

In re Steven Fulop,
Candidate for the Office of
Representative for the 13th Congressional
District of New Jersey

RESPONDENT

BEFORE THE FEDERAL
ELECTION COMMISSION

COMPLAINT

MUR No.: 5462

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

JUN - 7
1:33

I, Nicholas Chiaravalloti, being of full age, residing at 65 West 34th Street, Bayonne, New Jersey 07002, files this complaint with the Federal Election Commission in accordance with the provisions of 2 U.S.C. §437(g)(1) in the belief that respondent violated provisions of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431, et seq., as follows:

1. Pursuant to federal law and Federal Election Commission ("FEC") regulations, within fifteen days of a candidate's receiving or expending \$5,000 in connection with his or her campaign for federal office, that candidate must designate a principal campaign committee by filing a statement of candidacy or letter with the same information with the FEC.
2. Upon information and belief, Steven Fulop ("Fulop"), Candidate for the Office of Representative for the 13th Congressional District of New Jersey, has violated this requirement.
3. Specifically, Folop conducted a press conference to announce his candidacy, which was reported in the Jersey Journal newspaper. See Exhibit A.

- 25-19-026-0004
4. Additionally, Fulop organized and/or sponsored a protest against the incumbent Congressman, which was held in Jersey City, NJ. I have personal knowledge that this occurred, as I was present for the protest.
 5. There are signs in support of Fulop's candidacy throughout the 13th Congressional District. I have personally seen these signs. See Exhibit B.
 6. Fulop maintains a website in support of his candidacy. The web address is www.stevenfulop.com. The website is purportedly paid for by "Steven Fulop for Congress, Inc." See Exhibit C.
 7. Fulop, through his organization, distributed T-Shirts in support of his candidacy, at a Martin Luther King event in Jersey City. I have personal knowledge of this fact as I was present at this event and observed the distribution of the T-shirts.
 8. Upon information and belief, the cost of the foregoing items and activities in support of Fulop's candidacy cost more than \$5,000.
 9. Fulop has admitted to raising nearly \$50,000 in support of his candidacy for Congress, as reported in the Newark Star-Ledger. See Exhibit D.
 10. Fulop ignored the clear mandates of the federal election laws and FEC regulations by failing to file the necessary statement of candidacy or letter with the same information with the FEC within 15 days of such expenditures. In fact, even to date, according to FEC records, Fulop has failed to file any paperwork with the FEC, much less the required statement of candidacy or letter with the same information.

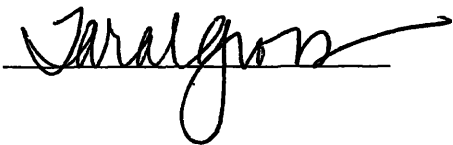
11. Fulop has received in-kind contributions from a non-federally registered political action committee, the "Reform Democratic Organization of Jersey City." ("RDOJC") Specifically, posters have been printed in support of Fulop's candidacy for Congress and paid for by the RDOJC. See Exhibit E.

12. Fulop's actions constitute a violation of numerous campaign finance laws and regulations and demand a swift response and strong remedy by the FEC.



Nicholas Chiaravalloti

Signed and sworn to before me
this 4 day of June 2004.



My Commission Expires
03 / 02 / 2008
State of New Jersey

25.19.026.0005



Everything Jersey

Exhibit A

Paulus Hook prez to run for Congress against Menendez

Tuesday, April 13, 2004

By Jason Fink
Journal staff writer

U.S. Rep. Robert Menendez, D-Hoboken, will face a challenge in the June Democratic primary from a 27-year-old Goldman Sachs employee who joined the Marine Reserves after the Sept. 11, 2001 terrorist attacks and served in Kuwait last year.

The challenger, Steven Fulop, a Jersey City resident who is now president of the Historic Paulus Hook Association, will seek the nomination with the backing of Jersey City Mayor Glenn D. Cunningham, said several people familiar with the campaign.

Cunningham's Hudson County Reform Democratic Committee will field a full slate of candidates in the June 8 primary election against the Hudson County Democratic Organization, which is headed by Menendez, who is seeking his seventh term as the representative from the 13th District.

Fulop, who is listed on the ballot as part of the Hudson County Reform Democrats ticket, could not be reached for comment last night. A spokesman for Cunningham, Stan H. Eason, declined to comment.

Menendez, who filed to run last week in Trenton, touted his record over the past 14 years in a written statement released by his office.

"I am pleased to file my petitions with signatures representing the breadth and depth of support I have in every part of the district from a wide range of my constituents," the statement read. "I look forward to continuing the conversations I have had with the people and families that I represent about how I can continue to be their advocate in Congress."

As of yesterday's 4 p.m. filing deadline, both the HCDO - which ran a full slate of incumbents - and the HCRDC had filed nominating petitions for candidates in each of the three local offices on the ballot.

Sheriff Joseph Cassidy will seek another three-year term, running against Richard Rivera, a former West New York police officer best known for his cooperation with the FBI in helping to ensnare more than two dozen of his colleagues in the state's largest police corruption scandal.

Rivera will run on the HCRDC ticket while Vincent Lombardi, a police detective in Hoboken and president of the officers union, will run as an independent.

Hudson County Freeholder Tilo Rivas, who was selected by the HCDO to fill the seat vacated by Union City Mayor Brian Stack when he stepped down from the board last year, will seek to run for the remaining year on the term. He will be challenged by José Falto of Union City, who is running on the HCRDC slate.

John Caulfield of Jersey City will also run on the HCRDC line for county surrogate against the incumbent, Donald DeLeo, who is backed by the HCDO.

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Though Cunningham, who is also a state Senator, is not on the ballot, the HCRDC candidates will have his political muscle behind them, just as the incumbents will have Menendez's.

The jockeying for a spot on the Cunningham slate apparently left one potential candidate out in the cold: Jersey City Veterans Affairs Director Jamie Vazquez, who said he was unceremoniously dropped as the HCRDC congressional candidate after believing for months that he would be a candidate.

"The mayor had urged me to go ahead and collect signatures, but then I guess he had a change of heart," Vazquez said yesterday.

Vazquez, a former Jersey City councilman, blamed Cunningham political adviser Bobby Jackson for the switch, saying the HCRDC went with Fulop because he is willing to finance his own campaign.

Jackson denied that, saying his only involvement in the primary is to help recruit candidates for county committee seats.

"I have no role in selecting candidates for Congress," Jackson said yesterday.

On the Republican side, Richard Piatkowski of Jersey City is running for the congressional nomination; Alexander Garcia is running for sheriff and Kenneth Marano for surrogate. None of the Republican candidates have primary opponents.

The presumptive Democratic nominee for president, U.S. Sen. John Kerry of Massachusetts, will appear at the top of the HCDO line.

Jason Fink covers Jersey City. He can be reached at jfink@jjournal.com.

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2000 920 61 52

Sales Associates Wanted!

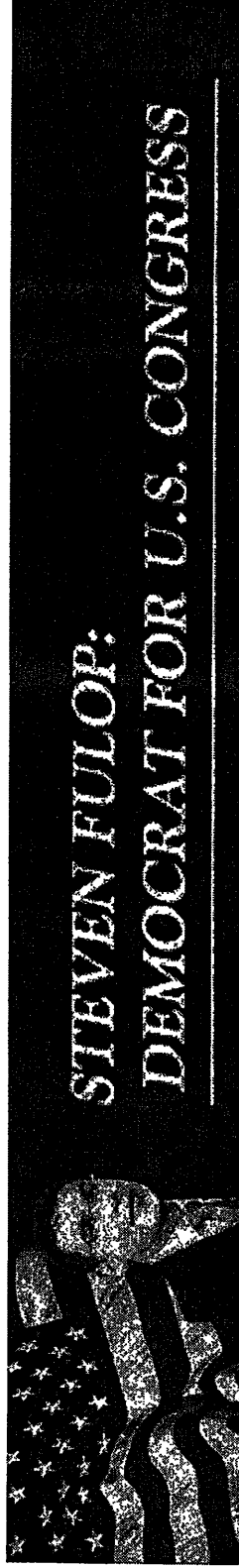
GET NJ seeks sales associates to market ads on a commission basis. For more information, e-mail your resume and contact information to sales@getnj.com – Be sure to mention the area of New Jersey and/or the market segment that you plan to serve.

Steven Fulop Endorsed by Jersey City Mayor Glenn Cunningham

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Hudson County Politics Message Board**

Jersey City Guide

Posted by [Fulop For Congress](#) on April 22, 2004 at 17:04:10:



For Immediate Release

Press Contact:
Steven Newmark
snewmark@stevenfulop.com

Steven Fulop Endorsed by Jersey City Mayor Glenn Cunningham
Fulop poised to lead the slate of the Reform Democrats

(April 22, 2004) (Jersey City, NJ) Democratic Congressional Candidate Steven Fulop was endorsed by Jersey City Mayor Glenn Cunningham at a Press Conference today at City Hall.

Fulop was pleased with the endorsement announcing, "We stand here today united on the Reform ticket and call upon the residents of the 13th District to make a vote against the corruption that has marred politics in the region over the last several years "

**Your ad
will look
great
here!**

**Advertise and B
Your Site's
Search Engin
Ranking**

**Send
Them
A
Message**

**E-mail Your St
Representativ**

Fulop is pleased to have the backing of Mayor Cunningham and looks forward to the upcoming campaign season.

- Fulop For Congress

The New Jersey Mafia

"Our Computer Don't Make Mistakes"

George Washin to Run for Offi

: Steven Newmark

: snemark@stevenfulop.com

Fulop poised to lead the slate of the Reform

Optional Link URL:

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Everything Jersey

Protest

Candidate says backers harassed by Menendez

Congressman: Volunteers just went to homes to check names

Tuesday, April 20, 2004

By Jason Fink
Journal staff writer

Accusations of fraud, intimidation and political bossism erupted yesterday in the first sure sign that campaign season in Hudson County has begun.

Two congressional candidates backed by Jersey City Mayor Glenn D. Cunningham in the upcoming Democratic primary denounced U.S. Rep. Robert Menendez of Hoboken, accusing his campaign of sending out workers to harass their supporters at home.

"Maybe the memo didn't come across Bob Menendez's desk, but we don't live in a dictatorship," said congressional candidate Steven Fulop, a Goldman Sachs employee and Iraq war veteran, during a press conference yesterday morning in front of Menendez's Jersey City office.

Fulop, 27, is running on the Cunningham-backed Hudson County Reform Democratic Committee ticket in the June 8 primary against Menendez, who is on the Hudson County Democratic Organization line.

Fulop's campaign produced police reports filed by residents of the Montgomery Gardens housing complex complaining that men wearing clothing with law enforcement insignia questioned them about their names and signatures on the nominating petitions Fulop filed to run for Congress.

"I was very upset," said Christine Powell, who signed Fulop's petition and said she was visited at her home at about 8 p.m. Wednesday by men wearing T-shirts that said Jersey City Police Department and Hudson County Sheriff's Department. "If you're going to question my signatures they should go to the Board of Elections. Don't come to my door at 8 o'clock at night."

Another resident, Carmen Caldelario, and the district committeewoman, Mary Clark, also filed police reports describing similar scenes, saying the men behaved in an intimidating way and refused to say who they were.

"It's a nasty game and we have been treated very bad," said Clark.

Reached yesterday by telephone, Menendez countered that he believes some of Fulop's signatures are fraudulent, though he did not challenge them with elections officials in Trenton.

"It's the silly season and this is politics," Menendez said.

Referring to the HCRDC, which is fielding a full slate of challengers in the primary, Menendez pointed to what he called a "history of fraudulent petitions" and cited the disqualification of his challenger in 2002 - also a Cunningham-backed candidate - for not having enough valid signatures.

His campaign produced two affidavits from people who said signatures purported to be theirs on Fulop's petition were not signed by them.

Menendez campaign officials denied "dressing people up as police officers, but did acknowledge that volunteers visited the homes of some of Fulop's petition signers to question them.

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Asked why he didn't file a challenge with the Board of Elections - as Rep. Steve Rothman of Fair Lawn did against his Cunningham-backed opponent - Menendez said he was more inclined to have his campaign investigate the signatures and report any evidence of misdeeds to the Hudson County Prosecutor's Office.

But both Fulop and the Rev. Edward Allen, who is running against Rep. Donald Payne of Newark, accused their opponents of trying to eliminate competition.

"Once again, Mr. Menendez and Mr. Payne have decided that the best candidates to oppose them are no candidates at all," said Allen, who ran unsuccessfully against Payne last two years ago.

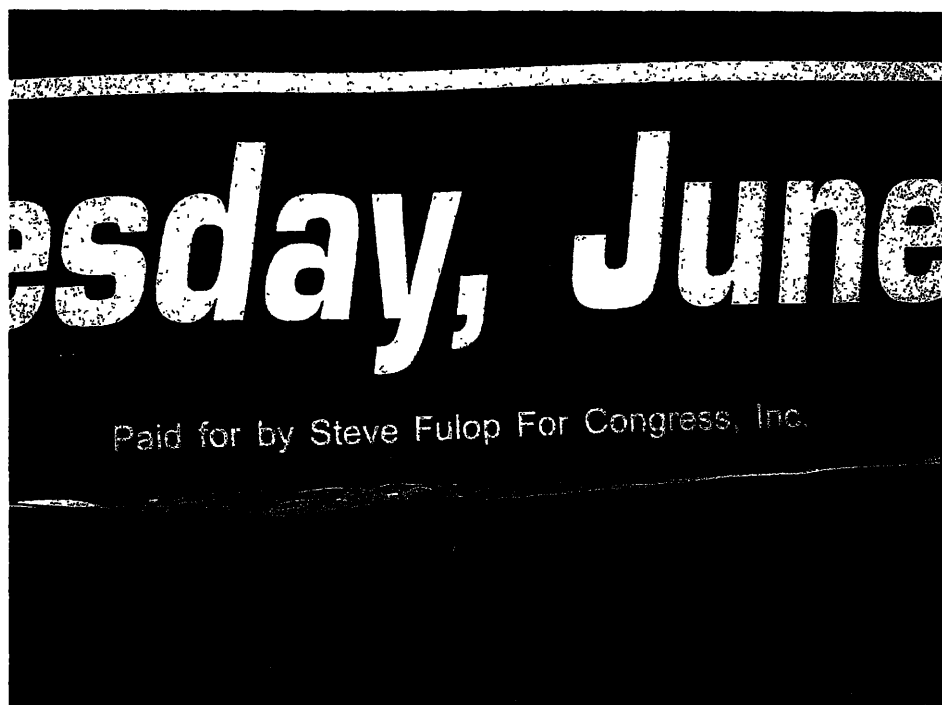
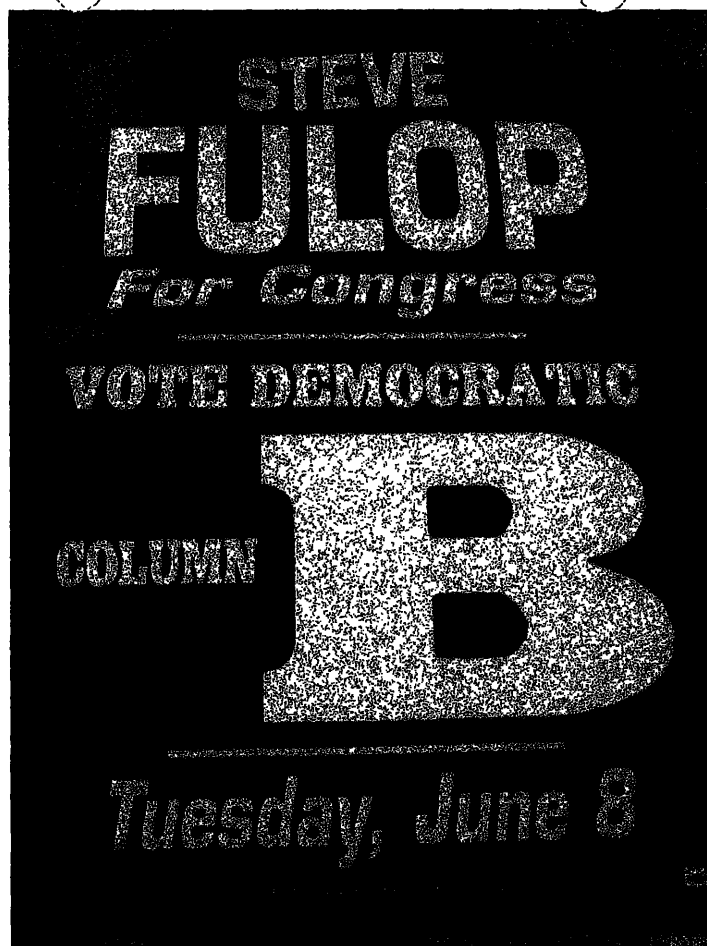
An attorney for Rothman's campaign, Dennis Oury, sent a letter last week to the state Division of Elections claiming 95 signatures on the petitions filed by his challenger, Jersey City Police Officer Sean Connors, are invalid. If a judge agrees and throws out those names, Connors would fall below the 200 valid signatures needed and would be disqualified.

Jason Fink can be reached at jfink@journal.com.

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Exhibit
B



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Exhibit
B

VOTE DEMOCRATIC

Column

FULOP
RIVERA
CAULFIELD

Tuesday, June 8

Paid for by Steve Fulop For Congress, Inc.

Tuesday, June 8

Paid for by Steve Fulop For Congress, Inc.

25-19-026-0013

Exhibit
B



25-19-026-0014

Exhibit
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25-19-026-0015

Vote
CUNNINGHAM
TEAM

Elect The Column

B

DEMOCRATIC TEAM
and Vote for Reform - Democratic
Committee Candidates

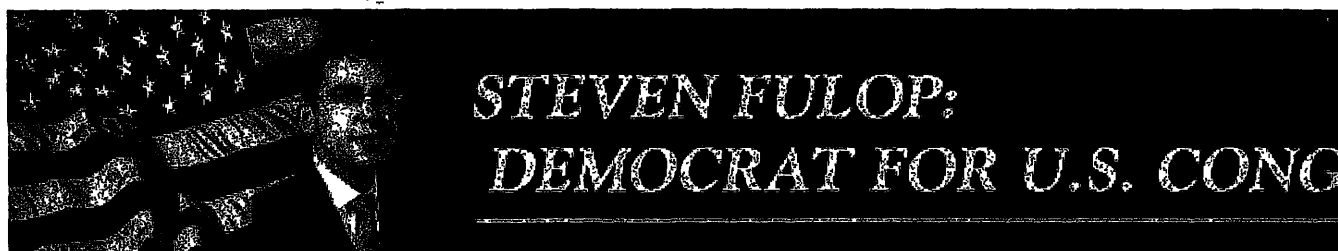
Tuesday, June 3

Vote for Reform - Democratic
Committee Candidates

Tuesday, June

Paid for by Reform Democratic Committee

Exhibit C



Get Informed:

Welcome

About Steven Fulop
and his service in Iraq

Issues

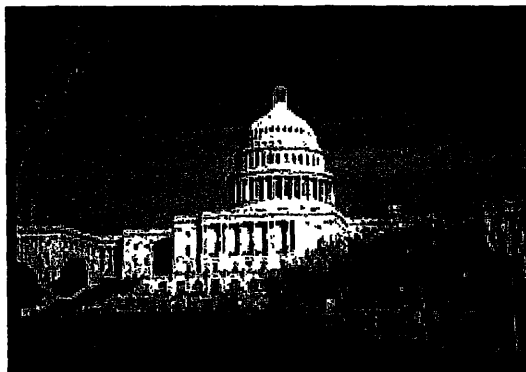
In the News

The District

Contribute

Register to Vote

**Welcome To the
2004 Online
Headquarters of
Steven Fulop's
Campaign For U.S.
Congress!**



A positive and brighter future is in store for New Jersey. It is time to move past the negative partisan politics in our congressional district. We have had elected officials who have served for countless years being more concerned about growing their own power than making sure every day is better than the previous day for the people who elected them. I believe that together we can send a message that it isn't "politics as usual" in the 13th congressional district anymore.

**Vote Steven Fulop for the Democratic nomination for U.S.
Congress on June 8th!**

Receive ne
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Submit

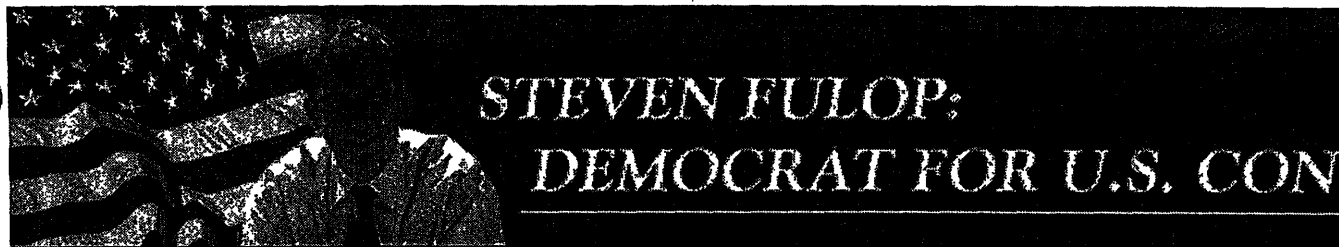
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Support Jo
Freeholder

Support Jo
President.

Paid for by Steven Fulop for Congress. 1 Greene Street, Suite 208, Jersey City, NJ 07302 - Steven Newmark, Treasurer

Exhibit C



Get Informed:

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**Vote Steven Fulop for the Democratic nomination for U.S.
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Receive ne
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**Let's Mak
Change T**

Support Jo
President.

Paid for by Steven Fulop for Congress, Inc. 1 Greene Street, Suite 208, Jersey City, NJ 07302 - Dave Iankelovich, Treasurer

Exhibit D



Everything Jersey

Members of military branch into Congress

Sunday, May 23, 2004

BY WAYNE WOOLLEY
Star-Ledger Staff

After 20 years in the Marine Corps, first on active duty and then as a reservist, Steve Brozak of Westfield decided to run for Congress this year. Marine Corps reservist Steven Fulop of Jersey City made the same decision after returning from duty in Iraq.

Brozak, 42, retired from the military this month, while Fulop, 27, remains a reservist, a lance corporal with a bulk fuel unit in Delaware. Both men are Democrats.

Although active-duty members of the military are barred from running from public office, as are the majority of federal employees, reservists may seek elective office.

And while most candidates for Congress wait until they retire from the military, as Brozak did, there are four reservists, all Republicans, among the 535 members of Congress.

"There's a tension of loyalties, of being apolitical as the military demands, against the very partisan nature of running for office," said Peter Feaver, a Duke University political science professor who has written several books about civil-military relations.

That tension was highlighted recently when Lt. Paul Rieckhoff, an Army National Guard officer from New York, gave the weekly Democratic response to President Bush's Saturday radio address.

Critics contend it was an unsavory mixing of politics and the military. Others countered that because reservists and National Guard troops comprise 40 percent of the Iraqi occupation force, it is imperative lawmakers know the issues these service members face.

In New Jersey, Brozak and Fulop both say the military gave them leadership skills and a better sense of how to defend America than their opponents, who did not serve in the military.

But Brozak, who will challenge Rep. Mike Ferguson (R-7th Dist.) in the November election, is outspoken in his belief that the war in Iraq is being mismanaged by civilians and that Pentagon planners are grinding the reserves into the ground through overuse.

Fulop, who will oppose Rep. Robert Menendez (D-13th Dist.) in next month's primary, has fewer criticisms about the war.

The difference?

"I retired at the first opportunity to make sure there's no issues," Brozak said. "I can do more to help the Marine Corps, my district and this country as a member of Congress than I can as a lieutenant colonel."

Fulop said continuing part-time military duty gives him insight that is desperately needed as the

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reserves are overtaxed by endless deployments. But he concedes that he must weigh his criticism of current military operations carefully because he remains a part of the chain of command.

Mixing reserve duty with partisan politics is a balance four Capitol Hill lawmakers must strike every day. In their day jobs, Sen. Lindsey Graham (R-S.C.), Rep. Mark Steven Kirk (R-Ill.), Rep. Steve Buyer (R-Ind.) and Rep. John Shimkus (R-Ill.) oversee the military and ask hard questions of the same generals they salute when they show up for weekend drill. Graham is an Air Force reservist, Kirk is a Navy reservist, and Buyer and Shimkus are in the Army Reserves.

The lawmakers' dual roles sometimes draw criticism from political opponents.

Last month, President Bush personally handled the promotions of Buyer and Graham. Buyer's Republican primary opponent, Dennis Hardy, called it a "political ploy" and noted that the other 334 Army reservists who made the jump from lieutenant colonel to colonel didn't get the same treatment.

Buyer said the criticism was out of line. He said the ceremony was intended to send the message that the president "values service in the reserve components." Buyer won the primary by a landslide.

John Goheen, a spokesman for the National Guard Association, a nonpartisan organization that pushes for increased funding for equipment and training for the National Guard, said anyone with a military background, whether they are currently in the reserves or retired from the armed services, brings a needed voice to Capitol Hill.

"There was a time when to be a member of Congress, you had to have military service," Goheen said. "After World War II, you had to have that on your résumé. In the years since, it's dwindled."

Fulop, the Jersey City man challenging Menendez in the primary, said military service is by no means a prerequisite for a seat in Congress. And he adds that most voters are more interested in domestic issues than the war in Iraq.

"But if you're making decisions that affect the military and affect the families of people who are in the military, it's difficult to make that decision if you don't know what it feels like to tell your family you're going to be away for a long time," said Fulop, an investment banker with Goldman Sachs & Co.

Fulop said he's unlikely to unseat Menendez in his first bid for public office.

Menendez has won re-election previously by large margins and has more than \$2 million to spend on his campaign. Fulop has raised less than \$50,000.

Nicholas Chiaravalloti, Menendez's campaign manager, predicts Fulop's military experience will have little resonance with voters.

"The reality is that the district has a lot of domestic issues," he said. "And our position is that the \$87 billion spent in Iraq could be better spent in the district."

Brozak, who will challenge Ferguson in November, did not oppose President Bush's decision to invade Iraq.

And he touts his background as a co-founder of a firm that invests in biotechnology and health care research as highly as he does his military pedigree.

But Brozak believes the war is going badly and thinks voters in the Central Jersey district will support a candidate who is willing to say it.

"The American public is starved for leadership," he said. "Instead, what you get from Washington, you couldn't get a better spin cycle if you went into Sears and looked for a dryer."

Ferguson's chief of staff, Chris Jones, said Brozak is picking the wrong fight if he wants to challenge the congressman's commitment to the military.

"When it comes to our troops, Congressman Ferguson has demonstrated a solid record of accomplishment," said Jones, adding that Ferguson has consistently voted to increase military spending.

The military's reliance on reservists and the conduct of the war in Iraq will weigh heavily in the presidential election.

Rieckhoff, the National Guard officer, fired the Democrat's first salvo by delivering the party's weekly radio address on May 1

In his speech, the infantry platoon leader, who served 10 months in Iraq, said Bush fails the troops by failing to own up to shortcomings in the occupation plans.

A day after Rieckhoff's address, Sen. John McCain (R-Ariz.) said the 29-year-old former investment banker was entitled to his opinion, but should have kept it to himself.

"There is a clear line between civilian and military in America as far as politics is concerned," McCain said. "I respect and cherish the opinion of all young men and women, but I don't think it has a place in this presidential campaign."

Rieckhoff, a registered independent, said that he used the platform to get out a message that National Guard troops in Iraq suffer from lack of equipment such as body armor and have been demoralized by missions they did not train for and by constant extensions of their tours.

"I'm not some guy who is being taken advantage of by the Kerry campaign," Rieckhoff said. "I'm not a doe-eyed idiot. I'm trying to get my message out there, that policy decisions made in Washington affect soldiers."

Goheen, the Guard Association spokesman, said Rieckhoff addressed many concerns raised by his organization.

"A lot of military people take exception having a first lieutenant provide a rebuttal to the commander in chief," Goheen said. "But by donning the uniform, (Rieckhoff) didn't give up his right to free speech. In fact, he may consider that donning the uniform was the way he protects his free speech."

Wayne Woolley covers the military. He may be reached at wwoolley@starledger.com or (973) 392-1559.

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Exhibit D



Menendez rival has an uphill struggle

13th Dist. primary is a lopsided race

Friday, June 04, 2004

BY JOSH MARGOLIN
Star-Ledger Staff

The 13th Congressional District primary is a contest conceived in the bitter feud between Rep. Robert Menendez and Jersey City's late mayor, Glenn Cunningham.

Now after Cunningham's sudden death from a heart attack May 25, the man who was handpicked by Cunningham to challenge Menendez said he will continue his campaign to unseat the incumbent

"I lost a very close friend and a mentor," said Steven Fulop, a Jersey City neighborhood leader selected by Cunningham earlier in the spring to run in the June 8 primary. "But we are staying in the race. That's what the mayor would want. We are going to give the people of the 13th District a choice."

Fulop, 27, said he realizes that it's "an uphill battle "

A trader with Wall Street giant Goldman Sachs, Fulop has raised about \$50,000 for his campaign but has yet to report his contributions to the Federal Election Commission. He said he is in the process of doing that and is planning to air cable TV ads and mail brochures to voters in the final days of the campaign.

By contrast, Menendez has one of the largest war chests of any member of Congress, with more than \$2.1 million raised as of March 31, the end of the last reporting period. Menendez has a 60-second commercial airing in the region and is mailing campaign circulars in English and Spanish throughout the district.

Unseating the popular incumbent would be an enormous upset. Menendez is the Democratic caucus chairman, making him the third-ranking Democrat in the House and the top-ranked Hispanic in Congress.

"There's no indication that Menendez is going to lose," said Stuart Rothenberg, editor of the nonpartisan Rothenberg Report, which tracks congressional campaigns around the country. "An upset would be a shocker."

Typically, Rothenberg said, "as long as the incumbent spends the time, gets his people out, something like this (challenge) is enough to be a nuisance, a problem But it shouldn't be enough to take him out."

Menendez, 50, said he is not taking anything for granted.

"Maybe this is a more robust primary," he said, but added: "I always look at an election as an opportunity to continue the conversation we've had throughout the years."

Menendez and Cunningham had been at odds since splitting after the mayor's victory in 2001. Their rivalry was a strong undercurrent in state politics. It played out most recently in the selection of a Cunningham-backed slate of congressional candidates to take on all three congressmen who represent parts of Jersey City -- Menendez and Reps. Steven Rothman (D-9th Dist.) and Donald Payne (D-10th Dist.).

Fulop is the only challenger remaining on the ballot after the other two candidates were knocked off through legal challenges.

Menendez is waging a traditional incumbent's campaign, focusing on his seven terms in Congress and his personal history as the child of Cuban immigrants. His television ad and mailers refer to the congressman as "our champion" and highlight his support for job-creation programs, educational opportunities, health care coverage for the uninsured and transportation funding.

Fulop "has been totally negative," Menendez said of his opponent

"He's running to be the Ward E councilman," the congressman said, noting that Fulop has campaigned little outside of Hudson County

The district spans portions of three other counties -- Essex, Middlesex and Union -- running from northern Hudson, along New York Harbor and Newark Bay, and south to Perth Amboy. The district was created in 1992 as a Hispanic-leaning district and changed little following the 2000 census. Menendez is the only person to have held that position

Fulop, for his part, said he is trying to maintain a positive campaign. But he's quick to attack the incumbent as "more of a divider rather than a unifier." He also complained that Menendez's new national persona has made him a less visible, less reliable representative of his district

"The perception here is he's an absentee landlord," Fulop said. "If anything, the campaign has convinced him to refocus on the district."

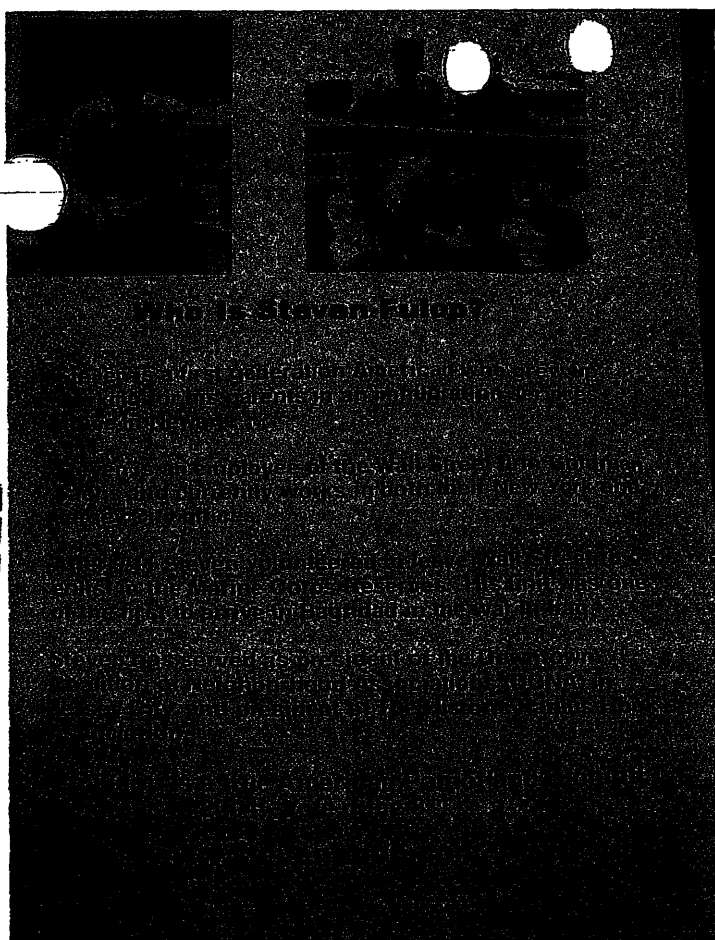
Menendez dismissed that accusation, saying that his prominence in national politics can only help his district when he works to bring programs and funding back home.

In addition to his complaints about Menendez, Fulop said he is focusing on three key issues: altering the federal tax cuts enacted by President Bush to return more money to lower- and middle-class families; improving security for the nation's biggest port system, which falls within the district boundaries; and getting more federal funding for education in New Jersey.

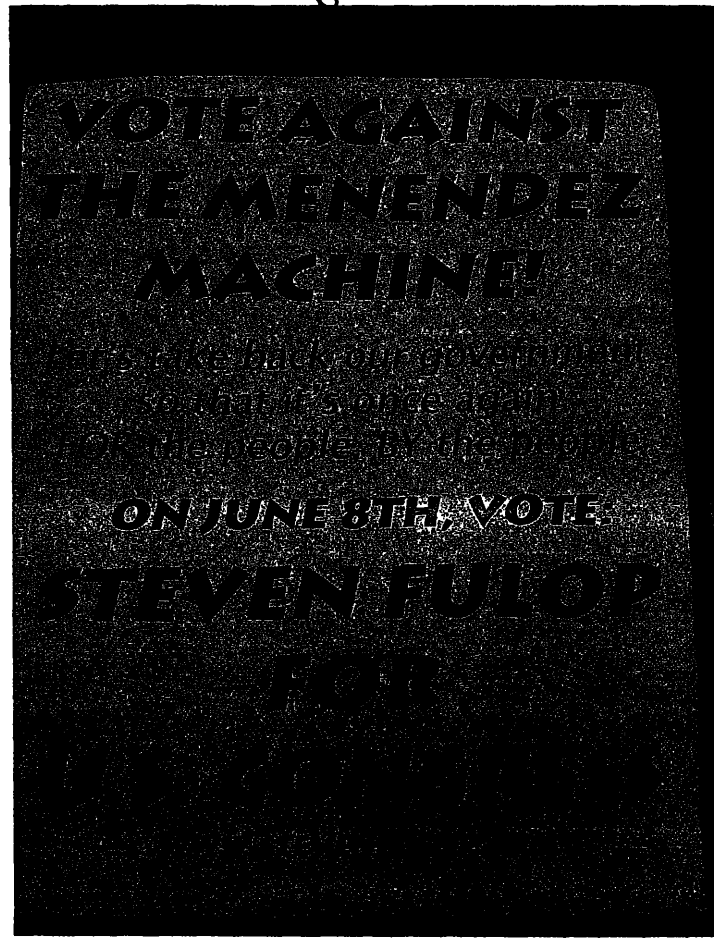
The winner of the June 8 primary will face Republican Richard Piatkowski in the Nov. 2 general election.

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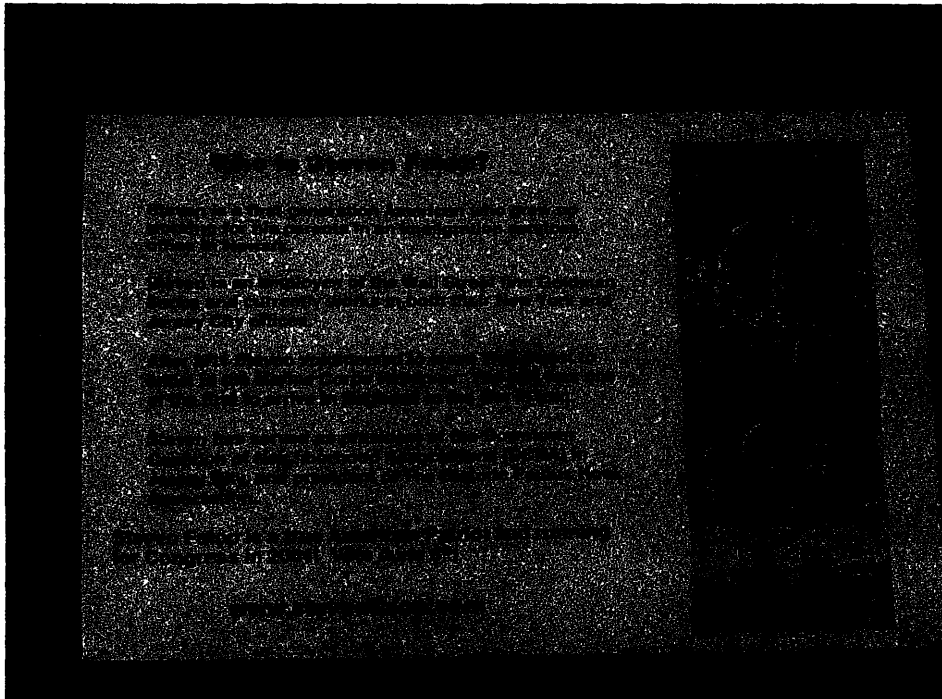
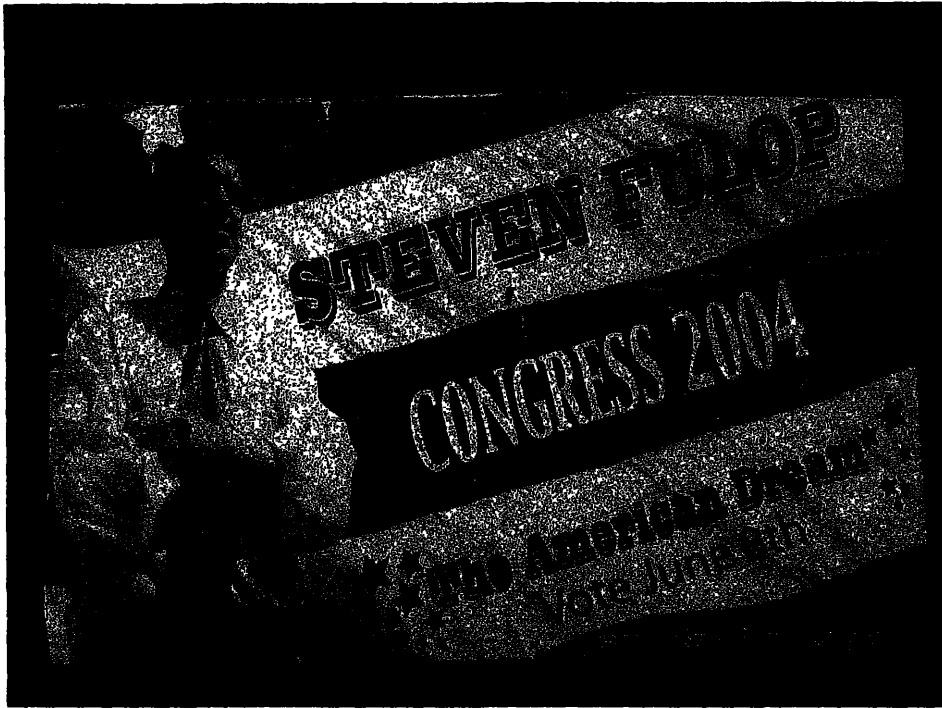


Flyers



T-Shirts

Postcard



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