



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

THIS IS THE BEGINNING OF MUR # 4599

DATE FILMED 3/11/98 CAMERA NO. 2

CAMERAMAN EES

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RECEIVED
FEDERAL
COMM.
OFFICE

DR. NEIL ROTHMAN
Post Office Box 30
Sidney, NY 13838

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October 25, 1996

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Counsel:

I am writing to file a complaint against Bruce W. Hapanowicz, of 233 Sunset Avenue, Utica, New York, 13502 for failure to timely report campaign activity that exceeds \$5,000 in either contributions or expenditures.

Mr. Hapanowicz is reported to have spent \$50,000 in his campaign for election to the U.S. House of Representatives for the 23rd District of New York. I'm enclosing a copy of the article in the October 25, 1996 edition of The Utica-Observer Dispatch where Mr. Hapanowicz makes his claim.

It is my belief that Mr. Hapanowicz has indeed spent at least this amount of money due to the volume and intensity of newspaper ads, road signs, radio and television ads in the months of July, August, September, October, and November, and his weekly radio show which ran on WXUR, 92.7 FM, Herkimer, between July 28 and October 20. I am enclosing some material for your review.

As of the latest filing with the Federal Election Commission, due October 16, 1996, Mr. Hapanowicz has yet to report any contributions and expenditures. Unless Mr. Hapanowicz eclipsed the \$5,000 threshold after October 16 reaching \$50,000 by the 25th, he has violated common reporting requirements.

Going into the last 12 days of the election, the public has yet to learn the source of Mr. Hapanowicz's financing in his bid for Congress. This is potentially in violation of the laws and requirements upon individuals seeking this office. I urge your investigation and report.

Sincerely,

Neil Rothman

Dr. Neil Rothman

Enclosures

Boehlert shares campaign wealth

Congressman gives money to other GOP candidates

By MEG SCHNEIDER
and CARL WEISER
Observer-Dispatch

WASHINGTON — U.S. Rep. Sherwood Boehlert, R-New Hartford, has amassed so much money for his re-election campaign he's giving it away.

Boehlert's most recent reports show that in September he gave \$16,000 to other Republican congressional candidates. Even with his generosity, Boehlert still had

ELECTION '96

\$276,634 in the bank, with more coming in.

The donations are part of Boehlert's effort to put more moderate Republicans like himself in Congress, he said.

Such generosity from one candidate to another is not uncommon. On state and federal levels, campaign organizations often take donors' money and send it on to help other candidates.

The donors have no control

over whether their money goes to a another candidate, but that's perfectly legal.

"Once a contribution is made to a campaign under the rules and those limits, and the money stays in the political realm, they can move it around," said Lee Daghljan, a spokesman for the state Board of Elections. "You don't have any say in that."

Boehlert said he makes a distinction between money he receives from individuals and that he gets from special interests.

Please see BOEHLERT, 2A

■ A look at the race in the 23rd Congressional District. 3A

Boehlert gives away campaign cash

Continued from BOEHLERT, 1A

The money he receives from individuals in his district goes only toward his own campaign expenses. But when groups like the Sierra Club contribute, that money might be spread around to other campaigns Boehlert supports.

"The way to maintain our majority status is make certain our fellow moderates are re-elected," Boehlert said of the House GOP, which is fighting to retain the majority it gained two years ago.

"When people give money to my campaign, one, they want me to stay in office, but two, they also want me to increase my stature," Boehlert said. "It makes sense from a political standpoint. You want your candidate to get elected and to be as strong and influential as possible."

Boehlert also helps other candidates in his role as co-chairman of three special campaign committees.

■ The Incumbent Support Program for the Republican National Committee, which is aimed at re-electing Republicans.

■ The Tuesday Lunch Bunch Campaign Committee, which wants to re-elect the current 40-member crop of House GOP moderates and help other moderate Republican candidates.

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Boehlert's war chest

Rep. Sherwood Boehlert, R-New Hartford, has raised \$305,827 this year. Unlike many Republicans, he is supported by gay groups, environmental groups and labor unions. Among his big contributors in September:

National MultiHousing Council: Apartment complex lobby, \$5,000

The American Federation of Teachers: \$3,000

American Medical Association: \$3,000

Human Rights Campaign Fund, a gay-rights group: \$3,000

23RD CONGRESSIONAL DISTRICT RACE

Boehlert has three opponents, but none have filed campaign reports with the Federal Election Commission.

■ Democrat challenger Bruce Hapanowicz said he has spent about \$50,000 on his campaign.

■ Thomas E. Loughlin (Independent) and William Tapley (Right-to-Life) — haven't spent \$5,000 yet, the cut-off for having to file finance reports.

general — to other candidates. Political committees, like the three Boehlert co-chairs, are limited to \$5,000 per election.

The same type of money flow happens in statewide elections. For example, Oneida County Executive Raymond Meier, who wants to take William Sears' place in the state Senate, has received money from the campaign chests of Boehlert, Sears, and at least three other politicians.

Often, the money exchanged between campaigns is for tickets to fund-raisers. Others are straight contributions, as in the case of Sears' \$2,180 donation made to Meier's campaign in the first half of this year.

In another local case, Meier got \$4,000 from the campaign of Ger-

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Daghljan of the state Board of Elections said there is no time limit for former politicians or candidates to zero out their campaign bank accounts.

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Rep. Sherwood Boehlert
R-New Hartford

Assemblywoman RoAnn Destito, D-Rome, has given money to the state Democratic Party, which, among other things, has given \$12,000 to boost Democratic Assemblyman William Magee of neighboring Madison County.

On the national level, doling out money to fellow Republicans is sometimes a prelude to a run for a leadership position.

House Speaker Newt Gingrich, for example, spent years giving money to rising Republicans and earning their loyalty before running for his leadership position. Boehlert said he has not decided whether to seek a leadership position in the 105th Congress.

Observer-Dispatch, Utica, NY
October 25, 1996

9 3 0 4 3 8 6 2 7 0 0

Paid Political Advertisement

NOTICE

23rd Congressional District

Alert the Countryside!

Pork Barreling, Canal Cleaning...

That's The Green Hornet

When he loses the election (either the primary or the general Election) he is entitled to a 3.5 Million Dollar Federal Pension.

FOOTNOTE:

- 8,000 Constituents
Lost their Jobs in the
upper Mohawk Region in
the Past 3 years!

- 3,000 Jobs Lost in the
Chenango/Oneonta Area

Can we Afford to Continue
in this Direction?!!

Elect Democrat

 **BRUCE W. HAPANOWICZ** 

For Congress

Paid for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Observer-Dispatch
Utica, NY
August 6, 1996

93043862701

THE GREEN HORNET'S 9 BIG SINS

Lost Griffiss Air Force Base
Allowed 11,000 Jobs To Leave Congressional District In Last 3 Years
Voted To Give Himself A 2.3% Pay Increase For Fiscal Year 1997 (July 21, 1996)
Voted For NAFTA Which Sacrificed American Jobs
Receives A 3.5 Million Dollar Federal Pension
Voted To Eliminate Education Programs Like Perkins Loan Program Which Help Pay For College Tuition (July 14, 1996)
Voted No To Campaign Finance Reform (July 28, 1996)
Has No Vision For The Future And Does Not Know How To Create Jobs
Constantly Votes Against His Constituents Wishes

CAN WE AFFORD TO CONTINUE IN THIS DIRECTION?!!!



BRUCE HAPANOWICZ SUPPORTS:

1. Business Enterprise Zones & Tax Cuts And Credits For Corporations
2. Social Security And Medicare
3. Tax Cuts And Credits For Education
4. Taking A 25% Cut In Pay And 75% Cut In Pension If Elected
5. Campaign Finance Reform
6. Abolishing The IRS, Commerce Department And Energy Department
7. Is A Businessman Who Knows How To Create Jobs
8. Small Government
9. Has A Plan And Vision For The Future For All Constituents Of The 23rd Congressional District

— ELECT DEMOCRAT —
**BRUCE W.
HAPANOWICZ**
FOR CONGRESS ON
— NOV. 5TH —

Paid for by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
September 9, 1996

Paid political advertisement

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1. Lost Griffiss Air Force Base
2. Allowed 11,000 jobs to leave congressional district in last 3 years
3. Voted to give himself a 2.3% pay increase for fiscal year 1997 (July 21, 1996)
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1. Business enterprise zones & tax cuts and credits for corporations
2. Social Security and Medicare
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4. Taking a 25% cut in pay and 75% cut in pension if elected
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7. Is a businessman who knows how to create jobs
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9. Has a plan and vision for the future for all constituents for the 23rd Congressional District

Elect
BRUCE W. HAPANOWICZ



Post Standard, Syracuse, NY
October 3, 1996

98043862703

THE GREEN HORNET'S 9 BIG SINS

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**BRUCE W.
HAPANOWICZ**
FOR CONGRESS ON
— NOV. 5TH —

Paid for by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
September 23, 1996

28043362704

Paid political advertisement

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Elect Democrat
BRUCE W. HAPANOWICZ
To U.S. Congress
23rd Congressional District
On November 5th



Paid for by Friends of Bruce W. Hapanowicz

Post Standard, Syracuse, NY
September 26, 1996

THE GREEN HORNET S 9 B G I N S
alias Sherwood Burdett

- 1 **Lost Griffiss Air Force Base**
- 2 Allowed 11,000 Jobs To Leave Congressional District In Last 3 Years
- 3 Voted To Give Himself A 2.3% Pay Increase For Fiscal Year 1997 (July 21, 1996)
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BRUCE HAPANOWICZ 2 3 4 5 6 7 8 9

- 1 Business Enterprise Zones & Tax Cuts And Credits For Corporations
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— ELECT DEMOCRAT —
BRUCE W.
HAPANOWICZ
FOR CONGRESS ON
NOV. 5TH
—

Ford for by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
October 9, 1996

9 3 0 4 3 8 6 2 7 0 6



— ON NOV. 5TH —
ELECT DEMOCRAT
BRUCE W.
HAPANOWICZ
— TO CONGRESS —

I WILL NOT vote for Medicare cuts!
ANOTHER BIG SIN OF THE GREEN HORNET!

**The TRUTH about Sherwood Boehlert's
Record On Medicare Cuts**

Sherwood Boehlert voted four times to make the biggest Medicare cuts in history — not to strengthen Medicare, but to finance massive tax breaks that Newt Gingrich promised to the very wealthy. (U.S. House of Representatives Roll Call Votes #147, 418, 711, 812)

If the Boehlert plan became law:

- Seniors' Medicare premiums would double, forcing each senior to pay \$1,200 more in Medicare premiums over the next seven years. (Congressional Budget Office analysis of H.R. 2491, 11-16-95)
- Already financially-strapped hospitals would be "devasted" — which could mean cutting services or closing altogether. (National Association of Public Hospitals statement 10-95)
- Doctors and hospitals could overbill patients by as much as 40%, leaving seniors vulnerable to substantial new out-of-pocket costs. (Physician Payment Review Commission 1996 Report to Congress, p. 45)

What New York seniors needed Sherwood Boehlert on their side in the fight to protect Medicare, Boehlert put Newt Gingrich first — and seniors lost. That's why the National Committee to Preserve Social Security and Medicare concluded in August that Sherwood Boehlert had voted against seniors 73% of the time.

Post for Dr. Hapanowicz for Congress

Rome Sentinel, Rome, NY
October 16, 1996

93043362707



— ON NOV. 5TH —
ELECT DEMOCRAT
BRUCE W.
HAPANOWICZ
— TO CONGRESS —

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Post for 94th Congress for Congress

Rome Sentinel, Rome, NY
October 22, 1996

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Elect Democrat

BRUCE W. HAPANOWICZ

For Congress

Stand for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Post Standard, Syracuse, NY
October 28, 1996

(U.S. House of Representatives Roll Call Votes #345,458, 731, 812)

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BRUCE W. HAPANOWICZ

For Congress

Paid for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Post Standard, Syracuse, NY
October 29, 1996



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

November 20, 1996

Dr. Neil Rothman
P.O. Box 30
Sidney, New York 13838

Dear Dr. Rothman:

This is to acknowledge receipt on November 18, 1996, of your letter dated October 25, 1996. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter did not contain a notarization on your signature and was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. Sec 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

If you have any questions concerning this matter, please
contact me at (202) 219-3410.

Sincerely,

Retha Dixon

Retha Dixon
Docket Chief

Enclosure

cc: Bruce W. Hapanowicz

93043862712

DR. NEIL ROTHMAN
Post Office Box 30
Sidney, New York 13838

December 6, 1996

Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

MUR 4599

Dec 15 10 35 AM '96
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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The contents of this complaint are true to the best of my knowledge.

Sincerely,

Neil Rothman
Dr. Neil Rothman

Subscribed and sworn to before me on this 6th day of December, 1996.

Mark D. Tolan
Notary
Reg. # 01204700216
Expires 10/31/98

DR. NEIL ROTHMAN
Post Office Box 30
Sidney, NY 13838

October 25, 1996

Office of General Counsel
Federal Election Commission
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Continued from **BOEHLERT, 1A**

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23RD CONGRESSIONAL DISTRICT RACE

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R-New Hartford

Assemblywoman RoAnn Destito, D-Rome, has given money to the state Democratic Party, which, among other things, has given \$12,000 to boost Democratic Assemblyman William Magee of neighboring Madison County.

On the national level, doling out money to fellow Republicans is sometimes a prelude to a run for a leadership position.

House Speaker Newt Gingrich, for example, spent years giving money to rising Republicans and earning their loyalty before running for his leadership position. Boehlert said he has not decided whether to seek a leadership position in the 105th Congress.

Observer-Dispatch, Utica, NY
October 25, 1996

[illegible]

Observer-Dispatch, Utica, NY
July 21, 1996

Paid Political Advertisement

Post in the Room
Huron/Show 12-
12:30pm 2pm

NOTICE

**23rd Congressional District
Alert the Countryside!**

Pork Barreling, Canal Cleaning...

That's The Green Hornet

When he loses the election (either the primary or the general Election) he is entitled to a 3.5 Million Dollar Federal Pension.

FOOTNOTE:

- 8,000 Constituents
Lost their Jobs in the
upper Mohawk Region in
the Past 3 years!
- 3,000 Jobs Lost in the
Chenango/Oneonta Area

**Can we Afford to Continue
in this Direction?!!**

Elect Democrat

 **BRUCE W. HAPANOWICZ** 

For Congress

Paid for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Observer-Dispatch
Utica, NY
August 6, 1996

93043862717

THE GREEN HORNET'S 9 BIG SINS

Lost Griffiss Air Force Base
Allowed 11 000 Jobs To Leave Congressional District In Last 3 Years
Voted To Give himself A 2.3% Pay Increase For Fiscal Year 1997 (July 21, 1996)
Voted For NAFTA Which Sacrificed American Jobs
Receives A 3.5 Million Dollar Federal Pension
Voted To Eliminate Education Programs Like Perkins Loan Program Which Help Pay For College Tuition (July 14, 1996)
Voted No To Campaign Finance Reform (July 28, 1996)
Has No Vision For The Future And Does Not Know How To Create Jobs
Constantly Votes Against His Constituents Wishes

CAN WE AFFORD TO CONTINUE IN THIS DIRECTION?!!!



BRUCE HAPANOWICZ SUPPORTS:

- 1 Business Enterprise Zones & Tax Cuts And Credits For Corporations
- 2 Social Security And Medicare
- 3 Tax Cuts And Credits For Education
- 4 Taking A 25% Cut In Pay And 75% Cut In Pension If Elected
- 5 Campaign Finance Reform
- 6 Abolishing The IRS, Commerce Department And Energy Department
- 7 Is A Businessman Who Knows How To Create Jobs
- 8 Small Government
- 9 Has A Plan And Vision For The Future For All Constituents Of The 23rd Congressional District

— ELECT DEMOCRAT —
**BRUCE W.
HAPANOWICZ**
FOR CONGRESS ON
— NOV. 5TH —

Printed by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
September 9, 1996

93043362713

Paid political advertisement

THE GREEN HORNET'S 9 BIG SINS

1. Lost Griffiss Air Force Base
2. Allowed 11,000 jobs to leave congressional district in last 3 years
3. Voted to give himself a 2.3% pay increase for fiscal year 1997 (July 21, 1996)
4. Voted for NAFTA which sacrificed American jobs.
5. Receives a 3.5 million dollar federal pension
6. Voted to eliminate education programs like the Perkins Loan Program which help pay for college tuition (July 14, 1996)
7. Voted No to campaign finance reform (July 28, 1996)
8. Has no vision for the future and does not know how to create jobs
9. Constantly votes against his constituents wishes

CAN WE AFFORD TO CONTINUE IN THIS DIRECTION?!!!

BRUCE HAPANOWICZ SUPPORTS

1. Business enterprise zones & tax cuts and credits for corporations
2. Social Security and Medicare
3. Tax cuts and credits for education
4. Taking a 25% cut in pay and 75% cut in pension if elected
5. Campaign finance reform
6. Abolishing the IRS, Commerce Department and Energy Department
7. Is a businessman who knows how to create jobs
8. Small government
9. Has a plan and vision for the future for all constituents for the 23rd Congressional District

Elect
BRUCE W. HAPANOWICZ



Post Standard, Syracuse, NY
October 3, 1996

93043862712

THE GREEN HORNET'S 9 BIG SINS

1. Lost Griffiss Air Force Base
2. Allowed 11 000 Jobs To Leave Congressional District In Last 3 Years
3. Voted To Give Himself A 2.3% Pay Increase For Fiscal Year 1997 (July 21, 1996)
4. Voted For NAFTA Which Sacrificed American Jobs
5. Receives A 3.5 Million Dollar Federal Pension
6. Voted To Eliminate Education Programs Like The Perkins Loan Program Which Help Pay For College Tuition (July 14 1996)
7. Voted No To Campaign Finance Reform (July 28, 1996)
8. Has No Vision For The Future And Does Not Know How To Create Jobs
9. Constantly Votes Against His Constituents Wishes.

**CAN WE AFFORD TO CONTINUE IN
THIS DIRECTION?!!!**



BRUCE HAPANOWICZ SUPPORTS:

1. Business Enterprise Zones & Tax Cuts And Credits For Corporations
2. Social Security And Medicare
3. Tax Cuts And Credits For Education
4. Taking A 25% Cut In Pay And 75% Cut In Pension If Elected
5. Campaign Finance Reform
6. Abolishing The IRS, Commerce Department And Energy Department
7. Is A Businessman Who Knows How To Create Jobs
8. Small Government
9. Has A Plan And Vision For The Future For All Constituents Of The 23rd Congressional District

— ELECT DEMOCRAT —
BRUCE W.
HAPANOWICZ
FOR CONGRESS ON
— NOV. 5TH —

Paid for by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
September 23, 1996

98043362720

Paid Political advertisement

THE GREEN HORNET'S 9 BIG SINS

1. Lost Griffiss Air Force Base
2. Allowed 11,000 jobs to leave congressional district in last 3 years
3. Voted to give himself a 2.3% pay increase for fiscal year 1997 (July 21, 1996)
4. Voted for NAFTA which sacrificed American jobs.
5. Receives a 3.5 million dollar federal pension
6. Voted to eliminate education programs like the Perkins Loan Program which help pay for college tuition (July 14, 1996)
7. Voted No to campaign finance reform (July 28, 1996)
8. Has no vision for the future and does not know how to create jobs
9. Constantly votes against his constituents wishes

CAN WE AFFORD TO CONTINUE IN THIS DIRECTION?!!!

BRUCE HAPANOWICZ SUPPORTS

1. Business enterprise zones & tax cuts and credits for corporations
2. Social Security and Medicare
3. Tax cuts and credits for education
4. Taking a 25% cut in pay and 75% cut in pension if elected
5. Campaign finance reform
6. Abolishing the IRS, Commerce Department and Energy Department
7. Is a businessman who knows how to create jobs
8. Small government
9. Has a plan and vision for the future for all constituents for the 23rd Congressional District

Elect Democrat
BRUCE W. HAPANOWICZ
To U.S. Congress
23rd Congressional District
On November 5th



Paid for by Friends of Bruce W. Hapanowicz

Post Standard, Syracuse, NY
September 26, 1996

THE GREEN HORNET'S 9 BIG SINS
 (Plus Sherwood Boehlert)

- 1 **Lost Griffiss Air Force Base**
- 2 Allowed 11,000 Jobs To Leave Congressional District In Last 3 Years
- 3 Voted To Give Himself A 2.3% Pay Increase For Fiscal Year 1997 (July 21, 1996)
- 4 Voted For Hikes Which Sacrificed American Jobs
- 5 Receives A 3.5 Million Dollar Federal Pension
- 6 Voted To Eliminate Education Programs Like The Perkins Loan Program Which Help Pay For College Tuition (July 14, 1996)
- 7 Voted No To Campaign Finance Reform (July 28, 1996)
- 8 Has No Vision For The Future And Does Not Know How To Create Jobs
- 9 Constantly Votes Against His Constituents Wishes

CAN WE AFFORD TO CONTINUE IN THIS DIRECTION!!!



BRUCE HAPANOWICZ SUPPORTS

- 1 Business Enterprise Zones & Tax Cuts And Credits For Corporations
- 2 Social Security And Medicare
- 3 Tax Cuts And Credits For Education
- 4 Taking A 25% Cut In Pay And 75% Cut In Pension If Elected
- 5 Campaign Finance Reform
- 6 Abolishing The IRS, Commerce Department And Energy Department
- 7 Is A Businessman Who Knows How To Create Jobs
- 8 Small Government
- 9 Has A Plan And Vision For The Future For All Constituents Of The 23rd Congressional District

— ELECT DEMOCRAT —
BRUCE W.
HAPANOWICZ
FOR CONGRESS ON
— NOV. 5TH —

Paid for by Friends of Bruce W. Hapanowicz

Rome Sentinel, Rome, NY
 October 9, 1996

93043862722



— ON NOV. 5TH —
**ELECT DEMOCRAT
BRUCE W.
HAPANOWICZ**
— TO CONGRESS —

I WILL NOT vote for Medicare cuts!
ANOTHER BIG SIN OF THE GREEN HORNET!

**The TRUTH about Sherwood Boehlert's
Record On Medicare Cuts**

Sherwood Boehlert voted four times to make the biggest Medicare cuts in history — not to strengthen Medicare, but to finance massive tax breaks that Newt Gingrich promised to the very wealthy. (U.S. House of Representatives Roll Call Votes #145, 458, 732, 812)

If the Boehlert plan became law:

- Seniors' Medicare premiums would double, forcing each senior to pay \$1,200 more in Medicare premiums over the next seven years. (Congressional Budget Office analysis of H.R. 2491, 11-16-95)
- Already financially-strapped hospitals would be "devasted" — which could mean cutting services or closing altogether. (National Association of Public Hospitals statement, 10-95)
- Doctors and hospitals could overbill patients by as much as 40%, leaving seniors vulnerable to substantial new out-of-pocket costs. (Physician Payment Review Commission 1996 Report to Congress, p. 45)

What New York seniors needed Sherwood Boehlert on their side in the fight to protect Medicare. Boehlert got Newt Gingrich's first — and seniors lost. That's why the National Committee to Preserve Social Security and Medicare concluded to suggest that Sherwood Boehlert had voted against seniors 71% of the time.

Post for Dr. Hapanowicz for Congress

Rome Sentinel, Rome, NY
October 16, 1996

93043962703



— ON NOV. 5TH —
**ELECT DEMOCRAT
BRUCE W.
HAPANOWICZ**
— TO CONGRESS —

***I WILL NOT** vote for Medicare cuts!*

**ANOTHER BIG SIN OF THE GREEN HORNET!
The TRUTH about Sherwood Boehlert's
Record On Medicare Cuts**

Sherwood Boehlert voted four times to make the biggest Medicare cuts in history — not to strengthen Medicare, but to finance massive tax breaks that Newt Gingrich promised to the very wealthy. (U.S. House of Representatives Roll Call Votes #245, 458, 731, 812)

If the Boehlert plan became law:

- Seniors' Medicare premiums would double, forcing each senior to pay \$1,200 more in Medicare premiums over the next seven years. (Congressional Budget Office analysis of H.R. 2401, 11-16-95)
- Already financially-strapped hospitals would be "devasted" — which could mean cutting services or closing altogether. (National Association of Public Hospitals statement 10-95)
- Doctors and hospitals could overbill patients by as much as 40%, leaving seniors vulnerable to substantial new out-of-pocket costs. (Physician Payment Review Commission 1996 Report to Congress, p.45)

What New York seniors needed Sherwood Boehlert on their side in the fight to protect Medicare. Boehlert put Newt Gingrich first — and seniors last. That's why the National Committee to Preserve Social Security and Medicare concluded in August that Sherwood Boehlert had voted against seniors 73% of the time.

Post for 64 new addresses for Congress

Rome Sentinel, Rome, NY
October 22, 1996

Record On Medicare Cuts

(U.S. House of Representatives Roll Call Votes #345,458, 731, 812)

(Congressional Budget analysis of H.R. 2491, 11/16/95)

- (National Association of Public Hospitals statement, 10/95)

August that Sherwood Boehlert had voted against seniors 73% of the time.

For Congress

Stand for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Post Standard, Syracuse, NY
October 28, 1996

The TRUTH About Sherwood Boehlert's Record On Medicare Cuts

Sherwood Boehlert voted four times to make the biggest Medicare cuts in history - not to strengthen Medicare, but to finance massive tax breaks that Newt Gingrich promised to the very wealthy.
(U.S. House of Representatives Roll Call Votes #345,458, 731, 812)

If the Boehlert plan becomes law:

- Seniors' Medicare Premiums would double, forcing each senior to pay \$1200 more in Medicare premiums over the next seven years.
(Congressional Budget analysis of H.R. 2491, 11/16/95)
- Already financially strapped hospitals would be "devastated" - which could mean cutting services or closing altogether.
(National Association of Public Hospitals statement, 10/95)
- Doctors and hospitals could overbill patients by as much as 40%, leaving seniors vulnerable to substantial new out-of-pocket costs.
(Physician Payment Review Commission 1996 Report to Congress, p.45)

When New York seniors needed Sherwood Boehlert on their side in the fight to protect Medicare, Boehlert put Newt Gingrich first - and seniors last. That's why the National Committee to Preserve Social Security and Medicare concluded in August that Sherwood Boehlert had voted against seniors 73% of the time.



Elect Democrat
BRUCE W. HAPANOWICZ
For Congress

Paid for by Proud Citizens to Elect Bruce W. Hapanowicz to Congress

Post Standard, Syracuse, NY
October 29, 1996



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 19, 1996

Dr. Neil Rothman
Post Office Box 30
Sidney, NY 13838

RE: MUR 4599

Dear Dr. Rothman:

This letter acknowledges receipt on December 16, 1996, of the complaint you filed alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 4599. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

A handwritten signature in dark ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosure
Procedures

93043862797



FEDERAL ELECTION COMMISSION

Washington, DC 20463

December 19, 1996

Bruce W. Hapanowicz
233 Sunset Avenue
Utica, NY 13502

RE: MUR 4599

Dear Mr. Hapanowicz:


The Federal Election Commission received a complaint which indicates that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4599. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

93043862722



FEDERAL ELECTION COMMISSION

Washington, DC 20463

December 19, 1996

Treasurer
Friends of Bruce W. Hapanowicz
c/o Bruce W. Hapanowicz
233 Sunset Avenue
Utica, NY 13502

RE: MUR 4599

Dear Sir or Madam:

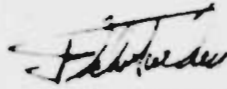
The Federal Election Commission received a complaint which indicates that the Friends of Bruce W. Hapanowicz ("Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 4599. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you as, treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

98043362731

LESLIE R. LEWIS

LEWIS & CALDWELL
ATTORNEYS AT LAW
23 GENESEE STREET
NEW HARTFORD, NY 13413

RANDAL B. CALDWELL

(315) 724-5149 FAX (315) 724-0338

February 11, 1997

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Attention: F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

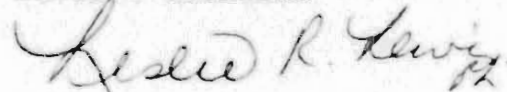
Re: Bruce W. Hapanowicz
MUR 4599

Dear Mr. Turley:

On behalf of my client, Bruce W. Hapanowicz, enclosed herein you will please find Affidavit, together with Statement of Designation of Counsel with regard to the above referenced matter.

Yours truly,

LEWIS & CALDWELL



Leslie R. Lewis, Esq.

LRL/pj
Enclosures

FEB 18 2 28 PM '97

FEDERAL ELECTION
COMMISSION
OFFICE OF ATTORNEY

9304316277

STATE OF NEW YORK)

ss.:

COUNTY OF ONEIDA)

BRUCE W. HAPANOWICZ, being duly sworn, deposes and says:

1. That your deponent resides at 2333 Sunset Ave., in the City of Utica, County of Oneida and State of New York.
2. That your deponent was a candidate for United States Congress during the election of November, 1996.
3. That your deponent operated his campaign on a virtual shoestring.

4. That expenses totalled, as follows:

Campaign Manager, Jason Watson	-	\$10,000.00
Clinton newspaper - advertising	-	300.00
Observer Dispatch - advertising	-	4,200.00
Syracuse Herald - advertising	-	1,700.00
Oneonta Star - advertising	-	2,200.00
Rome Sentinel - advertising	-	2,700.00
TV - advertising	-	10,000.00
Pennysaver - advertising	-	3,500.00
Radio - advertising	-	9,500.00
Albany Times - advertising	-	1,100.00
Miscellaneous - clothes, gas, paper, signs, stamps	-	<u>10,000.00</u>

Total

\$55,200.00

5. That your deponent only received donations from the following:

Art Lis	-	300.00
Bill Gordon	-	100.00

6. These expenses are the responsibility of your deponent, and the bills are outstanding.

7. That your deponent's father has loaned him approximately \$15,000.00 toward payment of these expenses, which monies your deponent has to pay back.

8. Hopefully, this affidavit will satisfy any inquiry, and, if not, kindly communicate with deponent.

Bruce W. Hapanowicz
BRUCE W. HAPANOWICZ

Sworn to before me this
11th day of February, 1997.

[Signature]
Notary Public-State of New York
Comm. Exps.: 8/31/97

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4599

NAME OF COUNSEL: Leslie R. Lewis

FIRM: Lewis + CALDWELL

ADDRESS: 23 Senesee St
New Hartford N.Y. 13413

TELEPHONE: (315) 7245149

FAX: (515) 7240338

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

1/3/97
Date

X Bruce W. Hapandowicz
Signature

RESPONDENT'S NAME: BRUCE W HAPANDOWICZ

ADDRESS: 2333 JUNCT AVE
LA FAYETTE, N.Y. 13502

TELEPHONE: HOME

BUSINESS: (315) 734229

FILED 2-10-97

98043362735

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)
)

CASE CLOSURES UNDER
ENFORCEMENT PRIORITY

FEB 17 3 11 PM '93

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

II. CASES RECOMMENDED FOR CLOSURE.

A. Cases Not Warranting Further Action Relative to Other Cases Pending Before the Commission

EPS was created to identify pending cases which, due to the length of their pendency in inactive status or the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria which results in a numerical rating of each case.

Closing cases permits the

Commission to focus its limited resources on more important cases presently

98043862736

pending before it. Based upon this review, we have identified 16 cases that do not warrant further action relative to other pending matters.¹ The attachment to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. Stale Cases

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the means to identify those cases which remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

¹ These cases are: MUR 4631 (Perot/M. Clure), MUR 4661 (Cox and Amplison, Inc.), MUR 4667 (Specter & Greenwood), MUR 4668 (Schakowsky for Congress), MUR 4672 (Friends of John O'Toole), MUR 4673 (Papan for Assembly), MUR 4676 (Warren County Democratic Committee), MUR 4677 (Patrick Kennedy), MUR 4681 (Jack Block), MUR 4683 (Janice Schakowsky for Congress), MUR 4684 (Spartanburg County Republicans), MUR 4694 (Jan Schakowsky for Congress), MUR 4695 (Schakowsky for Congress), MUR 4696 (Janice Schakowsky for Congress), MUR 4703 (Dumont Institute / Robert M. Gee), and Pre-MUR 356 (Pritzker for Congress).

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We have identified cases which have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend 27 of these cases be closed.³ Nine of these cases were part of the so-called "Major 96" cases that have not been able to be activated due to a lack of resources to effectively pursue them in a timely fashion.⁴ Since the time period rendering them stale has now passed, we recommend their closure at this time.

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective February 24, 1998. Closing

³ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4355 (Aqua-Leisure Industries, Inc.), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschnitz), MUR 4509 (Wellstone for Senate), MUR 4565 (Bell for Congress), MUR 4570 (Congresswoman Andrea Seastrand), MUR 4571 (Subert for Congress Committee), MUR 4572 (Friends of Dick B. Durbin), MUR 4575 (Dana Corrington), MUR 4585 (Hughes for Congress Committee), MUR 4589 (Congressman Bart Gordon), MUR 4592 (Iowa Public Television), MUR 4593 (Public Interest Institute), MUR 4599 (Bruce W. Hapundjic), MUR 4601 (Oklahoma Nation of Oklahoma), MUR 4602 (WFSB-TV Channel 3), MUR 4604 (Dana Corrington), MUR 4605 (Christian Coalition), Pre-MUR 346 (Coalition of Politically Active Christians), RAD 96NF-09 (O'Sullivan for Congress), RAD 96L-12 (Alaska Democratic Party), and RAD 97NF-02 (Zien for Congress).

⁴ These cases are: MUR 4350 (Republican Party of Minnesota), MUR 4372 (Nebraska Democratic Party), MUR 4394 (Americans for Term Limits), MUR 4472 (Committee to Elect Winston), MUR 4483 (Nebraska Democratic State Central Committee), MUR 4504 (NH Democratic State Party Committee), MUR 4507 (People for Boschnitz), MUR 4509 (Wellstone for Senate), and MUR 4565 (Bell for Congress).

93043862773

these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective February 24, 1998, and approve the appropriate letters in the following matters:

- | | | |
|----------------|----------------|----------------|
| 1. RAD 96NF-09 | 3. RAD 97NF-02 | 5. Pre-MUR 356 |
| 2. RAD 96L-12 | 4. Pre-MUR 346 | |

B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | | |
|--------------|--------------|--------------|
| 1. MUR 4350 | 14. MUR 4575 | 27. MUR 4668 |
| 2. MUR 4355 | 15. MUR 4585 | 28. MUR 4672 |
| 3. MUR 4372 | 16. MUR 4589 | 29. MUR 4673 |
| 4. MUR 4394 | 17. MUR 4592 | 30. MUR 4676 |
| 5. MUR 4472 | 18. MUR 4593 | 31. MUR 4677 |
| 6. MUR 4483 | 19. MUR 4599 | 32. MUR 4681 |
| 7. MUR 4504 | 20. MUR 4601 | 33. MUR 4683 |
| 8. MUR 4507 | 21. MUR 4602 | 34. MUR 4684 |
| 9. MUR 4509 | 22. MUR 4604 | 35. MUR 4694 |
| 10. MUR 4565 | 23. MUR 4605 | 36. MUR 4695 |
| 11. MUR 4570 | 24. MUR 4631 | 37. MUR 4696 |
| 12. MUR 4571 | 25. MUR 4661 | 38. MUR 4703 |
| 13. MUR 4572 | 26. MUR 4667 | |

2/1/98
Date

Lawrence M. Noble
General Counsel

93043982729

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document
Case Closures Under) No. X98-13
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 24, 1998, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X98-13:

1. Failed in a vote of 3-2 to pass a motion to approve the General Counsel's recommendations, subject to amendment of the closing date in recommendation A to read March 2, 1998, and subject to deletion of those cases listed in footnote 4 on Page 3 of the staff report.

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

2. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 96NF-09 | 4. Pre-MUR 346 |
| 2. RAD 96L-12 | 5. Pre-MUR 356 |
| 3. RAD 97NF-02 | |

(continued)

B. Take no action, close the file effective March 2, 1998, and approve the appropriate letters in the following matters:

1. MUR 4350	20. MUR 4601
2. MUR 4355	21. MUR 4602
3. MUR 4372	22. MUR 4604
4. MUR 4394	23. MUR 4605
5. MUR 4472	24. MUR 4631
6. MUR 4483	25. MUR 4661
7. MUR 4504	26. MUR 4667
8. MUR 4507	27. MUR 4668
9. MUR 4509	28. MUR 4672
10. MUR 4565	29. MUR 4673
11. MUR 4570	30. MUR 4676
12. MUR 4571	31. MUR 4677
13. MUR 4572	32. MUR 4681
14. MUR 4575	33. MUR 4683
15. MUR 4585	34. MUR 4684
16. MUR 4589	35. MUR 4694
17. MUR 4592	36. MUR 4695
18. MUR 4593	37. MUR 4696
19. MUR 4599	38. MUR 4703

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

Attest:

2-25-98

Date

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



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 2, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dr. Neil Rothman
Post Office Box 30
Sidney, NY 13838

RE: MUR 4599

Dear Dr. Rothman:

On December 16, 1996, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 2, 1998. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437(g)(4)(B).

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043862742



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1998

Leslie R. Lewis, Esq.
Lewis & Caldwell
23 Genesee Street
New Hartford, NY 13413

RE: MUR 4599
Bruce W. Hapanowicz

Dear Ms. Lewis:

On December 19, 1996, the Federal Election Commission notified your client of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 2, 1998.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 2, 1998

Treasurer
Friends of Bruce W. Hapanowicz
c/o Bruce W. Hapanowicz
2333 Sunset Ave.
Utica NY 13502

RE: MUR 4599

Dear Mr. Hapanowicz:

On December 19, 1996, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against the Friends of Bruce W. Hapanowicz and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on March 2, 1998.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley", is written over the typed name.

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

THIS IS THE END OF MUR # 4599

DATE FILMED 3/11/98 CAMERA NO. 2

CAMERAMAN SES

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