



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1561

Date Filmed 6/29/84 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Reconciliation documents ; internal reports
and documents ; routing cards

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

3-4040462910

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|-------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | (1) Classified Information | <input type="checkbox"/> | (6) Personal privacy |
| <input type="checkbox"/> | (2) Internal rules and practices | <input type="checkbox"/> | (7) Investigatory files |
| <input checked="" type="checkbox"/> | (3) Exempted by other statute | <input type="checkbox"/> | (8) Banking Information |
| <input type="checkbox"/> | (4) Trade secrets and commercial or financial information | <input type="checkbox"/> | (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> | (5) Internal Documents | | |

Signed Mama E. Shivers
date 6-28-84

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1561
Major Owens for Congress)	
Committee)	
R. George Nelson, Treasurer)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 19, 1984, the Commission decided by a vote of 6-0 to take the following actions in MUR 1561:

1. Accept the conciliation agreement with the Major Owens for Congress Committee and R. George Nelson, as treasurer, submitted with the General Counsel's Report signed June 14, 1984.
2. Close the file.
3. Approve the letter as attached to the General Counsel's Report signed June 14, 1984.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

6-19-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

6-14-84, 1:31
6-15-84, 2:00

34040462911



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1984

Gilbert A. Holmes, Esquire
Holmes, Meehan and Cozier
305 Broadway
Suite 600
New York, New York 10007

Re: MUR 1561
Major Owens for Congress Committee;
R. George Nelson, as treasurer

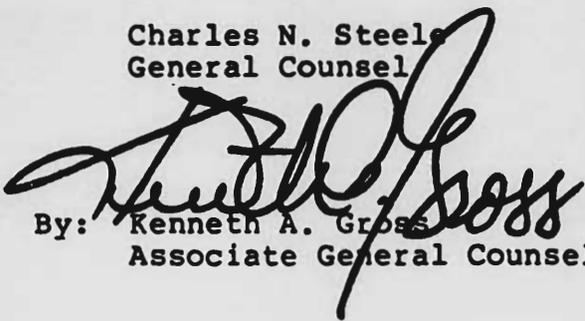
Dear Mr. Holmes:

On June 19, 1984, the Commission accepted the conciliation agreement signed by your clients in settlement of a violation of 2 U.S.C. § 434(a)(2)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter and it will become a part of the public record within 30 days. Please be advised that 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation agreement from becoming public without the written consent of the respondents and the Commission. Should you wish any such information to become a part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

34040462912

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Major Owens for Congress Committee) MUR 1561
and R. George Nelson, as treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission") pursuant to information ascertained in the normal course of carrying out its statutory responsibilities. The Commission found probable cause to believe that Respondents, the Major Owens for Congress Committee ("Committee") and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii) by not filing reports timely.

NOW, THEREFORE, the Commission and Respondents, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Committee was the principal campaign committee for Major Owens in the 1982 congressional elections.

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2. R. George Nelson is the treasurer of the Committee.

3. Respondents were required to file the October Quarterly Report on October 15, 1982. The report was not filed until December 17, 1982.

4. Respondents were required to file the 12 Day Pre-General Election Report on October 21, 1982. The report was not filed until December 17, 1982.

5. Respondents were required to file the Year-End Report on January 31, 1983. The report was not filed until June 3, 1983.

V. By failing to file the October Quarterly Report, the 12 Day Pre-General Election Report, and the Year-End Report timely, the Committee and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of One Hundred Dollars (\$100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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VII. Respondents agree that they shall not undertake any activity that is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. If the Commission believes that this agreement or any of its requirements has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

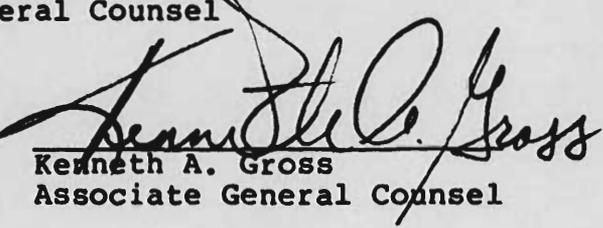
IX. This agreement shall become effective as of the date all of the parties have executed the same and the Commission has approved the entire agreement.

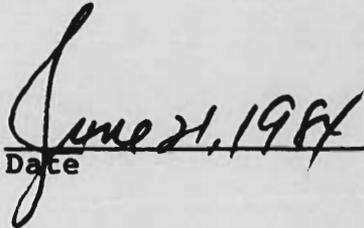
X. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

By:


Kenneth A. Gross
Associate General Counsel


Date

FOR THE RESPONDENTS:


R. George Nelson, Treasurer
Major Owens for Congress Committee

Date

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229

MAJOR OWENS FOR CONGRESS COMMITTEE

March 24 19

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PAY TO THE
ORDER OF

Federal Election Commission

\$ 100.00

One Hundred

DOLLARS



FREEDOM NATIONAL BANK
OF NEW YORK

60 WALL STREET, NEW YORK, N. Y. 10038

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J. Lopez (rec'd)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1984

Gilbert A. Holmes, Esquire
Holmes, Meehan & Cozier
305 Broadway
Suite 600
New York, New York 10007

Re: MUR 1561
Major Owens for Congress Committee
and R. George Nelson, as treasurer

Dear Mr. Holmes:

On March 13 , 1984, the Commission determined there is probable cause to believe that your clients, the Major Owens for Congress Committee and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), by not filing timely certain reports of the Major Owens for Congress Committee.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety 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 may institute a civil suit in United States District Court and seek payment of a civil penalty.

We enclose a 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 the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

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Letter to Gilbert A. Holmes
Page 2

If you have any question or suggestions for changes in the enclosed conciliation agreement, please contact Maura White, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele

Charles N. Steele
General Counsel

Enclosure
Conciliation agreement

34040462918

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Major Owens for Congress Committee)
and R. George Nelson, as treasurer)

MUR 1561

CERTIFICATION

I, Marjorie W. Emons, Recording Secretary for the Federal Election Commission Executive Session on March 13, 1984, do hereby certify that the Commission took the following actions in MUR 1561:

- 2. Decided by a vote of 4-1 to -
 - a) find probable cause to believe the Major Owens for Congress Committee, and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a) (2) (A) (i) and (iii);
 - b)

Commissioners Aikens, Elliott, McGarry, and Reiche voted affirmatively for this decision; Commissioner McDonald dissented. Commissioner Harris was not present at the time of the vote.

Attest:

3-13-84
Date

Marjorie W. Emons
Marjorie W. Emons
Secretary of the Commission

34040462919



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *Edk.*

DATE: February 29, 1984

SUBJECT: MUR 1561 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of March 29, 1984

Open Session _____

Closed Session _____ X

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote	[]	Compliance	[]
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[]	Other (see distribution below)	[]
Sensitive	[]		
Non-Sensitive	[]		
Other	[]		

84040462920

In the Matter of)
)
Major Owens for Congress Committee)
and R. George Nelson, as treasurer)

MUR 8951E029 All: 58

GENERAL COUNSEL'S REPORT

SENSITIVE
EXECUTIVE SESSION

I. BACKGROUND

15 1984

On September 20, 1983, the Commission found reason to believe that the Major Owens for Congress Committee ("Committee") and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii) by not timely filing the October 1982 Quarterly Report, the 1982 12 Day Pre-General Election Report, and the 1982 Year-End Report. On October 18, 1983, the respondents responded to the Commission's reason to believe finding by citing several mitigating factors. On December 6, 1983, this Office mailed the respondents a General Counsel's Brief which recommended that the Commission find probable cause to believe the Committee and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii). After a grant of a 20 day extension to respond by this office, the respondents filed a brief and a memorandum from the candidate on January 16, 1984.

II. LEGAL ANALYSIS

The response brief filed by the respondents reiterates in large part the position of the respondents as set out

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in their reply to the reason to believe finding in this matter. See the General Counsel's Brief dated December 6, 1983. An additional mitigating factor raised in the respondents' brief is that the Committee "has taken specific steps, including the replacement of its treasurer 1/, to ensure that all future reports are timely filed." 2/

It remains the view of the General Counsel that the Committee and its treasurer have violated the reporting requirements of the Act. The arguments presented by the respondents are insufficient defenses in light of the fact that the reports at issue were filed between two and four months late. Moreover, the late filing of the instant three reports, two of which were due prior to the 1982 general election but which were not filed until after the election, demonstrates a pattern of non-compliance. Hence, it is the recommendation of the General Counsel that the Commission find probable cause to believe the Committee and R. George Nelson, as treasurer (see footnote 1), violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).

1/ On January 20, 1984, the Committee filed an amended Statement of Organization designating R. George Nelson as the Committee's treasurer.

2/ The respondents' brief also noted that "[s]imultaneous with the filing of this brief, the Committee and its new treasurer have filed ... the 1983 Mid-Year Report." (The General Counsel's Brief to the respondents noted as a matter of information that as of October 16, 1983, the 1983 Mid-Year Report (due on July 31, 1983) had not yet been filed.) A review of the Commission's records has revealed that the 1983 Mid-Year Report was filed on January 20, 1984.

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IV. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe the Major Owens for Congress Committee, and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).
2. Approve the attached letter and conciliation agreement.

29 February 1954
Date



Charles N. Steele
General Counsel .

Attachments
Proposed letter and conciliation agreement



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Gilbert A. Holmes, Esquire
Holmes, Meehan & Cozier
305 Broadway -
Suite 600
New York, New York 10007

Re: MUR 1561
Major Owens for Congress Committee
and R. George Nelson, as treasurer

Dear Mr. Holmes:

On , 1984, the Commission determined there is probable cause to believe that your clients, the Major Owens for Congress Committee and R. George Nelson, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), by not filing timely certain reports of the Major Owens for Congress Committee.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety 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 may institute a civil suit in United States District Court and seek payment of a civil penalty.

We enclose a 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 the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

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Letter to Gilbert A. Holmes
Page 2

If you have any question or suggestions for changes in the enclosed conciliation agreement, please contact Maura White, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation agreement

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HOLMES, MEEHAN & COZIER
ATTORNEYS AT LAW
208 BROADWAY - SUITE 800
NEW YORK, NEW YORK 10007
(212) 222-8810

GILBERT A. HOLMES
ARTHUR D. MEEHAN
BARRY A. COZIER

May 17, 1984

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

*MUR 1561
White*

Att'n: Mura White, Esq.

44:28

Re: MUR 1561

Dear Ms. White:

Enclosed please find the Conciliation Agreement in the above matter duly executed by R. George Nelson, Treasurer and a check in the sum of \$100.00. As per 2 USC 3437g(a)(4)(A)(i), this Agreement is entered into within ninety (90) days of the determination by the Commission of probable cause.

Kindly return a fully executed copy of the Conciliation Agreement to the undersigned.

If you have any questions, please call.

Thank you.

Very truly yours,

Gilbert A. Holmes
GILBERT A. HOLMES

GAH/mh
Enc.

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44:28

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MEMORANDUM

TO: CHERYL THOMAS

TO: JOAN HARRIS

FROM: JOAN HARRIS

FROM: CHERYL THOMAS

CHECK NO. 229 (a copy of which is attached) RELATING
TO MUR 1561 AND NAME Major Owens for Congress Cmte
WAS RECEIVED ON 5/21/84. PLEASE INDICATE THE ACCOUNT INTO
WHICH IT SHOULD BE DEPOSITED:

- BUDGET CLEARING ACCCOUNT (#95F3875.16)
- CIVIL PENALTIES ACCOUNT (#95-1099.160)
- OTHER _____

SIGNATURE _____ DATE _____

229

MAJOR OWENS FOR CONGRESS COMMITTEE

March 24 19

1-434
260

PAY TO THE
ORDER OF

Federal Election Commission

\$ 100.00

One Hundred

DOLLARS



FREEDOM NATIONAL BANK
OF NEW YORK
200 WESTBROOK AVENUE, BROOKLYN, N. Y. 11216

MEMO

into clearing account

H. Lopez (signature)

⑆026004349⑆ 202 8522⑈ 0229

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MR. MERRAN & COXER
808 BROADWAY - SUITE 600
NEW YORK, NEW YORK 10007

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

Att'n: Mura White, Esq.



HOLMES, MEEHAN & COZIER
ATTORNEYS AT LAW
208 BROADWAY - SUITE 900
NEW YORK, NEW YORK 10007
(212) 233-8810

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HA Finch
MUR 1561

GILBERT A. HOLMES
ARTHUR D. MEEHAN
BARRY A. COZIER

January 13, 1984

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

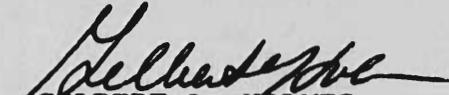
Att'n: Secretary of the Commission

Re: MUR. 1561

Dear Sir/Madam:

Enclosed please find Memorandum from the Candidate which was inadvertently left out of the Respondent's Brief submitted on behalf of the Major Owens for Congress Committee and Christopher Owens on January 12, 1984.

Very truly yours,


GILBERT A. HOLMES

GAH/mh
Enc.
cc: G.A. Finch
Office of General Counsel

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Memorandum From The Candidate

records were never provided for him.

I was shocked to learn, upon receipt of a copy of the notice from the FEC that the Mid-Year report had not been submitted. As stated above there is no acceptable defense for this pattern of irresponsibility. Family sentiment and frictions should not have been allowed to dominate the exercise of this important responsibility. Presently, firm action has been taken. We have appointed a new Treasurer and established an appropriate Finance System. The Mid-Year report is now completed and all future reporting will be submitted on time.

In summary, we cannot refute the logical and correct findings of the Commission to date. We respectfully request any consideration possible in resolving this matter.



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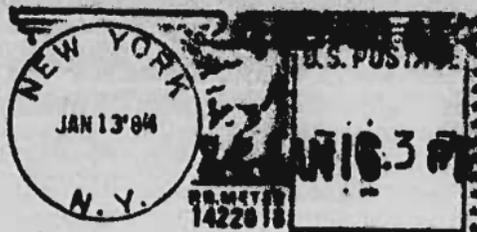
. MEEHAN & COOPER

ROADWAY - SUITE 600

OR, NEW YORK 10007

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G.A. Finch
Office of General Counsel
1325 K Street N.W.
Washington, D.C. 20463



HOLMES, MEEHAN & COZIER
ATTORNEYS AT LAW
208 BROADWAY - SUITE 600
NEW YORK, NEW YORK 10007
(212) 233-5810

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GILBERT A. HOLMES
ARTHUR D. MEEHAN
BARRY A. COZIER

January 12, 1984

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

Att'n: Secretary of the Commission

Re: MUR 1561

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GENERAL COUNSEL

Dear Sir/Madam:

Enclosed please find ten (10) copies of Respondent's Brief submitted on behalf of the Major Owens for Congress Committee and Christopher Owens, Treasurer. Three (3) copies have been forwarded to the Office of the General Counsel.

If you have any questions regarding this matter, please contact the undersigned.

Thank you.

Very truly yours,

Gilbert A. Holmes
GILBERT A. HOLMES

GAH/mh
Enc.
cc: G.A.Finch
Office of General Counsel

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MUR 1561

FEDERAL ELECTION COMMISSION

X _____ X

In the Matter of

MAJOR OWENS FOR CONGRESS COMMITTEE
and CHRISTOPHER OWENS, TREASURER

X _____ X

RESPONDENT'S BRIEF

HOLMES, MEEHAN & COZIER
Attorneys for Major Owens For Congress
Committee & Christopher Owens
Office & P.O. Address
305 Broadway, Suite 600
New York, New York 10007
(212) 233-5810

GILBERT A. HOLMES, ESQ.
On Brief

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COMM-FEC

FEDERAL ELECTION COMMISSION

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In the Matter of

MAJOR OWENS FOR CONGRESS COMMITTEE
and CHRISTOPHER OWENS, TREASURER

MUR 1561

X

RESPONDENT'S BRIEF

Major Owens for Congress Committee ("the Committee"), Congressman Owens' principal campaign committee for the general election, and Christopher Owens, the Congressman's son, as Treasurer of the Committee, failed to file timely, the 1982 October Quarterly Report and the 1982 12 Day Pre-General Election Report. The Reports Analysis Division notified the Committee of its failure to file and the Commission published the Committee's name for failing to file. The Committee filed the Pre-Election and October Quarterly reports on December 17, 1982.

On September 29, 1983, the Commission found reason to believe that Major Owens for Congress Committee and Christopher Owens, as Treasurer, violated 2 U.S.C. §434(a)(2) (A)(i) and (iii) by not timely filing the October Quarterly Report and the 12 Day Pre-General Election Report.

On October 18, 1983, counsel for Committee and its Treasurer, Christopher Owens, responded to the Commission's reason to believe finding. The response cited several mitigating circumstances. These circumstances were that the Committee

HOLMES, MERRAN
& COOPER
ATTORNEYS AT LAW
305 BROADWAY
SUITE 600
NEW YORK, N. Y. 10007

(212) 233-5610

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and Christopher Owens were inexperienced in campaign reporting requirements; that the Committee did not receive any clear instruction or suggested mechanism for maintaining its records from the Commission until after the subject reports were due; that the Committee's bank provided them with incorrect statements, that the October Quarterly Report and 12 Day Pre-General Election Report due dates occurred during a controversial post-primary legal challenge initiated by an opponent, which challenge required all Committee personnel to prepare for trial; that the trial ended in a court order for a new primary, which order was overturned on a second appeal; that the on-and-off again election complicated and delayed recordkeeping for the contributions for the old election and the contributions for the canceled court-ordered election; that the Committee responded to requests for additional information and clarified and amended its report; that the Treasurer changed jobs and moved his residence in January 1983; and that for security reasons, campaign records were kept at the Treasurer's home and place of business thus making the records unavailable from late December 1982 to late January 1983; that the Committee notified the Commission prior to each filing deadline that the report would be late.

FACTUAL AND LEGAL ANALYSIS

The Committee and its Treasurer do not dispute the fact that Section 434(a)(2)(A)(iii) requires that quarterly

reports be filed with the Commission in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election, that Section 434(a)(2)(A)(i) of Title II requires that a pre-election report be filed in any calendar year during which there is a regularly scheduled election and that the October, 1982 Quarterly Report and the 12 Day Pre-General Election Report for 1982 were not filed timely. However, the Committee and its Treasurer do dispute the analysis of these facts offered by the General Counsel of the Commission.

In his brief, the General Counsel argues that the mitigating factors including the involvement of the Committee in an extensive and intensive post-primary legal challenge are not reasonable when there has been a two (2) month delay in filing the subject reports. This argument totally ignores the facts of these mitigating circumstances.

The Democratic Primary Election for the 12th Congressional seat occurred on September 23, 1982, approximately twenty-two (22) days and twenty-eight (28) days prior to the filing deadline for the October, 1982 Quarterly Report and the 12 Day Pre-General Election Report respectively. The legal challenge to the said primary election was commenced by Vander L. Beatty, Congressman Owens's opponent on September 30, 1982 and resulted in a pre-trial investigation of Mr. Beatty's allegations from October 1, 1982 to October 11, 1982, a trial from

84040462938
**HOLMES, MERRIN
& COHEN**
ATTORNEYS AT LAW
308 BROADWAY
SUITE 600
NEW YORK, N. Y. 10007
(512) 233-8610

October 12 to October 20, 1982, which resulted in an order for a new election to be held on October 26, 1982, an appeal to the Supreme Court of the State of New York, Appellate Division, Second Department from October 20 to October 22, 1982 resulting in an order affirming the trial court and an appeal to the New York State Court of Appeals, argued and decided on October 25, 1982, which vacated the special election scheduled for October 26, 1982.

The pre-trial investigation which entailed a review of the 14,000 alleged irregularities cited by Mr. Beatty, and the trial, which consisted primarily of individuals including the Treasurer working in teams with Mr. Beatty's volunteers and a court appointed Referee to identify, review and determine each alleged irregularity, occurred daily, including Saturdays and Sundays from 9:00 a.m. to 12:00 midnight from October 1 through October 20, 1982. After the Court ordered a new election, the Treasurer was required to establish a new recordkeeping system for the special election. That system had to be dismantled five days later when the special election was vacated.

The Committee and its Treasurer offers these details of the post-primary legal challenge so that the Commission will appreciate and understand the highly unusual circumstances that caused the October, 1982 Quarterly Report and the 12 Day Pre-General Election Report to be filed two months late. The 1982

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HOLMES, MERRAN
& COZIER
ATTORNEYS AT LAW
305 BROADWAY
SUITE 900
NEW YORK, N. Y. 10007
(212) 233-8810

October Quarterly Report and the 12 Day Pre-General Election Report became due during the aforesaid October 1 to October 20, 1982 period. It is clear that the post-primary litigation made it impossible for the Treasurer to prepare and file those reports timely and that the scheduling and vacating of the special election caused a serious but reasonable delay in filing the reports.

We must also direct the Commission's attention to the fact that while the General Counsel cites five (5) other reports that were filed late, three of those reports were a few days late, i.e. 1982 Pre-Primary Report, 1982 July Quaterly Report and 1982 30 Day Post General Election Report. In view of the foregoing, we respectfully submit that the two month delay in filing the October 1982 Quarterly Report and the 12 Day Pre-General Election Report was not unreasonable. We respectfully request that the mitigating circumstances as to these reports be given substantial weight by the Commission in its review of this matter.

With regard to the 1982 Year End Report and the 1983 Mid-Year Report referred to by the General Counsel, we respectfully direct the Commission's attention to the annexed Memorandum of the Candidate offered by Congressman Major Owens. As indicated by the Congressman the Committee cannot offer a reasonable excuse for the delay in the filing of these reports. The Committee has taken specific steps, including the replacement

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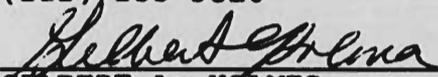
of its Treasurer, to ensure that all future reports are timely filed. Simultaneous with the filing of this brief, the Committee and its new Treasurer have filed a new Statement of Organization and the 1983 Mid-Year Report. The 1983 Year-End Report will be filed on or before January 31, 1984.

We respectfully request that the Commission consider the statement offered by Congressman Owens and the replacement of the Treasurer as mitigating circumstances during the Commission's review of this matter.

Dated: New York, New York
January 12, 1984

Respectfully submitted,

HOLMES, MEEHAN & COZIER
Attorneys for Respondents
Major Owens for Congress Committee
and Christopher Owens, Treasurer
305 Broadway, Suite 600
New York, New York 10007
(212) 233-5810


GILBERT A. HOLMES

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HOLMES, NEEHAN & COZIER, ESQS.
305 Broadway, Suite 600
New York, N.Y. 10007

NEW YORK
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G.A. Finch
Office of General Counsel
1325 K Street N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 4, 1984

Gilbert A. Holmes, Esquire
Holmes, Meehan & Cozier
305 Broadway
Suite 600
New York, New York 10007

Re: MUR 1561
Major Owens for Congress Committee
Christopher Owens

Dear Mr. Holmes:

In response to your letter, dated 19 December 1983 and received 27 December 1983, requesting an extension of twenty (20) days to submit a response to the General Counsel's Brief, the Office of the General Counsel is granting such an extension. Your calculation that an extension would require the brief to be submitted by January 12, 1984, is correct. This Office, therefore, shall expect to receive your response by that date. Any further questions regarding this matter should be directed to attorney G.A. Finch at (202)523-4039.

Sincerely,

Charles N. Steele
General Counsel

By: *Kenneth A. Gross by TAD*
Kenneth A. Gross
General Counsel

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RECEIVED AT THE FEC
600 (305)
83 DEC 27 P1:00

HOLMES, MEEHAN & COZIER
ATTORNEYS AT LAW
205 BROADWAY - SUITE 600
NEW YORK, NEW YORK 10007
(212) 233-5810

33 DEC 28 AM 11:23

GENERAL COUNSEL

GILBERT A. HOLMES
ARTHUR D. MEEHAN
BARRY A. COZIER

December 19, 1983

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

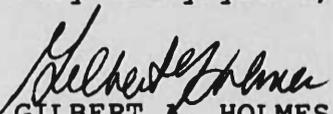
Re: Major Owens For Congress Committee
Christopher Owens, Treasurer
NUR 1561

Dear Sir(s):

I am in receipt of the notice from Charles N. Steele, Esq., General Counsel, advising that the Office of the General Counsel is preparing to recommend that the Commission find probable cause to believe that the above named parties violated 2 U.S.C. § 434(a) (2) (A) (i) and (iii). Pursuant to the notice, we request an extension of twenty (20) days to submit a responsive brief. As the notice was received on December 8, 1983, if the extension is granted, our responsive brief will be submitted on or before January 12, 1984.

Kindly acknowledge the granting of the above extension.

Thank you.

Very truly yours,

GILBERT A. HOLMES

GAH:dg

cc. G.A. Finch, Esq.

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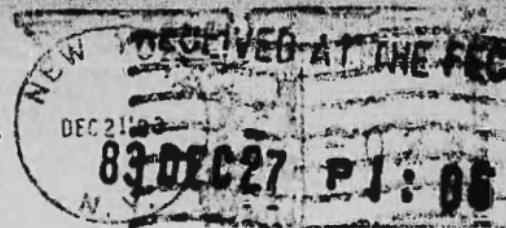
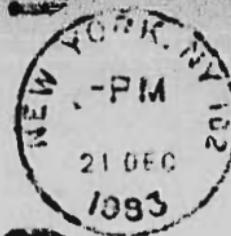
HOLMES, MERRILL & COOPER

308 BROADWAY - SUITE 800

NEW YORK, NEW YORK 10007

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



OGE
Docket
#1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463.

SENSITIVE

MEMORANDUM TO: THE COMMISSION

FROM: MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE: DECEMBER 6, 1983

SUBJECT: GENERAL COUNSEL'S BRIEF - MUR 1561
Memorandum to the Commission
dated December 5, 1983

The attached documents are circulated for your information.

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Attachments:
Memo, Brief and Letter



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cat*
DATE: December 5, 1983
SUBJECT: MUR 1561 - Memorandum and GC's Brief

The attached is submitted as an Agenda document
for the Commission Meeting of _____
Open Session _____
Closed Session _____

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CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[]	Compliance	[x]
Sensitive	[]	Audit Matters	[]
Non-Sensitive	[]	Litigation	[]
24 Hour No Objection	[]	Closed MUR Letters	[]
Sensitive	[]	Status Sheets	[]
Non-Sensitive	[]	Advisory Opinions	[]
Information	[x]	Other (see distribution below)	[]
Sensitive	[x]		
Non-Sensitive	[]		
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_____		_____	
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 DEC 5 P 1: 47

December 5, 1983

MEMORANDUM TO: The Commission

FROM: Charles N. Steele *CNS*
General Counsel

SUBJECT: MUR 1561

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on December 5, 1983. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letters to Respondents

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Major Owens for Congress Committee and)
Christopher Owens, Treasurer) MUR 1561

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

Major Owens for Congress Committee ("the Committee"), Mr. Owens' principal campaign committee for the general election, and Christopher Owens, as treasurer of the Committee, failed to file timely the 1982 October Quarterly Report and the 1982 12 Day Pre-General Election Report. The Reports Analysis Division notified the Committee of its failure to file and the Commission published the Committee's name for failing to file. The Committee filed the Pre-election and October Quarterly reports on December 17, 1982. */

On September 29, 1983, the Commission found reason to believe that Major Owens for Congress Committee and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii) by not timely filing the October Quarterly Report and the 12 Day Pre-General Election Report.

*/ The Committee and its treasurer also did not file timely the following reports.

- 1982 Pre-Primary Report (4 days late)
- 1982 July Quarterly Report (no stamped filing date and sent regular mail on due date)
- 1982 30 Day Post-General (15 days late)
- 1982 Year-End Report (4 months)
- 1983 Mid-Year (As of October 16, 1983, not filed)

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On October 18, 1983, counsel for Committee and its treasurer, Christopher Owens, responded to the Commission's reason to believe finding. The response cited several mitigating circumstances. These circumstances were that the Committee and Christopher Owens were inexperienced in campaign reporting requirements; that the Committee's bank provided them with incorrect statements, that the October Quarterly Report and 12 Day Pre-General Election Report due dates occurred during a controversial post-primary legal challenge initiated by an opponent, which challenge required all committee personnel to prepare for trial; that the trial ended in a court order for a new primary, which order was overturned on a second appeal; that the on-and-off again election complicated and delayed recordkeeping for the contributions for the old election and the contributions for the canceled court-ordered election; that the Committee responded to requests for additional information and clarified and amended its report; that the treasurer changed jobs and moved his residence in January 1983; and that for security reasons, campaign records were kept at the candidate's home and place of business thus making the records unavailable from late December 1982 to late January 1983.

II. FACTUAL AND LEGAL ANALYSIS

A. Failure to File October Quarterly Report

Section 434(a)(2)(A)(iii) of Title II requires:

(2) If the political committee is the principal campaign committee of a candidate for the House of Representatives or for the Senate -

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(A) in any calendar year during which there is a regularly scheduled election for which such candidate is seeking election, or nomination for election, the treasurer shall file the following reports:

* * *

(iii) additional quarterly reports, which shall be filed no later than the 15th day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter: except that the report for the quarter ending December 31 shall be filed no later than January 31 of the following calendar year;

The Committee and its treasurer were required to file the October Quarterly Report on October 15, 1982. The treasurer filed this report on December 17, 1982. The Committee's two month delay in filing this report violated Section 434(a)(2)(A)(iii).

B. Failure to File Pre-General Election Report

Section 434(a)(2)(A)(i) of Title II requires:

(2) If the political committee is the principal campaign committee of a candidate for the House of Representatives or for the Senate -

(A) in any calendar year during which there is a regularly scheduled election for which such candidate is seeking election, or nomination for election, the treasurer shall file the following reports:

(i) a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15 day before) any election in which such candidate is seeking election, or nomination for election, and which shall be complete as of the 20th day before such election;

The Committee and its treasurer were required to file the 12 Day Pre-General Election Report on October 21, 1982. The

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treasurer filed this report on December 17, 1982. The Committee's two month delay in filing this report violated Section 434(a)(2)(A)(i).

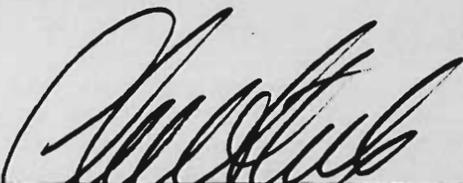
Although, the Respondents have presented information in mitigation of these violations, a two month delay in filing is not reasonable even where such mitigating factors exist.

It is further noted that the Respondents mitigating information does not explain the Committee's history of late filing, which includes its failure to file its latest required report. (See footnote on page 1).

III. RECOMMENDATION

The Office of the General Counsel recommends that the Commission find probable cause to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).

1 December 1983
Date



Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Gilbert A. Holmes, Esquire
Holmes, Meehan & Cozier
305 Broadway
Suite 600
New York, New York 10007

Re: MUR 1561
Major Owens for Congress Committee
Christopher Owens

Dear Mr. Holmes:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on September 20, 1983, found reason to believe that your clients, Major Owens for Congress Committee and Christopher Owens, as treasurer, had violated 2 U.S.C. § 434(a) (2)(A)(i) and (iii), provisions of the Federal Election Campaign Act ("the Act"), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief that you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

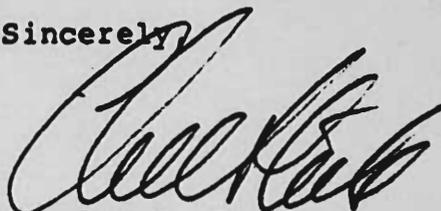
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Letter to Gilbert A. Holmes
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact G.A. Finch, at (202) 523-4039.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

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HOLDEN, MEEHAN & COZIER
ATTORNEYS AT LAW
305 BROADWAY, SUITE 600
NEW YORK, NEW YORK 10007
(212) 333-8610

GILBERT A. HOLMES
ARTHUR D. MEEHAN
BARRY A. COZIER

October 14, 1983

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

Att'n: G.A. Finch

Re: MUR1561

Dear Mr. Finch:

Our firm represents the Major Owens for Congress Committee and Christopher R. Owens, Treasurer with regard to the determination of September 20, 1983 and the Summary of Allegations forwarded to the Committee on September 22, 1983 that there is reason to believe that the Committee and the Treasurer violated provisions of the Federal Election Campaign Act of 1971, as amended by not timely filing reports of the Committee with the Commission. The undersigned is the member of the firm responsible for handling this matter and we request that you direct all communication and correspondence to his attention. Enclosed please find a Statement of Designation of Counsel.

The Major Owens for Congress Committee cannot and does not deny that the 1982 October Quarterly Report, the 1982 Twelve-Day Pre-General Election Report and that the 1982 Year-End Report were not timely filed. However, while the Committee admits its failure to timely file these reports, the Committee respectfully submits the following to the Commission in mitigation:

First, this is the first federal election entered into by the Committee and its Treasurer and they found the accounting and specific reporting requirements, not including the dates the reports were due, difficult, cumbersome and confusing. The Treasurer had to rely on bank statements which were often incorrect e.g., in September and October, 1982, Bank de Ponce debited the account of the Committee twice for the same check. This resulted in other checks being returned for insufficient funds and caused a major discrepancy between the Committee's bank account and its records, which had to be resolved in preparing the reports. The Treasurer also advised us that he did not receive clear instructions or a

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Federal Elections Commission

October 14, 1983

Att'n: G.A. FinchRe: MUR1561

suggested mechanism for maintaining records from the Commission until after the subject reports were due. The Committee has changed banks and believes that the confusion regarding the designation of funds received, i.e., loans vs contributions has been clarified. The Committee does not anticipate that future reports will be delayed by the Committee's problems in its banks or accounting records or by its lack of experience in these matters.

Second, the October Quarterly Report and the Twelve-Day Pre-General Election Report came due while the entire organization was deeply involved in a bitter and acrimonious post-primary challenge and trial. Major Owens won the primary election by approximately 3000 votes; however, the loser, Vander L. Beatty, filed a legal challenge to the primary results. In attempting to over turn the primary election results, Mr. Beatty and his followers apparently forged more than 10,000 signatures on voter registration cards after the primary election (Mr. Beatty and two of his aids were subsequently indicted for these acts and the aids, who have pleaded guilty, are scheduled to testify against Mr. Beatty at the trial). In order to overcome this scandalous attempt to steal the election from Major Owens, the Committee utilized all personnel including the Treasurer, to review voter records, conduct a "line by line" analysis of Beatty's alleged irregularities and to testify at the trial. The primary election was on September 23, 1982; the legal proceeding by Beatty was commenced on September 30, 1982 and the trial ended on October 21, 1982. The challenge filed by Mr. Beatty resulted in a court order for a new primary election which was scheduled for October 26, 1982. However, as a result of two appeals to the Appellate Division and to the Court of Appeals of the State of New York, the order for a new primary election was reversed and vacated on October 25, 1982.

Third, the primary election challenge, the order for a new election and the reversal of that order created havoc on the record keeping by the Committee. For five days, from October 21 to October 25, 1982, it appeared that the Committee would be involved in another election which potentially allowed additional contributions and required a new record keeping system; and then the new election was cancelled which caused another change in the record keeping mechanism.

The result of the foregoing was that the Committee and the Treasurer, both of whom had no prior experience in the reporting requirements of the Federal Election Campaign Act, had to review the contributions received and expenditures made for the aborted special primary election to determine which, if any, could not

Federal Elections Commission

October 14, 1983

Att'n: G.A. FinchRe: MUR1561

be lawfully attributed to the general election and/or the prior primary election and which would have to be refunded or absorbed.

This process took more than a month and therefore, resulted in the late filing of the 1982 October Quarterly Report and the 1982 Twelve-Day Pre-General Election Report on December 17, 1982.

Fourth, the inexperience of the Committee and the Treasurer caused several reports filed by the Committee to be revised and amended at the request of the Commission. From September 16, 1982 to May 17, 1983, the Commission sent eight (8) inquiries regarding the items included in the July Quarterly Report, Twelve-Day Pre-Primary Election Report, the October Quarterly Report, the Twelve-Day Pre-General Election Report and the Thirty-Day Post-General Election Report. All of these items were clarified and/or amended appropriately.

Fifth, in January, 1983, Christopher Owens, Treasurer, changed jobs and moved his personal residence. Because of problems of security at the Committee office, many of the records for the early 1982 reports were maintained by Mr. Owens at his place of business and at home. These records were unavailable from late December, 1982 to late January, 1983.

As a result of the foregoing, primarily the unusual circumstances of a month long legal challenge to the primary election, the scheduling and aborting of a special election, the unavailability of certain records and reports and the need in response to Commission inquiries to clarify and/or amend prior reports, the 1982 Year-End Report took an inordinately long time to prepare and was filed late.

We believe that the Committee and the Treasurer encountered several unique situations during the last four (4) months of 1982 and that these situations caused the Committee and the Treasurer to file the 1982 October Quarterly Report, the 1982 Twelve-Day Pre-General Election Report and the Year-End Report in an untimely fashion. We respectfully direct the Commission's attention to the fact that the Committee notified the Commission prior to each filing deadline that the report would be late and that although there have been requests to clarify the reports, there has been no indication to the Committee or the Treasurer that the Committee or the Treasurer have engaged in any inapproprieties in the financing of the election of Major R. Owens as the United States Representative for the 12th Congressional District.

HOLMES, MEEHAN & COZIER

ATTORNEYS AT LAW

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Federal Elections Commission

October 14, 1983

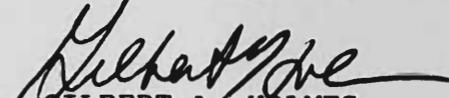
Att'n: G.A. Finch

Re: MUR1561

We respectfully request that the Commission consider the foregoing and dismiss the allegations or in the alternative consider same as mitigating circumstances.

If you have any questions or require additional information, please contact the undersigned.

Very truly yours,


GILBERT A. HOLMES

GAH/mh

cc: Major Owens for Congress Committee

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STATEMENT OF DESIGNATION OF COUNSEL

600#979
Junch

Re: **NUR** 1561

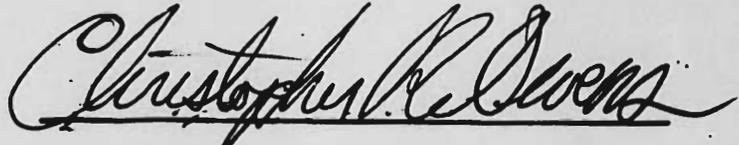
NAME OF COUNSEL: GILBERT A. HOLMES
ADDRESS: HOLMES, MEEHAN & COZIER
305 Broadway, Suite 600
New York, N.Y. 10007
TELEPHONE: (212) 233-5810

OC118. PA: 51

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.

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October 11, 1983



Signature

NAME: CHRISTOPHER OWENS
ADDRESS: 187 Prospect Place
Brooklyn, N.Y. 11238
HOME PHONE (212) 622-6166
BUSINESS PHONE: (212) 581-8818

MEEHAN & COSIER

ROADWAY - SUITE 600
NEW YORK, NEW YORK 10007

84040462960



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

Att'n: G.A. Finch

PRESS HERE

Y.C. 47-11-1

FROM: Holmes, Meehan & Cozier
305 Broadway - suite 600
New York, New York 10007

Customer Number, if any:

TO: Federal Elections Commission
1325 K Street, N.W.
Washington, D.C. 20463

Label 11-B, Jan. 1983 * U.S.G.P.O. 1982-384-133

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Date of Delivery	10-18
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Signature of Addressee or Agent	
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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 22, 1983

Christopher R. Owens
Treasurer
Major Owens for Congress Committee
1125-29 Eastern Parkway
Brooklyn, New York 11213

Re: MUR 1561

Dear Mr. Owens:

On September 20, 1983, the Federal Election Commission determined that there is reason to believe that the Major Owens for Congress Committee ("the Committee") and you, as treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), by not timely filing reports of Major Owens for Congress Committee with the Commission. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the Committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and the Committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe, if you so desire. See 11 C.F.R. § 111.18(d).

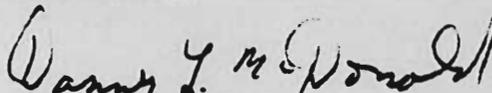
If you and the Committee intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A), unless you and the Committee notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact G.A. Finch, the attorney assigned to this matter, at (202)523-4073.

Sincerely,


Danny L. McDonald,
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

84040462963

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1561
STAFF MEMBER & TEL. NO.
G.A. Finch
(202)523-4073

RESPONDENTS Major Owens for Congress Committee
Christopher Owens, Treasurer

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

84040462964
Major Owens for Congress Committee ("the Committee") was Mr. Owens' principal campaign committee for the general election. */ Christopher Owens is the treasurer of the Committee. The Reports Analysis Division notified the Committee on September 21, 1982 and October 15, 1982, respectively, that the October Quarterly and the Pre-election Reports would be due. The Committee and the treasurer have not timely filed the 1982 October Quarterly Report, the 1982 Twelve-Day Pre-General Election Report, or the 1982 Year-End Report. When the Committee and the treasurer failed to file the reports in question, the Reports Analysis Division sent mailgrams to the Committee informing it of its failure. The Commission has published the name of the Committee because of its failure to file the reports. The Committee did file the Pre-election and October Quarterly reports on December 17, 1982 and the Year-End Report on June 3, 1983.

*/ His other authorized committee is the Concerned Citizens for Major Owens.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(2)(A)(i) and (iii) require the principal campaign committee of a candidate for the House of Representatives, through its treasurer, to file a Pre-election Report by the 12th day before an election and file quarterly reports by the 15th day of each calendar quarter. Since there was a delay of approximately two months between the due dates and the filing of the 1982 October Quarterly and the 1982 Twelve-Day Pre-Election Reports, and the delay of approximately four months between the due date and the filing of the 1982 Year-End Report, the Committee and Christopher Owens, as treasurer of the Committee, are in violation of Section 434(a)(2)(A)(i) and (iii).

The Office of General Counsel notes the following aggravating factors involved in this MUR:

- 1) One report was a pre-election report.
- 2) The Committee had substantial activity in excess of one-hundred thousand dollars (\$100,000).
- 3) Two to four months delays in filing are not reasonable lengths of delay.
- 4) The late filing of three reports is a pattern of non-compliance.

Accordingly, this Office recommends that the Commission find reason to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1561
Major Owens for Congress)
Committee)
Christopher R. Owens, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 20, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1561:

1. Find reason to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).
2. Approve the letter as attached to the First General Counsel's Report dated September 16, 1983.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

9-20-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

9-16-83, 10:49
9-16-83, 2:00

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FEDERAL ELECTION COMMISSION
 WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
 FROM: Office of General Counsel *Cit*
 DATE: September 16, 1983
 SUBJECT: MUR 1561 - First General Counsel's Report

The attached is submitted as an Agenda document
 for the Commission Meeting of _____
 Open Session _____
 Closed Session _____

CIRCULATIONS

DISTRIBUTION

48 Hour Tally Vote [X]
 Sensitive [X]
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 24 Hour No Objection []
 Sensitive []
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 Information []
 Sensitive []
 Non-Sensitive []
 Other []

Compliance [X]
 Audit Matters []
 Litigation []
 Closed MUR Letters []
 Status Sheets []
 Advisory Opinions []
 Other (see distribution below) []

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SENSITIVE

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OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

83 SEP 16 A10: 49

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 10:45-9/16/83

MUR # 1561
STAFF MEMBER
G.A. Finch

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAMES: Major Owens for Congress Committee and
Christopher R. Owens, Treasurer

INTERNAL REPORTS CHECKED: Reports of Major Owens for Congress
Committee and Concerned Citizens for
Major Owens

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Major Owens for Congress Committee ("the Committee") was Mr. Owens' principal campaign committee for the general election. */ Christopher Owens is the treasurer of the Committee. The Reports Analysis Division notified the Committee on September 21, 1982 and October 15, 1982, respectively, that the October Quarterly and the Pre-election Reports were coming due. The Committee did not timely file the 1982 October Quarterly Report, the 1982 Twelve-Day Pre-General Election Report, or the 1982 Year-End Report. The Reports Analysis Division notified the Committee of its failure to file and the Commission published the

*/ His other authorized committee is the Concerned Citizens for Major Owens.

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Committee's name for failing to file. The Committee finally filed the Pre-election and October Quarterly reports on December 17, 1982 and the Year-End Report on June 3, 1983.

It should be noted that although the Committee has responded to requests for additional information with respect to these reports, it has not done so in a timely manner.

Major Owens won the General Election receiving 90.5 percent of the votes. Additionally, the financial activity of his campaign exceeded one-hundred thousand dollars (\$100,000).

FACTUAL AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(2)(A)(i) and (iii) require the principal campaign committee of a candidate for the House of Representatives, through its treasurer, to file a Pre-election Report by the 12th day before an election and file quarterly reports by the 15th day of each calendar quarter. Since there was a delay of approximately two months between the due dates and the filing of its 1982 October Quarterly and 1982 Twelve-Day Pre-Election Reports and a delay of approximately four months between the due date and the filing of its 1982 Year-End Report, the Committee and the treasurer are in violation of Section 434(a)(2)(A)(i) and (iii).

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The Office of General Counsel notes the following aggravating factors involved in this MUR:

- 1) One report was a pre-election report.
- 2) The Committee had substantial activity in excess of one-hundred thousand dollars (\$100,000).
- 3) Two to four months delays in filing are not reasonable lengths of delay.
- 4) The late filing of three reports is a pattern of non-compliance.

Accordingly, this Office recommends that the Commission find reason to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer, violated the Act.

RECOMMENDATIONS

1. Find reason to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).
2. Approve the attached letter.

Charles N. Steele
General Counsel

Sept 15, 1983
Date

By:

Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

1. Referral memorandum with attachments
2. Letter to Respondents
3. General Counsel's Factual and Legal Analysis

84040462970

RAD REFERRAL NUMBER: 83NF-8

SUBJECT: Major Owens for Congress Committee

BACKGROUND

1. Date of referral: April 20, 1983
2. Financial background:
 - a. Total 1981-82 receipts: \$132,788.
 - b. Total 1981-82 disbursements: \$125,025.
 - c. Cash on hand (11/22/82): 7,763.
 - d. Debt owed (11/33/82): 27,674.
3. Status of Committee
Active

SUMMARY OF RAD ACTIONS

Major Owens for Congress Committee is the principal campaign committee for the General Election of Mr. Owens. */ The Reports Analysis Division notified the Committee on September 21, 1982 and October 15, 1982, respectively, that the October Quarterly

*/ His other authorized committee is the Concerned Citizens for Major Owens.

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and the Pre-election Reports would be due. The Committee has neither timely filed the 1982 October Quarterly Report nor the Twelve-Day Pre-General Election Report. When the Committee failed to file the reports in question, the Reports Analysis Division sent two mailgrams to the Committee informing it of its failure. The Commission then published the name of the Committee on October 29, 1982 because of its failure to file both reports. The Committee did file both reports on December 17, 1982.

As of April 25, 1983, the Committee had not filed its Year-End Report; consequently, the Commission does not have updated information on the Committee's financial activity.

It should be noted that the Committee has not responded to any requests for additional information by the Reports Analysis Division with respect to the Twelve-Day Primary Report. Additionally, phone conversations between the Reports Analysis Division and the Committee indicated that the Committee's financial records and books are in disorder.

Major Owens won the General Election receiving 90.5 percent of the votes.

OGC ANALYSIS

2 U.S.C. § 434(a)(2)(A)(i) and (iii) respectively require that the treasurer of the principal campaign committee of a candidate for the House of Representatives file a Pre-election Report by the 12th day before an election and file quarterly reports by the 15th day of each calendar quarter. Since there

94046973



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

20 April 1983

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *AC*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JG*
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: REFERRAL OF THE MAJOR OWENS FOR CONGRESS COMMITTEE

This is a referral of the Major Owens for Congress Committee. According to the Review and Referral Procedures, the committee's failure to file timely the 1982 October Quarterly Report and the 1982 12 Day Pre-General Election Report requires further examination by your office (Chart 1).

Please also note that the committee failed to file the 1982 Year End Report;

If you have any questions regarding this matter, please contact Benita Marcus Adler or Daniel Zoller in the Reports Analysis Division.

Attachments

cc: Commissioners

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983ANALYST: Benita Marcus Adler

I. COMMITTEE: Major Owens for Congress Committee
(C00156539) (NY-12)
Christopher R. Owens, Treasurer
1125-29 Eastern Parkway
Brooklyn, NY 11213

II. RELEVANT STATUTE: 2 U.S.C. 434(a) (2) (A) (iii)
2 U.S.C. 434(a) (2) (A) (i)

III. BACKGROUND:

Major Owens for Congress Committee, the principal campaign committee supporting Major Owens in the 1982 General Election, failed to file timely the 1982 October Quarterly and 12 Day Pre-General Election Reports. Mr. Owens won the general election with 90.5 percent of the vote (Attachment 2).

On September 21, 1982, the committee was notified that a quarterly report was due on October 15, 1982 (Attachment 3). On September 27, 1982, the committee was notified that a pre-election report was due on October 21, 1982 (Attachment 4). On October 22, 1982, the committee was sent two mailgrams, one each for failure to file the 1982 October Quarterly and 12 Day Pre-General Election Reports, because the Clerk of the House of Representatives had not received either report (Attachments 5 and 6). On October 29, 1982, the name of the committee was published for failure to file both reports (Attachments 7 and 8). On December 17, 1982, the committee filed both reports (Attachments 9 and 10).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

OWENS, ROBERT MAJOR
 HOUSE 12 DEMOCRATIC PARTY
 NEW YORK
 1982 ELECTION 199 H2NY12023
 21MAY82 1 82HGE/216/2030

DESCRIPTION	AMOUNT	DATE	HOUSE	PAGES	TOTAL PAGES
1. STATEMENT OF CANDIDATE					
1982 STATEMENT OF RECEIPTS & EXPENDITURES					
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES					
3. FINANCIAL CAMPAIGN COMMITTEE MAJOR OWENS FOR CONGRESS COMMITTEE	30,504		HOUSE		
1982 STATEMENT OF ORGANIZATION					
MISCELLANEOUS REPORT	27,600				
PRE-PRIMARY					
AMENDMENT					
PRE-PRIMARY					
AMENDMENT					
PRE-PRIMARY					
AMENDMENT					
REQUEST FOR ADDITIONAL INFORMATION					
2ND					
REQUEST FOR ADDITIONAL INFORMATION					
2ND					
JULY QUARTERLY	11,709				
AMENDMENT					
JULY QUARTERLY					
AMENDMENT					
JULY QUARTERLY					
AMENDMENT					
JULY QUARTERLY					
AMENDMENT					
1ST LETTER INFORMATIONAL NOTICE					
OCTOBER QUARTERLY	40,301				
AMENDMENT					
OCTOBER QUARTERLY	40,301				
AMENDMENT					
OCTOBER QUARTERLY	3,240				
AMENDMENT					
PRE-GENERAL	1,810				
AMENDMENT					
POST-GENERAL	1,810				
AMENDMENT					
POST-GENERAL	38,081				
AMENDMENT					
POST-GENERAL	38,081				
AMENDMENT					
TOTAL	111,747			40,253	82,732
4. AUTHORIZED COMMITTEES CONCERNED CITIZENS FOR MAJOR OWENS					
1982 STATEMENT OF ORGANIZATION					
PRE-PRIMARY					
REQUEST FOR ADDITIONAL INFORMATION					
2ND					
JULY QUARTERLY	190				
AMENDMENT					
JULY QUARTERLY	676				
AMENDMENT					
JULY QUARTERLY					
AMENDMENT					
TOTAL	866			190	676
5. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES					
*Denotes reports which have received basic review.					
Cash-on-hand as of November 22, 1982	--				\$7,763.46
Debts owed as of November 22, 1982	--				\$27,674.40

ATTACHMENT

	Vote Total	Pc cent
Douglas K. Bereuter (R)*	137,675	75.1
2 Richard M. Fallman (D)	70,431	43.1
Hal Daub (R)*	92,639	56.7
3 Virginia Smith (R)*	X	100.0

NEVADA

Governor

Richard M. Bryan (D)	128,132	53.4
Robert F. List (R)*	100,104	41.8
Don Bacon (LIBERT)	4,621	1.9
None of the Above	6,894	2.9

Senator

Howard W. Cannon (D)*	114,720	47.7
Chic Hecht (R)	120,377	50.1
None of the Above	5,297	2.2

House

1 Harry Reid (D)	61,901	57.3
Peggy Connor (R)	45,675	42.5
2 Mary Gojock (D)	52,265	41.3
Barbara Vuconovich (R)	70,188	55.5
Teresa Vuosta (LIBERT)	4,043	3.2

NEW HAMPSHIRE

Governor

Hugh Gallen (D)*	132,287	46.4
John M. Sununu (R)	147,774	51.9
Meldrim Thomson Jr. (I)	4,785	1.7

House

1 Norman E. D'Amours (D)*	76,281	54.9
Robert C. Smith (R)	61,876	44.6
William C. Mackenzie II	752	0.5
2 Robert I. Dubej (D)	37,834	29.1
Judd Gregg (R)	92,098	70.9

NEW JERSEY

Senator

Frank P. LaRosenberg (D)	1,117,549	50.9
Millicent Fenwick (R)	1,047,626	47.7
Henry Koch (LIBERT)	9,934	0.5
Julius Levin (SOC LAB)	5,580	0.3
Claire Moriarty (SOC WORK)	3,726	0.2
Robert T. Basman (I)	2,955	0.1
Rose Zaidberg Moryak (I)	1,830	0.1
Martin E. Wendelken (I)	1,745	0.2

House

1 James J. Florio (D)*	310,570	73.3
John A. Dromesi (R)	39,501	26.2
Henry Zaklin (LIBERT)	493	0.3
Patrick J. McCann (SOC LAB)	327	0.2
2 William J. Hughes (D)*	302,826	68.0
John J. Mahoney (R)	47,069	31.2
Bruce Powers (LIBERT)	1,233	0.8
James J. Howard (D)	304,055	62.3
Maria Sheehan-Muhler (R)	60,515	36.2
John Kennedy III (CIT)	1,785	0.5
Lee A. Gesner Jr. (LIBERT)	701	0.4
Lawrence D. Erickson (SOC)	436	0.3
Joseph B. Howley (I)	304	0.3
4 Joseph P. Marino (D)	75,458	46.5
Christopher H. Smith (R)*	85,660	52.7
Bill Morris (LIBERT)	662	0.4
Eugene A. Creech (WF)	241	0.2
Paul B. Rizzo (I)	374	0.2
5 Fritz Cammerzell (D)	53,659	33.5

	Vote Total	Pc cent
Merge Roukema (R)*	104,695	65.3
William J. Zelko Jr. (LIBERT)	2,004	1.2
6 Bernard J. Dwyer (D)*	100,418	68.1
Bertram L. Buckler (R)	46,093	31.3
Charles M. Hart (LIBERT)	920	0.6
7 Adam K. Levin (D)	70,978	43.2
Matthew J. Rinaldo (R)*	91,837	56.0
Donald B. Siano (LIBERT)	1,294	0.8
8 Robert A. Roe (D)*	89,980	70.7
Norm Robertson (R)	36,317	28.5
Sidney J. Pope (LIBERT)	1,000	0.8
9 Robert G. Terricelli (D)	99,090	53.0
Harold C. Hollenbeck (R)*	86,022	46.0
Robert Shapiro (LIBERT)	1,767	1.0
10 Peter W. Rodino Jr. (D)*	76,684	82.6
Timothy Lee Jr. (R)	14,551	15.7
Katherine Florentine (LIBERT)	958	1.0
Christine Kono (I)	659	0.7
11 Joseph G. Minish (D)*	105,607	64.3
Ray Redington (R)	57,099	34.8
Richard Roth (LIBERT)	1,531	0.9
2 Jeff Connor (D)	57,049	32.3
Jim Courter (R)*	117,793	66.8
Harold F. Leinwecker (LIBERT)	1,610	0.9
13 George Collos (D)	65,820	39.1
Edwin B. Forsythe (R)*	100,061	59.5
Paula Velpe (CIT)	955	0.6
Don Smith (CST)	651	0.4
Leonard T. Flynn (LIBERT)	769	0.4
14 Frank J. Guarini (D)*	94,021	74.3
Charles J. Carrillo (R)	28,257	22.3
Louis J. Sicilia (LIBERT)	471	0.4
Kenneth Famularo (I)	921	0.7
Jack Murphy (I)	1,704	1.3
Herbert H. Shaw (I)	1,222	1.0

NEW MEXICO

Governor

Toney Anaya (D)	215,840	53.0
John B. Erick (R)	191,626	47.0

Senator

Jeff Bingaman (D)	217,682	53.8
Harrison "Jack" Schmitt (R)*	187,128	46.2

House

1 Jon Alan Horike (D)	67,534	47.6
Manuel Lujan Jr. (R)*	74,459	52.4
2 Caleb Chandler (D)	30,599	41.6
Joe Starn (R)	71,021	58.4
3 Bill Richardson (D)	84,669	64.5
Marjorie Bell Chambers (R)	46,466	35.4
David Arturo Fernandez (write-in)	158	0.1

NEW YORK

Governor

Mario M. Cuomo (D-1)	2,673,213	50.9
Law Lehman (R, C-2)	2,494,827	47.5
John J. Northrup (F LIBERT)	16,913	0.3
Nancy Ross (NA)	5,277	0.1
Diane Wang (SOC WORK)	3,766	0.1
Robert J. Bohner (RTL)	52,356	1.0
Jane Benedict (UN)	6,353	0.1

Senator

Daniel Patrick Moynihan (D,1)*	3,232,146	65.1
Florence Sullivan (R, C, RTL)	1,696,766	34.1

	Vote Total	Pc cent
James J. McKeown (F LIBERT)	23,379	0.5
Steven Wattenmaker (SOC WORK)	15,206	0.3
House		
1 Ethan C. Eldon (D)	49,787	36.1
William Carney (R, C, RTL)*	88,234	63.9
2 Thomas J. Downey (D)*	80,951	63.9
Paul G. Costello (R, C)	42,790	33.8
Lewis VanDusen (RTL)	2,971	2.3
3 Robert J. Mrazek (D)	93,846	51.8
John LeBouillier (R, C)*	83,238	46.0
Richard G. Bohner (RTL)	4,049	2.2
4 Robert P. Zimmerman (D, I)	63,390	36.3
Norman F. Lent (R, C)*	105,241	60.4
John J. Dunkle (RTL)	5,717	3.3
5 Arnold J. Miller (D, I)	67,002	38.8
Raymond J. McGrath (R, C)*	100,485	58.1
Thomas J. Boyle (RTL)	4,911	2.8
Richard Moran (F LIBERT)	490	0.3
6 Joseph P. Addabbo (D, R, I)*	95,483	95.9
Mark E. Scott (C)	4,074	4.1
7 Benjamin S. Rosenthal (D, I)*	84,013	77.2
Albert Lemishow (R, C, RTL)	24,832	22.8
8 James H. Scheuer (D, I)*	91,830	89.3
John T. Blume (C)	10,741	10.5
9 Geraldine A. Ferraro (D)*	75,286	73.2
John J. Weigandt (R)	20,352	19.8
Reich G. Groves (C, RTL)	6,011	5.9
Patricia A. Salergo (I)	1,171	1.1
10 Charles E. Schumer (D, I)*	89,852	79.2
Stephen Marks (R, C)	21,726	19.3
Alce J. Beneloni (RTI)	1,873	1.7
11 Eccephus Towns (D)	39,357	83.7
James W. Smith (R)	4,449	9.5
Joseph N. O. Coester (C, RTL)	1,257	2.9
Patrick W. Diagnosova (I)	1,488	3.2
Susan C. Zerbe (SOC WORK)	359	0.7
12 Major R. Owens (D, I)	44,586	90.5
David Katz Sr. (R)	3,215	6.5
David E. Riensstroch (C)	1,005	2.1
John-Clyme Francis (RTL)	453	0.9
13 Stephen J. Solarz (D, I)*	68,549	80.5
Leon F. Nadrowski (R, RTL)	14,257	16.6
James M. Goy (C)	2,324	2.7
14 Leo C. Zelerenti (D)*	51,728	42.9
Guy V. Molinari (R, C, RTL)*	67,626	56.1
Carl F. Grillo (I)	1,276	1.0
15 Betty G. Lall (D, I)	35,483	44.8
Bill Green (R)	66,262	53.8
Henry Van Roman (C)	1,953	1.6
16 Charles B. Rangel (D, R, I)*	76,626	77.5
Michael T. Berns (C)	1,261	1.6
Veronica Cruz (SOC WORK)	718	0.9
17 Ted Weiss (D, I)*	113,172	85.0
Louis S. Antonelli (R, C, RTL)	19,928	15.0
18 Robert Garcia (D, R, I)*	57,009	98.9
Rafael Perez (POPULAR)	655	1.1
19 Mario Biaggi (D, R, I, RTL)	118,803	93.7
Michael J. McSherry (C)*	7,438	5.9
Eva Chenier (SOC WORK)	584	0.4
20 Richard L. Ottinger (D)*	98,425	56.5
Jon S. Fossil (R, C)	72,005	41.3
Florence T. O'Grady (RTL)	3,798	2.2
21 J. Morgan Strong (D)	38,664	24.8
Hamilton Fish Jr. (R, C)*	117,460	75.2
22 Peter A. Peyser (D)*	73,124	42.0
Benjamin A. Gilman (R)*	92,266	52.9
Charles C. Beck (C)	4,877	2.8
Richard Bruno (RTL)	4,019	2.3

Died Jan. 4, 1983

	Vote Total	Per cent
Douglas K. Bereuter (R)*	137,675	75.1
2 Richard M. Fallman (D)	70,431	43.1
Hai Doub (R)*	92,639	56.7
3 Virginia Smith (R)*	X	100.0

NEVADA

Governor

Richard H. Bryan (D)	128,132	53.4
Robert F. List (R)*	100,104	41.8
Dan Bacon (LIBERT)	4,621	1.9
None of the Above	6,894	2.9

Senator

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Chic Mecht (R)	120,377	50.1
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House

1 Harry Reid (D)	61,901	57.5
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William C. Mackenzie II	752	0.5
2 Robert L. Dacey (D)	37,834	29.1
Jesse Gregg (R)	92,098	70.9

NEW JERSEY

Senator

Frank P. Lautenberg (D)	1,117,549	50.9
Mulcahy Fenwick (R)	1,047,626	47.7
Henry Koch (LIBERT)	9,934	0.5
Julius Levin (SOC LAB)	5,580	0.3
Claire Moriarty (SOC WORK)	3,726	0.2
Robert T. Batten (I)	2,955	0.1
Rose Zaidberg Manyak (I)	1,830	0.1
Martin E. Weideman (I)	4,745	0.2

House

1 James J. Florio (D)*	110,570	73.3
John A. Dramasi (R)	39,501	26.2
Jerry Zeldin (LIBERT)	493	0.3
Patrick J. McCann (SOC LAB)	327	0.2
2 William J. Hughes (D)*	102,826	68.0
John J. Mohoney (R)	47,069	31.2
Bruce Powers (LIBERT)	1,233	0.8
3 James J. Howard (D)*	104,035	62.3
Marie Sheehan Muhler (R)	60,515	36.2
John Kennedy III (CIT)	785	0.5
Lee A. Gerner Jr. (LIBERT)	701	0.4
Lawrence D. Erickson (SOC)	436	0.3
Joseph B. Hawley (I)	304	0.3
4 Joseph P. Marino (D)	75,658	46.5
Christopher H. Smith (R)*	85,660	52.7
Bill Harris (LIBERT)	662	0.4
Eugene A. Croech (WF)	241	0.2
Paul B. Rizzo (I)	374	0.2
5 Fritz Cammerzell (D)	53,659	33.5

	Vote Total	Per cent
Marge Roukema (R)*	104,695	65.3
William J. Zeiko Jr. (LIBERT)	2,004	1.2
6 Bernard L. Dwyer (D)*	100,418	68.1
Bertram L. Buckler (R)	46,093	31.3
Charles M. Hart (LIBERT)	920	0.6
7 Adam K. Levin (D)	70,978	43.2
Matthew J. Rinaldo (R)*	91,837	56.0
Donald B. Siano (LIBERT)	1,294	0.8
8 Robert A. Roe (D)*	89,980	70.7
Norm Robertson (R)	36,317	28.5
Sidney J. Pope (LIBERT)	1,000	0.8
9 Robert G. Terricelli (D)	99,090	53.0
Harold C. Mollenbeck (R)*	86,022	46.0
Robert Shapiro (LIBERT)	1,767	1.0
10 Peter W. Rodino Jr. (D)*	76,684	82.6
Timothy Lee Jr. (R)	14,551	15.7
Katherine Florentine (LIBERT)	958	1.0
Christina Kono (I)	659	0.7
11 Joseph G. Minish (D)*	105,607	64.3
Ray Rodington (R)	57,099	34.8
Richard Roth (LIBERT)	1,531	0.9
2 Jeff Connor (D)	57,049	32.3
Jim Courter (R)*	117,793	66.8
Harold F. Leinwecker (LIBERT)	1,610	0.9
13 George Collas (D)	65,820	39.1
Edwin B. Forsythe (R)*	100,061	59.5
Paula Volpe (CIT)	955	0.6
Dan Smith (CST)	651	0.4
Leonard T. Flynn (LIBERT)	769	0.4
14 Frank J. Guarini (D)*	94,021	74.3
Charles J. Cantillo (R)	28,257	22.3
Louis J. Sicilio (LIBERT)	471	0.4
Kenneth Famularo (I)	921	0.7
Jack Murphy (I)	1,704	1.3
Herbert H. Shaw (I)	1,232	1.0

NEW MEXICO

Governor

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John B. Irick (R)	191,626	47.0

Senator

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Harrison "Jack" Schmitt (R)*	187,128	46.2

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1 Jan-Alan Horike (D)	67,534	47.6
Manuel Lujan Jr. (R)*	74,459	52.4
2 Caleb Chandler (D)	50,599	41.6
Joe Simon (R)	71,021	58.4
3 Bill Richardson (D)	84,669	64.5
Marjorie Bell Chambers (R)	46,466	35.4
David Arturo Fernandez (write-in)	158	0.1

NEW YORK

Governor

Marie M. Cuomo (D-L)	2,673,213	50.9
Law Lehman (R-C, I)	2,494,827	47.5
John J. Northrup (F LIBERT)	16,913	0.3
Nancy Ross (NA)	5,277	0.1
Diane Wang (SOC WORK)	3,766	0.1
Robert J. Bohner (RTL)	52,356	1.0
Jane Benedict (UN)	6,253	0.1

Senator

Daniel Patrick Moynihan (D-L)*	3,232,146	65.1
Florence Sullivan (R, C, RTL)	1,696,766	34.1

	Vote Total	Per cent
James J. McKeown (F LIBERT)	23,379	0.5
Seven Wattenmaier (SOC WORK)	15,206	0.3

House

1 Ethen C. Eldon (D)	49,787	36.1
William Carney (R, C, RTL)*	88,234	63.9
2 Thomas J. Downey (D)*	80,951	63.9
Paul G. Costello (R, C)	42,790	33.8
Lewis VanDenEssen (RTL)	2,971	2.3
3 Robert J. Mrazek (D)	93,846	51.8
John LeBoutillier (R, C)*	83,238	46.0
Richard G. Bohner (RTL)	4,049	2.2
4 Robert P. Zimmerman (D, I)	63,390	36.3
Norman F. Lent (R, C)*	105,241	60.4
John J. Dunale (RTL)	5,717	3.3
5 Arnold J. Miller (D, I)	67,002	38.8
Raymond J. McGrath (R, C)*	100,485	58.1
Thomas J. Boyle (RTL)	4,911	2.8
Richard Moran (F LIBERT)	490	0.3
6 Joseph P. Addabbo (D, R, I)*	95,483	95.9
Mark E. Scott (C)	4,074	4.1
7 Benjamin S. Rosenthal (D, I)*	84,013	77.2
Albert Lemishow (R, C, RTL)	24,832	22.8
8 James H. Scheuer (D, I)*	91,830	89.5
John T. Blume (C)	10,741	10.5
9 Geraldine A. Ferraro (D)*	75,286	73.2
John J. Weigandt (R)	20,352	19.8
Reich G. Graves (C, RTL)	6,011	5.9
Patricia A. Salargo (I)	1,171	1.1
10 Charles E. Schumer (D, I)*	89,852	79.2
Stephen Marks (R, C)	21,726	19.1
Alce J. Benolenti (I)	1,873	1.7
11 Enochus Towns (D)	39,357	83.7
James W. Smith (R)	4,449	9.5
Joseph N. C. Coester (C, RTL)	1,357	2.9
Patrick W. McGrath (I)	1,488	3.2
Susan C. Zarate (SOC WORK)	359	0.7
12 Meier R. Owens (D, I)	44,586	90.5
David Katz (R)	3,215	6.5
David E. Resenstraot (C)	1,005	2.1
John Clymer Francis (RTL)	453	0.9
13 Stephen J. Solozz (D, I)*	68,549	80.5
Leon F. Nadrowski (R, RTL)	14,257	16.8
James M. Goy (C)	2,324	2.7
14 Lee C. Zelenfer (D)*	51,728	42.9
Guy V. Moynihan (R, C, RTL)*	67,626	56.1
Carl F. Grillo (I)	1,276	1.0
15 Betty G. Lall (D, I)	35,483	44.8
Bill Green (R)*	46,262	53.6
Henry Van Rossum (G)	1,933	1.6
16 Charles B. Rangel (D, R, I)*	76,626	97.5
Michael T. Bens (C)	1,261	1.6
Veronica Cruz (SOC WORK)	718	0.9
17 Ted Weiss (D, I)*	113,172	85.0
Louis S. Antonelli (R, C, RTL)	19,928	15.0
18 Robert Garcia (D, R, I)*	57,009	98.9
Rafael Perez (POPULAR)	655	1.1
19 Mario Biaggi (D, R, L, RTL)	118,803	93.7
Michael J. McSherry (C)*	7,438	5.9
Evo Cherov (SOC WORK)	584	0.4
20 Richard L. Oninger (D)*	98,425	56.5
Jon S. Fossil (R, C)	72,005	41.3
Florence T. O'Grady (RTL)	3,798	2.2
21 J. Morgan Strong (D)	38,664	24.8
Hamilton Fish Jr. (R, C)*	117,460	75.2
22 Peter A. Pevner (D)*	73,124	42.0
Benjamin A. Gilman (R)*	92,266	52.9
Charles C. Beck (C)	4,877	2.8
Richard Bruno (RTL)	4,019	2.3

Died Jan. 4, 1983



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1982

**October Filing Notice for Unauthorized Political Committees
Filing Third Quarterly or Monthly
Reports of Receipts and Disbursements**

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

THIRD QUARTERLY REPORT

Unauthorized political committees (i.e., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report
- OR
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered, no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(i) and 104.5(e).

NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disbursements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1982

GENERAL ELECTION REPORTS FILING NOTICE FOR AUTHORIZED COMMITTEES

Under the Federal Election Campaign Act of 1971, as amended, principal campaign committees of candidates* for Federal office who are on the ballot for the 1982 general elections must file Pre-General Election and Post-General Election Reports due October 21, 1982, and December 2, 1982, respectively. This notice provides filing information for these reports.

WHO MUST FILE

All principal campaign committees of candidates for Federal office in the 1982 general election must file the Pre-General Election and Post-General Election Reports of Receipts and Disbursements covering the dates shown on the calendar on the back of this notice.

The Pre-General and Post-General Election Reports must include all reportable transactions of the principal campaign committee and any other authorized committee(s) together with any activity of the candidate and must be filed by October 21, 1982, and December 2, 1982, respectively. These reports must disclose all financial activity not previously disclosed, and must be filed regardless of the total amount of financial activity undertaken during the reporting periods. All campaign-related activity of the candidate (including contributions received, loans received or made, and disbursements made) is considered to be activity undertaken as an agent of the candidate's authorized committee(s) and must be reported by the authorized committee(s).

DATE DUE

The Pre-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office no later than close of business October 21, 1982. Reports sent registered or certified mail must be postmarked no later than midnight October 18, 1982.

The Post-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office by close of business December 2, 1982. Reports sent registered or certified mail must be postmarked no later than midnight December 2, 1982.

*For purposes of the Act, a "candidate" is an individual who seeks nomination for election, or election, to Federal office, and who has:

1. Received contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000; OR
2. Given his or her consent to another person to receive contributions or make expenditures on behalf of such individual and such person has received contributions or made expenditures aggregating in excess of \$5,000.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 27, 1982

**GENERAL ELECTION REPORTS FILING NOTICE
FOR AUTHORIZED COMMITTEES**

Under the Federal Election Campaign Act of 1971, as amended, principal campaign committees of candidates* for Federal office who are on the ballot for the 1982 general elections must file Pre-General Election and Post-General Election Reports due October 21, 1982, and December 2, 1982, respectively. This notice provides filing information for these reports.

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All principal campaign committees of candidates for Federal office in the 1982 general election must file the Pre-General Election and Post-General Election Reports of Receipts and Disbursements covering the dates shown on the calendar on the back of this notice.

The Pre-General and Post-General Election Reports must include all reportable transactions of the principal campaign committee and any other authorized committee(s) together with any activity of the candidate and must be filed by October 21, 1982, and December 2, 1982, respectively. These reports must disclose all financial activity not previously disclosed, and must be filed regardless of the total amount of financial activity undertaken during the reporting periods. All campaign-related activity of the candidate (including contributions received, loans received or made, and disbursements made) is considered to be activity undertaken as an agent of the candidate's authorized committee(s) and must be reported by the authorized committee(s).

DATE DUE

The Pre-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office no later than close of business October 21, 1982. Reports sent registered or certified mail must be postmarked no later than midnight October 18, 1982.

The Post-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office by close of business December 2, 1982. Reports sent registered or certified mail must be postmarked no later than midnight December 2, 1982.

*For purposes of the Act, a "candidate" is an individual who seeks nomination for election, or election, to Federal office, and who has:

1. Received contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000; OR
2. Given his or her consent to another person to receive contributions or make expenditures on behalf of such individual and such person has received contributions or made expenditures aggregating in excess of \$5,000.

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE OCTOBER 15TH QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS, AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. UNLESS YOU HAVE RECENTLY REGISTERED, PRIOR NOTIFICATION WAS SENT TO YOU APPROXIMATELY 24 DAYS AGO ADVISING YOU THAT YOUR REPORT WAS DUE ON OCTOBER 15, 1982. YOU WILL BE ALLOWED FOUR (4) BUSINESS DAYS FROM THE DATE OF THIS NOTICE TO FILE THE OCTOBER 15TH QUARTERLY REPORT. THE REPORT SHOULD BE FILED WITH THE CLERK OF THE HOUSE, OFFICE OF RECORDS AND REGISTRATION, 1036 LONGWORTH HOB, WASHINGTON, DC, OR THE SECRETARY OF THE SENATE, OFFICE OF PUBLIC RECORDS, AS APPROPRIATE. A COPY OF THE REPORT SHOULD ALSO BE FILED WITH THE APPROPRIATE SECRETARY OF STATE OR EQUIVALENT STATE OFFICE IF YOU HAVE FILED THE REPORT TIMELY BY CERTIFIED REGISTERED MAIL, PLEASE NOTIFY US IMMEDIATELY, IN WRITING,

CERTIFIED OR REGISTERED NUMBER AND THE DATE THAT THE REPORT WAS SENT. THE FAILURE TO FILE THE REPORT MAY RESULT IN PUBLICATION, LEGAL ENFORCEMENT, OR AUDIT ACTION. IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT THE REPORTS ANALYSIS DIVISION ON OUR TOLL FREE NUMBER (800) 424-9530, OUR LOCAL NUMBER IS (202) 523-4172.

SINCERELY,
JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

- FAZIO FOR CONG TOM MORRISSEY 934 ORCHARD WAY SACRAMENTO CA 95831
- FONDS FOR CONG HARVEY E. MULLEN 311 E MAIN SUITE 301 311 E MAIN, SUITE 9 STOCKTON CA 95202
- OTONY GUILLERMO FOR CONG HARVEY E. MULLEN 62 MAIN ST STAFFORD SPRING CT 06076
- CARRISS COLLINS ROSETTA HARRIS 210 7TH STREET, S.E. SUITE 1902 C WASHINGTON DC 20003
- SAVAGE FOR CONG THOMAS J SAVARE 615 I STREET SW WASHINGTON DC 20024
- RE-ELECT CONG DAN MICA DAVID MCINTOSH POST OFFICE BOX 4141 WEST PALM BEACH FL 33402
- PEOPLE FOR BECHTOLD TONIE BREWSTER 3505 HARBOUR STREET PENSACOLA FL 32505
- PETE PRINEAS FOR CONG MARY MARCELLE DAVIS 211 WEST WILLOW CARBONDALE IL 62901
- BODINE FOR CONG STANLEY E THOMAS 113 LINCOLN WAY WEST MISHAWAKA IN 46616
- ROCKETT FOR CONG ROGER SHORT DAVID WHITNEY BLDG SUITE 750 DETROIT MI 48226
- BEATTY FOR CONG EDWARD MYERS JR 670 STERLING PLACE BROOKLYN NY 11216
- COETZ LAEL HELEN R BOWDEN 65 IRVING PLACE NEW YORK NY 10003
- JACK KEMP HALCOLM K BUCKLEY ONE MARINE MIDLAND CTR 13600 BUFFALO NY 14203
- FRIENDS OF ED TOWNS VIVIAN Y BRIGHT PO BOX 453 EAST NEW YORK STATION BROOKLYN NY 11207
- OMAJOR OWENS FOR CONG CHRISTOPHER R OWENS 335 WYONA STREET BROOKLYN NY 11207
- PEOPLE FOR HRAZEK JOSEPH A DEVINCENTI POST OFFICE BOX 303 CENTERPORT NY 11721
- ROSENTHAL CAMPAIGN CHTE HERBERT GERSTLIN 170 GREAT NECK RD GREAT NECK NY 11021
- TO ELECT HILTON STREET TO CONG RICHARD GIBSON CPA 4930 WYNNEFIELD AVENUE PHILADELPHIA PA 19131
- JIM AUKERMAN FOR CONG JOHN D HAMILTON 51 TOWER HILL RD WAKEFIELD RI 02879
- RE-ELECT HARTNETT TO CONG CONVERSE CHELLIS III P O BOX 1902 960 MORRISON DRIVE CHARLESTON SC 29402
- RE-ELECT CONG BOWEN HR BILL FREEHAN P O BOX 6048 NASHVILLE TN 37206
- RE-ELECT HARILYN LLOYD BOUQUARD TO CONG MR. H. OWEN HADDOX, TREASURER P.O. BOX 1568 CHATANOOGA TN 37401
- FRIENDS OF GORDON E. LOEHR JOHN DEWANE POST OFFICE BOX 806 MANITOWOC WI 54220

ATTACHMENT



FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED EILAND
SHARON SYDER

FEC PUBLISHES 3RD QUARTER 1982 NON-FILERS

WASHINGTON — The Federal Election Commission published today the list of candidate committees for 1982 U.S. Senate and House campaigns which failed to file the required third quarter financial disclosure reports.

Only those candidates involved in the November general election were included in the group of candidate committees considered for publication.

A total of 5 House campaigns from 4 different states failed to meet the filing requirement for the quarterly report due October 15. The reports were to have included activity from July 1, 1982, (or later for those involved in late primaries) through September 30, 1982.

If mailed by regular mail, or if hand-delivered, the reports should have been received by close of business on October 15. If sent by registered or certified mail, the reports must have been postmarked by midnight October 15.

All committees of candidates involved in the November 2 election were notified approximately 25 days in advance of the due date of the report. Those whose reports had not been received by October 22 were again notified by mailgram that their reports were not in.

The 1979 Amendments to the Federal Election Campaign Act specify that the FEC publish only those committees authorized by candidates to raise and spend money on their behalf. Therefore, this list does not include other political committees which may have been required to file.

In addition, individuals register as candidates only after they have raised or spent in excess of \$5,000. Prior to reaching that threshold, no registration or reporting is required. Therefore, some individuals whose names appear on state ballots may have no filing obligations.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for any violation and \$10,000 for any knowing and willful

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tion) for infractions of the law, in failure to file required disclosure reports.

The following lists the non-filers by state:

- Florida 01 People for Bechtol.....Terry L Bechtol (Rep)
- Illinois 02 Gus Savage for Congress '82.....Gus Savage (Dem)
- Michigan *13 Crockett For Congress Committee.....George Crockett, Jr. (Dem)
- New York 12 Major Owens for Congress Committee.....Robert Major Owens (Dem)
- *15 Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)

* Committees denoted with an asterisk have filed their quarterly report, but the report was received after the 5:00 p.m. deadline of October 28.

violation) for infractions of the law, including failure to file required disclosure reports.

The following lists the non-filers by state:

- Florida 01 People for Bechtel.....Terry Bechtel (Rep)
- Illinois 02 Gus Savage for Congress '82.....Gus Savage (Dem)
- Michigan *13 Crockett For Congress Committee.....George Crockett, Jr. (Dem)
- New York 12 Major Owens for Congress Committee.....Robert Major Owens (Dem)
- *15 Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)

* Committees denoted with an asterisk have filed their quarterly report, but the report was received after the 5:00 p.m. deadline of October 28.

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FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED EILAND
SHARON SNYDER

U.S. SENATE AND HOUSE CAMPAIGNS FAIL TO FILE PRE-GENERAL ELECTION REPORTS

WASHINGTON — 21 House campaigns and 1 Senate committee have failed to meet the October 21 deadline for filing 12-day pre-general election reports of receipts and expenditures.

Provisions of the Federal Election Campaign Act require that committees supporting candidates seeking U.S. House and Senate seats in the November 2 general election file a report of all financial activity 12 days prior to the election.

The report was to include financial activity occurring from October 1 through October 13. If sent certified or registered mail, the report should have been postmarked by October 18. Otherwise, the due date was October 21.

Some individuals and their committees have no obligation to file reports under federal election law, even though their names may appear on general election ballots. If an individual and his or her campaign committee raise or spend less than \$5,000, the individual is not considered a "candidate" under the Federal Election Campaign Act, and neither the individual nor the committee has to register.

The Commission notified the committees of all candidates for the general election of their potential filing requirements 25 days prior to the due date. Those committees which did not file on the due date were notified on October 22 that their reports had not been received and that their names would be published for failure to file if they did not respond within 4 business days.

The Commission publishes only the names of those committees which have been designated by candidates as their principal campaign committees. Under Amendments to the Federal Election Campaign Act, effective January 8, 1980, candidates no longer are required to file personal reports of receipts and expenditures. All such information is reported by authorized committees of the candidates.

Other political committees supporting House and Senate candidates in the general election (those which are not authorized units of a candidate's campaign) also are required to file pre- and post-general election reports. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The election law gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

The next report for all candidates' committees (those involved in the general election) will be the post-general election report - on December 2. The report will cover activity from October 14 through November 22, 1982. The year-end report for activity through December 31, 1982, will be due January 31, 1983.

Names of non-filing committees appear on the next page.

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The following lists the non-filers by state:

California 14 Baron Reed for Congress...Baron Reed (Democrat)
 " " " " Campaign Committee...Brian Lungren (Republican)
 " 2 Lungren for Congress.....Daniel Lungren (Republican)

Florida 01 People for Bechtol.....Tarryl Bechtol (Republican)
 17 William Lehman Campaign Fund Cmte.....William Lehman (Democrat)

Georgia 02 Charles Hatcher for Cong. Campaign Cmte..Charles Hatcher (Dem)

Illinois 02 Gus Savage for Congress '82....Gus Savage (Dem)

Louisiana 08 Friends of Gillis Long...Gillis Long (Dem)

Massachusetts 08 *Committee to Elect Frank McNamara, Jr..Frank McNamara (Rep)

Minnesota 05 Johnson for Congress.....Keith Johnson (Rep)

Nebraska Senate Walsh for Senate Campaign....Virginia F. Walsh (Ind)
 House/03 *Committee to Re-Elect Virginia Smith to Congress..Virginia Smith.. [D]

Nevada 02 Mary Gojack Congressional Campaign Cmte...Mary Gojack (Dem)

New York 02 *Citizens for Downey.....Thomas J. Downey (Dem)
 02 Major Owens for Cong. Committee.....Robert Major Owens (Dem)
 15 *Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)

Ohio 11 Warner for Congress.....Glen Warner (Rep)

Pennsylvania 07 *Steve Joachim for Congress Committee..Steve Joachim (Rep)
 08 Reef for Congress.....Albert H. Reef (Ind)

South Carolina 02 Committee to Elect Ken Mosely to Congress...Ken Mosely (Dem)

Texas 04 Pete Collumb for Congress Committee....Peter Collumb (Rep)
 18 Pickett for Congress.....C. Leon Pickett (Rep)

* Committees denoted with an asterisk have filed their pre-general election report, but the report was received after the 5:00 p.m. deadline of October 28.

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The following lists the non-filer by state:

California	14	Baron Reed for Congress...Baron Reed (Democrat)
	22	...Congress Campaign Committee...Brian Lungren (Republican)
	42	Lungren for Congress.....Daniel Lungren (Republican)
Florida	01	People for Bechtol.....Tarryl Bechtol (Republican)
	17	William Lehman Campaign Fund Cmte.....William Lehman (Democrat)
Georgia	02	Charles Hatcher for Cong. Campaign Cmte..Charles Hatcher (Dem)
Illinois	02	Gus Savage for Congress '82....Gus Savage (Dem)
Louisiana	08	Friends of Gillis Long...Gillis Long (Dem)
Massachusetts		
	08	*Committee to Elect Frank McNamara, Jr..Frank McNamara (Rep)
Minnesota	05	Johnson for Congress.....Keith Johnson (Rep)
Nebraska		
Senate		Walsh for Senate Campaign....Virginia F. Walsh (Ind)
House/03		*Committee to Re-Elect Virginia Smith to Congress..Virginia Smith..
Nevada	02	Mary Gojack Congressional Campaign Cmte...Mary Gojack (Dem)
New York	02	*Citizens for Downey.....Thomas J. Downey (Dem)
	02	Major Owens for Cong. Committee.....Robert Major Owens (Dem)
	15	*Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)
Ohio	11	Warner for Congress.....Glen Warner (Rep)
Pennsylvania		
	07	*Steve Joachim for Congress Committee..Steve Joachim (Rep)
	08	Reef for Congress.....Albert H. Reef (Ind)
South Carolina		
	02	Committee to Elect Ken Mosely to Congress...Ken Mosely (Dem)
Texas	04	Pete Collumb for Congress Committee....Peter Collumb (Rep)
	18	Pickett for Congress.....C. Leon Pickett (Rep)

* Committees denoted with an asterisk have filed their pre-general election report, but the report was received after the 5:00 p.m. deadline of October 28.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Christopher R. Owens
Treasurer
Major Owens for Congress Committee
1125-29 Eastern Parkway
Brooklyn, New York 11213

Re: MUR 1561

Dear Mr. Owens:

On , 1983, the Federal Election Commission determined that there is reason to believe that the Major Owens for Congress Committee ("the Committee") and you, as treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), by not timely filing reports of Major Owens for Congress Committee with the Commission. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the Committee. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter.

In the absence of any additional information which demonstrates that no further action should be taken against you and the Committee, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe, if you so desire. See 11 C.F.R. § 111.18(d).

If you and the Committee 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 a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A), unless you and the Committee notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact G.A. Finch, the attorney assigned to this matter, at (202)523-4073.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

84040462994

FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

MUR NO. 1561
STAFF MEMBER & TEL. NO.
G.A. Finch
(202)523-4073

RESPONDENTS Major Owens for Congress Committee
Christopher Owens, Treasurer

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

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Major Owens for Congress Committee ("the Committee") was Mr. Owens' principal campaign committee for the general election. */ Christopher Owens is the treasurer of the Committee. The Reports Analysis Division notified the Committee on September 21, 1982 and October 15, 1982, respectively, that the October Quarterly and the Pre-election Reports would be due. The Committee and the treasurer have not timely filed the 1982 October Quarterly Report, the 1982 Twelve-Day Pre-General Election Report, or the 1982 Year-End Report. When the Committee and the treasurer failed to file the reports in question, the Reports Analysis Division sent mailgrams to the Committee informing it of its failure. The Commission has published the name of the Committee because of its failure to file the reports. The Committee did file the Pre-election and October Quarterly reports on December 17, 1982 and the Year-End Report on June 3, 1983.

*/ His other authorized committee is the Concerned Citizens for Major Owens.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 434(a)(2)(A)(i) and (iii) require the principal campaign committee of a candidate for the House of Representatives, through its treasurer, to file a Pre-election Report by the 12th day before an election and file quarterly reports by the 15th day of each calendar quarter. Since there was a delay of approximately two months between the due dates and the filing of the 1982 October Quarterly and the 1982 Twelve-Day Pre-Election Reports, and the delay of approximately four months between the due date and the filing of the 1982 Year-End Report, the Committee and Christopher Owens, as treasurer of the Committee, are in violation of Section 434(a)(2)(A)(i) and (iii).

The Office of General Counsel notes the following aggravating factors involved in this MUR:

- 1) One report was a pre-election report.
- 2) The Committee had substantial activity in excess of one-hundred thousand dollars (\$100,000).
- 3) Two to four months delays in filing are not reasonable lengths of delay.
- 4) The late filing of three reports is a pattern of non-compliance.

Accordingly, this Office recommends that the Commission find reason to believe that the Major Owens for Congress Committee and Christopher Owens, as treasurer of the Committee, violated 2 U.S.C. § 434(a)(2)(A)(i) and (iii).

84040462996

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 83NF-8
Major Owens for Congress)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 19, 1983, the Commission decided by a vote of 5-0 to open a MUR in the above-captioned matter.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

7-20-83
Date

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

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Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

7-14-83, 5:11
7-15-83, 2:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 JUL 14 P 5: 11

July 14, 1983

SENSITIVE

MEMORANDUM

TO : The Commission
FROM : Charles N. Steele
General Counsel
BY: Kenneth A. Gross
Associate General Counsel *KAG*
SUBJECT: RAD Referral 83NF-8
Major Owens for Congress Committee

The Office of General Counsel has prepared for Commission review twenty-seven (27) critiques of referrals from the Reports Analysis Division.

Attached to this referral is a critique prepared by this Office, a copy of the referral from the Reports Analysis Division, and a 48-hour tally vote sheet. The OGC critique summarizes the facts, presents an analysis of the legal issues involved, and makes a recommendation as to the disposition of the referrals. The copy of the RAD referral is attached for informational purposes, and the separate vote sheet provides for a vote on this referral.

Attachments
Critique and Referral

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RAD REFERRAL NUMBER: 83NF-8

SUBJECT: Major Owens for Congress Committee

BACKGROUND

1. Date of referral: April 20, 1983
2. Financial background:
 - a. Total 1981-82 receipts: \$132,788.
 - b. Total 1981-82 disbursements: \$125,025.
 - c. Cash on hand (11/22/82): 7,763.
 - d. Debt owed (11/33/82): 27,674.
3. Status of Committee
Active

SUMMARY OF RAD ACTIONS

Major Owens for Congress Committee is the principal campaign committee for the General Election of Mr. Owens. */ The Reports Analysis Division notified the Committee on September 21, 1982 and October 15, 1982, respectively, that the October Quarterly

*/ His other authorized committee is the Concerned Citizens for Major Owens.

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and the Pre-election Reports would be due. The Committee has neither timely filed the 1982 October Quarterly Report nor the Twelve-Day Pre-General Election Report. When the Committee failed to file the reports in question, the Reports Analysis Division sent two mailgrams to the Committee informing it of its failure. The Commission then published the name of the Committee on October 29, 1982 because of its failure to file both reports. The Committee did file both reports on December 17, 1982.

As of April 25, 1983, the Committee had not filed its Year-End Report; consequently, the Commission does not have updated information on the Committee's financial activity.

It should be noted that the Committee has not responded to any requests for additional information by the Reports Analysis Division with respect to the Twelve-Day Primary Report. Additionally, phone conversations between the Reports Analysis Division and the Committee indicated that the Committee's financial records and books are in disorder.

Major Owens won the General Election receiving 90.5 percent of the votes.

OGC ANALYSIS

2 U.S.C. § 434(a)(2)(A)(i) and (iii) respectively require that the treasurer of the principal campaign committee of a candidate for the House of Representatives file a Pre-election Report by the 12th day before an election and file quarterly reports by the 15th day of each calendar quarter. Since there

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was approximately a two-month interval between the due dates and the actual filing dates of both reports, the Committee appears to be in violation of 2 U.S.C. § 434(a)(2)(A). Further, the continued failure to file the Year-End Report, suggests a pattern of noncompliance.

RECOMMENDATION

Open a MUR.

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REPORTS ANALYSIS REFERRAL
TO
OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983

ANALYST: Benita Marcus Adler

- I. COMMITTEE: Major Owens for Congress Committee
(C00156539) (NY-12)
Christopher R. Owens, Treasurer
1125-29 Eastern Parkway
Brooklyn, NY 11213
- II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)
2 U.S.C. 434(a)(2)(A)(i)

III. BACKGROUND:

Major Owens for Congress Committee, the principal campaign committee supporting Major Owens in the 1982 General Election, failed to file timely the 1982 October Quarterly and 12 Day Pre-General Election Reports. Mr. Owens won the general election with 90.5 percent of the vote (Attachment 2).

On September 21, 1982, the committee was notified that a quarterly report was due on October 15, 1982 (Attachment 3). On September 27, 1982, the committee was notified that a pre-election report was due on October 21, 1982 (Attachment 4). On October 22, 1982, the committee was sent two mailgrams, one each for failure to file the 1982 October Quarterly and 12 Day Pre-General Election Reports, because the Clerk of the House of Representatives had not received either report (Attachments 5 and 6). On October 29, 1982, the name of the committee was published for failure to file both reports (Attachments 7 and 8). On December 17, 1982, the committee filed both reports (Attachments 9 and 10).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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CANDIDATE/COMMITTEE/DOCUMENT OFFICE SOUGHT/ PARTY PRIMARY GENERAL RECEIPTS PRIMARY GENERAL EXPENDITURES PRIMARY GENERAL COVERAGE DATES # OF PAGES MICROFILM LOCATION TYPE OF FILER

OWENS, ROBERT MAJOR HOUSE 12 DEMOCRATIC PARTY NEW YORK 1982 ELECTION ID# NY12023

1. STATEMENT OF CANDIDATE
 1982 STATEMENT OF CANDIDATE 21MAY82 1 82HSE/216/2030

2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES

3. PRINCIPAL CAMPAIGN COMMITTEE

MAJOR OWENS FOR CONGRESS COMMITTEE ID# C00156539 HOUSE

1982 STATEMENT OF ORGANIZATION 21MAY82 1 82HSE/216/2031

MISCELLANEOUS REPORT 28OCT82 FROM FEC 4 82FEC/253/3294

PRE-PRIMARY 27,600 30,584 15JUL82 -23SEP82 23 82HSE/226/0336*

PRE-PRIMARY - AMENDMENT 15JUL82 - 38EP82 1 82HSE/226/0336*

PRE-PRIMARY - AMENDMENT 15JUL82 -23SEP82 3 82HSE/237/2001

PRE-PRIMARY - AMENDMENT 15JUL82 -23SEP82 3 82HSE/237/0735

REQUEST FOR ADDITIONAL INFORMATION 15JUL82 -23SEP82 2 82FEC/253/3240

REQUEST FOR ADDITIONAL INFORMATION 2ND 15JUL82 -23SEP82 3 82FEC/255/1597

JULY QUARTERLY 20,441 11,709 14APR82 -14JUL82 23 82HSE/220/0672*

JULY QUARTERLY - AMENDMENT 14APR82 -14JUL82 2 82HSE/227/1157*

JULY QUARTERLY - AMENDMENT 14APR82 -14JUL82 3 82HSE/237/2001

JULY QUARTERLY - AMENDMENT 14APR82 -14JUL82 3 82HSE/237/0732

1ST LETTER INFORMATIONAL NOTICE 14APR82 -14JUL82 1 82FEC/243/2977

OCTOBER QUARTERLY 40,381 42,833 48EP82 -30SEP82 35 82HSE/240/0675*

OCTOBER QUARTERLY - AMENDMENT 40,381 42,833 48EP82 -30SEP82 33 82HSE/240/1069

PRE-GENERAL 3,240 1,818 10CT82 -13OCT82 22 82HSE/240/0740*

PRE-GENERAL - AMENDMENT 3,240 1,818 10CT82 -13OCT82 20 82HSE/240/1049

POST-GENERAL 41,126 38,081 14OCT82 -22NOV82 37 82HSE/240/0711*

POST-GENERAL - AMENDMENT 41,126 38,081 14OCT82 -22NOV82 35 82HSE/240/1014

TOTAL 48,041 84,747 42,293 82,732 254 TOTAL PAGES

4. AUTHORIZED COMMITTEES ID# C00161257 HOUSE

CONCERNED CITIZENS FOR MAJOR OWENS 31AUG82 1 82HSE/225/0790

1982 STATEMENT OF ORGANIZATION 15JUL82 - 8SEP82 4 82HSE/226/0336*

PRE-PRIMARY 35 198 15JUL82 - 38EP82 2 82FEC/253/3294

REQUEST FOR ADDITIONAL INFORMATION 15JUL82 - 38EP82 3 82FEC/255/1441

REQUEST FOR ADDITIONAL INFORMATION 2ND 26MAR82 -14JUL82 8 82HSE/226/0364

JULY QUARTERLY 1,000 676

18 TOTAL PAGES

18 AUTH TOT PAGES

4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES

*Denotes reports which have received basic review.

Cash-on-Hand as of November 22, 1982 -- \$7,763.46

Debts owed as of November 22, 1982 -- \$27,674.40

ATTACHMENT 1

Vote Per-
Total cent

Douglas K. Beroutier (R)*	137,475	75.1
2 Richard A. Fellman (D)	70,431	43.1
Hal Daub (R)*	92,439	56.7
3 Virginia Smith (R)*	X	100.0

NEVADA

Governor

Richard H. Bryan (D)	128,132	53.4
Robert F. List (R)*	100,104	41.8
Don Becan (LIBERT)	4,621	1.9
None of the Above	6,894	2.9

Senator

Howard W. Cannon (D)*	114,720	47.7
Chic Mecht (R)	120,377	50.1
None of the Above	5,297	2.2

House

1 Harry Reid (D)	61,901	57.5
Peggy Canner (R)	45,675	42.5
2 Mary Gojact (D)	52,265	41.3
Barbara Vuconovich (R)	70,188	55.5
Terese Vuceta (LIBERT)	4,043	3.2

NEW HAMPSHIRE

Governor

Hugh Gallen (D)*	132,287	46.4
John H. Sununu (R)	147,774	51.9
Meldrim Thomson Jr. (I)	4,785	1.7

House

1 Norman E. D'Amours (D)*	76,281	54.9
Robert C. Smith (R)	61,876	44.6
William C. Mackenzie (I)	752	0.5
2 Robert L. Dupay (D)	37,854	29.1
Judd Gregg (R)*	92,098	70.9

NEW JERSEY

Senator

Frank E. Lautenberg (D)	1,117,549	50.9
Millicent Fenwick (R)	1,047,626	47.7
Henry Koch (LIBERT)	9,934	0.5
Julius Levin (SOC LAB)	5,580	0.3
Claire Moriarty (SOC WORK)	3,726	0.2
Robert T. Bastien (I)	2,955	0.1
Rose Zeidweg Manyak (I)	1,830	0.1
Martin E. Weideltan (I)	4,745	0.2

House

1 James J. Florio (D)*	110,570	73.3
John A. Dramasi (R)	39,501	26.2
Jerry Zeldin (LIBERT)	493	0.3
Patrick J. McCann (SOC LAB)	327	0.2
2 William J. Hughes (D)*	102,826	68.0
John J. Mahoney (R)	47,069	31.2
Bruce Powers (LIBERT)	1,233	0.8
3 James J. Howard (D)*	104,055	62.3
Marie Sheehan Muhler (R)	60,515	36.2
John Kinney III (CIT)	785	0.5
Lee A. Gesner Jr. (LIBERT)	701	0.4
Lawrence D. Erickson (SOC)	436	0.3
Joseph B. Hawley (I)	504	0.3
4 Joseph P. Martino (D)	75,658	46.5
Christopher H. Smith (R)*	85,660	52.7
Bill Morris (LIBERT)	662	0.4
Eugene A. Croech (WF)	241	0.2
Poul B. Rizzo (I)	374	0.2
5 Fritz Commerzell (D)	53,659	33.5

Vote Per-
Total cent

Marge Roukema (R)*	104,495	65.3
William J. Zelko Jr. (LIBERT)	2,004	1.2
6 Bernard J. Dwyer (D)*	100,418	68.1
Bertram L. Buckler (R)	46,093	31.3
Charles M. Hart (LIBERT)	920	0.6
7 Adam K. Levin (D)	70,978	43.2
Matthew J. Rinaldo (R)*	91,837	56.0
Donald B. Siano (LIBERT)	1,294	0.8
8 Robert A. Roe (D)*	89,980	70.7
Norm Robertson (R)	36,317	28.5
Sidney J. Pope (LIBERT)	1,000	0.8
9 Robert G. Terricelli (D)	99,090	53.0
Harold C. Hollenbeck (R)*	86,022	46.0
Robert Shapiro (LIBERT)	1,767	1.0
10 Peter W. Redino Jr. (D)*	76,684	82.6
Timothy Lee Jr. (R)	14,551	15.7
Katherine Florentine (LIBERT)	958	1.0
Christine Kene (I)	659	0.7
11 Joseph G. Minish (D)*	105,607	64.3
Ray Redington (R)	57,099	34.8
Richard Roth (LIBERT)	1,531	0.9
2 Jeff Connor (D)	57,049	32.3
Jim Courter (R)*	117,793	66.8
Harold F. Leindefcker (LIBERT)	1,610	0.9
13 George Collas (D)	65,820	39.1
Edwin B. Forsythe (R)*	100,061	59.5
Paula Volpe (CIT)	955	0.6
Don Smith (CST)	651	0.4
Leonard T. Flynn (LIBERT)	769	0.4
14 Frank J. Guarini (D)*	94,021	74.3
Charles J. Cottrillo (R)	28,257	22.3
Louis J. Sicilio (LIBERT)	471	0.4
Kenneth Famularo (I)	921	0.7
Jack Murphy (I)	1,704	1.3
Herbert H. Shaw (I)	1,232	1.0

NEW MEXICO

Governor

Toney Anaya (D)	215,840	53.0
John B. Irick (R)	191,626	47.0

Senator

Jeff Bingaman (D)	217,682	53.8
Harrison "Jack" Schmitt (R)*	187,128	46.2

House

1 Jan Alan Harlike (D)	67,534	47.6
Manuel Lujan Jr. (R)*	74,459	52.4
2 Caleb Chandler (D)	50,599	41.6
Joe Skoon (R)*	71,021	58.4
3 Bill Richardson (D)	84,669	64.5
Marjorie Bell Chambers (R)	46,466	35.4
David Arturo Fernandez (write-in)	158	0.1

NEW YORK

Governor

Mario M. Cuomo (D, I)	2,675,213	50.9
Lew Lehrman (R, C, I)	2,494,827	47.5
John J. Norrhus (F LIBERT)	16,913	0.3
Nancy Ross (NA)	5,277	0.1
Diane Wang (SOC WORK)	3,766	0.1
Robert J. Bohner (RTL)	52,356	1.0
Jane Benedict (UN)	6,333	0.1

Senator

Daniel Patrick Moynihan (D, I)*	3,232,146	65.1
Florence Sullivan (R, C, RTL)	1,696,766	34.1

Vote Per-
Total cent

James J. McKeown (F LIBERT)	23,379	0.5
Steven Wattenmaker (SOC WORK)	15,206	0.3

House

1 Ethan C. Eldon (D)	49,787	36.1
William Carney (R, C, RTL)*	88,234	63.9
2 Thomas J. Downey (D)*	80,951	63.9
Paul G. Costello (R, C)	42,790	33.8
Lewis VanDenEssen (RTL)	2,971	2.3
3 Robert J. Mrazek (D)	93,846	51.8
John LeBouillier (R, C)*	83,238	46.0
Richard G. Bohner (RTL)	4,049	2.2
4 Robert P. Zimmerman (D, I)	63,390	36.3
Norman F. Lent (R, C)*	105,241	60.4
John J. Dunkle (RTL)	8,717	3.3
5 Arnold J. Miller (D, I)	67,002	38.8
Raymond J. McGrath (R, C)*	100,485	58.1
Thomas J. Boyle (RTL)	4,911	2.8
Richard Moran (F LIBERT)	490	0.3
6 Joseph P. Addabbo (D, R, I)*	95,483	95.9
Mark E. Scott (C)	4,074	4.1
7 Benjamin S. Rosenthal (D, I)*	84,013	77.2
Albert Lemishow (R, C, RTL)	24,832	22.8
8 James H. Scheuer (D, I)*	91,830	89.5
John T. Blume (C)	10,741	10.5
9 Geraldine A. Ferraro (D)*	75,286	73.2
John J. Weigandt (R)	20,352	19.8
Ralph G. Groves (C, RTL)	6,011	5.9
Patricia A. Salargo (I)	1,171	1.1
10 Charles E. Schumer (D, I)*	89,852	79.2
Stephen Marks (R, C)	21,726	19.1
Alice J. Benolami (RTL)	1,873	1.7
11 Edolphus Towns (D)	39,357	83.7
James W. Smith (R)	4,449	9.5
Joseph N. Di Caesar (C, RTL)	1,357	2.9
Patrick W. Gagnatova (I)	1,488	3.2
Susan C. Zarate (SOC WORK)	359	0.7
12 Mac R. Owens (D, I)	44,586	90.5
David Katz (R)	3,215	6.5
David E. Reisenstrach (C)	1,005	2.1
John-Clyme Francis (RTL)	453	0.9
13 Stephen J. Solarz (D, I)*	68,549	80.5
Leon F. Nadrowski (R, RTL)	14,257	16.8
James M. Goy (C)	2,324	2.7
14 Leo C. Zeteretti (D)*	51,728	42.9
Guy V. Molinari (R, C, RTL)*	67,626	56.1
Carl F. Grillo (I)	1,276	1.0
15 Betty G. Lall (D, I)	55,483	44.8
Bill Green (R)*	66,262	53.6
Henry Van Renssen (G)	1,953	1.6
16 Charles B. Rangel (D, R, I)*	76,626	97.5
Michael T. Berns (C)	1,261	1.6
Veronica Cruz (SOC WORK)	718	0.9
17 Ted Weiss (D, I)*	113,172	85.0
Louis S. Antonelli (R, C, RTL)	19,928	15.0
18 Robert Garcia (D, R, I)*	57,009	98.9
Rafael Perez (POPULAR)	655	1.1
19 Mario Biaggi (D, R, I, RTL)	118,803	93.7
Michael J. McSherry (C)*	7,438	5.9
Eva Charvat (SOC WORK)	584	0.4
20 Richard L. Ottinger (D)*	98,425	56.5
Jan S. Fossel (R, C)	72,005	41.3
Florence-T. O'Grady (RTL)	3,798	2.2
21 J. Morgan Strong (D)	38,664	24.8
Hamilton Fish Jr. (R, C)*	117,460	75.2
22 Peter A. Poyser (D)*	73,124	42.0
Benjamin A. Gilman (R)*	92,266	52.9
Charles C. Beck (C)	4,877	2.8
Richard Bruno (RTL)	4,019	2.3

* Died Jan. 4, 1983

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1982

**October Filing Notice for Unauthorized Political Committees
Filing Third Quarterly or Monthly
Reports of Receipts and Disbursements**

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

THIRD QUARTERLY REPORT

Unauthorized political committees (i.e., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(i) and 104.5(e).

NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disbursements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

(continued)

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FEDERAL ELECTION COMMISSION
 WASHINGTON, D.C. 20463

September 27, 1982

**GENERAL ELECTION REPORTS FILING NOTICE
 FOR AUTHORIZED COMMITTEES**

Under the Federal Election Campaign Act of 1971, as amended, principal campaign committees of candidates* for Federal office who are on the ballot for the 1982 general elections must file Pre-General Election and Post-General Election Reports due October 21, 1982, and December 2, 1982, respectively. This notice provides filing information for these reports.

WHO MUST FILE

All principal campaign committees of candidates for Federal office in the 1982 general election must file the Pre-General Election and Post-General Election Reports of Receipts and Disbursements covering the dates shown on the calendar on the back of this notice.

The Pre-General and Post-General Election Reports must include all reportable transactions of the principal campaign committee and any other authorized committee(s) together with any activity of the candidate and must be filed by October 21, 1982, and December 2, 1982, respectively. These reports must disclose all financial activity not previously disclosed, and must be filed regardless of the total amount of financial activity undertaken during the reporting periods. All campaign-related activity of the candidate (including contributions received, loans received or made, and disbursements made) is considered to be activity undertaken as an agent of the candidate's authorized committee(s) and must be reported by the authorized committee(s).

DATE DUE

The Pre-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office no later than close of business October 21, 1982. Reports sent registered or certified mail must be postmarked no later than midnight October 18, 1982.

The Post-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office by close of business December 2, 1982. Reports sent registered or certified mail must be postmarked no later than midnight December 2, 1982.

*For purposes of the Act, a "candidate" is an individual who seeks nomination for election, or election, to Federal office, and who has:

1. Received contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000; OR
2. Given his or her consent to another person to receive contributions or make expenditures on behalf of such individual and such person has received contributions or made expenditures aggregating in excess of \$5,000.

FEDERAL ELECTION COMMISSION

ATTACHMENT 7
Press Office (PAGE 1 OF 2)
1325 K Street, N.W., Washington, D.C. 20483
Phone: Local 873-4888 Toll Free 800-424-9630



FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED EILAND
SHARON RYDER

FEC PUBLISHES 3RD QUARTER 1982 NON-FILERS

WASHINGTON -- The Federal Election Commission published today the list of candidate committees for 1982 U.S. Senate and House campaigns which failed to file the required third quarter financial disclosure reports.

Only those candidates involved in the November general election were included in the group of candidate committees considered for publication.

A total of 5 House campaigns from 4 different states failed to meet the filing requirement for the quarterly report due October 15. The reports were to have included activity from July 1, 1982, (or later for those involved in late primaries) through September 30, 1982.

If mailed by regular mail, or if hand-delivered, the reports should have been received by close of business on October 15. If sent by registered or certified mail, the reports must have been postmarked by midnight October 15.

All committees of candidates involved in the November 2 election were notified approximately 25 days in advance of the due date of the report. Those whose reports had not been received by October 22 were again notified by mailgram that their reports were not in.

The 1979 Amendments to the Federal Election Campaign Act specify that the FEC publish only those committees authorized by candidates to raise and spend money on their behalf. Therefore, this list does not include other political committees which may have been required to file.

In addition, individuals register as candidates only after they have raised or spent in excess of \$5,000. Prior to reaching that threshold, no registration or reporting is required. Therefore, some individuals whose names appear on state ballots may have no filing obligations.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for any violation and \$10,000 for any knowing and willful

(over)

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violation) for infractions of the law, including failure to file required disclosure reports.

The following lists the non-filers by state:

- Florida 01 People for Bechtel.....Tarryl Bechtel (Rep)
- Illinois 02 Gas Savage for Congress '82.....Gas Savage (Dem)
- Michigan *13 Crockett For Congress Committee.....George Crockett, Jr. (Dem)
- New York 12 Major Owens for Congress Committee....Robert Major Owens (Dem)
- *15 Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)

Handwritten initials and arrows pointing to the New York entries.

* Committees denoted with an asterisk have filed their quarterly report, but the report was received after the 5:00 p.m. deadline of October 28.

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FEDERAL ELECTION COMMISSION

ATTACHMENT 8

Print Office (Page 1 of 2)
1325 K Street, N.W., Washington, D.C. 20463
Phone: Local 523-4085 Toll Free 800-424-9630



FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED ELLAND
SHARON SNYDER

U.S. SENATE AND HOUSE CAMPAIGNS FAIL TO FILE PRE-GENERAL ELECTION REPORTS

WASHINGTON — 21 House campaigns and 1 Senate committee have failed to meet the October 21 deadline for filing 12-day pre-general election reports of receipts and expenditures.

Provisions of the Federal Election Campaign Act require that committees supporting candidates seeking U.S. House and Senate seats in the November 2 general election file a report of all financial activity 12 days prior to the election.

The report was to include financial activity occurring from October 1 through October 13. If sent certified or registered mail, the report should have been postmarked by October 18. Otherwise, the due date was October 21.

Some individuals and their committees have no obligation to file reports under federal election law, even though their names may appear on general election ballots. If an individual and his or her campaign committee raise or spend less than \$5,000, the individual is not considered a "candidate" under the Federal Election Campaign Act, and neither the individual nor the committee has to register.

The Commission notified the committees of all candidates for the general election of their potential filing requirements 25 days prior to the due date. Those committees which did not file on the due date were notified on October 22 that their reports had not been received and that their names would be published for failure to file if they did not respond within 4 business days.

The Commission publishes only the names of those committees which have been designated by candidates as their principal campaign committees. Under Amendments to the Federal Election Campaign Act, effective January 8, 1980, candidates no longer are required to file personal reports of receipts and expenditures. All such information is reported by authorized committees of the candidates.

Other political committees supporting House and Senate candidates in the general election (those which are not authorized units of a candidate's campaign) also are required to file pre- and post-general election reports. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The election law gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

The next report for all candidates' committees (those involved in the general election) will be the post-general election report - on December 2. The report will cover activity from October 14 through November 22, 1982. The year-end report for activity through December 31, 1982, will be due January 31, 1983.

Names of non-filing committees appear on the next page.

(over)

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The following lists the non-filers by state:

- | | | |
|----------------|----------|--|
| California | 14 | Baron Reed for Congress...Baron Reed (Democrat) |
| | 22 | ... Campaign Committee...Brian Lungren (Republican) |
| | 22 | Lungren for Congress.....Daniel Lungren (Republican) |
| Florida | 01 | People for Bechtol.....Tarryl Bechtol (Republican) |
| | 17 | William Lehman Campaign Fund Cmte.....William Lehman (Democrat) |
| Georgia | 02 | Charles Hatcher for Cong. Campaign Cmte..Charles Hatcher (Dem) |
| Illinois | 02 | Gus Savage for Congress '82....Gus Savage (Dem) |
| Louisiana | 08 | Friends of Gillis Long...Gillis Long (Dem) |
| Massachusetts | | |
| | 08 | *Committee to Elect Frank McNamara, Jr..Frank McNamara (Rep) |
| Minnesota | 05 | Johnson for Congress.....Keith Johnson (Rep) |
| Nebraska | | |
| | Senate | Walsh for Senate Campaign....Virginia F. Walsh (Ind) |
| | House/03 | *Committee to Re-Elect Virginia Smith to Congress..Virginia Smith..(D) |
| Nevada | 02 | Mary Gojack Congressional Campaign Cmte...Mary Gojack (Dem) |
| New York | 02 | *Citizens for Downey.....Thomas J. Downey (Dem) |
| | 12 | Major Owens for Cong. Committee.....Robert Major Owens (Dem) |
| | 15 | *Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem) |
| Ohio | 11 | Warner for Congress.....Glen Warner (Rep) |
| Pennsylvania | | |
| | 07 | *Steve Joachim for Congress Committee..Steve Joachim (Rep) |
| | 08 | Reef for Congress.....Albert H. Reef (Ind) |
| South Carolina | | |
| | 02 | Committee to Elect Ken Mosely to Congress...Ken Mosely (Dem) |
| Texas | 04 | Pete Collumb for Congress Committee....Peter Collumb (Rep) |
| | 18 | Pickett for Congress.....C. Leon Pickett (Rep) |

* Committees denoted with an asterisk have filed their pre-general election report, but the report was received after the 5:00 p.m. deadline of October 28.

84040463012



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

20 April 1983

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *BA*
STAFF DIRECTOR

FROM: JOHN D. GIBSON *JG*
ASSISTANT STAFF DIRECTOR, RAD

SUBJECT: REFERRAL OF THE MAJOR OWENS FOR CONGRESS COMMITTEE

This is a referral of the Major Owens for Congress Committee. According to the Review and Referral Procedures, the committee's failure to file timely the 1982 October Quarterly Report and the 1982 12 Day Pre-General Election Report requires further examination by your office (Chart 1).

Please also note that the committee failed to file the 1982 Year End Report;

If you have any questions regarding this matter, please contact Benita Marcus Adler or Daniel Zoller in the Reports Analysis Division.

Attachments

cc: Commissioners

84040463015

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 20 April 1983ANALYST: Benita Marcus Adler

- I. COMMITTEE: Major Owens for Congress Committee
(C00156539) (NY-12)
Christopher R. Owens, Treasurer
1125-29 Eastern Parkway
Brooklyn, NY 11213
- II. RELEVANT STATUTE: 2 U.S.C. 434(a)(2)(A)(iii)
2 U.S.C. 434(a)(2)(A)(i)

III. BACKGROUND:

Major Owens for Congress Committee, the principal campaign committee supporting Major Owens in the 1982 General Election, failed to file timely the 1982 October Quarterly and 12 Day Pre-General Election Reports. Mr. Owens won the general election with 90.5 percent of the vote (Attachment 2).

On September 21, 1982, the committee was notified that a quarterly report was due on October 15, 1982 (Attachment 3). On September 27, 1982, the committee was notified that a pre-election report was due on October 21, 1982 (Attachment 4). On October 22, 1982, the committee was sent two mailgrams, one each for failure to file the 1982 October Quarterly and 12 Day Pre-General Election Reports, because the Clerk of the House of Representatives had not received either report (Attachments 5 and 6). On October 29, 1982, the name of the committee was published for failure to file both reports (Attachments 7 and 8). On December 17, 1982, the committee filed both reports (Attachments 9 and 10).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

84040463016

FEDERAL ELECTION COMMISSION

DATE 12APR83

1981-1982
 CANDIDATE INDEX OF SUPPORTING DOCUMENTS (E)

PAGE 3

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES TYPE OF FILER	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
OWENS, ROBERT MAJOR	HOUSE 12	DEMOCRATIC PARTY			NEW YORK		1982 ELECTION	ID# N2NY12023	
1. STATEMENT OF CANDIDATE							21MAY82	1 82HSE/216/2830	
1982 STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
MAJOR OWENS FOR CONGRESS COMMITTEE								ID# C00156539 HOUSE	
1982 STATEMENT OF ORGANIZATION							21MAY82	1 82HSE/216/2831	
MISCELLANEOUS REPORT							29OCT82 FROM FEC	4 82FEC/253/3294	
PRE-PRIMARY			27,600		30,584		15JUL82 -23SEP82	23 82HSE/226/8334*	
PRE-PRIMARY - AMENDMENT			--		--		15JUL82 - 3SEP82	1 82HSE/226/8334	
PRE-PRIMARY - AMENDMENT			--		--		15JUL82 -23SEP82	3 82HSE/227/2081	
PRE-PRIMARY - AMENDMENT			--		--		15JUL82 -23SEP82	3 82HSE/239/0735	
REQUEST FOR ADDITIONAL INFORMATION							15JUL82 -23SEP82	2 82FEC/253/3248	
REQUEST FOR ADDITIONAL INFORMATION 2ND							15JUL82 -23SEP82	3 82FEC/255/1697	
JULY QUARTERLY			20,441		11,709		14APR82 -14JUL82	23 82HSE/220/6672*	
JULY QUARTERLY - AMENDMENT			--		--		14APR82 -14JUL82	2 82HSE/227/3157*	
JULY QUARTERLY - AMENDMENT			--		--		14APR82 -14JUL82	3 82HSE/237/2081	
JULY QUARTERLY - AMENDMENT			--		--		14APR82 -14JUL82	3 82HSE/239/0732	
1 ST LETTER INFORMATIONAL NOTICE							14APR82 -14JUL82	1 82FEC/243/2977	
OCTOBER QUARTERLY				40,381		42,833	4SEP82 -30SEP82	35 82HSE/240/0676*	
OCTOBER QUARTERLY - AMENDMENT				40,381		42,833	4SEP82 -30SEP82	33 82HSE/240/1069	
PRE-GENERAL				3,240		1,818	10CT82 -13OCT82	22 82HSE/240/0748*	
PRE-GENERAL - AMENDMENT				3,240		1,818	10CT82 -13OCT82	20 82HSE/240/1049	
POST-GENERAL				41,126		38,081	14OCT82 -22NOV82	37 82HSE/240/0711*	
POST-GENERAL - AMENDMENT				41,126		38,081	14OCT82 -22NOV82	35 82HSE/240/1014	
TOTAL			48,041	84,747	42,293	82,732		254 TOTAL PAGES	
4. AUTHORIZED COMMITTEES									
CONCERNED CITIZENS FOR MAJOR OWENS								ID# C00161257 HOUSE	
1982 STATEMENT OF ORGANIZATION							31AUG82	1 82HSE/225/0790	
PRE-PRIMARY			35		198		15JUL82 - 8SEP82	4 82HSE/226/8359	
REQUEST FOR ADDITIONAL INFORMATION							15JUL82 - 3SEP82	2 82FEC/253/3294	
REQUEST FOR ADDITIONAL INFORMATION 2ND							15JUL82 - 3SEP82	3 82FEC/255/1601	
JULY QUARTERLY			1,000		676		26MAR82 -14JUL82	8 82HSE/226/8364	
								18 TOTAL PAGES	
								18 AUTH TOT PAGES	
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES									
*Denotes reports which have received basic review.									
Cash-on-Hand as of November 22, 1982			--	\$7,763.46					
Debts owed as of November 22, 1982			--	\$27,674.40					

ATTACHMENT 1

	Vote Total	Per-cent
Douglas K. Bersuter (R)*	137,475	75.1
2 Richard M. Follman (D)	70,431	43.1
Mal Davis (R)*	92,639	56.7
3 Virginia Smith (R)*	X	100.0

NEVADA

Governor

Richard H. Bryan (D)	128,132	53.4
Robert F. List (R)*	100,104	41.8
Dan Bevan (LIBERT)	4,621	1.9
None of the Above	6,894	2.9

Senator

Howard W. Cannon (D)*	114,720	47.7
Chic Macht (R)	120,377	50.1
None of the Above	5,297	2.2

House

1 Harry Reid (D)	61,901	57.5
Peggy Cavnar (R)	45,675	42.5
2 Mary Gojack (D)	52,265	41.3
Barbara Vucanovich (R)	70,188	55.5
Teresa Vucata (LIBERT)	4,043	3.2

NEW HAMPSHIRE

Governor

Hugh Gollen (D)*	132,287	46.4
John H. Sununu (R)	147,774	51.9
Meldrim Thomson Jr. (I)	4,785	1.7

House

1 Norman E. D'Amours (D)*	76,281	54.9
Robert C. Smith (R)	61,876	44.6
William C. Mackenzie (I)	752	0.5
2 Robert L. Dupay (D)	37,854	29.1
Judd Gregg (R)*	92,098	70.9

NEW JERSEY

Senator

Frank R. Lautenberg (D)	1,117,549	50.9
Millicent Fenwick (R)	1,047,626	47.7
Henry Koch (LIBERT)	9,934	0.5
Julius Levin (SOC LAB)	5,580	0.3
Claire Moriarty (SOC WORK)	3,726	0.2
Robert T. Bastien (I)	2,955	0.1
Rose Zeidweg Monyek (I)	1,830	0.1
Martin E. Wendelken (I)	4,745	0.2

House

1 James J. Florio (D)*	110,570	73.3
John A. Dromesi (R)	39,501	26.2
Jerry Zeldin (LIBERT)	493	0.3
Patrick J. McCann (SOC LAB)	327	0.2
2 William J. Hughes (D)*	102,826	68.0
John J. Mahoney (R)	47,069	31.2
Bruce Powers (LIBERT)	1,233	0.8
3 James J. Howard (D)*	104,055	62.3
Marie Sheehan Muhler (R)	60,515	36.2
John Kinnevy III (CIT)	785	0.5
Lee A. Gesner Jr. (LIBERT)	701	0.4
Lawrence D. Erickson (SOC)	436	0.3
Joseph B. Hawley (I)	504	0.3
4 Joseph P. Merlino (D)	75,658	46.5
Christopher H. Smith (R)*	85,660	52.7
Bill Harris (LIBERT)	662	0.4
Eugene A. Creech (WF)	241	0.2
Paul B. Rizzo (I)	374	0.2
5 Fritz Cammerzell (D)	53,659	33.5

	Vote Total	Per-cent
Marge Roukema (R)*	104,695	65.3
William J. Zelko Jr. (LIBERT)	2,004	1.2
6 Bernard J. Dwyer (D)*	100,418	68.1
Bertram L. Buckler (R)	46,093	31.3
Charles M. Hart (LIBERT)	920	0.6
7 Adam K. Levin (D)	70,978	43.2
Matthew J. Rinaldo (R)*	91,837	56.0
Donald B. Siano (LIBERT)	1,294	0.8
8 Robert A. Roe (D)*	89,980	70.7
Norm Robertson (R)	36,317	28.5
Sidney J. Pope (LIBERT)	1,000	0.8
9 Robert G. Torricelli (D)	99,090	53.0
Harold C. Hollenbeck (R)*	86,022	46.0
Robert Shapiro (LIBERT)	1,767	1.0
10 Peter W. Rodino Jr. (D)*	76,684	82.6
Timothy Lee Jr. (R)	14,551	15.7
Katherine Florentine (LIBERT)	958	1.0
Christine Keno (I)	659	0.7
11 Joseph G. Minish (D)*	105,607	64.3
Ray Redington (R)	57,099	34.8
Richard Roth (LIBERT)	1,531	0.9
2 Jeff Connor (D)	57,049	32.3
Jim Courter (R)*	117,793	66.8
Harold F. Leisendecker (LIBERT)	1,610	0.9
13 George Callas (D)	65,820	39.1
Edwin B. Forsythe (R)*	100,061	59.5
Paula Volpe (CIT)	955	0.6
Don Smith (CST)	651	0.4
Leonard T. Flynn (LIBERT)	769	0.4
14 Frank J. Guarini (D)*	94,021	74.3
Charles J. Carrillo (R)	28,257	22.3
Louis J. Sicilia (LIBERT)	471	0.4
Kenneth Famularo (I)	921	0.7
Jack Murphy (I)	1,704	1.3
Herbert H. Shaw (I)	1,232	1.0

NEW MEXICO

Governor

Toney Anaya (D)	215,840	53.0
John B. Irick (R)	191,626	47.0

Senator

Jeff Bingaman (D)	217,682	53.8
Harrison "Jack" Schmitt (R)*	187,128	46.2

House

1 Jan Alan Hartke (D)	67,534	47.6
Manuel Lujan Jr. (R)*	74,459	52.4
2 Caleb Chandler (D)	50,599	41.6
Joe Skeen (R)*	71,021	58.4
3 Bill Richardson (D)	84,669	64.5
Marjorie Bell Chambers (R)	46,466	35.4
David Arturo Fernandez (write-in)	158	0.1

NEW YORK

Governor

Mario M. Cuomo (D, I)	2,675,213	50.9
Lew Lehrman (R, C, I)	2,494,827	47.5
John J. Northrup (F LIBERT)	16,913	0.3
Nancy Ross (NA)	5,277	0.1
Diane Wang (SOC WORK)	3,766	0.1
Robert J. Bohner (RTL)	52,356	1.0
Jane Benedict (UN)	6,353	0.1

Senator

Daniel Patrick Moynihan (D, I)*	3,232,146	65.1
Florence Sullivan (R, C, RTL)	1,696,766	34.1

James J. McKeown (F LIBERT)	23,379	0.5
Steven Wattenmaker (SOC WORK)	15,206	0.3

House

1 Ethan C. Eldon (D)	49,787	36.1
William Carney (R, C, RTL)*	88,234	63.9
2 Thomas J. Downey (D)*	80,951	63.9
Paul G. Costello (R, C)	42,790	33.8
Lewis VanDusen (RTL)	2,971	2.3
3 Robert J. Mrazek (D)	93,846	51.8
John LeBoutillier (R, C)*	83,238	46.0
Richard G. Bohner (RTL)	4,049	2.2
4 Robert P. Zimmerman (D, I)	63,390	36.3
Norman F. Lent (R, C)*	105,241	60.4
John J. Dunkle (RTL)	5,717	3.3
5 Arnold J. Miller (D, I)	67,002	38.8
Raymond J. McGrath (R, C)*	100,485	58.1
Thomas J. Boyle (RTL)	4,911	2.8
Richard Moran (F LIBERT)	490	0.3
6 Joseph P. Addabbo (D, R, I)*	95,483	95.9
Mark E. Scott (C)	4,074	4.1
7 Benjamin S. Rosenthal (D, I)*	84,013	77.2
Albert Lemishaw (R, C, RTL)	24,832	22.8
8 James H. Scheuer (D, I)*	91,830	89.5
John T. Blume (C)	10,741	10.5
9 Geraldine A. Ferraro (D)*	75,286	73.2
John J. Weigandt (R)	20,352	19.8
Ralph G. Graves (C, RTL)	6,011	5.9
Patricia A. Salargo (I)	1,171	1.1
10 Charles E. Schumer (D, I)*	89,852	79.2
Stephen Marks (R, C)	21,726	19.1
Alice J. Bertolotti (RTL)	1,873	1.7
11 Edolphus Towns (D)	39,357	83.7
James W. Smith (R)	4,449	9.5
Joseph N. O. Caesar (C, RTL)	1,357	2.9
Patrick W. Giagnacova (I)	1,488	3.2
Susan C. Zarate (SOC WORK)	359	0.7
12 Major R. Owens (D, I)	44,586	90.5
David Katan Sr. (R)	3,215	6.5
David E. Rosenstreich (C)	1,005	2.1
John-Clymer Francis (RTL)	453	0.9
13 Stephen J. Solarz (D, I)*	68,549	80.5
Leon F. Nadrowski (R, RTL)	14,257	16.8
James M. Gay (C)	2,324	2.7
14 Leo C. Zeferetti (D)*	51,728	42.9
Guy V. Molinari (R, C, RTL)*	67,626	56.1
Carl F. Grillo (I)	1,276	1.0
15 Betty G. Loff (D, I)	55,483	44.8
Bill Green (R)*	66,262	53.6
Henry Van Rossem (C)	1,953	1.6
16 Charles B. Rangel (D, R, I)*	76,626	97.5
Michael T. Berns (C)	1,261	1.6
Veronica Cruz (SOC WORK)	718	0.9
17 Ted Weiss (D, I)*	113,172	85.0
Louis S. Antonelli (R, C, RTL)	19,928	15.0
18 Robert Garcia (D, R, I)*	57,009	98.9
Rafael Perez (POPULAR)	655	1.1
19 Mario Biaggi (D, R, I, RTL)	118,803	93.7
Michael J. McSherry (C)*	7,438	5.9
Eva Chertov (SOC WORK)	584	0.4
20 Richard L. Ottinger (D)*	98,425	56.5
Jon S. Fossil (R, C)	72,005	41.3
Florence T. O'Grady (RTL)	3,798	2.2
21 J. Morgan Strong (D)	38,664	24.8
Hamilton Fish Jr. (R, C)*	117,460	75.2
22 Peter A. Poyser (D)*	73,124	42.0
Benjamin A. Gilman (R)*	92,266	52.9
Charles C. Beck (C)	4,877	2.8
Richard Bruno (RTL)	4,019	2.3

* Died Jan. 4, 1983

84040465013



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 21, 1982

**October Filing Notice for Unauthorized Political Committees
Filing Third Quarterly or Monthly
Reports of Receipts and Disbursements**

This notice summarizes the October reporting obligations of political committees which are not authorized by any Federal candidate. The notice explains requirements for filing reports of receipts and disbursements under the Federal Election Campaign Act of 1971, as amended.

THIRD QUARTERLY REPORT

Unauthorized political committees (i.e., committees not authorized by any Federal candidate) must file the Third Quarterly Report unless they are filing on a monthly basis (see below).

On this report, committees must disclose all reportable transactions from the later of:

- The date of registration, if this is the committee's first report; or
- The date of the close of books of the last report filed.

The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.

The Third Quarterly Report may be hand delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15. 11 CFR 104.5(c)(1)(i) and 104.5(e).

NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election(s) and such disbursements have not been previously reported, the committee must also file a Pre-election Report of Receipts and Disbursements. (Information concerning the general election reporting requirements will be mailed to all unauthorized committees prior to the election.)

MONTHLY REPORT

Unauthorized committees reporting on a monthly filing schedule must file their monthly report by October 20, covering activity from September 1 through September 30, 1982. This report is filed in lieu of the Third Quarterly Report. 11 CFR 104.5(c)(3).

WHAT FORM TO USE

All unauthorized political committees should use FEC Form 3X with appropriate schedules for filing the report. If an unauthorized committee has qualified as a multicandidate committee during this reporting period, it should check the appropriate box on page one of FEC Form 3X. (See FEC Regulations at 100.5(e)(3) for the definition of a multicandidate committee.)

WHERE TO FILE

Committees should consult the instructions on the reverse side of the Summary Page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS

Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any Federal candidate will no longer receive mailgram notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

(continued)

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Committees must submit legible reports which can be reproduced clearly. Illegible documents will not be accepted as reports and committees filing such documents will be required to refile.

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463



TO REQUEST FURTHER INFORMATION

OR ADDITIONAL FORMS, CONTACT:

Office of Public Communications

Federal Election Commission

1325 K Street, N.W.

Washington, D.C. 20463

Telephone: (202) 528-4088

Toll-Free: (800) 424-9530

Please peel off the label on the envelope used for this mailing and place it on the front of the reporting form. This will assist the Commission in the identification of the committee filing the report.

3 4 0 4 0 4 0 4 6 3 0 2 0

WHAT FORM TO USE
If you are filing a report on a monthly filing schedule, use Form 3X with appropriate attachments for filing the report. If an unaffiliated committee is qualified as a candidate committee during this reporting period, it should check the appropriate box on page one of Form 3X. See FEC Regulations at 101.2(e)(3) for the definition of a candidate committee.

WHERE TO FILE
Committees should comply with the instructions on the reverse side of the summary page of the reporting form for details on where to file their reports.

FAILURE TO FILE REPORTS
Committees should be aware that failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act. According to a revised Commission policy, although political committees that are not authorized by any federal candidate will no longer receive automatic notification of their failure to file reports, they nevertheless remain fully liable for failure to file any report required under the Act.

THIRD QUARTERLY REPORT

Unauthorized political committees not authorized by any Federal candidate must file the Third Quarterly Report unless they are filing on a monthly basis (see below).
On this report, committees must disclose all reportable transactions from the later of:
- The date of registration, if this is the committee's first report;
- The date of the close of books of the last report filed.
The Third Quarterly Report must disclose all financial activity of the committee not previously disclosed through September 30, 1982, and must be filed regardless of the amount of financial activity involved during the reporting period.
The Third Quarterly Report may be filed delivered no later than close of business October 15, 1982. Reports mailed first-class must be received no later than close of business October 15, 1982. Reports sent by registered or certified mail must be post-marked no later than midnight October 15, 11 PM 1042(c)(1)(b) and 1042(e).
NOTE: If a committee filing on a quarterly basis makes contributions or expenditures in connection with the primary or general election, and such disbursements have not been previously reported, the committee must also file a pre-election report of receipts and disbursements. Information concerning the general election reporting requirements will be mailed to all unaffiliated committees (not to the election).

The following chart is included for your convenience showing coverage periods and due dates for reports due during October and the following months:



FEDERAL ELECTION COMMISSION

PERIOD COVERED	NAME OF REPORT
October 15, 1982	Third Quarterly Report
October 18, 1982	Pre-General Election Report
December 2, 1982	Post-General Election Report

GENERAL ELECTION REPORTS FILING NOTICE FOR AUTHORIZED COMMITTEES

Under the Federal Election Campaign Act of 1971, as amended, principal campaign committees of candidates for Federal office who are on the ballot for the 1982 general elections must file Pre-General Election and Post-General Election Reports due October 21, 1982, and December 2, 1982, respectively. This notice provides filing information for these reports.

WHO MUST FILE

1 All principal campaign committees of candidates for Federal office in the 1982 general election must file the Pre-General Election and Post-General Election Reports of Receipts and Disbursements covering the dates shown on the calendar on the back of this notice.

0 The Pre-General and Post-General Election Reports must include all reportable transactions of the principal campaign committee and any other authorized committee(s) together with any activity of the candidate and must be filed by October 21, 1982, and December 2, 1982, respectively. These reports must disclose all financial activity not previously disclosed, and must be filed regardless of the total amount of financial activity undertaken during the reporting periods. All campaign-related activity of the candidate (including contributions received, loans received or made, and disbursements made) is considered to be activity undertaken as an agent of the candidate's authorized committee(s) and must be reported by the authorized committee(s).

DATE DUE

4 The Pre-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office no later than close of business October 21, 1982. Reports sent registered or certified mail must be postmarked no later than midnight October 18, 1982.

8 The Post-General Election Report must be hand-delivered or received by first class mail at the appropriate filing office by close of business December 2, 1982. Reports sent registered or certified mail must be postmarked no later than midnight December 2, 1982.

*For purposes of the Act, a "candidate" is an individual who seeks nomination for election, or election, to Federal office, and who has:

1. Received contributions aggregating in excess of \$5,000 or has made expenditures aggregating in excess of \$5,000; OR
2. Given his or her consent to another person to receive contributions or make expenditures on behalf of such individual and such person has received contributions or made expenditures aggregating in excess of \$5,000.

The following chart is included for your convenience showing coverage periods and due dates for reports due during October and the following months:

NAME OF REPORT	PERIOD COVERED	REG./CERT. MAIL DATE	FILING DATE
Third Quarterly Report	7/1* - 9/30/82	October 15, 1982	October 15, 1982
Pre-General Election Report	10/1 - 10/13/82	October 18, 1982	October 21, 1982
Post-General Election Report	11/14/82 - 11/14/82	December 2, 1982	December 2, 1982
Year-End Report	11/23 - 12/31/82	January 31, 1983	January 31, 1983

*Or from date of committee registration, or the close of books of the last report filed, whichever date is later.

WHAT FORM TO USE

All authorized committees of House and Senate candidates should use FEC Form 3 with appropriate schedules for filing the Pre-General and Post-General Election Reports. Authorized committees other than the principal campaign committee should file their reports with the principal campaign committee. The principal campaign committee, in turn, files a consolidated form (FEC Form 3Z), together with its own report and the reports of the authorized committees, with the appropriate Federal and State offices.

FAILURE TO FILE REPORTS

Committees should be aware that the names of non-filers may be published by the Commission. In addition, failure to file required reports may result in compliance proceedings under the provisions of the Federal Election Campaign Act.

Committees must submit legible reports which can be reproduced clearly. Illegible documents will not be accepted as reports, and committees filing such documents will be required to refile.

Please peel off the label on the envelope used for this mailing and place it on the front of the reporting form. This will assist the Commission in the identification of the committee filing the report.

WHERE TO FILE

Committees should consult the instructions on the back of the Summary Page of FEC Form 3 for information on where to file their reports.

FOR FURTHER INFORMATION OR TO REQUEST FORMS, CONTACT:

Office of Public Communications
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20463

Telephone: 202/523-4068
 Toll Free: 800/424-9530

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FEDERAL ELECTION COMMISSION

ATTACHMENT 7
(Page 1 of 2) 20083
Press Office
1326 K Street, N.W., Washington, D.C. 20003
Phone: Local 822-4085 Toll Free 800-424-9630



FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED EILAND
SHARON SNYDER

FEC PUBLISHES 3RD QUARTER 1982 NON-FILERS

WASHINGTON -- The Federal Election Commission published today the list of candidate committees for 1982 U.S. Senate and House campaigns which failed to file the required third quarter financial disclosure reports.

Only those candidates involved in the November general election were included in the group of candidate committees considered for publication.

A total of 5 House campaigns from 4 different states failed to meet the filing requirement for the quarterly report due October 15. The reports were to have included activity from July 1, 1982, (or later for those involved in late primaries) through September 30, 1982.

If mailed by regular mail, or if hand-delivered, the reports should have been received by close of business on October 15. If sent by registered or certified mail, the reports must have been postmarked by midnight October 15.

All committees of candidates involved in the November 2 election were notified approximately 25 days in advance of the due date of the report. Those whose reports had not been received by October 22 were again notified by mailgram that their reports were not in.

The 1979 Amendments to the Federal Election Campaign Act specify that the FEC publish only those committees authorized by candidates to raise and spend money on their behalf. Therefore, this list does not include other political committees which may have been required to file.

In addition, individuals register as candidates only after they have raised or spent in excess of \$5,000. Prior to reaching that threshold, no registration or reporting is required. Therefore, some individuals whose names appear on state ballots may have no filing obligations.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The Federal Election Campaign Act gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for any violation and \$10,000 for any knowing and willful

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violation) for infractions of the law, including failure to file required disclosure reports.

The following lists the non-filers by state:

- Florida 01 People for Bechtol.....Tarryl Bechtol (Rep)
- Illinois 02 Gus Savage for Congress '82.....Gus Savage (Dem)
- Michigan *13 Crockett For Congress Committee.....George Crockett, Jr. (Dem)
- New York 12 Major Owens for Congress Committee.....Robert Major Owens (Dem)
- *15 Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)

Handwritten initials

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* Committees denoted with an asterisk have filed their quarterly report, but the report was received after the 5:00 p.m. deadline of October 28.

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FEDERAL ELECTION COMMISSION

ATTACHMENT 8

Press Office (Page 1 of 2)
1326 K Street, N.W., Washington, D.C. 20463
Phone: Local 623-4065 Toll Free 800-424-9630



FOR IMMEDIATE RELEASE
OCTOBER 29, 1982

CONTACT: FRED EILAND
SHARON SNYDER

U.S. SENATE AND HOUSE CAMPAIGNS FAIL TO FILE PRE-GENERAL ELECTION REPORTS

WASHINGTON -- 21 House campaigns and 1 Senate committee have failed to meet the October 21 deadline for filing 12-day pre-general election reports of receipts and expenditures.

Provisions of the Federal Election Campaign Act require that committees supporting candidates seeking U.S. House and Senate seats in the November 2 general election file a report of all financial activity 12 days prior to the election.

The report was to include financial activity occurring from October 1 through October 13. If sent certified or registered mail, the report should have been postmarked by October 18. Otherwise, the due date was October 21.

Some individuals and their committees have no obligation to file reports under federal election law, even though their names may appear on general election ballots. If an individual and his or her campaign committee raise or spend less than \$5,000, the individual is not considered a "candidate" under the Federal Election Campaign Act, and neither the individual nor the committee has to register.

The Commission notified the committees of all candidates for the general election of their potential filing requirements 25 days prior to the due date. Those committees which did not file on the due date were notified on October 22 that their reports had not been received and that their names would be published for failure to file if they did not respond within 4 business days.

The Commission publishes only the names of those committees which have been designated by candidates as their principal campaign committees. Under Amendments to the Federal Election Campaign Act, effective January 8, 1980, candidates no longer are required to file personal reports of receipts and expenditures. All such information is reported by authorized committees of the candidates.

Other political committees supporting House and Senate candidates in the general election (those which are not authorized units of a candidate's campaign) also are required to file pre- and post-general election reports. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The election law gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willful" violation) for infractions of the law, including failure to file required disclosure reports.

The next report for all candidates' committees (those involved in the general election) will be the post-general election report - on December 2. The report will cover activity from October 14 through November 22, 1982. The year-end report for activity through December 31, 1982, will be due January 31, 1983.

Names of non-filing committees appear on the next page.

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The following lists the non-filers by state:

California	14	Baron Reed for Congress...Baron Reed (Democrat)
	22	Brian Lungren Campaign Committee...Brian Lungren (Republican)
	42	Lungren for Congress.....Daniel Lungren (Republican)
Florida	01	People for Bechtol.....Terry Bechtol (Republican)
	17	William Lehman Campaign Fund Cmte.....William Lehman (Democrat)
Georgia	02	Charles Hatcher for Cong. Campaign Cmte..Charles Hatcher (Dem)
Illinois	02	Gus Savage for Congress '82....Gus Savage (Dem)
Louisiana	08	Friends of Gillis Long...Gillis Long (Dem)
Massachusetts	08	*Committee to Elect Frank McNamara, Jr..Frank McNamara (Rep)
Minnesota	05	Johnson for Congress.....Keith Johnson (Rep)
Nebraska		
	Senate	Walsh for Senate Campaign....Virginia F. Walsh (Ind)
	House/03	*Committee to Re-Elect Virginia Smith to Congress..Virginia Smith..(F)
Nevada	02	Mary Gojack Congressional Campaign Cmte...Mary Gojack (Dem)
New York	02	*Citizens for Downey.....Thomas J. Downey (Dem)
	12	Major Owens for Cong. Committee.....Robert Major Owens (Dem)
	15	*Citizens for Betty Goetz Lall.....Betty Goetz Lall (Dem)
Ohio	11	Warner for Congress.....Glen Warner (Rep)
Pennsylvania		
	07	*Steve Joachim for Congress Committee..Steve Joachim (Rep)
	08	Reef for Congress.....Albert H. Reef(Ind)
South Carolina	02	Committee to Elect Ken Mosely to Congress...Ken Mosely (Dem)
Texas	04	Pete Collumb for Congress Committee....Peter Collumb (Rep)
	18	Pickett for Congress.....C. Leon Pickett (Rep)

* Committees denoted with an asterisk have filed their pre-general election report, but the report was received after the 5:00 p.m. deadline of October 28.

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REPORT OF RECEIPTS AND DISBURSEMENTS
For an Authorized Committee

HAND DELIVERED

(Summary Page)

DEC 16 11:00

1. Name of Committee (in Full) Major Owens for Congress Committee	2. FEC Identification Number C 00156539
Address (Number and Street) 1125-29 Eastern Parkway	3. Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
City, State and ZIP Code <input type="checkbox"/> Check if address is different than previously reported. Brooklyn, New York 11213	

4. TYPE OF REPORT

<input type="checkbox"/> April 15 Quarterly Report	<input type="checkbox"/> Twelfth day report preceding
<input type="checkbox"/> July 15 Quarterly Report	election on _____ in the State of _____
<input checked="" type="checkbox"/> October 15 Quarterly Report	<input type="checkbox"/> Thirtieth day report following the General Election
<input type="checkbox"/> January 31 Year End Report	on _____ in the State of _____
<input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only)	<input type="checkbox"/> Termination Report

This report contains activity for - Primary Election General Election Special Election Runoff Election

SUMMARY	Column A This Period	Column B Calendar Year-to-Date
5. Covering Period <u>9/4/82</u> Through <u>9/30/82</u>		
6. Net Contributions (other than loans):		
(a) Total Contributions (other than loans) (from Line 11a)	\$ 29,557.60	\$ 62,995.21
(b) Total Contribution Refunds (from Line 20d)	\$ 300.00	\$ 825.00
(c) Net Contributions (other than loans) (Subtract Line 6b from 6a)	\$ 29,257.60	\$ 62,170.21
7. Net Operating Expenditures:		
(a) Total Operating Expenditures (from Line 17)	\$ 38,337.57	\$ 77,624.14
(b) Total Offsets to Operating Expenditures (from Line 14)	\$ 1,472.00	\$ 3,689.00
(c) Net Operating Expenditures (Subtract Line 7b from 7a)	\$ 36,865.57	\$ 73,935.14
8. Cash on Hand at Close of Reporting Period (from Line 27)	\$ 3,296.52	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)	\$ 0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	\$ 16,038.00	

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

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4086

Christopher R. Owens

Christopher R. Owens
SIGNATURE OF INDICATOR

12/14/82

Date

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

All previous versions of FEC FORM 2 and FEC FORM 2e are obsolete and should no longer be used.

FEC FORM 2 (12/81)

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1561

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