



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 367





FEDERAL ELECTION COMMISSION

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

August 4, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ned Schneier
1 Harrison Street
New York, New York 10013

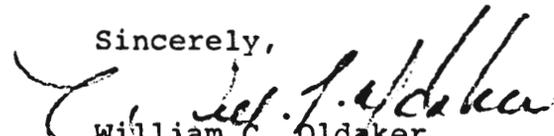
Re: MUR 367 (77)

Dear Mr. Schneier:

On August 2, 1978, the Commission voted to take no further action in connection with MUR 367. A copy of the Commission's determination is enclosed for your information. Accordingly, the Commission intends to close the file in this matter.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,


William C. Oldaker
General Counsel

Enclosure

78040062129



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ned Schneier
1 Harrison Street
New York, New York 10013

Re: MUR 367 (77)

Dear Mr. Schneier:

On August , 1978, the Commission voted to take no further action in connection with MUR 367. A copy of the Commission's determination is enclosed for your information. Accordingly, the Commission intends to close the file in this matter.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

OK 8-2-78



FEDERAL ELECTION COMMISSION

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

August 4, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Helena Zengara, Treasurer
Ned Schneier for Congress
Committee
1 Harrison Street
New York, New York 10013

Re: MUR 367 (77)

Dear Ms. Zengara:

On August 2, 1978, the Commission voted to take no further action in connection with MUR 367. A copy of the Commission's determination is enclosed for your information. Accordingly, the Commission intends to close the file in this matter.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", written over a circular stamp or mark.

William C. Oldaker
General Counsel

Enclosure

780940066-110



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Helena Zengara, Treasurer
Ned Schneier for Congress
Committee
1 Harrison Street
New York, New York 10013

Re: MUR 367 (77)

Dear Ms. Zengara:

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If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

OK
8-2-78

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 367 (77)
Ned Schneier and)
Ned Schneier for Congress)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 2, 1978, the Commission approved by a vote of 6-0 the following recommendations of the General Counsel in the above-captioned matter:

1. Take no further action with regard to either Mr. Schneier or the Ned Schneier for Congress Committee.
2. Close the file.
3. Send the letters attached to the General Counsel's Report, signed July 28, 1978.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Date: 8/2/78

Received in Office of Commission Secretary: 7-28-78, 3:35
Circulated on 48 hour vote basis: 7-31-78, 11:00

78040062132

July 28, 1978

MEMORANDUM TO: Marge Harada
FROM: Elissa T. Garr
SUBJECT: NER 367

Please have the attached General Counsel's Report on NER 367 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040062133

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter Of)
)
Ned Schneier and) MUR 367 (77)
Ned Schneier for Congress)
Committee)

GENERAL COUNSEL'S REPORT

BACKGROUND:

The Commission has previously found probable cause to believe that Ned Schneier and his principal campaign committee, Ned Schneier for Congress Committee, violated 2 U.S.C. §434(a)(1) for failing to file the 10 day pre-election report and the 30 day post-election report for the 1976 general election.

LEGAL ANALYSIS:

Subsequent to the Commission's finding of probable cause, Mr. Schneier's principal campaign committee¹ filed its 1976 10 day pre-election report, a 1976 year-end report covering the 30 day post-election reporting period, and a 1977 year-end report. The 10 day pre-election report listed \$4.00 in receipts and \$4.00 in expenditures. Mr. Schneier also responded in a letter² received by the Commission on April 11, 1977 that the total cost of his general election campaign was \$4.32 for a "rubber stamp." Mr. Schneier reported that all he did for the general election was

^{1/} The candidate and committee have filed identical reports in 1976 for the July 10, 10 day pre-primary, October 10, and 30 day post-primary reporting periods. Therefore, all the activity appears to have been reported by the committee.

^{2/} Letter attached.

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"to stamp the words 'Vote Liberal' or somesuch on the leftover brochures from the primary." The 1976 year-end report revealed \$4,276.14 in receipts and \$4,223.35 in expenditures equaling total financial activity of \$8,499.49 for 1976. Most of these funds were spent with respect to the primary election. Mr. Schneier was a Liberal Party candidate for election to the United States House of Representatives from the 17th district of New York in the 1976 general election. He received 8,656 votes, 5% of the votes cast.

As the Ned Schneier for Congress Committee has filed the required reports, we re-evaluated this matter in accordance with the non-filing procedures adopted by the Commission on May 23, 1978. Under those guidelines, a candidate or committee which did not file its reports for the general election would be pursued by the Commission if the candidate received 10% of the vote and had financial activity in excess of \$50,000. Mr. Schneier lost the general election receiving 5% of the votes and had minimal financial activity.

RECOMMENDATION

1. Take no further action with regard to either Mr. Schneier or the Ned Schneier for Congress Committee. Close the file.
2. Send the attached letters.

7/28/78
DATE


WILLIAM C. OLDAKER
GENERAL COUNSEL

78040062135

Ned Schneier
1 Harrison Street
New York, New York 10013

REC # 167

Mr. David Stein
Federal Election Commission
1325 K Street NW
Washington, D. C. 20463

ORIG TO *PD*
COPY TO *SL*

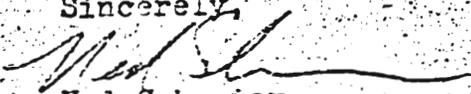
Dear Mr. Stein,

Here is the 10-day pre-election report we discussed on the phone last week. As I check my records what apparently happened is as follows: Since the September 1 report and the ten-day report were so closely spaced in New York, and since I made no expenditures and received no contributions during the four day hiatus, I simply filed a report with two front pages (identical in all but the date). Somehow the second front page must have gone astray. So here is the whole thing. I also enclose, for your files, a xerox of my post-election report.

While I have your attention, I would like to bother you with one question. I was the nominal candidate of the Liberal Party in the general election (in this district the adjective "nominal" is well-chosen). All I did for that campaign was to stamp the words "Vote Liberal" or somesuch on the leftover brochures from the primary. My total cost for the campaign was the price of rubber stamp-- \$4.32 including tax. My assumption has been that I need not, under these conditions, file a separate set of reports for the general election. True?

Please accept my apologies for being such a donkey in these matters. I am doubly embarrassed because for a time I was seriously in the running for the job of FEC staff director. My friend Susie King would appreciate the irony. Please don't tell.

Sincerely,


Ned Schneier

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FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Helena Zengara, Treasurer
Ned Schneier for Congress
Committee
1 Harrison Street
New York, New York 10013

Re: MUR 367 (77)

Dear Ms. Zengara:

On August , 1978, the Commission voted to take no further action in connection with MUR 367. A copy of the Commission's determination is enclosed for your information. Accordingly, the Commission intends to close the file in this matter.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ned Schneier
1 Harrison Street
New York, New York 10013

Re: MUR 367 (77)

Dear Mr. Schneier:

On August , 1978, the Commission voted to take no further action in connection with MUR 367. A copy of the Commission's determination is enclosed for your information. Accordingly, the Commission intends to close the file in this matter.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4057.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

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

January 25, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ned Schneier
1 Harrison Street
New York, NY 10013

Re: MUR 367(77)

Dear Mr. Schneier:

After review of your file in this matter, it appears that you and your committee still have failed to file certain disclosure reports required by the Federal Election Campaign Act of 1971, as amended.

Our records show that you and your committee have filed pre- and post-election reports in regard to the New York Primary election. However, since you were also a candidate in the general election, you and your committee are also required to file pre- and post-election reports for the general election. The disclosure reports and coverage dates of the reports are listed below:

Pre-general election report -
October 5 - October 18, 1976

Post-general election report -
October 19 - November 22, 1976

If you and your committee did not have financial activity during this time, please file the required reports reporting "zero" in the appropriate space. Please note, both you and your committee are required to file separate reports. Enclosed are copies of the reporting forms for your convenience.



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Non-filer/Ned Schneier and)
Ned Schneier for Congress)
Committee)

MUR 367 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 28, 1977, the Commission determined by a vote of 5-0 to find probable cause to believe a violation of 2 U.S.C. §434(a)(1) had been committed in the above-captioned matter, but that civil penalties would not be sought due to previous communications with the respondent. Commissioner Tiernan was not present at the time of the vote.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Non-Filer/Ned Schneier and) MUR 367 (77)
Ned Schneier for Congress)
Committee)

GENERAL COUNSEL'S REPORT

I. Allegation

Mr. Schneier, as a candidate for the U.S. House of Representatives in the 17th district of New York, and his committee, Ned Schneier for Congress Committee, have failed to file the 30 day post election report required by 2 U.S.C. §434(a)(1).

II. Evidence

Mr. Schneier's name appeared on the New York general election ballot as the Liberal Party's candidate for the U.S. House of Representatives in the 17th district. The candidate's name and his committee's name appear in the index from the Clerk of the House of Representatives.

Mr. Schneier received a prior notice from the Commission October 13, 1976 informing him of his filing requirements as a federal candidate and the filing dates of various reports due concerning the general election.

Both Mr. Schneier and his committee failed to file the 30 day post election report due December 2, 1976. Reason to

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

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believe letters were received by the candidate and his committee December 15, 1976. A reasonable cause to believe letter was sent to the candidate December 20, 1976; this notice was returned unclaimed. The reasonable cause to believe letter to the committee was not sent due to clerical error by Western Union.

The Commission received no response from Mr. Schneier. His name was published by the Commission October 30, 1976 for failure to file the pre-election report and on January 21, 1977 for failure to file the post election report. Mr. Schneier was defeated in the general election receiving 8,656 votes in comparison to the winner receiving 89,126. The most recent report submitted by the committee is the April 10 quarterly report filed on a 3a postcard indicating receipts and expenditures less than \$1,000. The report filed prior to the April 10 was the October 10 showing year to date totals of \$3,941 receipts and \$3,922 expenditures.

A letter was sent to Mr. Schneier from the General Counsel informing him of his name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought.

III. Analysis

The candidate and his committee have failed to file the 30 day post election report. The candidate has not responded

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

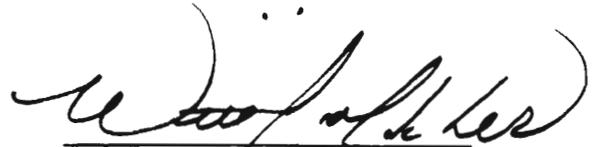
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to efforts by the Commission to correct or prevent a violation.

The candidate was sent a letter advising him that the Commission was ready to conciliate the case; but the candidate has not utilized his statutory right to the 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), however, civil penalties should not be sought due to previous communications with the candidate.



William C. Oldaker
General Counsel

DATE: 4/24/77

789488268JHSA

FEDERAL ELECTION COMMISSION



1325 K Street, N.W., Washington, D.C. 20463

RELEASE: ON RECEIPT
(Friday, January 21, 1977)

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

FEC RELEASES LIST OF "NON-FILERS"

WASHINGTON-January 21- The FEC today published the names of 47 House candidates and 2 Senate candidates from 25 states and the District of Columbia who failed to file the required post-election report of their campaign finances. The report was due December 2, 1976, 30 days after the November 2 general election.

In addition to publishing the names of non-filers, the FEC has the authority to undertake further enforcement action under the statute, including civil court enforcement and imposition of civil fines of not more than \$5,000 for "any violation" and not more than \$10,000 for a "knowing and willful violation". To date, the Commission has initiated 17 civil court suits to compel candidates to file earlier reports and to impose civil fines for failure to file reports.

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 special reports listing those candidates...for whom...reports were not filed as so required."

Federal candidates and committees must file a post-election report 30 days after each election, covering their financial transactions from 15 days before the election to 20 days after the election. Under FEC procedures, three notices are sent to the candidates and committees, reminding them of their reporting obligations, and urging compliance. If a report is not filed following these notices, the names of the "non-filers" are made public.

The FEC procedures are as follows:

...-"Prior notice" is the first reminder, which was sent on a routine basis prior to the election to all candidates whose names were on the November 2 general election ballot in their respective states, as certified by their Secretary of State, and confirmed by lists of the Clerk of the House and the Secretary of the Senate. This notice reminds candidates and committees of the required 10-day pre-election and 30-day post-election reports, and the appropriate filing dates.

...-The second notice was sent December 10 to candidates and committees whose post-election reports had not been received by that date. This notice stated that this "apparent failure...gives the Commission reason to believe" that the candidate or committees were in violation of the reporting requirements.

...-The third notice was sent, December 20 to candidates and committees whose post-election reports had still not been filed. This notice stated that "continued failure to file has given the Commission "reasonable cause to believe" that they were in violation, and that "failure to respond may subject (the candidate or committee) to...civil penalties and...to publication of (the candidate's or committee's) name on the 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 on a list of non-filers.

The following candidates and/or their "principal campaign committees" failed to file December 2 post-election reports following the November 2 general election:

(over)

The following are the names of the House and Senate candidates published today (January 21, 1977) for failing to file the post-election report, required, 30 days after the November 2, 1976 general election, (listed state, with name, Congressional District, and political party affiliation, if any.)

<u>State</u>	<u>Candidate</u>
California	Oscar Klee (2nd Dist.) Democrat
"	Tom Spinosa (6th Dist.) Republican
Colorado	Lann Meyers (1st Dist.) U.S. Labor
"	Alfredo Archer (3rd Dist.) La Raza Unida
Connecticut	Anthony Discepolo (2nd Dist.) Independent
Delaware	Joseph F. McInnerney (Sen.) non-partisan
District of Columbia	Louis S. Aronica (00 Dist.) D.C. Statehood
Illinois	Spencer Leak (2nd Dist.) Republican
"	Frank Collin (3rd Dist.) White Power
"	Newell Ward (7th Dist.) Republican
"	Peter G. Prineas (24th Dist.) Republican
Indiana	John E. Tipton (7th Dist.) Democrat
Iowa	James D. Roberson (2nd Dist.) Independent
Kansas	David N. Scoggin (2nd Dist.) Prohibition
"	Robert A. Cowdrey (4th Dist.) American
Louisiana	Richard A. Tonry (1st Dist.) Democrat
Maryland	William Salisbury, (7th Dist.) Independent
Massachusetts	Richard W. Daly (7th Dist.) Republican
"	James J. Murphy (7th Dist.) Independent
"	Joseph M. O'Loughlin (9th Dist.) Independent
Michigan	Isaac Hood (1st Dist.) Republican
"	Edward W. Aho (11th Dist.) Human Rights
"	Marshall F. Moser (14th Dist.) Libertarian
"	Aldi C. Fuhrmann (15th Dist.) American
"	Independent
"	William E. Rostron (16th Dist.) Republican
Nevada	James Burns (00 Dist.) Libertarian
New Hampshire	John Adams (1st Dist.) Republican
New Jersey	Walter M. Switzky (3rd Dist.) Libertarian
"	Jack Moyers (4th Dist.) Libertarian
"	Tony Grandison (10th Dist.) Republican
"	Robert Ryley (14th Dist.) Libertarian
New York	Seth C. Morgan (1st Dist.) Conservative
"	Martin S. Shepherd, Jr. (12th Dist.) Conservative
"	Ned Schneier (17th Dist.) Liberal
"	Calvin Kimbrough (37th Dist.) Republican
North Carolina	Roy Underwood (11th Dist.) American
Ohio	Karl T. Untch, (19th Dist.) Independent
"	Theodore Held III (20th Dist.) Independent
"	Anthony R. Curry (21st Dist.) Independent
Oklahoma	Donald F. Parker (5th Dist.) Independent
Pennsylvania	Andrew J. Watson (Sen.) Constitutional
"	Dennis Grant (2nd Dist.) Revolutionary Workers
"	Jesse W. Woods, Jr. (2nd Dist.) Republican
"	Terence J. Schade (3rd Dist.) Republican
South Dakota	Donald Stevens (1st Dist.) Independent
Texas	William K. Hathcock (13th Dist.) American
Utah	Harry B. Gerlach (1st Dist.) American
Washington	Gene Goosman (7th Dist.) American Constitution
Wisconsin	R. Julian Chapman (5th Dist.) Independent



FEDERAL ELECTION COMMISSION

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

January 21, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ned Schneir
1 Harrison Street
New York, New York 10013

Dear Mr. Schneir:

On January 21, 1977, 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 202/382-1203.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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SEC Form 3 July 1976 037577	REPORT OF A CANDIDATE OR COMMITTEE FOR A CALENDAR QUARTER FILED IN PLACE OF SEC FORM 3 (Exempt from quarterly reporting under 2 USC 434 (a)(1)(c))	Classification Number 037577
Filing this form does not relieve any committee or candidate of the responsibility to file pre- and post-election reports, and a year-end report (Sec. 31)		
Name of Candidate or Committee (in full) 1100 Sanchez for Congress Committee		
Address (street and street) 1100 Sanchez St.		
City, State and zip code Cambridge, MA 02142		
For the period (check one): <input type="checkbox"/> April 1 - June 30 (date to report) <input checked="" type="checkbox"/> Jan. 1 - March 31 (April 15 deadline) <input type="checkbox"/> April 1 - June 30 (date to report) <input type="checkbox"/> July 1 - September 30 (October 15 deadline)		
I certify that the above named committee or candidate is exempt from reporting receipts and expenditures for the calendar quarter indicated in pursuant to 2 USC 4023 (a)(1)(c). I will resume reporting during the next calendar quarter in which the exemption does not apply, and such report will include all receipts and expenditures of this quarter.		
Signature of Committee Treasurer or Candidate 		Date 1/15/77

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

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.

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

NY 11/17 Schreier for Brown

☆ GPO: 1975-O-568-047

PS Form 3811, Jan 1975 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¢
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 - RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
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6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

11/17 1050 Schreier

☆ GPO: 1975-O-568-047

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6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

Schreier pm

☆ GPO: 1975-O-568-047

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MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645

WESTERN UNION
Mailgram



MAIL GRAM
SERVICES

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

11/17/72
CERTIFIED B 85WA12915-07355-0001
NED SCHNEIR
1 HARRISON ST
NEW YORK NY 10013

UNDELIVERED

CERTIFIED
No. WA 12915 - D 7355 - 00019
MAILGRAM
Return Receipt Required
Send to Whom
• Date Delivered

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645

WESTERN UNION
Mailgram



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

11/17/72
CERTIFIED B 85WA12915-07355-00
NED SCHNEIR
1 HARRISON ST
NEW YORK NY 10013

UNDELIVERED

CERTIFIED
No. WA 12915 - D 7355 - 00019
MAILGRAM
Return Receipt Required
Send to Whom
• Date Delivered

1 5 9 6 9 9 0 0 4 4 6 8 7

FEDERAL ELECTRIC COMMISSION
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OFFICE OF PUBLIC UTILITIES

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Non-Filer/Ned Schneier and)
Ned Schneier for Congress)
Committee)

MUR 367 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 10, 1977, the Commission determined by a vote of 6-0 that there was probable cause to believe that a violation of 2 U.S.C. §434(a)(1) had been committed and to institute a civil action for relief in the above-captioned matter.

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Non-Filer/Ned Schneier) MUR 367 (77)
and)
Ned Schneier For Congress Committee)

GENERAL COUNSEL'S REPORT

I. Allegation

Mr. Schneier and his principal campaign committee, Ned Schneier For Congress Committee, have failed to file the 10 day pre-election report required by 2 U.S.C. §434(a)(1).

II. Evidence

Mr. Schneier's name appeared on the New York general election ballot as the Liberal Party candidate for the U.S. House of Representatives in the 17th District. Mr. Schneier's name and his committee's name appear in the index from the Clerk of the House of Representatives.

The candidate received a prior notice from the Commission October 13, 1976 informing him of his filing requirements as a federal candidate and the filing dates of reports due in the near future. Despite prior notification, Mr. Schneier and his committee failed to file the 10 day pre-election report due October 23, 1976.

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OFFICE OF GENERAL COUNSEL

780498631554

Reason to believe letters for non-filers were received by the candidate and committee October 26, 1976. The reasonable cause to believe letters for non-filers, which were sent to Mr. Schneier and committee October 27, 1976, were returned to the Commission unclaimed.

No response was received from either the candidate or the committee in reference to the letters previously sent. Mr. Schneier's name was published by the Commission on the non-filers list October 30, 1976.

The candidate lost the general election receiving 8,656 votes in comparison to the winner receiving 89,126 votes. The latest report filed by the committee, the 30 day post primary election report, reveals \$3921.89 in total expenditures year to date.

Follow up letters were sent to both the candidate and his committee informing them of the candidate's name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought.

III. Analysis

Mr. Schneier and his committee, Ned Schneier For Congress Committee, have failed to file the ten day pre-election report despite several notifications from the Commission. The Commission tried to prevent or correct a violation; but

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7894882165155

FEC SHORT Form 6
 July 1976
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20543

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

RECEIVED
 FEDERAL ELECTION
 COMMISSION

OCT 18 1976

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election; the candidate has authorized only the principal campaign committee; and no independent expenditures are made on behalf of other candidates.)
 7800 OCT 22 PH 1:44
 4:18 THE CLERK
 U.S. HOUSE OF REPRESENTATIVES

1. Ned Schneier for Congress Committee 2. I.D.# 059579
 Name of Candidate or Committee (in full)

1 Harrison Street 3. House N.Y. 17
 Address (number and street) Office Sought State/District

New York, New York 10013
 City, State, and ZIP Code Check if address is different than previously reported

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

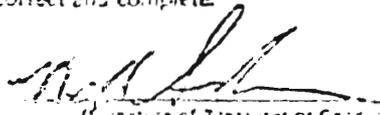
Check if appropriate Amended filing Termination Report

SUMMARY OF RECEIPTS AND EXPENDITURES
 (Figures may be rounded to nearest dollar)

5. Covering Period September 1 through October 5

	This period	Calendar year to date
6. Cash on Hand January 1, 197 <u>6</u>		-0-
7. Cash on Hand at beginning of reporting period	29.81	
8. Receipts		
Itemized (use Schedule 6A)	1065.00	
Unitemized	385.50	
Total Receipts	1450.50	3941.14
9. Expenditures		
Itemized (use Schedule 6B)	1399.00	
Unitemized	122.06	
Total Expenditures	1521.06	3921.89
10. Cash on Hand at close of reporting period	19.25	
11. Debts and obligations owed to the committee (use Schedule 6C)		
12. Debts and obligations owed by the committee (use Schedule 6C)	1665.50	

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

October 10, 1976 (Date) Ned Schneier (Typed Name of Treasurer or Candidate)  (Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437c or § 441 (see reverse side of form).
 Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

FEDERAL ELECTION COMMISSION
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 OFFICE OF GENERAL COUNSEL

7 8 0 4 0 0 6 0 3 1 5 6 5 7
 7 3 0 1 1 1 0 1 1 4

UNITED STATES HOUSE OF REPRESENTATIVES

Office of the Clerk
Washington, D.C.

REGULAR MAIL
POSTMARK URGENT

1976 OCT 19 PM 12:20

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

REPORT OF RECEIPTS AND EXPENDITURES
FOR A
CANDIDATE

FOR NOMINATION OR ELECTION TO THE U.S. HOUSE OF REPRESENTATIVES

Red Schneier 17th--New York -13
 (Full Name of Candidate) (District and State of Candidate)

1 Harrison Street Democrat-Liberal
 (Street) (Party Affiliation)

New York, N. Y. 10013
 (City, State, ZIP code)

Check if New Address

TYPE OF REPORT

(Check Appropriate Box and Complete, if Applicable)

- March 10 report
- June 10 report
- September 10 report
- January 31 report
- Fifteenth day report preceding _____ election on _____ report
 (Primary, general, special, runoff, caucus, or convention) (Date)
- Fifth day report preceding _____ election on _____ report
 (Primary, general, special, runoff, caucus, or convention) (Date)
- Termination report
- Suspension report
- Amendment to _____ report

CERTIFICATION OF NO RECEIPTS OR EXPENDITURES

I hereby certify that I have had no receipts and have made no expenditures during this reporting period from _____ thru _____

VERIFICATION BY OATH OR AFFIRMATION OF THE CANDIDATE

State of New York
County of New York ss.

I, Red Schneier, being duly sworn, depose (affirm) and say that this Report of Receipts and Expenditures is complete, true, and correct.

Red Schneier
(Signature of Candidate)

Subscribed and sworn to (affirmed) before me this 10 day of October, A.D. 19 76

Louis P. Morrison
(Notary Public)

[SEAL]

My commission expires _____

RETURN COMPLETED REPORT AND ATTACHMENTS TO:
The Clerk, U.S. House of Representatives
Office of Records and Registration
1036 Longworth House Office Building
Washington, D.C. 20515

LOUIS P. MORRISON
Notary Public, State of New York
No. 31 2731700
Qualified in New York County
Commission Expires _____ 1972
FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL
U.S. ELECTION FORM 2

79077040001554
7601103614

PS Form 3811, Jan. 1975

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.
	WA12915-K8286-00047	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

DATE OF DELIVERY	POSTMARK
10-13-76	

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Schneer PN

GPO: 1975 O-568-047

PS Form 3811, Jan. 1975

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.
	WA12915-H0300-00035	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

DATE OF DELIVERY	POSTMARK
10/26/76	

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Schneer RTB card

GPO: 1975 O-568-047

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).
- Show to whom and date delivered..... 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.
	WA12915-A93010-00026	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

DATE OF DELIVERY	POSTMARK
10/26/76	

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

Schneer - comm RTB

GPO: 1975 O-568-047

FEDERAL ELECTION COMMISSION
ORIGINAL FILE COPY
OFFICE OF GENERAL COUNSEL

7 7 0 4 0 0 3 1 5 6 0

Handwritten initials

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645

Western Union Mailgram



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

CERTIFIED B 85
NED SCHNEIR
1 HARRISON ST
NEW YORK NY 10013

Handwritten: 10/29/76 779

CERTIFIED
No. 214 12915-11302-00011
MAILGRAM
• Return Receipt: <input type="checkbox"/> Unrecorded
• Show: <input type="checkbox"/> To Whom
• Date Delivered: <input type="checkbox"/> 8

Handwritten: KCTB cond.

MAILGRAM POSTAL CHARGES PAID

Handwritten: med

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA 22645

Western Union Mailgram



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

CERTIFIED B 85
NED SCHNEIR FOR CONGRESS COMM
1 HARRISON ST
NEW YORK NY 10013

Handwritten: 10/29/76

CERTIFIED
No. 214 12915-11302-00011
MAILGRAM
• Return Receipt: <input type="checkbox"/> Unrecorded
• Show: <input type="checkbox"/> To Whom
• Date Delivered: <input type="checkbox"/> 8

Handwritten: UNCLAIMED KCTB-COMM

MAILGRAM POSTAL CHARGES PAID

OFFICE OF GENERAL COUNSEL

7 7 0 4 0 0 3 1 6 1



FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

NAME
St. Martin
Ind. House
Return

Handwritten signature

UNCLAIMED

Ned Schneir
1 Harrison Street
New York, New York 10013

Handwritten initials

POSTAGE AND FEES PAID



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CERTIFIED
438 082

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

0 9 1 2 9 0 0 7 0 8 2

7-87004400063215661

NEWS FROM...

FEDERAL ELECTION COMMISSION



1325 K Street, N.W., Washington, D.C. 20463

RELEASE: ON RECEIPT

SUSAN TIFFT
(202)382-4112

FEC RELEASES LIST OF "NON-FILERS"

WASHINGTON-OCTOBER 30 - The FEC today published the names of House and Senate candidates and their "principal campaign committees" which failed to file the required 10-day "pre-election" report of their campaign finances, due October 23, 1976.

In addition to publishing the names of non-filers, the FEC has the authority to undertake further enforcement action under the statute, including civil court enforcement and imposition of civil fines (\$5,000 for "any violation" and \$10,000 for a "knowing and willful violation").

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 special 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 each election, covering their financial transactions up to 15 days before the election. Under FEC procedures, three notices are sent to the candidates and committees, reminding them of their reporting obligations, and urging compliance. 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 prior the filing date, to all candidates whose names are on the November 2 general election 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 general election, and states that this "apparent failure...gives the Commission reason to believe" that the candidate or committees 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 general election, 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...civil penalties and...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.

The following candidates and/or their "principal campaign committees" failed to file October 23 "pre-election" reports for the November 2 general election:

-OVER-

7 9 8 4 0 0 9 2 1 6 2

State

Candidate

Alabama
Alabama

Alaska

Billy Dorsey (6th Dist.) -National Dem. ✓
Carol Keahey (2nd Dist.)-Dem. ✓

Eben Hopson (00 Dist.)-Dem. ✓

Arizona

Sumner D. Dodge(1st Dist.)-Libertarian ✓

California
California
California
California
California
California
California
California
California
California

Raymond Heaps(6th Dist.)-Am. Indept. ✓
Melvin Stanley(7th Dist.)-Am. Indept. ✓
Robert Evans (8th Dist.)-Peace & Freedom ✓
Jim Mills (9th Dist.)-Repub. ✓
Albert Sargis(9th Dist.)-Peace & Freedom ✓
Nicholas Kudrovzeff (11th Dist.)-Am. Indept. ✓
William Herrell(13th Dist.)-Am. Indept. ✓
Jim Madrid (25th Dist.)-Repub. ✓
Bruce Latta (26th Dist.)-
William Pasley (36th Dist.)-Am. Indept. ✓
Doug Nilson (37th Dist.)-Dem. ✓

Colorado
Colorado

Henry J. Olshaw (3rd Dist.)-Am. ✓
Lann Meyers (1st. Dist.)-U.S. Labor ✓

Connecticut
Connecticut
Connecticut

Anthony Discepolo (2nd Dist.)-Indept. ✓
Richard Jackson (2nd Dist.)-Repub. ✓
Louis Marietta (6th Dist.)-Indept. ✓

Delaware
Delaware
Delaware

Donald Gies (Sen.)-Am. ✓
Joseph McInnerney(Sen.) -Non-Partisan ✓
Joseph Hollon (00 Dist.)-Soc. Labor ✓

District of
Columbia

Susan Pennington (Deleg.)-

Hawaii
Hawaii
Hawaii
Hawaii

Rockne Johnson (Sen.)-Libert. ✓
Anthony Hodges (Sen.)-Prohibition ✓
Don Smith (2nd Dist.)-Libert. ✓
Dexter Cate(2nd Dist.)-People's ✓

Illinois
Illinois

A.A. Rayner (1st Dist.)-Repub. ✓
Peter Prineas(24th Dist.)-Repub. ✓

Illinois
Illinois

John Urbaszewski(8th Dist.)-Repub. ✓
Newell Ward(7th Dist.)-Repub. ✓

Iowa
Iowa
Iowa

Larry Smith (1st Dist.) -Amer. ✓
Chuck Minor(4th Dist.)-Repub. ✓
William Mincer(6th Dist.)-Amer. ✓

Kansas
Kansas

Charles Ijams(2nd Dist.)-Amer. ✓
Robert Cowdrey(4th Dist.)-Amer. ✓

Kentucky

Anthony McCord(6th Dist.)-Amer. ✓

Louisiana

Kent Courtney(8th Dist.) -Indept. ✓

Massachusetts
Massachusetts
Massachusetts

Lillian McGowan(6th Dist.)-Indept. ✓
Richard Daly (7th Dist.)-Repub. ✓
James Murphy (7th Dist.)-Indept. ✓

Maine

Leighton Cooney(2nd Dist.)- Dem

Maryland

William Salisbury(7th Dist.)-Indep't ✓

Michigan

Theodore G. Albert(Sen.)-Human Rights ✓

Michigan

Isaac Hood(1stDist.)-Repub. ✓

Michigan

Edward Aho(11th Dist.)-Human Rights ✓

Michigan

James Walaskay(15th Dist.)-Repub. ✓

Michigan

Aldi Fuhrman(15th Dist.)-Am. Indept. ✓

Michigan

John Sarkisian(15th Dist.)-Soc.Labor ✓

Michigan

William Rostrom(16th Dist.)-Repub. ✓

Michigan

Slayter Miller(16th Dist.)-Am. Indept. ✓

Minnesota

Matt Savola(Sen.)-Communist ✓

Minnesota

Robert Olson(1st Dist.)-Dem. ✓

Minnesota

Jean Brust(5th Dist.)-Workers ✓

Missouri

Lawrence Petty(Sen.)-Indept. ✓

Nevada

James Burns(00Dist.)-Libertarian ✓

Nevada

Byron Young(Sen.)-Indept.Am. ✓

New Jersey

David Jones, Jr. (14th Dist.)-Bring Us Together ✓

New Jersey

Robert Ryley(14th Dist.)-Libertarian ✓

New Jersey

F.E. DeMott(13th Dist.)-Indept. ✓

New Jersey

Chas Poekel, Jr. (11th Dist.)-Repub. ✓

New Jersey

Warren Kupchik(11th Dist.)-Libertarian ✓

New Jersey

Joseph Rogers(11th Dist.)-Jobs, Equality, Peace ✓

New Jersey

Kathleen McAdam (10th Dist.)-Libertarian ✓

New Jersey

Tony Grandison(10th Dist.)-Repub. ✓

New Jersey

Herbert Shaw(9th Dist.)-Politicians Are Crooks ✓

New Jersey

Frank Primich(9th Dist.)-Libertarian ✓

New Jersey

James Terlizzi(9th Dist.)-Indept. Taxpayer's Watchdog ✓

New Jersey

Jack Moyers(4th Dist.)-Libertarian ✓

New Jersey

John Mahalchik(4th Dist.)-Regular Democracy ✓

New Jersey

Walter Swirsky(3rd Dist.)-Libertarian ✓

New Jersey

Hannibal Cundari(Sen.)-Libertarian ✓

New York

Herbert Aptheker(Sen.)-Communist ✓

New York

Elijah Boyd(Sen.)-Labor ✓

New York

Seth Morgan(1st Dist.)-Conservative ✓

New York

Rochelle Davidson(2nd Dist.)-Liberal ✓

New York

Nelson Gammans(6th Dist.)-Conservative ✓

New York

Wm. Whitman(7th Dist.)-Conservative ✓

New York

Albert Lemishow(8th Dist.)-Repub./Conserv. ✓

New York

Harry Brown(8th Dist.)-Workers ✓

New York

Alan Kluger(9th Dist.)-Liberal ✓

New York

Bryan Levinson(11th Dist.)-Conservative ✓

New York

Arthur Paone(15th Dist.)-Liberal ✓

New York

Kenneth Grossberger(17th Dist.)-Repub. ✓

New York

Ned Schneir(17th Dist.)-Liberal ✓

New York

Lawrence Lindsley(21st Dist.)-Conserv. ✓

New York

Edmond Assante(24th Dist.)-Liberal ✓

New York

Eugene Victor(26th Dist.)-Liberal ✓

New York

Christopher Lewis(28th Dist.)-Labor ✓

New York

Rocco Ferran(29th Dist.)-CoEqual Citizens ✓

New York

Calvin Kimbrough(37th Dist.)-Repub. ✓

New York

Steven Grimm(37th Dist.)-Conservative ✓

New York

Martin Sheperd(12th Dist.)-Conservative ✓

New Hampshire

John Adams(1st. Dist.)-Repub. ✓

North Carolina

Roy Underwood(11th Dist.)-American ✓

New Mexico

Maurice Dillon(Sen.)- American ✓

New Mexico

Ernesto Borunda(Sen.)-La Raza Unida ✓

New Mexico

Jesus Aragon(1st Dist.)-La Raza Unida ✓

Ontario

John O'Neill(Sen.)- ✓

Ohio Leonard Sobbs(3rd Dist.)-Democrat ✓
Ohio John Griffin(8th Dist.)-Democrat ✓
Ohio Harold Festerly(16th Dist.)-American ✓

Oklahoma Jack Finley(3rd Dist.)-Indept. ✓
Oklahoma Paul Trent(4th Dist.)-Indept. ✓
Oklahoma Donald Parker(5th Dist.)-Indept. ✓

Pennsylvania Andrew Watson(Sen.)-Constitutional ✓
Pennsylvania Jesse Woods(2nd Dist.)-Repub. ✓
Pennsylvania Garland Fisher(6th Dist.)-Constitutional ✓
Pennsylvania Howard Williams(11th Dist.)-Repub. ✓
Pennsylvania Vernon Dublin(17th Dist.)-Constitutional ✓

Rhode Island Ann Morrissey(1st Dist.)-Indept. ✓
Rhode Island Pasquale Pacia(2nd Dist.)-Indept. ✓

South Carolina Clyde Livingston(2nd Dist.)-Democrat ✓

Tennessee William McGlamery(4th Dist.)-Indept. ✓

Texas Earl Armstrong(24th Dist.)-American ✓

Texas Ramon Carrillo(21st Dist.)-La Raza Unida ✓
Texas Ed Gallion(21st Dist.)-American ✓

Texas William Hathcock(13th Dist.)-American ✓

Texas Marjoria Gallion (Sen.)-American ✓

Washington Alan Gottlieb(1st Dist.)-Libertarian ✓
Washington Tom Bly(2nd Dist.)-American Constitution ✓
Washington D.E. Sandahl(5th Dist.)-Libertarian ✓
Washington Micahel Duane(6th Dist.) -U.S. Labor ✓
Washington Gene Goosman (7th Dist.)-American Constitution ✓

Wisconsin Wm. Hart (Sen.)-Dem. Socialist ✓
Wisconsin Robert Nordlander(Sen.)-~~Dem.~~ ✓
Wisconsin Michael McLaurin (Sen.)-U.S. Labor ✓

Utah Steven Trotter(Sen.)-Libertarian ✓



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 367



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