

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Non-filer/John H. Glover) MUR 279 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 26, 1976, the Commission determined by a vote of 5-0 that there was probable cause to believe that violations of the Federal Election Campaign Act of 1971, as amended, had been committed in the above captioned matter. Commissioner Tiernan was absent.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OCT 27 1976
OFFICE OF GENERAL COUNSEL

770400:170

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Non-Filer/ John H. Glover) MUR 279 (76)

GENERAL COUNSEL'S REPORT

I. Allegation

John H. Glover as a candidate for the U.S. Senate in Minnesota has; 1) failed to file the 10 day pre-election reports required by 2 U.S.C §434(a)(1) and 2) failed to designate a principal campaign committee required by 2 U.S.C. §432(e)(1).

II. Evidence

Mr. Glover's name appeared on the Minnesota primary election ballot September 14, 1976, as a candidate for the U.S. Senate. His name appears on the index from the Secretary of Senate.

The candidate received a prior notice August 7, 1976, informing him of the filing obligations of a federal candidate. Failing to file the ten day pre-election report due September 4, 1976, the candidate was sent a

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770400:1791

reason to believe letter for non-filers from the Commission. The letter was sent September 8, 1976 and refused by the candidate. Having not received any response from the candidate, the Commission sent him a reasonable cause to believe letter for non-filers September 10, 1976. This letter was also refused.

The candidate failed to designate a principal campaign committee and received a special notice August 13, 1976. The Commission did not receive any response from the special notice and sent a reason to believe letter for no principal campaign committee to Mr. Glover. The reason to believe letter for no principal campaign committee was received by the candidate September 4, 1976.

The candidate lost the primary election receiving 13,014 votes in comparison to the winning candidate receiving 76,183 votes. Mr. Glover's name was published on the non-filers list September 23, 1976.

A follow up letter has been sent to Mr. Glover from the General Counsel informing him of his name publication and the General Counsel's intention to recommend to the Commission that appropriate civil penalties be sought. On September 27, 1976, Mr. Glover filed a termination report with the Secretary of the Senate. This is the only report he has filed and shows no contributions or expenditures.

III. Analysis

The candidate has failed to file the ten day pre-election report due September 4, 1976. The Commission contacted the candidate informing him of his filing requirements.

The candidate did not respond adequately to these efforts to correct or prevent a violation. The Commission has attempted through various communications to conciliate the case; but the candidate has not used his statutory right to implement informal methods of conference, conciliation, and persuasion.

IV. Recommendation

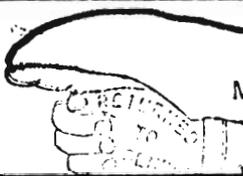
It is recommended that the Commission find probable cause to believe a violation has been committed of 2 U.S.C. §434(a)(1) and §433(e)(1).

770400:179

John G. Murphy, Jr.
JOHN G. MURPHY, JR.
GENERAL COUNSEL

DATE: October 20, 1976

OFFICE OF GENERAL COUNSEL



MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645

Refused 12600



Mailgram



MAILGRAM POSTAL
CHARGES PAID

THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

****CERTIFIED B 60****WA12915-88252-0
JOHN H GLOVER
4207 DUPONT AVE N
MINNEAPOLIS MN 55412

CERTIFIED
No. WA12915-88252-00058
MAILGRAM
Return Receipt Required
SHOW * To Whom
Date Delivered
<input type="checkbox"/> B

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645



Refused 115pt 12600



Mailgram



MAILGRAM POSTAL
CHARGES PAID

THIS MAILGRAM WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

****CERTIFIED B 60****WA12915-87254-0
JOHN H GLOVER
4207 DUPONT AVE N
MINNEAPOLIS MN 55412

CERTIFIED
No. WA12915-87254-00026
MAILGRAM
Return Receipt Required
SHOW * To Whom
Date Delivered
<input type="checkbox"/> B

4

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

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

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	WA 12915-C1247	00006

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY

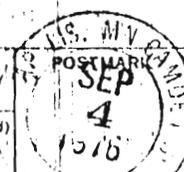
John H. [Signature]

4 15

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



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

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

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	WA 12915-A4225	00016

(Always obtain signature of addressee or agent)

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

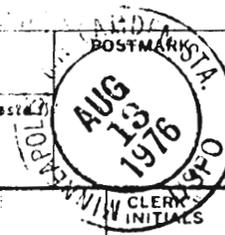
4. DATE OF DELIVERY

John H. [Signature]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



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

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 - RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢
 - RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	WA 12915-A122	00041

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY

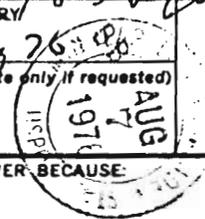
John H. [Signature]

7 Aug 26

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS





FEDERAL ELECTION COMMISSION

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

September 23, 1976

John H. Glover
4207 Dupont Avenue N.
Minneapolis, Minnesota 55412

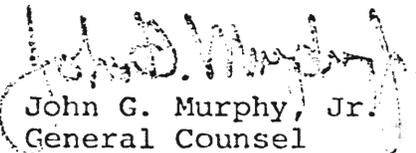
Dear Mr. Glover:

On September 22, 1976, your name was released for publication in a list of persons who had failed to meet the filing requirements of the Federal Election Campaign Act of 1971, as amended. I have enclosed a copy of the publication.

As of this date, we have not received your report. If we do not hear from you within five (5) days, we are prepared to recommend to the Commission that we be allowed to seek appropriate civil penalties.

Please direct any response to (202)382-6462.

Sincerely,


John G. Murphy, Jr.
General Counsel

Certified Mail
Return receipt requested



SHORT FORM
 Report of Receipts and Expenditures
 for a Candidate or
 Principal Campaign Committee

RECEIVED
 1976 SEP 29 AM 9:30

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election and the candidate has authorized only the principal campaign committee)

1. JOHN H. FLOVER
 Name of Candidate or Committee (in full) NO
4207 DUPONT NORTH
 Address (number and street)
Mpls - MINN. 55412
 City, State, and ZIP Code Check if address is different than previously reported

2. I.D. # MN UNK C817

3. SENATE MINNESOTA
 Office Sought State/District

4. Type of Report
 April 10 Report October 10 Report Tenth Day Pre-Election Report
 July 10 Report January 31 Report Thirtieth Day Post-Election Report
 Check if appropriate Amended filing Termination Report NO

SUMMARY OF RECEIPTS AND EXPENDITURES

5. Covering Period 1976 through 1976

	This period	Calendar year to date
6. Cash on Hand January 1, 1976	<u>NO</u>	<u>NO</u>
7. Cash on Hand at beginning of reporting period	<u>NO</u>	
8. Receipts		
Itemized (use schedule 6A)	<u>NO</u>	
Unitemized	<u>NO</u>	
Total Receipts	<u>NO</u>	<u>NO</u>
9. Expenditures		
Itemized (use schedule 6B)	<u>NO</u>	
Unitemized	<u>NO</u>	
Total Expenditures	<u>NO</u>	<u>NO</u>
10. Cash on Hand at close of reporting period		<u>NO</u>
11. Debts and obligations owed to the committee (use schedule 6C)		<u>NO</u>
12. Debts and obligations owed by the committee (use schedule 6C)		<u>NO</u>

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

9/26/76 (Date)
John H. Flover (Signature of Treasurer for committee report, Signature of Candidate for candidate report)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §447. (Text on reverse side of form)

77 740 180 1275
 76020091275

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Title 2 U.S. Code

§411. Penalties for violations

(a) Any person who violates any of the provisions of this chapter shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

(b) In case of any conviction under this chapter, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

77 748 02 0089 1276

I paid \$175⁰⁰ or \$150⁰⁰
filing fee in St Paul
that is all I paid.
John H. Down

I received nothing

I have sent president for some

OFFICE OF GENERAL COUNSEL

United States Senate

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20510

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NOTICE

THE POSTMARK ON THE PRECEDING ENVELOPE IS 9-27-76

770400:180



NEWS FROM...

FEDERAL ELECTION COMMISSION



1325 K Street, N.W., Washington, D.C. 20543

RELEASE: ON RECEIPT
THURSDAY, SEPTEMBER 23, 1976

CONTACT: DAVID FISKE
SUSAN TIFFT
(202) 382-4112

FEC PUBLISHES LIST OF "NON-FILERS"

OFFICE OF THE GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

WASHINGTON - September 23 - The FEC today published the names of House and Senate candidates and their "principal campaign committees" which failed to file the required "ten-day pre-election report" of their campaign finances in the August 3 and the September 14 primaries.

In these primaries, the following candidates and/or their "principal campaign committees" failed to file "ten-day pre-election reports":

<u>Candidate</u>	<u>State</u>	<u>Primary Date</u>
Randy Yowell (1st Dist.)	Kansas	August 3
✓ Percy Gray (1st Dist.)	Missouri	August 3
Bernard Shannon (Sen.)	Massachusetts	September 14
Robert G. Cunningham (9th Dist.)	Massachusetts	September 14
Robert O. Flynn (9th Dist.)	Massachusetts	September 14
John H. Glover (Sen.)	Minnesota	September 14
Joel Alexander Saliterman (3rd Dist)	Minnesota	September 14
Rowena M. VonWolff (Sen.)	Nevada	September 14
Nelson J. Camrangs (6th Dist.)	New York	September 14
Luz P. Vega (12th Dist.)	New York	September 14
John Adams (1st Dist.)	New Hampshire	September 14
Richard Elliot (1st Dist.)	New Hampshire	September 14
Norman Jacques (1st Dist.)	Rhode Island	September 14
Timothy Bearson (9th Dist.)	Wisconsin	September 14

Starting September 1, 1976, the Commission began publishing "non-filers" for primary elections.

The Federal Election Campaign Act of 1971, as amended in 1974 and 1976, states that "It shall be the duty of the Commission to ... prepare and publish from time to time ... reports listing those candidates ... for whom reports were not filed as so required."

Federal candidates and committees must file a "pre-election" report 10 days before

fore each election, covering their financial transactions up to 15 days before the election. Under POC procedure, these notices are sent to the candidates and committees, requesting that they submit their reports within the stated time. If a report is not filed following these notices, the names of all "non filers" are made public.

"Prior notice" is the first reminder, sent on a routine basis 21 days before the primary date, to all candidates whose names are on the ballot in their respective states, as certified by their Secretary of State, and confirmed by lists with the Clerk of the House and the Secretary of the Senate. This notice simply reminds candidates and committees of their required 10-day pre-election, and 30-day post election reports, and the appropriate filing dates.

The second notice is sent, by mailgram, only to candidates and committees whose reports have not been received 8 days before the primary, and states that this "apparent failure...gives the Commission "reason to believe" that the candidate or committee is in violation of the reporting requirements.

The third notice is sent, by mailgram, only to candidates and committees whose reports are not filed 6 days before the primary, and states that "continued failure to file has given the Commission "reasonable cause to believe" that they are in violation, and that "failure to respond may subject the candidate or committee to...publication of the candidate's or committee's name on a list of non-filers."

When a candidate or committee continues to fail to file after receiving the "prior notice" reminder, and the "reason to believe" and reasonable cause to believe" notices, the Commission publishes the names of the candidates and/or his committee on a list of non-filers.

In addition to these "expedited" procedures for 10-day pre-election reports, the Commission will notify candidates and/or their committees on a routine basis with regard to monthly, quarterly, and post-primary reports.