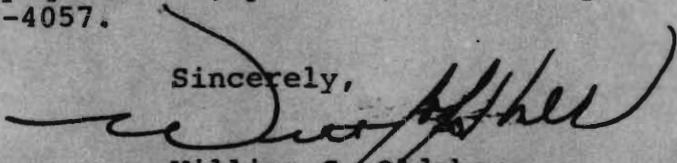
On January 18, 1979, the Commission voted to not accept the conciliation agreement which you signed and dated, December 14, 1978. Furthermore, the Commission determined that a civil penalty less than \$250 would not be acceptable as settlement in this matter.

Enclosed is the conciliation agreement originally sent to you on November 8, 1978 which reflects payment of a \$250 civil penalty. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

Please note that if we are unable to reach an agreement, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

If you have any questions, please contact Judy Thedford at 202-523-4057.

Sincerely,

  
William C. Oldaker  
General Counsel

Enclosure:  
Conciliation Agreement  
cc: Mr. Allard K. Lowenstein

79040120330

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
 )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

79040120331

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120332

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: \_\_\_\_\_

\_\_\_\_\_  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120333





FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS *mwe*  
DATE: JANUARY 11, 1979  
SUBJECT: MUR 747/NF 128 - Memorandum to Commissioners  
dated January 10, 1979; Received in OCS  
1-10-79, 11:04

The above-named document was circulated on a 48  
hour vote basis at 3:00, January 10, 1979.

Commissioner Thomson submitted an objection at  
3:27, January 11, 1979, thereby placing MUR 747/NF 128 on  
the Executive Session Agenda for January 18, 1979.

79040120335

January 10, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MBR747/NF 128

Please have the attached Memo to the Commission  
on MUR 747/NF 128 distributed on a 48 hour tally basis.

Thank you.

79040120336



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

79 JAN 10 11:04

January 10, 1979

MEMORANDUM

TO: The Commissioners  
FROM: William C. Oldaker *WCO*  
SUBJECT: MUR 747/NF 128

Attached for the Commission's approval is a conciliation agreement signed by Harvey Lippman, treasurer of the Elect Lowenstein Committee. This conciliation agreement differs from the agreement previously approved by the Commission in that the respondent's counterproposal provides for a \$50 civil penalty.

79040120337

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
 )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

79040120338

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$150 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120339

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: December 14, 1976

Harvey J. Lippman  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120340

79040120341

PS Form 3811, April 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered ..... c
  - Show to whom, date, and address of delivery. .... c
  - RESTRICTED DELIVERY Show to whom and date delivered ..... c
  - RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$..... (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*D. D. Batista*  
*141 Willoughby St*  
*Brooklyn, NY 11201*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *943575* |

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

*[Signature]*

4. DATE OF DELIVERY: *JAN 17 1978* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

*Shepard NF 128* ☆GPO: 1977-0-249-596



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

January 15, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Vito Battista  
141 Willoughby Street  
Brooklyn, NY 11201

Re: MUR 747/NF #128

Dear Mr. Battista:

Enclosed for your signature is a revised conciliation agreement. This agreement reflects your late filing of the candidate statement and the Ten Day Pre-Primary Election Report whereas the previous agreement to sent to you reflected a non-filing status.

If you agree with the provisions of the attached agreement, please sign and return it, along with the civil penalty, to the Commission within ten days.

Any questions or suggestions for changes to the conciliation agreement should be directed to Judy Thedford, the staff member assigned to this matter, at 202-523-4057 or our toll free number 800-424-9530.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure  
Conciliation Agreement



79040120341

BEFORE THE FEDERAL ELECTION COMMISSION  
January 11, 1979

In the Matter of )  
                          )  
Vito Battista      )

MUR 747/NF #128

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent Vito Battista violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 by filing his candidate statement late; and 2 U.S.C. §434(a)(1)(A)(i) by filing his Ten Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Vito Battista having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over the respondent and the subject of this proceeding.
- II. That respondent Vito Battista has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That respondent filed a designating petition with the City Board of Elections in New York on July 27, 1978, thereby obtaining status as a candidate for the U.S. House of Representatives.
  - B. That respondent filed his candidate statement on January 2, 1979, the candidate statement was filed 149 days late.

79040120343

- C. That respondent failed to file his Ten Day Pre-Primary Election Report on September 2, 1978.
- D. That respondent filed a 30 Day Post-Election Report/Termination Report on November 22, 1978 which covered the ten day pre-primary election reporting period.

Therefore, respondent agrees:

- I. Respondent's action in failing to file a candidate statement by August 6, 1978, was in violation of 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his Ten Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- III. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- IV. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire

79040120344

agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

79040120345

DATE: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

DATE: \_\_\_\_\_

\_\_\_\_\_  
Vito Battista

Statement of a Candidate  
 for Nomination or Election to  
 Federal Office

("Candidate" as defined by 2 USC 431 (b))  
 (See reverse side for instructions)

RECEIVED  
 FEDERAL ELECTION  
 COMMISSION

6004  
 6032

2A

Note: Committees authorized to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

'79 JAN 2 PM 3:11

1(a) Name of Candidate (in full) <b>Vito P. BATTISTA</b>	2 Identification Number (Commission use only)	3 Party Affiliation <b>Republican</b>
(b) Address (number and street) <b>289 ETNA ST</b>	4 Office Sought <b>House 2 Rep. (Congressman)</b>	
(c) City, State and ZIP code <b>Brooklyn NY 11208</b>	5 District and State of Candidate <b>15 D.D. New York State</b>	

Designation of Principal Campaign Committee

6 I hereby designate the following named political committee as my Principal Campaign Committee for the \_\_\_\_\_ election(s). Note: The principal campaign committee must register as a political committee on FEC Form 1.  
 (Year of election)

(a) Name of Committee (in full) <b>none</b>	800750
(b) Address (number and street)	
(c) City, State and ZIP code	

7 I hereby designate the following national and/or State bank(s) as campaign depositories to be used by myself and the above political committee.

(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street) <b>none</b>	(b) Address (number and street) <b>none</b>
(c) City, State and ZIP code	(c) City, State and ZIP code
(a) Name of Bank (in full)	(a) Name of Bank (in full)
(b) Address (number and street)	(b) Address (number and street)
(c) City, State and ZIP code	(c) City, State and ZIP code

Candidate Reporting Status

8 Check Reporting Status (a) or (b) (whichever is applicable)  
 (a) I hereby certify that the above named committee and authorized agents thereof will receive and disburse ALL funds in support of my candidacy in the above election(s). Based upon this certification I hereby request a waiver of my reporting responsibility. If, after filing this form, I personally receive contributions or make expenditures, the waiver becomes void and I must file a separate report as required by 2 USC 434 on Federal Election Commission Form 3.

(b) I intend to personally receive contributions and/or make expenditures in support of my candidacy and will file separate reports of such receipts and expenditures as required by 2 USC 434, on Federal Election Commission Form 3.

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

*[Handwritten Signature]*

(Signature of Candidate)

*[Handwritten Date]*  
 Dec 27<sup>th</sup> 1978

(Date)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g or § 441j (see reverse side of form)

For further  
 information  
 contact:

Federal Election Commission  
 1325 K Street, N.W.  
 Washington, D.C. 20463

79040120346

79040120347

PS Form 3811, Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. . . . . c  
 Show to whom, date, and address of delivery. . . . . c  
 RESTRICTED DELIVERY Show to whom and date delivered. . . . . c  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$ \_\_\_\_ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
 Mr. Vito DeLuca  
 289 E. 11th St  
 Brooklyn, NY 11208

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 943706

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Vito DeLuca*

4. DATE OF DELIVERY 12/18/77 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO: 1977-0-249-595

WR 742/11/128 Medford

ELECT LOWENSTEIN TO CONGRESS COMMITTEE

c/o Harvey J. Lippman, Treasurer

1345 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10019

FEDERAL ELECTION

NF 128

'78 DEC 29 AM 11:21

December 14, 1978

Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Attention: Ms. Judy Thedford

Re: MUR 747 (78)

Dear Ms. Thedford:

Enclosed please find an executed copy of a conciliation agreement in the above-captioned matter. In accordance with our telephone conversation of December 13, 1978, I have amended page 2 of the agreement to provide for a civil penalty in the amount of \$50.00, as agreed, rather than the \$250.00 penalty originally inserted.

Thank you very much for your cooperation in this matter. I trust that you will inform me when the Commission takes action upon the agreement so that the Committee may properly implement it.

Very truly yours,

*Harvey J. Lippman*  
Harvey J. Lippman  
Treasurer

HJL:bk  
Enclosure

cc: Honorable Allard K. Lowenstein

79040120348

6004 6013

800734

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
 )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

79040120349

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120350

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: December 14, 1976

\_\_\_\_\_  
*Harvey J. Lippman*  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120351

7 9 0 4 0 1 2 0 3 5 2



LECT LOWENSTEIN TO CONGRESS

COMMITTEE

o Harvey J. Lippman, Treasurer  
345 Avenue of the Americas  
New York, N. Y. 10019

78 DEC 29 AM 11:21

Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Attention: Ms. Judy Thedford



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MEMORANDUM TO CHARLES STEELE  
FROM: MARJORIE W. EMMONS *mwe by pc*  
DATE: DECEMBER 26, 1978  
SUBJECT: NF #128/MUR 747 - Interim Conciliation  
Report dated 12-20-78: Received in  
OCS 12-22-78, 10:40

The above-named document was circulated on a 24  
hour no-objection basis at 1:15, December 22, 1978.

The Commission Secretary's Office has received  
no objections to the Interim Conciliation Report as of  
2:00 this date.

79040120353

December 22, 1978

MEMORANDUM TO: Magge Emmons  
FROM: Elissa T. Garr  
SUBJECT: NF 128

Please have the attached Interim Reconciliation  
Report on NF1228 distributed to the Commission on  
a 24 hour no-objection basis.

Thank you.

79040120354

BEFORE THE FEDERAL ELECTION COMMISSION  
December 18, 1978

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

78 DEC 22 AIO: 40

In the Matter of )  
 )  
New York 10 Day Pre- ) NF#128/MUR 747  
Primary Non-Filers )

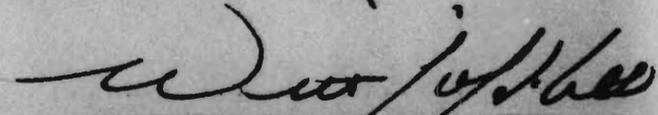
INTERIM CONCILIATION REPORT

On November 7, 1978, the Commission voted to initiate conciliation with respondents Vito Battista and Elect Lowenstein to Congress Committee. Letters and conciliation agreements were sent to the respondents on November 8, 1978.

On November 17, 1978, respondent Elect Lowenstein to Congress Committee sent in a counterproposal. After negotiating further with the respondent, an agreement was reached; the conciliation agreement will be presented to the Commission shortly.

Respondent Vito Battista did not respond to the conciliation agreement sent to him by the Commission. A letter was sent to the respondent requesting his response by December 28, 1978.

Date: 12/20/78

  
William C. Oldaker  
General Counsel

79040120355



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

December 14, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Vito Battista  
289 Etna Street  
Brooklyn, NY 11208

RE: MUR 747/NF #128

Dear Mr. Battista:

On November 18, 1978, you received a conciliation agreement that this office proposes in settlement of MUR 747/NF #128. You were also notified that you had ten days from the date you received the letter to agree to the provisions stated in the agreement or to notify us of any suggestions for change. To date, we have not received a response from you.

Please note, that under 2 U.S.C. §437g(a)(5)(A), the Commission has a duty to attempt to correct such violations for a period of thirty days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission, upon a finding of probable cause to believe a violation has occurred, may institute a civil suit in the United States District Court and seek a civil penalty.

Unless we receive your response by Thursday, December 28, 1978, this office will recommend to the Commission that they find probable cause to believe a violation has occurred.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", written over a large, faint circular stamp or watermark.

William C. Oldaker  
General Counsel

Election Lowenstein to Congress Committee  
c/o Harvey J. Lippman, Treasurer  
1345 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10019

000\*  
5691

RECEIVED  
FEDERAL ELECTION  
COMMISSION

NOV 27 AM 11:50  
November 17, 1978

Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

806021

Attention: Ms. Judy Thedford

Re: MUR 747 (78)

Dear Ms. Thedford:

In accordance with our conversation of November 14, 1978, I am writing to you in response to the letter of William C. Oldaker, dated November 8, 1978, and the enclosed Conciliation Agreement. The Conciliation Agreement relates to the Commission's concern arising out of the late filing of the 10-day Pre-Primary Election Report, which was due September 2, 1978 and received by the Commission on September 11, 1978.

As I indicated to you in our conversation, I am Treasurer of Mr. Lowenstein's campaign committee and the person primarily responsible for the filing of these reports with the Commission. I am an attorney actively engaged in the private practice of law in New York City. My professional involvement required my continuance appearance in Federal District Court in Rhode Island the week prior to and subsequent to this past Labor Day weekend. Although the 10-day Pre-Primary Election Report was substantially completed prior to my departure from New York, the final review and signature awaited my return. It was necessary for me to compare the report, as prepared, to the underlying books and records of the committee so that I would be in a position to verify its accuracy. This was done immediately upon my return, and the report filed, by mail, promptly thereafter, and in no event later than September 7, 1978.

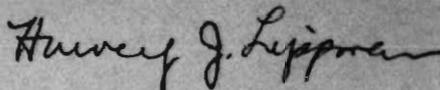
I understand the need for the prompt filing of these reports and the need to abide by the filing schedule set forth by the Commission. Every attempt has been made by the committee to comply with each and every Commission regulation and I regret the late filing which was due to circumstances beyond my control. I have no reason to question the Commission's findings but feel that the imposition of a civil penalty in the amount of \$250 would be unfair under these circumstances.

79040120357

Ms. Judy Thedford  
November 17, 1978  
Page Two

I have discussed this matter with Mr. Lowenstein and we feel that no action should be taken by the Commission in light of the relatively brief delay in the filing of the report, a delay which could not be avoided. However, we would like to resolve this matter without delay or further procedures, and would be willing to enter into a Conciliation Agreement absent the provisions regarding the civil penalty. I would appreciate it if you would telephone me to discuss this matter at your earliest convenience. My telephone number is 212-765-6000.

Sincerely,



Harvey J. Lippman  
Treasurer

HJL:bk

cc: Honorable Allard K. Lowenstein

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Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Attention: Ms. Judy Thedford



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

November 8, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Vito Battista  
289 Etna Street  
Brooklyn, NY 11208

RE: MUR 747 (78)

Dear Mr. Battista:

On August 2, 1978 and September 6, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in

79040120360

the enclosed conciliation agreement, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

*William C. Oldaker*

William C. Oldaker  
General Counsel

Enclosure  
Conciliation Agreement

79040120361

*MUR 747*

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... c  
 Show to whom, date, and address of delivery ..... c  
 RESTRICTED DELIVERY  
 Show to whom and date delivered ..... c  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery . \$ \_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Mr. Vito Battista*  
*289 Etna St.*  
*Brooklyn, NY 11208*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | *438053* | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Louis E. B...*

4. DATE OF DELIVERY | POSTMARK  
*11/18/78* | *ELI...*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

☆GPO: 1977-0-24



THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his candidate statement and designate a principal campaign for the 1978 New York Primary was in violation of 2 U.S.C. §432 (e) (1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a) (1) (A) (i).
- III. Respondent will file the candidate statement and designate a principal campaign committee as a provision of this conciliation agreement.
- IV. Respondent will file the 10 Day Pre-Primary Report of receipts and expenditures as a provision of this conciliation agreement.
- V. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a) (6) (B) (i).
- VI. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a) (1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

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II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vito Battista

79040120364



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

November 8, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Harvey J. Lippman, Treasurer  
Elect Lowenstein to Congress Committee  
1345 Avenue of the Americas - 45th Floor  
New York, NY 10019

RE: MUR 747 (78)

Dear Mr. Lippman:

On September 6, 1978, the Commission found reasonable cause to believe that your committee, Elect Lowenstein To Congress Committee, was in violation of 2 U.S.C. §434(a)(1) for failing to file the 10 Day Pre-Election Report timely.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the entire agreement.

If you have any questions or suggestions for changes in the

79040120365

enclosed agreement, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

*William C. Oldaker*  
William C. Oldaker  
General Counsel

Enclosure:  
Conciliation Agreement

cc: Allard K. Lowenstein  
305 East 24th Street, Apt. 17F  
New York, NY 10010

79040120366

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

747 Thedford

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... c  
 Show to whom, date, and address of delivery ..... c  
 RESTRICTED DELIVERY Show to whom and date delivered ..... c  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ ..... (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Mr. Joseph P. Kampman, Dept. of Justice, 1300 Ave. of Americas, 45 New York, NY 10019*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 43802 2

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Judy Thedford*

4. DATE OF DELIVERY: *11/13*

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO: 1977-0-249-596

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

747 Thedford

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered ..... c  
 Show to whom, date, and address of delivery ..... c  
 RESTRICTED DELIVERY Show to whom and date delivered ..... c  
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ ..... (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Mr. Allard K. Lowenstein, 305 East 24th Street, Apt. 17F, New York, NY 10010*

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 43802 6

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
*Allard K. Lowenstein*

4. DATE OF DELIVERY: POSTMARK

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆GPO: 1977-0-249-596

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
 )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

CONCILIATION AGREEMENT

This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

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B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

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III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: \_\_\_\_\_

\_\_\_\_\_  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120369

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 747 (78)  
New York 10 Day Pre- )  
Election Primary Non-Filers )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 7, 1978, the Commission determined by a vote of 6-0 to approve the following recommendations as set forth in the General Counsel's Report dated November 2, 1978, and the revised page 4 of the report which was attached to the General Counsel's memorandum dated November 6, 1978, regarding the above-captioned matter:

1. Take no further action at this time and close the file with respect to Irving Gross, Nicholas DeMartino, Katz For Congress Committee, and Owen Augustin.
2. Initiate conciliation with respondents Vito Battista and Elect Lowenstein to Congress Committee. Approve the conciliation agreements attached to the above-named report. Send the letters attached to the above-named report.

Attest:

11/8/78  
Date

*Marjorie W. Emmons*  
\_\_\_\_\_  
Marjorie W. Emmons  
Secretary to the Commission

Report signed by General Counsel:	11-3-78
Report received in Office of Commission Secretary:	11-3-78, 11:00
Circulated on 48 hour vote basis:	11-3-78, 12:00
Memorandum received in Office of Commission Secretary:	11-6-78, 10:56
Circulated on 48 hour vote basis:	11-6-78, 12:30

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE

78 NOV 6 A10: 56

November 6, 1978

MEMORANDUM

TO: The Commissioners  
FROM: William C. Oldaker *Bill*  
SUBJECT: MUR 747 (78)

Attached is a revised page 4 of the General Counsel's Report on MUR 747. The report incorrectly identified Mr. Augustin's committee as the Committee to Elect Lowenstein To Congress. The revised page reflects Mr. Augustin's committee name as Committee To Elect Augustin to Congress.

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more than 30% of the votes cast and the committee reported financial activity exceeding \$25,000, the Office of the General Counsel recommends, in accordance with the Commission's non-filing procedures dated May 23, 1978, initiating conciliation with respondent Elect Lowenstein to Congress Committee.

OWEN AUGUSTIN

Owen Augustin was a Democratic candidate for the U.S. House of Representatives. He lost the election receiving 1,419 votes or 6.8% of the votes cast. After publication of respondent Owen Augustin's name, his committee, Committee to Elect Augustin to Congress, filed two ten day pre-election reports listing financial activity aggregating \$6,574 on one report and \$3,702 on the other. As the candidate received less than 30% of the vote and the committee has reported minimal financial activity, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends that no further action be taken against respondent Owen Augustin.

III. RECOMMENDATION

1. Take no further action at this time and close the file with respect to the following respondents:

Irving Gross  
Nicholas DeMartino  
Katz For Congress Committee  
Owen Augustin

2. Initiate conciliation with respondents Vito Battista and Elect Lowenstein to Congress Committee. Approve the attached conciliation agreements. Send the attached letters.

79040120372

November 6, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 747

Please have the attached Revised page to the General  
Counsel's Report on MUR 747 distributed to the Commission.

Thank you.

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November 3, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 747

Please have the attached General Counsel's Report  
on MUR 747 distributed to the Commission on a 48 hour  
tally basis.

Thank you.

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BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In The Matter Of )  
 )  
New York 10 Day Pre- ) MUR 747 (78)  
Election Primary Non-Filers )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On September 29, 1978, the Reports Analysis Division referred to the Office of the General Counsel the names of candidates and committees which failed to file a ten day pre-election report for the New York Primary in violation of 2 U.S.C. §434(a)(1). The reports were due September 2, 1978. The reason to believe notices were sent on September 4, 1978 and the reasonable cause to believe notices were mailed September 6, 1978. On September 9, 1978, a list of those candidates and committees which failed to file the 10 day pre-primary report was published.

II. ANALYSIS

A copy of the Reports Analysis Referral (Exhibit A) and a chart of the New York non-filers (Exhibit B) is attached.

IRVING GROSS

Mr. Gross was a Democratic candidate for the U.S. House of Representatives. He lost the primary receiving 2,141 votes or 10.2% of the votes cast. On September 5, 1978, the candidate filed a statement of candidacy and his principal campaign committee, Committee to Elect Irving Gross to Congress, filed a Statement of Organization. No financial reports have been filed by either the candidate or the committee. In accordance with the Commission amendment to the non-filer procedures adopted October 26, 1978,

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the Office of the General Counsel recommends taking no further action against respondent Irving Gross since no financial activity data is available for either the candidate or committee, the candidate did not win the election or receive more than 30% of the vote.

VITO BATTISTA

Mr. Battista was a Republican candidate for the U.S. House of Representatives in the New York Primary. Mr. Battista lost the primary election receiving 1,077 votes or 35% of the votes cast. Mr. Battista has not filed any reports or statements with the Commission. His name was also referred to the Office of General Counsel for failing to file a candidate statement and designate a principal campaign committee. (See Exhibit C). As respondent Vito Battista received more than 30% of the votes cast and has not filed any reports or statements, the Office of the General Counsel, in accordance with the Commission non-filer procedures dated May 23, 1978, recommends initiating conciliation with respondent Vito Battista.

NICHOLAS DEMARTINO

Respondent Nicholas DeMartino was a Democratic candidate for the U.S. House of Representatives. The candidate lost the primary receiving 3,124 votes or 13.4% of the votes cast. On September 8, 1978, Mr. DeMartino filed an amended candidate statement and waived his reporting requirements. The candidate previously reported expending \$1,095 on his July 10 Quarterly Report. The ten day pre-election report filed before publication on September 8, 1978 by Mr. DeMartino's principal campaign committee reported financial activity aggregating \$2,251.43. As both the candidate's amended

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statement and the committee's 10 day pre-election report were filed on September 8, 1978, it appears that the candidate's activity is reported in the committee's filing. As the candidate had minimal financial activity, received 13.4% of the votes, and waived his reporting requirements on September 8, 1978, the Office of the General Counsel recommends, in accordance with the Commission's non-filing procedures dated May 23, 1978, that no further action be taken against respondent Nicholas DeMartino.

KATZ FOR CONGRESS COMMITTEE

Howard Katz was a Democratic candidate for the U.S. House of Representatives. He lost the primary election receiving 971 votes or 2.8% of the votes cast. Respondent Katz For Congress Committee filed its ten day pre-election report after publication revealing financial activity aggregating \$3,112.50. As the committee reported minimal financial activity and the candidate received less than 30% of the votes cast, the Office of the General Counsel, in accordance with the Commission's non-filing procedures dated May 23, 1978, recommends that no further action should be taken against respondent Katz For Congress Committee.

ELECT LOWENSTEIN TO CONGRESS COMMITTEE

Mr. Lowenstein was a Democratic candidate of the U.S. House of Representatives. He lost the election receiving 13,632 votes or 39.9% of the votes cast. The respondent, Elect Lowenstein to Congress Committee, filed a ten day pre-election report after publication. The report listed financial activity aggregating \$72,428.08 for the ten day reporting period. The previous report filed by the committee was the July 10 Quarterly report which listed financial activity aggregating \$12,437.17 and was filed late. As the candidate received

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more than 30% of the votes cast and the committee reported financial activity exceeding \$25,000, the Office of the General Counsel recommends, in accordance with the Commission's non-filing procedures dated May 23, 1978, initiating conciliation with respondent Elect Lowenstein to Congress Committee.

OWEN AUGUSTIN

Owen Augustin was a Democratic candidate for the U.S. House of Representatives. He lost the election receiving 1,419 votes or 6.8% of the votes cast. After publication of respondent Owen Augustin's name, his committee, Committee to Elect Augustin to Congress, filed two ten day pre-election reports listing financial activity aggregating \$6,574 on one report and \$3,702 on the other. As the candidate received less than 30% of the vote and the committee has reported minimal financial activity, the Office of the General Counsel, in accordance with the Commission's non-filer procedures dated May 23, 1978, recommends that no further action be taken against respondent Owen Augustin.

III. RECOMMENDATION

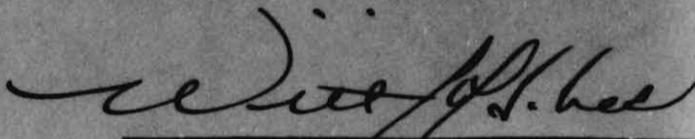
1. Take no further action at this time and close the file with respect to the following respondents:

Irving Gross  
Nicholas DeMartino  
Katz For Congress Committee  
Owen Augustin

2. Initiate conciliation with respondents Vito Battista and Elect Lowenstein to Congress Committee. Approve the attached conciliation agreements. Send the attached letters.

79040120378

Date: 11/3/78



William C. Oldaker  
General Counsel

**ATTACHMENTS:**

- Letters
- Conciliation Agreements
- Exhibit A
- Exhibit B
- Exhibit C

79040120379



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Vito Battista  
289 Etna Street  
Brooklyn, NY 11208

RE: MUR 747 (78)

Dear Mr. Battista:

On August 2, 1978 and September 6, 1978, the Commission found reasonable cause to believe that you violated 2 U.S.C. §432(e)(1) and 11 C.F.R. §101.2 for failing to file a candidate statement and designate a principal campaign committee; and 2 U.S.C. §434(a)(1) for failing to file a Ten Day Pre-Election Report.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed agreement, please sign and return it along with civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement.

If you have any questions or suggestions for changes in

25

the enclosed conciliation agreement, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure  
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Harvey J. Lippman, Treasurer  
Elect Lowenstein to Congress Committee  
1345 Avenue of the Americas - 45th Floor  
New York, NY 10019

RE: MUR 747 (78)

Dear Mr. Lippman:

On September 6, 1978, the Commission found reasonable cause to believe that your committee, Elect Lowenstein To Congress Committee, was in violation of 2 U.S.C. §434(a)(1) for failing to file the 10 Day Pre-Election Report timely.

The Commission has a duty to attempt to correct such violations for a period of 30 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement. 2 U.S.C. §437g(a)(5)(A). If we are unable to reach an agreement during that period, the Commission may institute civil suit in the United States District Court and seek payment of a civil penalty.

We enclose a proposed conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter.

If you agree with the provisions of the enclosed conciliation agreement, please sign and return it along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the entire agreement.

If you have any questions or suggestions for changes in the

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enclosed agreement, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure:  
Conciliation Agreement

cc: Allard K. Lowenstein  
305 East 24th Street, Apt. 17F  
New York, NY 10010

7904012038



THEREFORE, respondent agrees:

- I. Respondent's action in failing to file his candidate statement and designate a principal campaign for the 1978 New York Primary was in violation of 2 U.S.C. §432 (e)(1) and 11 C.F.R. §101.2.
- II. Respondent's action in failing to file his 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- III. Respondent will file the candidate statement and designate a principal campaign committee as a provision of this conciliation agreement.
- IV. Respondent will file the 10 Day Pre-Primary Report of receipts and expenditures as a provision of this conciliation agreement.
- V. That he will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- VI. Respondent agrees that he will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.

79040120385

II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

III. It is agreed that respondent shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William C. Oldaker  
General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vito Battista

79040120385

BEFORE THE FEDERAL ELECTION COMMISSION  
November 2, 1978

In the Matter of )  
 )  
Elect Lowenstein to ) MUR 747  
Congress Committee )

CONCILIATION AGREEMENT

79040120387  
This matter having been initiated on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, an investigation having been conducted, and the Commission having found reasonable cause to believe that respondent, Elect Lowenstein To Congress Committee (the Committee), violated 2 U.S.C. §434(a)(1)(A)(i) by filing its 10 Day Pre-Primary Election Report late.

Now, therefore, the respective parties herein, the Federal Election Commission and respondent Committee having duly entered into conciliation pursuant to §437g(a)(5), do hereby agree as follows:

- I. That the Federal Election Commission has jurisdiction over respondent and the subject of this proceeding.
- II. That respondent Committee has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
  - A. That the 10 Day Pre-Primary Report filed by the Elect Lowenstein To Congress Committee shows Pre-Primary receipts of \$35,754.50 and Pre-Primary expenditures of \$36,673.58;

B. That the Committee, as of September 2, 1978 had failed to file its 10 Day Pre-Primary Report; the report was filed on September 11, 1978, thereby making the report 9 days late.

THEREFORE, respondent Committee agrees:

- I. Respondent's action in failing to file its 10 Day Pre-Primary Election Report on September 2, 1978, was in violation of 2 U.S.C. §434(a)(1)(A)(i).
- II. That it will pay a civil penalty in the amount of \$250 pursuant to 2 U.S.C. §437g(a)(6)(B)(i).
- III. Respondent agrees that it will not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq.

GENERAL CONDITIONS

- I. The Commission, on the request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein, or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute civil action for relief in the United States District Court for the District of Columbia.
- II. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

79040120388

III. It is agreed that respondent Committee shall have no more than thirty (30) days from the date of this agreement to implement and comply with the requirements contained herein, or so notify the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date: \_\_\_\_\_

\_\_\_\_\_  
Harvey J. Lippman  
Treasurer  
Elect Lowenstein To Congress  
Committee

79040120389

D-229

MUR 747



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

September 29, 1978

MEMORANDUM

TO: ORLANDO B. POTTER *OBP*

THROUGH: TOM HASELHORST *TH*

FROM: NON-FILER COORDINATOR *RC*

SUBJECT: 10 DAY PRE-ELECTION NON-FILERS - REFERRAL - NEW YORK

In accordance with the Task Force of Non-filers, attached please find the referral of the candidates and committees that were published as Non-filers for the 10 Day Pre-election Report for the Primary election held in New York.

The first notice (reason to believe) was sent by mailgram on September 4, 1978. The second notice (reasonable cause to believe) was sent by mailgram on September 6, 1978.

On September 9, 1978, the Press Office issued a release containing the names of the candidates and committees which failed to file the 10 Day Pre-election Reports.

Copies of the completed ballot chart, certified green cards and telecons are included in this packet.

Irving Gross  
 Vito Battista  
 Nicholas Demartino  
 Katz for Congress Campaign  
 Elect Lowenstein to Congress Committee  
 Owen Augustin

79040120390

EXHIBIT A

FEDERAL ELECTION COMMISSION  
10 DAY PRE ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

INDICATED POC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	GGC	DATE SATISFIED
CARNEY, WILLIAM -NY701070		07/17/78					WAIVED
CARNEY FOR CONGRESS COMMITTEE 00010065		Y					C 8/30/78
CASSESE, JOHN -NY701079		06/26/78					WAIVED
COMMITTEE TO ELECT CASSESE 00031037		Y	9/4				FILED
CATTERSON, JAMES H. JR. -NY701075		06/27/78					WAIVED
CATTERSON FOR CONGRESS 00010010		Y		11	11		C 8/30/78
HART, JOHN J. JR. (UNREG.) -NY701078			9/4	9/6			9/8/78
JACK HART FOR UNITED STATES CONGRESS COMMITTEE 00009556		Y	9/4				FILED
KLAR, STEVEN A. -NY701074		07/03/78					WAIVED
KLAR FOR CONGRESS 00019574		Y	9/4				FILED
MINTO, JOHN ROBERT -NY701072		07/18/78					WAIVED
MOVE MINTO TO CONGRESS 00019036		Y	9/4				FILED 8/31/78

7 9 0 4 0 1 2 0 3 9 1

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/FCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	FUB	OGC	DATE SATISFIED
NICOSIA, SALVATORE C. NY101002		03/28/78					WAIVED
NICOSIA FOR CONGRESS C00090704		Y					C 8/30/78
RAJAY, JOHN M. NY101003		05/26/78					WAIVED
RAJAY FOR CONGRESS COMMITTEE C00090951		Y					C 8/30/78
RANDOLPH, JOHN F. NY101005		05/15/78					WAIVED
CITIZENS FOR JOHN F. RANDOLPH COMMITTEE C00090299		Y					FILED 8/31/78
RUSSELL, PATRICK J. NY101001		05/26/78					WAIVED
RUSSELL PEOPLE NY101001		Y	9/4				FILED 9/5
DEIGNAN, PATRICK: NY101002		08/19/78					WAIVED
DEIGNAN FOR CONGRESS COMMITTEE C00097357		Y	9/4				9/5 Filed
FERRARO, GERALDINE A. NY101004		05/22/78					WAIVED
COMMITTEE TO ELECT GERALDINE FERRARO TO CONGRESS C00095653		Y	9/4	9/6			Filed

7 9 0 4 0 1 2 0 3 9 2

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY10D

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

DATE/PC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OGC	DATE SATISFIED
ANTON- THOMAS J. 1009059							WAIVED
ANTON FOR CONGRESS 1009049		Y	9/4	9/6			Filed
MISHKIN, SHIRLEY 1009115							WAIVED
MISHKIN 1978 RE-ELECTION COMMITTEE 1009194		Y					9/2/78
EMM, AUBREY (UNREG.) 1009202	Removed From Ballot RAD notified 9/7/78		9/4	9/6			
JEFFORD, BERNARD R. 1009218							WAIVED
JEFFORD FOR CONGRESS 1009217		Y	9/4				Filed 8/31/78
ROSS, IRVING (UNREG.) 1009225			9/4	9/6	9/9		
RICHMOND, FREDERICK W. 1009287							WAIVED
CITIZENS COMMITTEE FOR FRED RICHMOND 1009389		Y					8/31/78

29040120393

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OCC	DATE SATISFIED
PATRIETA, VITO T. (UNREG.) 48NY15049			9/4	9/6	9/9		
SEMINARA, JOSEPH F. 48NY15031	08/30/78						WAIVED 8/31/78
COMMITTEE FOR THE ELECTION OF JOSEPH F. SEMINARA TO CONGRESS 00003735		Y					
ZEFERETTI, LEO C. 48NY15050	03/28/78						WAIVED 9/31/78
COMMITTEE TO RE-ELECT CONGRESSMAN LEO C. ZEFERETTI 000049312		Y					
DEMARTINO, NICHOLAS 48NY17045	08/17/78		9/4	9/6	9/9		
MURPHY, JOHN M. 48NY17049	05/11/77						WAIVED 9/4/78
CITIZENS FOR CONGRESSMAN JOHN M. MURPHY 000019968		Y					
MURRAY, PETER J. 48NY17037	06/02/78						WAIVED 9/2/78
PETER MURRAY FOR CONGRESS 000094578		Y					

79040120394

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/CC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OSC	DATE SATISFIED
DESS, THOMAS H. 20417011							WAIVED
DESS STONES FOR CONGRESS COMMITTEE 00093399		Y	9/4				FILED 8/31C 8/28C FILED
BURDEN, CARTER -EN18122							
CARTER BURDEN FOR CONGRESS 00090510		Y					FILED 8/31C
KATZ, HOWARD F. -EN18123			8/25/78				WAIVED
KATZ For Congress Camp. 0000102335		Y	9/4	9/6	9/9		9/11
LALL, BETTY GOETZ -EN18127							WAIVED
COMMITTEE TO ELECT BETTY LALL 00097063		Y					FILED 8/31C
LOWENSTEIN, ALLARD K. -EN18050							WAIVED
ELECT LOWENSTEIN TO CONGRESS COMMITTEE 00095244		Y	9/4	9/6	9/9		9/11
WILSON, PETER K. -EN18175							WAIVED
PETE WILSON FOR CONGRESS COMMITTEE 00094584		Y					FILED 8/28C

79040120395

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY10D

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/PCC/ID COMMENTS \* CANDIDACY \* COMPLIANCE TRACK \* REGISTERED \* RTB RCTB PUB GGC DATE

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY *	* REGISTERED *	RTB	RCTB	PUB	GGC	DATE
BRODSKY, RICHARD L. HENY23043								WAIVED
COMMITTEE TO ELECT RICHARD BRODSKY CC0101567			Y					8/29/78
PEYSER, PETER A. HENY23019								WAIVED
FRIENDS OF PEYSER CC11935			Y					8/31/78
HOLBROOK, CHARLES EMMET HENY25012								WAIVED
CITIZENS FOR HOLBROOK CC0091256			Y					8/30/78
JOHNSON, FREDERICK F. HENY25040				9/4	9/6			9/8/78

7 9 0 4 0 1 2 0 3 9 5

FEDERAL ELECTION COMMISSION  
10 DAY PRE ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

INDICATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	OGC	DATE SATISFIED
RASKOFF, WALTER J. NY126020		06/12/78					WAIVED
COMMITTEE TO ELECT RASKOFF 00097139	Y		9/4	9/6			9/8/78
RICHARD A. NY10119		01/06/77					WAIVED
WICK MIND FOR CONGRESS 00034179	Y						FILED 8/29C
STRATTON, SAMUEL S. NY120012		04/29/77	9/4				9/11
STRATTON FOR CONGRESS CAMPAIGN COMMITTEE 00020184	Y						FILED 8/29C
BERNARDI, ROY A. NY133006		06/12/78					WAIVED
BERNARDI FOR CONGRESS 00097265	Y		9/4				8/30C
BYRNE, ROBERT J. NY128034		06/30/78					WAIVED
COMMITTEE TO ELECT BOB BYRNE 00097302	Y						FILED 8/30C
KADYS, CLARENCE (UNREG)							8/31C

7 9 0 4 0 1 2 0 3 9 7

FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/FCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCFB	PUR	CSC	DATE SATISFIED
LEE, GARY A. BNY1015		05/22/78					WAIVED
GARY LEE FOR CONGRESS COMMITTEE 00002879		Y					FILED 9/11
MAHRE, CRISPIN BNY1015		04/18/78					WAIVED
MAHRE FOR CONGRESS 00002882		Y					FILED 9/2
SNYDER, GILBERT W. BNY1015		05/22/78					WAIVED
GILBERT SNYDER FOR CONGRESS COMMITTEE 00109187		Y					FILED 8/28 C
AUGUSTIN, OWEN (UNREG) BNY14036			9/4	9/6	9/9		
WHELAN, ROBERT P. (UNREG) BNY15056			9/4	9/6			FILED

7 9 0 4 0 1 2 0 3 9 8

Irving Gross

RTB

RCTB

79040120399

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. \_\_\_\_\_  
 Show to whom, date, and address of delivery. \_\_\_\_\_  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. \_\_\_\_\_  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA 12915 | H 4249 | 00029  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: SEP 5 1978  
 POSTMARK: 6161  
 (Circular postmark: 6161 SEP 5 1978)

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_  
 CLERK'S INITIALS

☆ GPO : 1977 - O-234-337

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. \_\_\_\_\_  
 Show to whom, date, and address of delivery. \_\_\_\_\_  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. \_\_\_\_\_  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA 12915 | H 4249 | 00029  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: SEP - 7 1978  
 POSTMARK: (Circular postmark: 6161 SEP 7 1978)

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_  
 CLERK'S INITIALS

☆ GPO : 1977 - O-234-337

DATE OF PRIOR NOTICE

8/9

PRIOR NOTICE FOLLOW-UP

PERSON CONTACTED

TITLE

TELEPHONE #

COMMENTS

Not listed

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: \_\_\_\_\_ RTB \_\_\_\_\_ RCIB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS:

no # available

79040120400

vita Battista

RTB unaccounted for

RCTB

79040120401

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. \_\_\_\_\_ ✓  
 Show to whom, date, and address of delivery. \_\_\_\_\_ ✓  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. \_\_\_\_\_ ✓  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915 | H6249 | 00027  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

DATE OF PRIOR NOTICE 9/4

PRIOR NOTICE FOLLOW-UP 9/20

PERSON CONTACTED

TITLE

TELEPHONE #

Vito L. Battista

Candidate

(212) 427-6700

disconnected

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 9/2

KTB 9/4

RCIB \_\_\_\_\_

PUBLICATION: \_\_\_\_\_

DATE/TIME: 9/5

3:30

WHO CALLED: \_\_\_\_\_

INITIALS: BZM

9/6

3:00

9/6 4:30

COMMENTS: no answer

no answer

no answer

no answer

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_

WHO CALLED: \_\_\_\_\_

INITIALS: \_\_\_\_\_

COMMENTS: # disconnected

# disconnected

Candidate is now on the general election ballot for the 15<sup>th</sup> district in New York as a United Taxpayers Party candidate.

79040120402

Nicholas Demartino

RTB unaccounted for

RCTB unaccounted for

79040120403



DATE OF PRIOR NOTICE 8/8  
PRIOR NOTICE FOLLOW-UP 8/28

PERSON CONTACTED F. Isidoro De Martin (Candidate) TITLE \_\_\_\_\_ TELEPHONE # (212) 984-1409  
(212) 984-3239

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REPORTS ANALYSIS DIVISION -- REASON TO BELIEVE CALLS

REPORT DUE: 9/2 RTB 9/4 RCIE \_\_\_\_\_ PUBLICATION: \_\_\_\_\_  
DATE/TIME: 9/5 3:25 WHO CALLED: \_\_\_\_\_ INITIALS: BSM

COMMENTS: no answer spoke with House Team.  
See attachments.

REPORTS ANALYSIS DIVISION -- POST PUBLICATION CALL

DATE/TIME: 9/21-11:20am WHO CALLED de Martin's-busy INITIALS: SW  
9/22-2:25pm busy signal SW  
COMMENTS: 9/22-3:00pm busy signal SW  
9/21-4:00pm busy signal SW

79040120401

.RAPID NOTE  
FROM

DATE

9-6-78

TO

MIKE FILLER

DEMARTINO - NY/09

10P NON-FILER

Nick J. Demartino called (father of candidate & chairman of comte).

He was informed that the following documents should be submitted:

- 10 P for the candidate (sent via air express)

- FORM 1 for Comte

father 212-979-1469

- Amended FORM 2 requesting review

Candidate 212-984-3239

SIGNED

7904012040

Katz for Congress

RTB unaccounted for

RCTB

79040120406

PS Form 3811, Jan. 1975

① SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.  
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

WA-12915 H5249-0157

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	X	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: 9/17/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK

CARRIER'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

DATE OF PRIOR NOTICE 8/9  
PRIOR NOTICE FOLLOW-UP \_\_\_\_\_

160 EAST 35TH ST.

NY 10016

PERSON CONTACTED \_\_\_\_\_ TITLE \_\_\_\_\_ TELEPHONE # \_\_\_\_\_

COMMENTS not listed

79040120407

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: \_\_\_\_\_ RTB \_\_\_\_\_ RCTB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: called House team.

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: FILED

RAPID NOTE

FROM: KATZ FOR CONGRESS CITE

DATE 9/5

TO

JIM ALLEN

STEVE ZAKLUNGA, TRS CHAIRMAN

(212) 490-0334

K.E. IOP

TOLD HIM TO SEND MAILGRAM WITH COH,

TOTAL REC, TOTAL EXP, DEBTS + EROT

TO BE FOLLOWED BY FULL REPORT.

SIGNED

Jim Allen

TOPS NO. 3702  
LITHO U.S.A.

79940120400

Elect Lowenstein to Congress Committee

RTB

RCTB

79040120409

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered .....  
 Show to whom, date, and address of delivery .....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915-112247-00069  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: *D. Cooper* POSTMARK

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS:

☆ GPO : 1977-O-234-337

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered .....  
 Show to whom, date, and address of delivery .....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915 | H6249 | 00036  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: *L. Clendenen* POSTMARK

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS:

☆ GPO : 1977-O-234-337

DATE OF PRIOR NOTICE

9/9

PRIOR NOTICE FOLLOW-UP

9/30

PERSON CONTACTED

TITLE

TELEPHONE #

Elect. Lewenstein to Congress Com.

(212) 646-1631

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE:

10 days

RIB

V

RCTB

PUBLICATION:

DATE/TIME:

9/5

WHO CALLED:

INITIALS:

MM

9/6

4:30

9/7

COMMENTS:

no answer

No answer

(9/7)

no answer

79040120410

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME:

WHO CALLED:

INITIALS:

COMMENTS:

FILED

Owen Augustin

RTB

RCTB

PS Form 3811, Apr. 1977

79040120411

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

① SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. . . . .  
 Show to whom, date, and address of delivery. . . . .  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. . . . .  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ . . . . .  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915 | H7249 | 00055  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: [Signature] POSTMARK [Postmark]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS [Initials]

☆ GPO : 1977 - O-234-337

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

① SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. . . . .  
 Show to whom, date, and address of delivery. . . . .  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. . . . .  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ . . . . .  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915 | H7249 | 00026  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: [Signature] POSTMARK [Postmark]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS [Initials]

☆ GPO : 1977 - O-234-337

INDUSTRIAL ORGANIZATION  
1000 GLENN AVE  
BOSTON, MA 02120

DATE OF PRIOR NOTICE 8/8  
PRIOR NOTICE FOLLOW-UP 8/30

PERSON CONTACTED TITLE TELEPHONE #  
Evans Augustin (712) 779-6257  
212 - 772-1741

COMMENTS No. not in review

79040120412

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS  
REPORT DUE: 10P-9/2 RIB  RCIB  PUBLICATION: \_\_\_\_\_  
DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: See attachments.

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL  
DATE/TIME: 9/21-11:25am WHO CALLED: Mr. Augustin INITIALS: SW

COMMENTS: See attached telecon.

RAPID NOTE

FROM

(212) 772-1741

DATE

7-7-78

TO

Mike Filler

AUGUSTIN, OWEN 14-14 10 P Non-filer

Reason he has not yet filed is because he was in Supreme Court. He was informed that report should be submitted by C.O.B on Friday. In addition FORM 1 & 2 was needed. Augustin claims he mailed FORM 2 on May 21, 1978. Will check & return call.

SIGNED

TOPS NO 3702  
LITHO U.S.A.

RAPID NOTE

FROM

Mike Filler

DATE

7-7-78

TO

AUGUSTIN

Return call. No documents submitted for Cardinals or Comm. Hec. Augustin was informed to submit requested reports.

SIGNED

TOPS NO 3702  
LITHO U.S.A.

700401204105

TELECOM

FROM: Shawn Woodhe to Owen Augustin, candidate

DATE: 21 September 1978

COMMITTEE: OWEN AUGUSTIN - CANDIDATE

---

I called Mr. Augustin in reference to the 10 Day Pre-primary report which was not filed for the period. I explained that his Form 2 had been received but he had failed to mark whether he wanted a waiver; he will submit an amended Form 2 requesting a waiver of his future reporting requirements. However, I explained explicitly that he still needed to file the 10 Day Pre-Primary report for the candidate. He said that he had the report in front of him at that moment. I told him that on the 30 Day Post-Primary report, he should note that the committee is reporting all financial activity and that the calendar year-to-date totals of the candidate are being reported by the PCC. He said that he understood that the figures to which I was referring were Column B. These documents, when submitted, should clear up any filing problems.

79040129414

## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
GROSS, IRVING	HOUSE	14 DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# H8NY14026	
1. STATEMENT OF CANDIDATE 1978 STATEMENT OF CANDIDATE							5SEP78		1 78HSE/145/1163
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES TOTAL			0	0	0	0			0 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE COMMITTEE TO ELECT IRVING GROSS TO CONGRESS 1978 STATEMENT OF ORGANIZATION TOTAL			0	0	0	0	ID# C00102848 5SEP78		3 78HSE/145/1164 3 TOTAL PAGES
4. AUTHORIZED COMMITTEES									
5. OTHER SUPPORTING DOCUMENTS			CONTRIBUTIONS TO		EXPENDITURES				
TOTAL FOR PART 5			0	0	0	0			0 TOTAL PAGES
6. 434E/ INDEPENDENT			INDEPENDENT CONTRIBUTIONS		INDEPENDENT EXPENDITURES				
7. 434E/ DELEGATE			DELEGATE CONTRIBUTIONS		DELEGATE EXPENDITURES				
8. COMMUNICATIONS			CONTRIBUTIONS TO		EXPENDITURES ON BEHALF OF				





CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
KATZ, HOWARD	HOUSE	DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# H9NY18183	
1. STATEMENT OF CANDIDATE 1978 STATEMENT OF CANDIDATE							28AUG78	1 78HSE/143/4844	
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES TOTAL			0	0	0	0		0 TOTAL PAGES	
3. PRINCIPAL CAMPAIGN COMMITTEE KATZ FOR CONGRESS CAMPAIGN 1978 STATEMENT OF ORGANIZATION STATEMENT OF ORGANIZATION - AMENDMENT 10 DAY PRE-PRIMARY TOTAL			1,008 1,008	0	2,104 2,104	0	ID# C00102335 28AUG78 11SEP78 11AUG78 -28AUG78	3 78HSE/143/4963 3 78HSE/145/3695 8 78HSE/145/3760 14 TOTAL PAGES	
4. AUTHORIZED COMMITTEES									
5. OTHER SUPPORTING DOCUMENTS			CONTRIBUTIONS TO		EXPENDITURES				
TOTAL FOR PART 5			0	0	0	0		0 TOTAL PAGES	
6. 434E/ INDEPENDENT			INDEPENDENT CONTRIBUTIONS		INDEPENDENT EXPENDITURES				
7. 434E/ DELEGATE			DELEGATE CONTRIBUTIONS		DELEGATE EXPENDITURES				
8. COMMUNICATIONS			CONTRIBUTIONS TO		EXPENDITURES ON BEHALF OF				

1977-1978

## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
LOWENSTEIN, ALLARD K.	HOUSE 18	DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# HSNY18050	
1. STATEMENT OF CANDIDATE									
1978 STATEMENT OF CANDIDATE							4JAN78		1 77HSE/127/3852
STATEMENT OF CANDIDATE							30JUN78		1 78HSE/138/3873
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES									
TOTAL			0	0	0	0			0 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE									
ELECT LOWENSTEIN TO CONGRESS COMMITTEE							ID# C00098244		
1978 STATEMENT OF ORGANIZATION							26JUN78		3 78HSE/138/2846
10 DAY PRE-PRIMARY			35,754		36,673		1JUL78 -28AUG78		18 78HSE/145/2824
JULY 10 QUARTERLY			7,710		4,727		14JUN78 -30JUN78		5 78HSE/143/2125
TOTAL			43,464	0	41,400	0			26 TOTAL PAGES
4. AUTHORIZED COMMITTEES									
FRIENDS OF AL LOWENSTEIN							ID# C00084509		
1978 STATEMENT OF ORGANIZATION							4JAN78		3 77HSE/127/3886
REQUEST FOR ADDITIONAL INFORMATION							20JAN78		2 78FEC/064/1333
STATEMENT OF ORGANIZATION - AMENDMENT							7APR78		3 78HSE/134/1685
APRIL 10 QUARTERLY			11,171		10,174		3JAN78 -31MAR78		10 78HSE/134/2163
JULY 10 QUARTERLY			4,206		5,000		1APR78 -30JUN78		7 78HSE/143/2130
5. OTHER SUPPORTING DOCUMENTS									
CONTRIBUTIONS TO									
EXPENDITURES									
TOTAL FOR PART 5			0	0	0	0			0 TOTAL PAGES
6. 434E/ INDEPENDENT									
INDEPENDENT CONTRIBUTIONS									
7. 434E/ DELEGATE									
DELEGATE CONTRIBUTIONS									
8. COMMUNICATIONS									
CONTRIBUTIONS TO									
EXPENDITURES ON BEHALF OF									



# New York Returns

## GOVERNOR

Candidate	Residence	Age	Occupation	Votes	Percent
Jeremiah B. Bloom (D)	Brooklyn	65	State senator	103,984	14.5
Hugh L. Carey (D)*	Brooklyn	59	Incumbent	371,473	51.8
Mary Anne Krupsak (D)	Canajoharie	46	Lt. governor	242,322	33.8
Perry B. Duryea (R-C)*	Montauk	56	Former state assembly speaker, minority leader	Unopposed	
Hugh L. Carey (L)*				Unopposed	

## HOUSE

District	Location	Candidate	Residence	Age	Occupation	Votes	Percent
1	Eastern Long Island	John Cassese (D)	Patchogue	36	School administrator	916	7.6
		Steven A. Klar (D)	Port Jefferson Station	31	Attorney, realtor	1,627	13.5
		John R. Minto (D)	Lake Ronkonkoma	42	County budget review director	414	3.4
		John F. Randolph (D)*	East Patchogue	37	Town supervisor	4,736	39.3
		Patrick J. Russell (D)	Mastic Beach	31	Hospital patient ombudsman	4,359	36.2
		William Carney (R)*	Hauppauge	35	County legislator	4,774	30.7
		James M. Catterson (R)	Port Jefferson	48	Attorney	3,122	20.1
		John J. Hart (R)	Bellport	—	—	3,048	19.6
		Salvatore C. Nicosia (R)	Halbrook	50	School guidance counselor	2,596	16.7
		John M. Radway (R)	Amagansett	27	Businessman	2,019	13.0
		William Carney (C)*				Unopposed	
Dorothy A. Samek (L)*	Patchogue	—	—	Unopposed			
2	Long Island—Western Suffolk County	Thomas J. Downey (D)*	West Islip	29	Incumbent	Unopposed	
		Harold J. Withers Jr. (R-C)*	North Babylon	36	Town Councilman	Unopposed	
3	Long Island—Eastern Nassau and Northwestern Suffolk Counties	Jerome A. Ambro (D)*	Northport	50	Incumbent	Unopposed	
		Gregory W. Corman (R-C)*	Farmingdale	41	Town council member	Unopposed	
		William Clark (L)*	East Northport	—	—	Unopposed	
4	Long Island—Eastern & Southern Nassau County	Everett A. Rosenblum (D)*	East Meadow	51	Attorney	Unopposed	
		Norman F. Lent (R-C)*	East Rockway	47	Incumbent	Unopposed	
		Aaron M. Schein (L)*	Hicksville	47	Professor	Unopposed	
5	Long Island—Central & Southwestern Nassau County	John W. Matthews (D-L)*	Long Beach	40	Insulation contractor	Unopposed	
		John W. Wydler (R-C)*	Garden City	54	Incumbent	Unopposed	
6	Northeast Queens & Northwestern Nassau Counties	Lester L. Wolff (D-L)*	Great Neck	59	Incumbent	Unopposed	
		Stuart L. Ain (R)*	Roslyn Heights	—	Attorney	Unopposed	
		Howard Horowitz (C)*	New Hyde Park	—	—	Unopposed	
7	Southern Queens—Ozone Park, Jamaica	Joseph P. Addabbo (D-R-L)*	Ozone Park	53	Incumbent	Unopposed	
		Mark Elliot Scott (C)*	Ozone Park	—	—	Unopposed	
8	Central & Northern Queens—Flushing	Benjamin S. Rosenthal (D-L)*	Elmhurst	55	Incumbent	Unopposed	
		Albert Lemishaw (R)*	Flushing	52	Accountant	Unopposed	
		Paul C. Ruebenacker (C)*	Rego Park	—	—	Unopposed	
9	Western Queens—Long Island City, Maspeth, Glendale	Patrick C. Deignan (D)	Jackson Heights	32	District party leader	2,468	18.5
		Geraldine A. Ferraro (D)*	Forest Hills	43	Lawyer	7,030	52.7
		Thomas J. Manton (D)	Woodside	45	City council member	3,833	28.8
		Alfred A. Dellibovi (R-C)*	Richmond Hill	32	State assembly member	Unopposed	
		Theodore E. Garrison (L)*	Corona	—	—	Unopposed	
10	Eastern Bronx & Northern Queens—Astoria, Throgs Neck	Mario Biaggi (D-R-L)*	Bronx	60	Incumbent	Unopposed	
		Carmen Ricciardi (C)*	Bronx	—	—	Unopposed	
11	Southeast Brooklyn, Southern Queens	James H. Scheuer (D-L)*	Neponsit	58	Incumbent	Unopposed	
		Kenneth Huhn (R-C)*	Belle Harbor	27	Newspaper publisher	Unopposed	

79040120421

District	Location	Candidates	Residence	Age	Occupation	Votes	Percent
12	Northeastern Brooklyn—Greenpoint	Shirley Chisholm (D-L)*	Brooklyn	53	Incumbent		Unopposed
		Charles Gibbs (R)*	Brooklyn	85	Businessman		Unopposed
13	Southern Brooklyn— Coney Island, Bensonhurst	Stephen J. Solarz (D-L)*	Brooklyn	38	Incumbent		Unopposed
		Max Carasso (R-C)*	Brooklyn	73	Elections board clerk		Unopposed
14	Northern Brooklyn— Williamsburg, Brooklyn Heights	Owen Augustin (D)	Brooklyn			1,419	6.8
		Bernard R. Gifford (D)	Brooklyn	35	School administrator	5,646	31.7
		Irving Gross (D)	Brooklyn			2,141	10.2
		Frederick W. Richmond (D)*	Brooklyn	54	Incumbent	10,738	51.3
		Arthur Bramwell (R)*	Brooklyn	56	Deputy county clerk		Unopposed
		Frederick W. Richmond (L)* Ralph J. Carrano (E)*	Brooklyn	55	Editor		Unopposed
15	Southwestern Brooklyn—Bay Ridge	Joseph F. Seminara (D)	Brooklyn	48	Attorney		Not Available
		Leo C. Zeferetti (D)*	Brooklyn	51	Incumbent		Not Available
		Robert P. Whelan (R)*	Brooklyn	56	Attorney		Not Available
		Vito P. Battista (R)	Brooklyn	68	Architect		Not Available
		Ronald Seminara (L)* Leo C. Zeferetti (C)*					Unopposed
16	Central & Southern Brooklyn—Flatbush	Elizabeth Holtzman (D-L)*	Brooklyn	37	Incumbent		Unopposed
		Larry Penner (R)*	Brooklyn	26	State YAF chairman		Unopposed
		John H. Fox (C)*	Brooklyn				Unopposed
17	Staten Island, Southern Manhattan	Nicholas F. De Martino (D)	Staten Island		Teacher	3,124	13.4
		John M. Murphy (D)*	Staten Island	52	Incumbent	10,845	46.3
		Peter Murray (D)	Staten Island	34	Teacher	2,040	8.7
		Thomas H. Stokes (D)	Staten Island	33	Social activist	7,391	31.6
		John Michael Peters (R-C)* Thomas H. Stokes (L)*	Staten Island	38	Veterans adviser		Unopposed
18	Manhattan—East Side, "Silk Stocking" district	Carter Burden (D)*	Manhattan	37	Former councilman	15,303	44.8
		Howard S. Katz (D)	Manhattan		Economist	971	2.8
		Betty G. Lall (D)	Manhattan		Former legislative aide	2,336	6.8
		Allard Lowenstein (D)	Manhattan	49	Former U.S. representative	13,632	39.9
		Peter K. Wilson (D)	Manhattan		Attorney	1,884	5.5
		S. William Green (R)* Carter Burden (L)*	Manhattan	48	Incumbent		Unopposed
19	Manhattan—Harlem	Charles B. Rangel (D-R-L)*	Manhattan	48	Incumbent		Unopposed
		E. Freeman Yearling (C)*	Manhattan				Unopposed
20	Western Manhattan & Bronx—West Side, Riverdale	Theodore S. Weiss (D-L)*	Manhattan	50	Incumbent		Unopposed
		Harry Torczyner (R)*	Manhattan	67	International lawyer		Unopposed
21	South Bronx—Mott Haven, Morrisania	Robert Garcia (D-R-L)*	Bronx	45	Incumbent		Unopposed
		Lawrence W. Lindsley Sr. (C)*	Bronx				Unopposed
22	Bronx—University Heights, Co-op City	Jonathan B. Bingham (D-L)*	Bronx	64	Incumbent		Unopposed
		Anthony J. Geidel Jr. (R-C)*	Bronx	28	Glass engraver		Unopposed
23	North central Bronx— Western Westchester County—Williamsbridge, Yonkers	Richard L. Brodsky (D)	Hartsdale		County legislator	4,917	41.9
		Peter A. Peyser (D)*	Irvington	57	Former U.S. representative	6,824	58.1
		Angelo R. Martinelli (R-C)* John P. Hagan (L)*	Yonkers Bronx	51	Mayor		Unopposed
24	Central & Southeastern Westchester County	Richard L. Ottinger (D)*	Pleasantville	49	Incumbent		Unopposed
		Michael R. Edelman (R-C)*	Bronxville	30	Attorney		Unopposed
		Richard O. Reyes (L)*	New Rochelle	53	Industrial designer		Unopposed
25	Hudson Valley— Poughkeepsie	Gunars M. Ozols (D)*	Wappingers Falls				Unopposed
		Hamilton Fish Jr. (R)*	Millbrook	52	Incumbent		Unopposed

79040120422

District	Location	Candidate	Residence	Age	Occupation	Votes	Percent
26	Lower Hudson Valley— New City, Newburgh	Charles E. Holbrook (D)*	Congers	30	Teacher	5,422	43.7
		Frederick F. Johnson (D)	Suffern	—	—	3,905	31.5
		Walter J. Raskopf (D)	Warwick	—	—	3,067	24.7
		Benjamin A. Gilman (R)*	Middletown	55	Incumbent		Unopposed
		William B. Schaeffer Jr. (C)*	Monroe	—	—		Unopposed
		Charles E. Holbrook (L)*					Unopposed
27	Southern tier— Binghamton	Matthew F. McHugh (D)*	Ithaca	39	Incumbent		Unopposed
		Neil Tyler Wallace (R-C)*	Ithaca	28	Businessman		Unopposed
28	Hudson-Mohawk valleys—Albany, Schenectady, Amsterdam	Richard A. Hind (D)	Schenectady	26	Counselor	6,139	19.0
		Samuel S. Stratton (D)*	Amsterdam	61	Incumbent	25,104	81.0
		Paul H. Tocker (R-C)*	Schenectady	39	Attorney		Unopposed
		Richard A. Hind (L)*					Unopposed
29	Upper Hudson Valley—Saratoga Springs, Troy	Ned Pattison (D-L)*	West Sand Lake	46	Incumbent		Unopposed
		Gerald B. Solomon (R-C)*	Glens Falls	48	State assemblyman		Unopposed
30	North—Plattsburgh, Watertown	Norma A. Bartle (D-L)*	Oswego	50	County legislator		Unopposed
		Robert C. McEwen (R-C)*	Ogdensburg	58	Incumbent		Unopposed
31	Mohawk Valley— Utica	Donald J. Mitchell (R-C)*	Herkimer	55	Incumbent		Unopposed
32	Central—Syracuse	James M. Hanley (D)*	Syracuse	58	Incumbent		Unopposed
		Peter J. Del Giorno (R-C)*	Syracuse	30	Auto dealer		Unopposed
		Lillian E. Reiner (L)*	Syracuse	77	Foster grandmother		Unopposed
33	Central—Syracuse, Conanda qua	Roy A. Bernardi (D)*	Syracuse	35	City auditor	6,527	68.5
		Clarence J. Kadys (D)	Syracuse	67	Retired hardware store owner	3,000	31.5
		Gary A. Lee (R)*	Ithaca	45	State assemblyman	19,895	88.9
		Robert J. Byrne (R)	Syracuse	40	Business consultant	2,487	11.1
		Robert J. Byrne (C)*					Unopposed
		Lynne Budzinski (L)*	Ithaca	—	—		Unopposed
34	West—Rochester	Frank Horton (R-D)*	Rochester	58	Incumbent		Unopposed
		Leo J. Kesselring (C)*	Fairport	—	—		Unopposed
35	West—Rochester, Batavia	Francis C. Repicci (D)*	Batavia	33	Elections commissioner		Unopposed
		Barber B. Conable Jr. (R)*	Alexander	55	Incumbent		Unopposed
		Karen A. Hammel (C)*	Attica	—	—		Unopposed
36	West—Niagara Falls	John J. LaFalce (D-L)*	Kenmore	38	Incumbent		Unopposed
		Francina J. Cartanora (R)*	Buffalo	45	Freelance writer		Unopposed
		Francis P. Mundy (C)*	Kenmore	70	Retired telephone engineer		Unopposed
37	West—Buffalo	Henry J. Nowak (D-L)*	Buffalo	43	Incumbent		Unopposed
		Charles Path III (R)*	Buffalo	53	Advertising executive		Unopposed
		Dunstan L. Hattenschwiler (C)*	Buffalo	—	—		Unopposed
38	West—Buffalo suburbs	Jack F. Kemp (R-C)*	Hamburg	43	Incumbent		Unopposed
		James A. Peck (L)*	West Seneca	—	—		Unopposed
39	Southern tier— Chautauqua, Elmira	Stanley N. Lundine (D)*	Jamestown	39	Incumbent		Unopposed
		Gilbert W. Snyder (R)	Dunkirk	52	Mayor	5,876	38.8
		Crispin M. Maguire (R)*	Olean	—	Priest/university vice president	9,281	61.2
		Crispin M. Maguire (C)*					Unopposed

\*Nominee

79040120423



79040120425

Report Due----- September 2, 1978  
 Publication----- September 9, 1978  
 Date of Election----- September 12, 1978  
 Reason to Believe----- September 4, 1978  
 Reasonable Cause to Believe--- September 6, 1978

State--- NEW YORK

Page 1

UAF= unaccounted for  
 \* indicates Respondent

Candidate/ Committee	Dis- trict	Party	Number of Votes	Win/Lose % of Votes	Waiver or Report Filed	Date Filed	Aggregate Receipts	Aggregate Expenditures	Aggregate Activity on Previous Reports	RTB, RCTB Notices	Recommendation
*Irving Gross Comte to Elect Irving Gross to Congress (Regis. 9/8/78)	14	Democratic	2,141	10.2% Lost	Waived  No rpt. filed	9/8				rtb 9/5 rctb 9/7	Take no further action
*Vito Battista	15	Republican	1,077	35% Lost						rtb UAF rctb 9/7	Initiate conciliation (\$432 & \$434)
*Nicholas DeMartino Citizens to Elect Nicholas F. DeMartino (Regis. 9/8/78)	17	Democratic	3,124	13.4 % Lost	Waived  Filed	9/8  9/8	0	\$2,251.43	\$1,095  \$1,720.17	rtb UAF rctb UAF	Take no further action
Howard Katz *Katz for Congress Comte	18	Democratic	971	2.8 % Lost	Waived  Filed	8/25  9/11	\$7,008	\$2,104.50		rtb UAF rctb 9/7	Take no further action
Allard Lowenstein *Elect Lowenstein to Congress Comte	18	Democratic	13,632	39.9 % Lost	Waived  Filed	6/30  9/11	\$35,754.50	\$36,673.58	\$12,437.17	rtb 9/5 rctb 9/8	Initiate conciliation



FEDERAL ELECTION COMMISSION

MUR 776

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

October 24, 1978

MEMORANDUM

TO: OFFICE OF GENERAL COUNSEL ATTN: GARY JOHANSON

THROUGH: ORLANDO B. POTTER <sup>R.L. for</sup>  
TOM HASELHORST <sup>a.b.p.</sup>

FROM: NON-FILER COORDINATOR <sup>W</sup>  
<sup>CRB</sup>

SUBJECT: FAILURE TO FILE A STATEMENT OF CANDIDACY AND DESIGNATE A  
PRINCIPAL CAMPAIGN COMMITTEE - REFERRAL - NEW YORK

In accordance with Directive No. 1 for non-filers, attached please find the referral of the names of the candidates who have failed to file their Statement of Candidacy (FEC Form 2) and designate a principal campaign committee.

An informational notice was sent to the candidates by the Public Information Division on July 31, 1978.

The candidates were sent reason to believe letters by certified mail on August 31, 1978.

Reasonable cause to believe letters were sent certified to the candidates on September 20, 1978.

Copies of the certified letters, certified green cards and any telecons available are included in this packet.

CANDIDATE - GENERAL

PRIMARY

Larry Penner NY/16

Vito Battista NY/15

79040120426

EXHIBIT C



FED-

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

MAY 31, 1978

Mr. Larry Penner  
1333 E 27th Street  
Brooklyn, NY 11210

Dear Mr. Penner:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the general election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800) 424-9530. Our local number is (202) 523-4173.

Sincerely,

Joan D. Aikens  
Chairman

Certified Mail  
Return Receipt Requested

Enclosure

79040120427



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

September 20, 1978

Mr. Larry Penner  
1333 East 27th Street  
Brooklyn, NY 11210

Dear Mr. Penner:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

A handwritten signature in cursive script that reads "Joan Aikens".

Joan D. Aikens  
Chairman

Certified Mail  
Return Receipt Requested

79040120428

Larry Penner

RTB Unaccounted for

RCTB Unaccounted for

79040120429



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

August 31, 1978

Mr. Vito T. Battista  
289 Etna Street  
Brooklyn, NY 11208

Dear Mr. Battista:

The Federal Election Commission has not received your candidate statement designating a principal campaign committee for the primary election to be held in your state. Prior notification was sent to you approximately 30 days ago, advising you of your disclosure reporting requirements under the Federal Election Campaign Act along with the appropriate forms. We are enclosing another candidate statement (FEC Form 2) for your immediate attention. If you need additional forms, please let us know.

Your failure to file a candidate statement and to designate a principal campaign committee gives the Commission reason to believe that you are in violation of 2 U.S.C. 432(e) (1) and 11 C.F.R. 101.2.

No action will be taken against you until you have had a reasonable opportunity to respond to this matter. If you have not filed a candidate statement or designated a principal campaign committee, you should do so within fifteen (15) days of the date of this letter with the Clerk of the House, Office of Records and Registration, 1036 Longworth H.O.B., Washington, D.C. 20515.

A copy of these statements should also be filed with your Secretary of State or the equivalent state officer. In the event you have already filed the required statements, or require further information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4173.

Sincerely,

*Joan D. Aikens*

Joan D. Aikens  
Chairman

Certified Mail  
Return Receipt Requested

Enclosure

79040120430



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

September 20, 1978

Vito T. Battista  
289 Etna Street  
Brooklyn, NY 11208

Dear Mr. Battista:

You have been notified twice of the requirement for you to file your Statement of Candidate (FEC Form 2), designating a principal campaign committee as required by the Federal Election Campaign Act.

As of this date, we have received no response from you. Your continued failure to file the required documents gives the Commission reasonable cause to believe that you are in violation of 2 U.S.C. 432(e)(1) and 11 CFR 101.2.

You are hereby afforded a reasonable opportunity to demonstrate why no action should be taken against you. You have thirty (30) days from the date of your receipt of this letter to conciliate this matter with the Commission. If we do not receive an adequate response from you, the Reports Analysis Division must refer this matter to our Office of General Counsel for appropriate legal action.

You should file the required documents with the Clerk of the House, Office of Records and Registration, 1036 Longworth HOB, Washington, D.C. 20515. A copy of these statements should also be filed with your Secretary of State or the equivalent state officer.

In the event you have already filed the required document or require additional information, please contact Mike Filler in our Reports Analysis Division on the toll free number (800)424-9530. Our local number is (202)523-4172.

Sincerely,

Joan D. Aikens  
Chairman

Certified Mail  
Return Receipt Requested

79040120431

Vita Batista

RCTB

RTB Unaccounted for

Batista

FCC 2

NF 152

79040120432

PS 2511 49 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

• ATTENTION Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered. . . . . c
  - Show to whom, date, and address of delivery. . . . . c
  - RESTRICTED DELIVERY  
Show to whom and date delivered. . . . . c
  - RESTRICTED DELIVERY  
Show to whom, date, and address of delivery. \$ \_\_\_\_  
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943317	

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY

*Mildred Lopez*

5. ADDRESS (Complete only if requested)

POSTMARK  
SEP 10 1977

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

MEMORANDUM: FOR FILES

RE: TELECON

FROM: Non-Filer Section

DATE:

NAME OF ~~CANDIDATE~~: CANDIDATE: Vito Battista

---

Numerous attempts have been made to reach Mr. Battista - all unsuccessful.

79040120433

Candidate/ Committee	Dis- trict	Party	Number of Votes	Win/Lose % of Votes	Waiver or Report Filed	Date Filed	Aggregate Receipts	Aggregate Expenditures	Aggregate Activity on Previous Reports	RTB, RCTB Notices	Recommendation
*Owen Augustin Comte to Elect Augustin to Con- gress	14	Democratic	1,419	6.8 % Lost	Reports filed	9/12 9/25	\$3,287 \$1,851	\$3,287 \$1,851		rtb 9/6 rctb 9/14	Take no further action

79040120434

Report Due----- September 2, 1978  
 Publication----- September 9, 1978  
 Date of Election----- September 12, 1978  
 Reason to Believe----- September 4, 1978  
 Reasonable Cause to Believe--- September 6, 1978

State--- NEW-YORK

Page 1

EXHIBIT B

JAF= unaccounted for  
 \* indicates Respondent

20435

Candidate/ Committee	Dis- trict	Party	Number of Votes	Win/Lose % of Votes	Waiver or Report Filed	Date Filed	Aggregate Receipts	Aggregate Expenditures	Aggregate Activity on Previous Reports	RTB, RCTB Notices	Recommendation
*Irving Gross Comte to Elect Irving Gross to Congress (Regis. 9/8/78)	14	Democratic	2,141	10.2% Lost	Waived  No rpt. filed	9/8				rtb 9/5 rctb 9/7	Take no further action
Vito Battista	15	Republican	1,077	35% Lost						rtb UAF rctb 9/7	Initiate conciliation (\$432 & \$434)
*Nicholas DeMartino Citizens to Elect Nicholas F. DeMartino (Regis. 9/8/78)	17	Democratic	3,124	13.4 % Lost	Waived  Filed	9/8  9/8	0	\$2,251.43	\$1,095  \$1,720.17	rtb UAF rctb UAF	Take no further action
Howard Katz *Katz for Congress Comte	18	Democratic	971	2.8 % Lost	Waived  Filed	8/25  9/11	\$1,008	\$2,104.50		rtb UAF rctb 9/7	Take no further action
Allard Lowenstein *Elect Lowenstein to Congress Comte	18	Democratic	13,632	39.9 % Lost	Waived  Filed	6/30  9/11	\$35,754.50	\$36,673.58	\$12,437.17	rtb 9/5 rctb 9/8	Initiate conciliation

D-229

MUR 747



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

September 29, 1978

MEMORANDUM

TO: ORLANDO B. POTTER *OBP*

THROUGH: TOM HASELHORST *TH*

FROM: NON-FILER COORDINATOR *NT*

SUBJECT: 10 DAY PRE-ELECTION NON-FILERS - REFERRAL - NEW YORK

In accordance with the Task Force of Non-filers, attached please find the referral of the candidates and committees that were published as Non-filers for the 10 Day Pre-election Report for the Primary election held in New York.

The first notice (reason to believe) was sent by mailgram on September 4, 1978. The second notice (reasonable cause to believe) was sent by mailgram on September 6, 1978.

On September 9, 1978, the Press Office issued a release containing the names of the candidates and committees which failed to file the 10 Day Pre-election Reports.

Copies of the completed ballot chart, certified green cards and telecons are included in this packet.

- Irving Gross
- Vito Battista
- Nicholas Demartino
- Katz for Congress Campaign
- Elect Lowenstein to Congress Committee
- Owen Augustin

79040120436

7 9 0 4 0 1 2 0 4 3 7  
 FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

STATE/CD/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	ROTB	PUB	GSC	DATE SATISFIED
NY100100	CARNEY, WILLIAM		07/17/78				NAIVED
000100005	CARNEY FOR CONGRESS COMMITTEE	Y					C 8/30/78
NY100100	CASSESE, JOHN		06/26/78				NAIVED
000100107	COMMITTEE TO ELECT CASSESE	Y	9/4				K-20
NY100100	CATTERSON, JAMES M. JR.		06/27/78				NAIVED
000100109	CATTERSON FOR CONGRESS	Y		11	11		C 8/30/78
NY100100	HART, JOHN J. JR. (UNREG.)			9/4	9/6		9/8/78
000093558	JACK HART FOR UNITED STATES CONGRESS COMMITTEE	Y	9/4				FILED
NY100100	KLAR, STEVEN A.		07/03/78				NAIVED
000100104	KLAR FOR CONGRESS	Y	9/4				FILED
NY100100	MINTO, JOHN ROBERT		07/18/78				NAIVED
000100396	MOVE MINTO TO CONGRESS	Y	9/4				FILED 8/31/78

79040120438

FEDERAL ELECTION COMMISSION  
10 DAY PRE-ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/PCO/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	FUB	GGC	DATE SATISFIED
NICOSIA, SALVATORE C. HENY01010		03/28/78					WAIVED
NICOSIA FOR CONGRESS C00090784		Y					C 8/30/78
RA Y. JOHN M. HENY01013		05/26/78					WAIVED
RADWAY FOR CONGRESS COMMITTEE C00095961		Y					C 8/30/78
RANDOLPH, JOHN F. HENY01015		05/15/78					WAIVED
CITIZENS FOR JOHN F. RANDOLPH COMMITTEE C00095299		Y					FILED 8/31 C
RUSSELL, PATRICK J. HENY01031		05/26/78					WAIVED
PAT RUSSELL PEOPLE C00094113		Y	9/4				FILED 9/5
DEIGMAN, PATRICK HENY05040		08/19/78					WAIVED
DEIGMAN FOR CONGRESS COMMITTEE C00097337		Y	9/4				9/5 Filed
FERRARO, GERALDINE A. HENY05034		05/22/78					WAIVED
COMMITTEE TO ELECT GERALDINE FERRARO TO CONGRESS C00095653		Y	9/4	9/6			Filed

7-9-0-4-D-2-0-4-3-9  
 FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY10D

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

DATE/REG/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	TRACK RCTB	PUB	OGC	DATE SATISFIED
ANTON, THOMAS J. 1009059		06/23/78					WAIVED
ANTON FOR CONGRESS 1009749		Y	9/4	9/6			Filed
RISHOLM, SHIRLEY 1007474		02/02/78					WAIVED
RISHOLM 1978 RE-ELECTION COMMITTEE 1007474		Y					9/2/78
RYAN, AUBREY (UNREG.) 10012012	<i>Removed From Ballot RAD notified 9/7/78</i>		9/4	9/6			
GIFFORD, BERNARD R. 10014018		06/21/78					WAIVED
GIFFORD FOR CONGRESS 10009577		Y	9/4				FILED 8/31/78
GROSS, IRVING (UNREG.) 10014026			9/4	9/6	9/9		
RICHMOND, FREDERICK W. 10014087		02/03/78					WAIVED
CITIZENS COMMITTEE FOR FRED RICHMOND 100094389		Y					9/31/78

79040120440

FEDERAL ELECTION COMMISSION  
10 DAY PRE ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY10D

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/PCC/ID	COMMENTS	* REGISTERED *	RTB	ACTB	PUB	OGC	DATE SATISFIED
PATRISTIA, VITO T. (UNREG.) 48NY15049			9/4	9/6	9/9		
SEMINARA, JOSEPH F. 48NY15049	08/30/78						WAIVED c 8/31/78
COMMITTEE FOR THE ELECTION OF JOSEPH F. SEMINARA TO CONGRESS 00010735		Y					
ZEFERETTI, LEO C. 48NY15050	03/28/78						WAIVED c 8/31/78
COMMITTEE TO RE-ELECT CONGRESSMAN LEO C. ZEFERETTI 000049312		Y					
DEMARTINO, NICHOLAS 48NY17045	08/17/78		9/4	9/6	9/9		
MURPHY, JOHN M. 48NY17049	05/11/77						WAIVED 9/4/78
CITIZENS FOR CONGRESSMAN JOHN M. MURPHY 000019968		Y					
MURRAY, PETER J. 48NY17037	06/02/78						WAIVED 9/2/78
PETER MURRAY FOR CONGRESS 000096578		Y					

7 9 0 4 0 1 2 0 4 4  
 FEDERAL ELECTION COMMISSION  
 10 DAY PRE ELECTION STATUS REPORT  
 NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

CANDIDATE/OC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCB	PUB	OSC	DATE SATISFIED
ONES, THOMAS H. NY17011							WAIVED
CM STONES FOR CONGRESS COMMITTEE 00093399		Y	9/4				FILED 8/31C 8/28C FILED
BURT, CARTER NY1262							
CARTER BURDEN FOR CONGRESS 00093510		Y					FILED 8/31C
KATZ, HOWARD F. NY18183			8/25/78				WAIVED
Katz For Congress Camp. 000102335		Y	9/4	9/6	9/9		9/11
LALL, BETTY GOETZ NY18187							WAIVED
COMMITTEE TO ELECT BETTY LALL 00097063		Y					FILED 8/31C
LOWENSTEIN, ALLARD K. NY12050							WAIVED
ELECT LOWENSTEIN TO CONGRESS COMMITTEE 00095244		Y	9/4	9/6	9/9		9/11
WILSON, PETER K. NY18175							WAIVED
PETE WILSON FOR CONGRESS COMMITTEE 00096586		Y					FILED 8/28C

79040120442

FEDERAL ELECTION COMMISSION  
10 DAY PRE ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUE DATE: SEP 2 1978

\*\*\*\*\*  
\* CANDIDACY \* COMPLIANCE TRACK  
\* REGISTERED \* RTB RCTB PUB CSC DATE  
CANDIDATE/PCC/ID COMMENTS SNTDFEE

CANDIDATE/PCC/ID	COMMENTS	* REGISTERED *	RTB	RCTB	PUB	CSC	DATE
BRODSKY, RICHARD L. HENY23043							WAIVED
COMMITTEE TO ELECT RICHARD BRODSKY CC0101667		Y					9/29/78
PEYSER, PETER A. HENY23019							WAIVED
FRIENDS OF PEYSER C 1936		Y					9/31/78
HOLBROOK, CHARLES EMMET HENY25012							WAIVED
CITIZENS FOR HOLBROOK CC0091256		Y					9/30/78
JOHNSON, FREDERICK F. HENY26040			9/4	9/6			9/9/78



79040120444

FEDERAL ELECTION COMMISSION  
10 DAY PRE ELECTION STATUS REPORT  
NEW YORK BALLOT

ELECTION: NY100

ELECTION DATE: SEP 12 1978

DUPLICATE DATE: SEP 2 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	COMPLIANCE TRACK RTB	RCTB	PUB	CGC	DATE SATISFIED
LEE, GARY A. H5NY33015			05/22/78				WAIVED
GARY LEE FOR CONGRESS COMMITTEE 000015679		Y					FILED 9/11
MAGUIRE, CRISPIN H5NY33015			04/18/78				WAIVED
MAGUIRE FOR CONGRESS 000092322		Y					FILED 9/12
SNYDER, GILBERT W. H5NY33023			05/22/78				WAIVED
GILBERT SNYDER FOR CONGRESS COMMITTEE 001095127		Y					FILED 9/28C
AUGUSTIN, OWEN (UNREG) H5NY14034				9/4	9/6	9/9	
WHELAN, ROBERT P. (UNREG) H5NY15056				9/4	9/6		FILED

Irving Gross

RTB

RCTB

79040120445

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. \_\_\_\_\_¢  
 Show to whom, date, and address of delivery. \_\_\_\_\_¢  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. \_\_\_\_\_¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: \_\_\_\_\_

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA12915 | H4249 | 00029  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. *Norman G. ... STA*  
 DATE OF DELIVERY: SEP 5 1978  
 POSTMARK: 1978 8161 112

5. ADDRESS (Complete only if requested): \_\_\_\_\_

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_  
 CLERK'S INITIALS: \_\_\_\_\_

☆ GPO : 1977-O-234-337

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered. \_\_\_\_\_¢  
 Show to whom, date, and address of delivery. \_\_\_\_\_¢  
 RESTRICTED DELIVERY  
 Show to whom and date delivered. \_\_\_\_\_¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ \_\_\_\_\_  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: \_\_\_\_\_

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 WA 12915 | H4249 | 00029  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: SEP - 7 1978  
 POSTMARK: 1978 112

5. ADDRESS (Complete only if requested): \_\_\_\_\_

6. UNABLE TO DELIVER BECAUSE: \_\_\_\_\_  
 CLERK'S INITIALS: \_\_\_\_\_

☆ GPO : 1977-O-234-337

DATE OF PRIOR NOTICE 8/9

PRIOR NOTICE FOLLOW-UP \_\_\_\_\_

PERSON CONTACTED

TITLE

TELEPHONE #

COMMENTS

*Not listed*

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: \_\_\_\_\_ RTB \_\_\_\_\_ RCTB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS:

79040120446

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS:

*no # available*

Vita Battista

RTB unaccounted for

RCTB

79040120447

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered.....¢

Show to whom, date, and address of delivery.....¢

RESTRICTED DELIVERY  
Show to whom and date delivered.....¢

RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery. \$.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
WA12915	H6249	00027

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

*[Signature]*

4. DATE OF DELIVERY *[Date]* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

DATE OF PRIOR NOTICE 9/7

PRIOR NOTICE FOLLOW-UP 8/30

<u>PERSON CONTACTED</u>	<u>TITLE</u>	<u>TELEPHONE #</u>
<u>Vito L. Battista</u>	<u>Candidate</u>	<u>(212) 927-6400</u> <u>disconnected</u>

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE:	RTB	RCIB	PUBLICATION:
<u>9/2</u>	<u>9/4</u>		
DATE/TIME: <u>9/5</u>	<u>3:30</u>	WHO CALLED:	INITIALS: <u>BEM</u>
<u>9/6</u>	<u>3:00</u>	<u>9/6</u>	<u>4:30</u>

COMMENTS: no answer No answer No answer

79040120443

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME:	WHO CALLED:	INITIALS:

COMMENTS: # disconnected

Candidate is now on the general election ballot for the 15<sup>th</sup> district in New York as a United Taxpayers Party candidate.

Nicholas Demartino

RTB unaccounted for

RCTB unaccounted for

79040120449

15 HUNTON AVE.

DATE OF PRIOR NOTICE 8/8

PRIOR NOTICE FOLLOW-UP 8/28

PERSON CONTACTED

TITLE

TELEPHONE #

Nicholas DeMartino (Candidate)

(212) 979-1459

(212) 984-3239

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 9/2 RTB 9/4 RCTB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_  
DATE/TIME: 9/5 3:25 WHO CALLED: \_\_\_\_\_ INITIALS: psm

COMMENTS: no answer Spoke with Home Team.  
See attachments.

79040120450

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: 9/21- 11:20am WHO CALLED deMartino-busy INITIALS: EW  
9/22- 2:25pm busy signal EW  
COMMENTS: 9/22- 3:00pm busy signal EW  
9/21- 4:00pm busy signal EW

.RAPID NOTE  
FROM

DATE 9-6-78

TO MIKE FILER

DEMARTINO - NY/09

10P NON-FILER

Nick J. Demartino called (father of candidate & chairman of comte).

He was informed that the following documents should be submitted:

- 10P for the candidate (Sent via air express)

- Form 1 for Comte

father 212-979-1469

- Amended Form 2 Reporting income

Candidate 212-984-3239

SIGNED

70040120

Katz for Congress

RTB unaccounted for

RCTB

79040120452

PS Form 3811, Jan. 1973

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered..... 15¢  
 Show to whom, date, & address of delivery.. 35¢  
 RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:  
 WA-12915 H5249-00137

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | X | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: 9/17/78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

DATE OF PRIOR NOTICE 8/9

STEPHEN EARLEIGH  
160 EAST 39TH ST.

PRIOR NOTICE FOLLOW-UP \_\_\_\_\_

NEW YORK NY 10013

<u>PERSON CONTACTED</u>	<u>TITLE</u>	<u>TELEPHONE #</u>

COMMENTS Not listed

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: \_\_\_\_\_ RTB \_\_\_\_\_ RCTB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: called House team.

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: FILED

79040120453

RAPID NOTE

FROM : KATZ FOR CONGRESS CITE

DATE 9/5

TO

JIM ALLEN

STEVE ZAKUENGA, TRS CHAIRMAN

(212) 490-0334

R.E. IOP

TOLD HIM TO SEND MAILGRAM WITH COH,

TOTAL REC, TOTAL EXP, DEBTS + ECOTI

TO BE FOLLOWED BY FULL REPORT.

SIGNED

Jim Allen

**Elect Lowenstein to Congress Committee**

RTB

RCTB

79040120455

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered .....  
 Show to whom, date, and address of delivery .....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
WA12915-H2247-00069  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
D. Cooper

4. DATE OF DELIVERY | POSTMARK  
9/5 |

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO : 1977-O-224-337

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered .....  
 Show to whom, date, and address of delivery .....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered .....  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery. \$ .....  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
WA12915 H6249 00036  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent  
E. Clendenen

4. DATE OF DELIVERY | POSTMARK  
9/7 | 8 5/8

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO : 1977-O-234-337

DATE OF PRIOR NOTICE 8/9

PRIOR NOTICE FOLLOW-UP 8/30

7. LIPPMAN, 1345 AVE. OF THE AMER.  
NEW YORK NY 10019

<u>PERSON CONTACTED</u>	<u>TITLE</u>	<u>TELEPHONE #</u>
<u>Elect Jewenstein to Congress Com.</u>		<u>(212) 686-1671</u>

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: 10 days RTB V RCTB \_\_\_\_\_ PUBLICATION: \_\_\_\_\_

DATE/TIME: 9/5 WHO CALLED: \_\_\_\_\_ INITIALS: MM

9/6 4:30 9/7

COMMENTS: no answer. No answer. (9/7) no answer

79040120455

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: FILED

Owen Augustin

RTB

RCTB

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered.  
 Show to whom, date, and address of delivery.  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 WA 12915-47247-00055  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: *[Signature]* POSTMARK: *[Postmark]*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS: *[Initials]*

☆ GPO : 1977-O-234-337

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
 Show to whom and date delivered.  
 Show to whom, date, and address of delivery.  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery. \$  
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 WA 12915 47249 00026  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: *[Signature]* POSTMARK: *[Postmark]*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS: *[Initials]*

☆ GPO : 1977-O-234-337

79040120457

INDUSTRIAL  
INDUSTRIAL OWEN UNREG  
459 LINDSON AVE  
ROCKY HILL  
CT 06230

DATE OF PRIOR NOTICE 8/8  
PRIOR NOTICE FOLLOW-UP 8/30

PERSON CONTACTED TITLE TELEPHONE #  
Owen Augustin (212) 749-6258  
212 - 772-1741

COMMENTS No. not in service

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS  
REPORT DUE: 10P-9/2 RIB  RCTB  PUBLICATION: \_\_\_\_\_  
DATE/TIME: \_\_\_\_\_ WHO CALLED: \_\_\_\_\_ INITIALS: \_\_\_\_\_

COMMENTS: See attachments.

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL  
DATE/TIME: 9/21-11:25am WHO CALLED: Mr. Augustin INITIALS: SW

COMMENTS: See attached telex.

79040120458

RAPID NOTE

FROM

(212) 772-1741

DATE

9-7-78

TO

Mike Filler

AUGUSTIN, OWEN NY-14 10 P Non-filer

Reason he has not yet filed is because he was in Supreme Court. He was informed that report should be submitted by C.O.B on Friday. In addition FORM 1 & 2 was needed. Augustin didn't he mailed FORM 2 on May 21, 1978. Will check & return call.

SIGNED

TOPS NO. 3702  
LITHO U.S.A.

RAPID NOTE

FROM

Mike Filler

DATE

9-7-78

TO

AUGUSTIN

Return call. No documents submitted for Cardell or Comm. Hec. Augustin was informed to submit requested reports.

SIGNED

TOPS NO. 3702  
LITHO U.S.A.

TELECOM

FROM: Shawn Woodhe to Owen Augustin, candid

DATE: 21 September 1978

COMMITTEE: OWEN AUGUSTIN - CANDIDATE

---

I called Mr. Augustin in reference to the 10 Day Pre-primary report which was not filed for the period. I explained that his Form 2 had been received but he had failed to mark whether he wanted a waiver; he will submit an amended Form 2 requesting a waiver of his future reporting requirements. However, I explained explicitly that he still needed to file the 10 Day Pre-Primary report for the candidate. He said that he had the report in front of him at that moment. I told him that on the 30 Day Post-Primary report, he should note that the committee is reporting all financial activity and that the calendar year-to-date totals of the candidate are being reported by the PCC. He said that he understood that the figures to which I was referring were Column B. These documents, when submitted, should clear up any filing problems.

1977-1978

## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
GROSS, IRVING	HOUSE	14 DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# H8NY14026	
1. STATEMENT OF CANDIDATE							5SEP78		
1978 STATEMENT OF CANDIDATE									1 78HSE/145/1163
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES									
TOTAL			0	0	0	0			0 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE									
COMMITTEE TO ELECT IRVING GROSS TO CONGRESS								ID# C00102848	
1978 STATEMENT OF ORGANIZATION							5SEP78		3 78HSE/145/1164
TOTAL			0	0	0	0			3 TOTAL PAGES
4. AUTHORIZED COMMITTEES									
5. OTHER SUPPORTING DOCUMENTS									
			CONTRIBUTIONS TO		EXPENDITURES				
TOTAL FOR PART 5			0	0	0	0			0 TOTAL PAGES
6. 434E/ INDEPENDENT			INDEPENDENT CONTRIBUTIONS		INDEPENDENT EXPENDITURES				
7. 434E/ DELEGATE			DELEGATE CONTRIBUTIONS		DELEGATE EXPENDITURES				
8. COMMUNICATIONS			CONTRIBUTIONS TO		EXPENDITURES ON BEHALF OF				



1977-1978

## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
DEMARTINO, NICHOLAS	HOUSE	17 DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# H9NY17045	
1. STATEMENT OF CANDIDATE									
1978 STATEMENT OF CANDIDATE							17AUG78		1 78HSE/143/3415
STATEMENT OF CANDIDATE - AMENDMENT							8SEP78		1 78HSE/145/1508
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES									
* 1978 10 DAY PRE-PRIMARY			0			1,095	1APR78 -30JUN78		3 78HSE/143/4353
TOTAL			0	0		1,095			3 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE									
CITIZENS TO ELECT NICHOLAS F. DEMARTINO								ID# C00102855	
1978 STATEMENT OF ORGANIZATION							8SEP78		3 78HSE/145/1512
APRIL 10 QUARTERLY			2,500			625	1JAN78 -31MAR78		4 78HSE/145/1445
10 DAY PRE-PRIMARY			0			531	1JUL78 -28AUG78		4 78HSE/145/1437
JULY 10 QUARTERLY			0			1,095	1APR78 -30JUN78		4 78HSE/145/1441
TOTAL			2,500	0		2,251			15 TOTAL PAGES
4. AUTHORIZED COMMITTEES									
5. OTHER SUPPORTING DOCUMENTS									
					CONTRIBUTIONS TO				
			0	0		0			0 TOTAL PAGES
6. 434E/ INDEPENDENT					INDEPENDENT CONTRIBUTIONS				
7. 434E/ DELEGATE					DELEGATE CONTRIBUTIONS				
8. COMMUNICATIONS					CONTRIBUTIONS TO				
									EXPENDITURES
									INDEPENDENT EXPENDITURES
									DELEGATE EXPENDITURES
									EXPENDITURES ON BEHALF OF

\* covers period for July 10 rpt., not 10 day.  
check 10 day on report



CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
LOWENSTEIN, ALLARD K.	HOUSE 10	DEMOCRATIC PARTY			NEW YORK		1978 ELECTION	ID# H8NY18050	
1. STATEMENT OF CANDIDATE							4JAN78	1 77HSE/127/3852	
1978 STATEMENT OF CANDIDATE							30JUN78	1 78HSE/138/3873	
STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES									
TOTAL			0	0	0	0		0 TOTAL PAGES	
3. PRINCIPAL CAMPAIGN COMMITTEE									
ELECT LOWENSTEIN TO CONGRESS COMMITTEE							ID# C00098244		
1978 STATEMENT OF ORGANIZATION							26JUN78	3 78HSE/138/2846	
10 DAY PRE-PRIMARY			35,754		36,673		1JUL78 -28AUG78	18 78HSE/145/2824	
JULY 10 QUARTERLY			7,710		4,727		14JUN78 -30JUN78	5 78HSE/143/2125	
TOTAL			43,464	0	41,400	0		26 TOTAL PAGES	
4. AUTHORIZED COMMITTEES									
FRIENDS OF AL LOWENSTEIN							ID# C00084509		
1978 STATEMENT OF ORGANIZATION							4JAN78	3 77HSE/127/3886	
REQUEST FOR ADDITIONAL INFORMATION							20JAN78	2 78FEC/064/1333	
STATEMENT OF ORGANIZATION - AMENDMENT							7APR78	3 78HSE/134/1685	
APRIL 10 QUARTERLY			11,171		10,174		3JAN78 -31MAR78	10 78HSE/134/2163	
JULY 10 QUARTERLY			4,206		5,000		1APR78 -30JUN78	7 78HSE/143/2130	
5. OTHER SUPPORTING DOCUMENTS									
TOTAL FOR PART 5			0	0	0	0		0 TOTAL PAGES	
6. 434E/ INDEPENDENT									
INDEPENDENT CONTRIBUTIONS									
7. 434E/ DELEGATE									
DELEGATE CONTRIBUTIONS									
8. COMMUNICATIONS									
CONTRIBUTIONS TO									
EXPENDITURES									
INDEPENDENT EXPENDITURES									
DELEGATE EXPENDITURES									
EXPENDITURES ON BEHALF OF									

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## CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE BOUGHT/ PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
AUGUSTINE, OWEN	HOUSE 14 DEMOCRATIC PARTY					NEW YORK	1978 ELECTION	ID# H8NY14034
1. STATEMENT OF CANDIDATE							8SEP78	1 78HSE/145/4010
1978 STATEMENT OF CANDIDATE							25SEP78	1 78HSE/146/1675
STATEMENT OF CANDIDATE								
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES								
TOTAL		0	0	0	0			0 TOTAL PAGES
3. PRINCIPAL CAMPAIGN COMMITTEE								
COMMITTEE TO ELECT AUGUSTIN							ID# C00103218	
1978 STATEMENT OF ORGANIZATION							8SEP78	1 78HSE/145/4151
STATEMENT OF ORGANIZATION - AMENDMENT							12SEP78	1 78HSE/146/0746
10 DAY PRE-PRIMARY		3,287		3,287				2 78HSE/146/0784
10 DAY PRE-PRIMARY		1,851		1,851			7APR78 -28AUG78	6 78HSE/146/1676
TOTAL		1,851	0	1,851	0			10 TOTAL PAGES
4. AUTHORIZED COMMITTEES								
5. OTHER SUPPORTING DOCUMENTS								
TOTAL FOR PART 5		0	0	0	0			0 TOTAL PAGES
6. 434E/ INDEPENDENT	INDEPENDENT CONTRIBUTIONS							
7. 434E/ DELEGATE	DELEGATE CONTRIBUTIONS							
8. COMMUNICATIONS	CONTRIBUTIONS TO							
	EXPENDITURES							
	INDEPENDENT EXPENDITURES							
	DELEGATE EXPENDITURES							
	EXPENDITURES ON BEHALF OF							

# New York Returns

## GOVERNOR

Candidate	Residence	Age	Occupation	Votes	Percent
Jeremiah B. Bloom (D)	Brooklyn	65	State senator	103,984	14.5
Hugh L. Carey (D)*	Brooklyn	59	Incumbent	371,473	51.8
Mary Anne Krupsak (D)	Canajoharie	46	Lt. governor	242,322	33.8
Perry B. Duryea (R-C)*	Montauk	56	Former state assembly speaker, minority leader	Unopposed	
Hugh L. Carey (L)*				Unopposed	

## HOUSE

District	Location	Candidate	Residence	Age	Occupation	Votes	Percent		
1	Eastern Long Island	John Cassese (D)	Patchogue	36	School administrator	916	7.6		
		Steven A. Klar (D)	Port Jefferson Station	31	Attorney, realtor	1,627	13.5		
		John R. Minto (D)	Lake Ronkonkoma	42	County budget review director	414	3.4		
		John F. Randolph (D)*	East Patchogue	37	Town supervisor	4,736	39.3		
		Patrick J. Russell (D)	Mastic Beach	81	Hospital patient ombudsman	4,359	36.2		
		William Carney (R)*	Hauppaugue	83	County legislator	4,774	39.7		
		James M. Catterson (R)	Port Jefferson	48	Attorney	3,122	20.1		
		John J. Hart (R)	Bellport	—	—	3,048	19.6		
		Salvatore C. Nicosia (R)	Holbrook	80	School guidance counselor	2,596	16.7		
		John M. Radway (R)	Amagansett	27	Businessman	2,019	13.0		
		William Carney (C)*				Unopposed			
		Dorothy A. Samek (L)*	Patchogue	—	—	Unopposed			
		2	Long Island—Western Suffolk County	Thomas J. Downey (D)*	West Islip	29	Incumbent	Unopposed	
				Harold J. Withers Jr. (R-C)*	North Babylon	36	Town Councilman	Unopposed	
3	Long Island—Eastern Nassau and Northwestern Suffolk Counties	Jerome A. Ambro (D)*	Northport	50	Incumbent	Unopposed			
		Gregory W. Carman (R-C)*	Farmingdale	41	Town council member	Unopposed			
		William Clark (L)*	East Northport	—	—	Unopposed			
4	Long Island—Eastern & Southern Nassau County	Everett A. Rosenblum (D)*	East Meadow	51	Attorney	Unopposed			
		Norman F. Lent (R-C)*	East Rockway	47	Incumbent	Unopposed			
		Aaron M. Schein (L)*	Hicksville	47	Professor	Unopposed			
5	Long Island—Central & Southwestern Nassau County	John W. Matthews (D-L)*	Long Beach	40	Insulation contractor	Unopposed			
		John W. Wydler (R-C)*	Garden City	54	Incumbent	Unopposed			
6	Northeast Queens & Northwestern Nassau Counties	Lester L. Wolff (D-L)*	Great Neck	59	Incumbent	Unopposed			
		Stuart L. Ain (R)*	Roslyn Heights	—	Attorney	Unopposed			
		Howard Horowitz (C)*	New Hyde Park	—	—	Unopposed			
7	Southern Queens—Ozone Park, Jamaica	Joseph P. Addabbo (D-R-L)*	Ozone Park	53	Incumbent	Unopposed			
		Mark Elliot Scott (C)*	Ozone Park	—	—	Unopposed			
8	Central & Northern Queens—Flushing	Benjamin S. Rosenthal (D-L)*	Elmhurst	55	Incumbent	Unopposed			
		Albert Lemishaw (R)*	Flushing	52	Accountant	Unopposed			
		Paul C. Ruebenacker (C)*	Rego Park	—	—	Unopposed			
9	Western Queens—Long Island City, Maspeth, Glendale	Patrick C. Deignan (D)	Jackson Heights	32	District party leader	2,468	18.5		
		Geraldine A. Ferraro (D)*	Forest Hills	43	Lawyer	7,030	52.7		
		Thomas J. Manton (D)	Woodside	45	City council member	3,833	28.8		
		Alfred A. Dellibovi (R-C)*	Richmond Hill	32	State assembly member	Unopposed			
		Theodore E. Garrison (L)*	Corona	—	—	Unopposed			
10	Eastern Bronx & Northern Queens—Astoria, Throgs Neck	Mario Biaggi (D-R-L)*	Bronx	60	Incumbent	Unopposed			
		Carmen Ricciardi (C)*	Bronx	—	—	Unopposed			
11	Southeast Brooklyn, Southern Queens	James H. Scheuer (D-L)*	Neponset	58	Incumbent	Unopposed			
		Kenneth Hulin (R-C)*	Belle Harbor	27	Newspaper publisher	Unopposed			

79040120467

District	Location	Candidates	Residence	Age	Occupation	Votes	Percent
12	Northeastern Brooklyn—Greenpoint	Shirley Chisholm (D-L)*	Brooklyn	53	Incumbent		Unopposed
		Charles Gibbs (R)*	Brooklyn	85	Businessman		Unopposed
13	Southern Brooklyn— Coney Island, Bensonhurst	Stephen J. Solarz (D-L)*	Brooklyn	38	Incumbent		Unopposed
		Max Carasso (R-C)*	Brooklyn	73	Elections board clerk		Unopposed
14	Northern Brooklyn— Williamsburg, Brooklyn Heights	Owen Augustin (D)	Brooklyn			1,419	6.8
		Bernard R. Gifford (D)	Brooklyn	35	School administrator	6,646	31.7
		Irving Gross (D)	Brooklyn			2,141	10.2
		Frederick W. Richmond (D)*	Brooklyn	54	Incumbent	10,738	51.3
		Arthur Bramwell (R)*	Brooklyn	56	Deputy county clerk		Unopposed
15	Southwestern Brooklyn—Bay Ridge	Frederick W. Richmond (L)*					Unopposed
		Ralph J. Carrano (E)*	Brooklyn	55	Editor		Unopposed
		Joseph F. Seminara (D)	Brooklyn	48	Attorney		Not Available
		Leo C. Zeferetti (D)*	Brooklyn	51	Incumbent		Not Available
		Robert P. Whelan (R)*	Brooklyn	56	Attorney		Not Available
16	Central & Southern Brooklyn—Flatbush	Who P. Battista (R)	Brooklyn	68	Architect		Not Available
		Ronald Seminara (L)*					Unopposed
		Leo C. Zeferetti (C)*					Unopposed
		Elizabeth Holtzman (D-L)*	Brooklyn	37	Incumbent		Unopposed
		Larry Penner (R)*	Brooklyn	26	State YAF chairman		Unopposed
17	Staten Island, Southern Manhattan	John H. Fox (C)*	Brooklyn				Unopposed
		Nicholas F. De Martino (D)	Staten Island		Teacher	3,124	13.4
		John M. Murphy (D)*	Staten Island	52	Incumbent	10,845	46.3
		Peter Murray (D)	Staten Island	34	Teacher	2,040	8.7
		Thomas H. Stokes (D)	Staten Island	33	Social activist	7,391	31.6
18	Manhattan—East Side, "Silk Stocking" district	John Michael Peters (R-C)*	Staten Island	38	Veterans adviser		Unopposed
		Thomas H. Stokes (L)*					Unopposed
		Carter Burden (D)*	Manhattan	37	Former councilman	15,303	44.8
		Howard S. Katz (D)	Manhattan		Economist	971	2.8
		Betty G. Lall (D)	Manhattan		Former legislative aide	2,336	6.8
19	Manhattan—Harlem	Allard Lowenstein (D)	Manhattan	49	Former U.S. representative	13,632	39.9
		Peter K. Wilson (D)	Manhattan		Attorney	1,884	5.5
		S. William Green (R)*	Manhattan	48	Incumbent		Unopposed
		Carter Burden (L)*					Unopposed
		Charles B. Rangel (D-R-L)*	Manhattan	48	Incumbent		Unopposed
20	Western Manhattan & Bronx—West Side, Riverdale	E. Freeman Yearling (C)*	Manhattan				Unopposed
		Theodore S. Weiss (D-L)*	Manhattan	50	Incumbent		Unopposed
21	South Bronx—Mott Heaven, Morrisania	Harry Terczyner (R)*	Manhattan	67	International lawyer		Unopposed
		Robert Garcia (D-R-L)*	Bronx	45	Incumbent		Unopposed
22	Bronx—University Heights, Co-op City	Lawrence W. Lindsley Sr. (C)*	Bronx				Unopposed
		Jonathan B. Bingham (D-L)*	Bronx	64	Incumbent		Unopposed
23	North central Bronx— Western Westchester County—Williamsbridge, Yonkers	Anthony J. Geisler Jr. (R-C)*	Bronx	28	Glass engraver		Unopposed
		Richard L. Brodsky (D)	Hartsdale		County legislator	4,917	41.9
		Peter A. Peysar (D)*	Irvington	57	Former U.S. representative	6,824	58.1
24	Central & Southeastern Westchester County	Angelo R. Martinelli (R-C)*	Yonkers	51	Mayor		Unopposed
		John P. Hagan (L)*	Bronx				Unopposed
		Richard L. Ottinger (D)*	Pleasantville	49	Incumbent		Unopposed
25	Hudson Valley— Poughkeepsie	Michael R. Edelman (R-C)*	Bronxville	30	Attorney		Unopposed
		Richard O. Reyes (L)*	New Rochelle	53	Industrial designer		Unopposed
25	Hudson Valley— Poughkeepsie	Gunars M. Ozols (D)*	Wappingers Falls				Unopposed
		Hamilton Fish Jr. (R)*	Millbrook	52	Incumbent		Unopposed

Politics - 4

District	Location	Candidate	Residence	Age	Occupation	Votes	Percent
26	Lower Hudson Valley— New City, Newburgh	Charles E. Halbrook (D)*	Congers	30	Teacher	5,422	43.7
		Frederick F. Johnson (D)	Suffern	—	—	3,905	31.5
		Walter J. Raskopf (D)	Warwick	—	—	3,067	24.7
		Benjamin A. Gilman (R)*	Middletown	55	Incumbent	Unopposed	
		William R. Schaeffer Jr. (C)*	Monroe	—	—	Unopposed	
		Charles E. Halbrook (L)*				Unopposed	
27	Southern tier— Binghamton	Matthew F. McHugh (D)*	Ithaca	39	Incumbent	Unopposed	
		Neil Tyler Wallace (R-C)*	Ithaca	28	Businessman	Unopposed	
28	Hudson-Mohawk valleys—Albany, Schenectady, Amsterdam	Richard A. Hind (D)	Schenectady	26	Counselor	6,139	19.0
		Samuel S. Stratton (D)*	Amsterdam	61	Incumbent	26,104	81.0
		Paul H. Tocker (R-C)*	Schenectady	39	Attorney	Unopposed	
		Richard A. Hind (L)*				Unopposed	
29	Upper Hudson Valley—Saratoga Springs, Troy	Ned Pattison (D-L)*	West Sand Lake	46	Incumbent	Unopposed	
		Gerald B. Solomon (R-C)*	Glens Falls	48	State assemblyman	Unopposed	
30	North—Plattsburgh, Watertown	Norma A. Bartle (D-L)*	Oswego	50	County legislator	Unopposed	
		Robert C. McEwen (R-C)*	Ogdensburg	58	Incumbent	Unopposed	
31	Mohawk Valley— Utica	Donald J. Mitchell (R-C)*	Herkimer	55	Incumbent	Unopposed	
32	Central—Syracuse	James M. Hanley (D)*	Syracuse	58	Incumbent	Unopposed	
		Peter J. Del Giorno (R-C)*	Syracuse	30	Auto dealer	Unopposed	
		Lillian E. Reiner (L)*	Syracuse	77	Foster grandmother	Unopposed	
33	Central—Syracuse, Canandaigua	Roy A. Bernardi (D)*	Syracuse	35	City auditor	6,527	68.5
		Clarence J. Keadys (D)	Syracuse	67	Retired hardware store owner	3,000	31.5
		Gary A. Lee (R)*	Ithaca	45	State assemblyman	19,895	88.9
		Robert J. Byrne (R)	Syracuse	40	Business consultant	2,487	11.1
		Robert J. Byrne (C)*				Unopposed	
		Lynne Budzinski (L)*	Ithaca	—	—	Unopposed	
34	West—Rochester	Frank Horton (R-D)*	Rochester	38	Incumbent	Unopposed	
		Lee J. Kesselring (C)*	Fairport	—	—	Unopposed	
35	West—Rochester, Batavia	Francis C. Repicci (D)*	Batavia	33	Elections commissioner	Unopposed	
		Barber B. Conable Jr. (R)*	Alexander	55	Incumbent	Unopposed	
		Karen A. Hammel (C)*	Attica	—	—	Unopposed	
36	West—Niagara Falls	John J. LaFolter (D-L)*	Kenmore	38	Incumbent	Unopposed	
		Francina J. Cartonia (R)*	Buffalo	45	Freelance writer	Unopposed	
		Francis P. Mundy (C)*	Kenmore	70	Retired telephone engineer	Unopposed	
37	West—Buffalo	Henry J. Nowak (D-L)*	Buffalo	43	Incumbent	Unopposed	
		Charles Path III (R)*	Buffalo	53	Advertising executive	Unopposed	
		Dunstan L. Mattenschwiler (C)*	Buffalo	—	—	Unopposed	
38	West—Buffalo suburbs	Jack F. Kemp (R-C)*	Hamburg	43	Incumbent	Unopposed	
		James A. Peck (L)*	West Seneca	—	—	Unopposed	
39	Southern tier— Chautauque, Elmira	Stanley N. Lundine (D)*	Jamestown	39	Incumbent	Unopposed	
		Gilbert W. Snyder (R)	Dunkirk	52	Mayor	5,876	38.8
		Crispin M. Maguire (R)*	Olean	—	Priest/university vice president	9,281	61.2
		Crispin M. Maguire (C)*				Unopposed	

\*Nominee

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
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