

NEWS FROM...

FEDERAL ELECTION COMMISSION



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FEC FILES SUIT AGAINST THREE CANDIDATES

WASHINGTON - OCTOBER 21 - The Federal Election Commission revealed today that it has this week filed civil suits in three United States District Courts to compel three federal candidates to comply with reporting requirements of the Federal Election Campaign Act.

In separate suits involving three candidates for the U.S. House of Representatives, the FEC asked the District Courts to order each candidate to file the July 10, 1976, quarterly report and subsequent quarterly reports, and to file the report required 10-day prior to a recent primary election. The FEC also asked the courts to assess a penalty, of not more than \$5,000 against each candidate "for failing and refusing to comply with [these] requirements of the Act."

The following are the candidates, the Congressional District/State, the date of the candidate's primary election, and the U.S. District Court in which the suits were filed, (alphabetically by state):

- William Green (7th District - Georgia)
 (August 10, 1976)..... (Northern District Court, Georgia)
- Lawrence S. Elliot (1st District - Michigan).....
 (August 3, 1976)..... (Eastern District Court, Michigan)
- ℓ Richard Ellis (1st District - New Hampshire)
 (September 14, 1976) (New Hampshire District Court)

The Commission stated in its court complaints that prior to filing civil suits, it had sent two notices to the candidate who failed to designate a principal campaign committee, and also had notified each candidate twice concerning the failure to file the pre-primary report.

Subsequent to the primary election, the FEC also published each candidate's name publicly, as required by the statute, as having failed to file the pre-election report.

In the case involving an August 3 primary (Elliot), the FEC sent pre-election report filing notices to the candidate and his principal campaign committee on July 28 and July 30, and published the non-filer list on September 1.

In the case involving an August 10 primary (Green), the FEC sent pre-election report filing notices to the candidate and his principal campaign committee on August 11 and 12, and published the non-filer list on September 1.

In the case involving a September 14 primary (Ellis), the FEC sent a principal campaign committee designation notice on August 13 and September 3, sent the pre-election report filing notice on September 8 and 10, and published the non-filer list on September 23.

In each case, under FEC compliance procedures, the first notice informed the candidate that the Commission has found "reason to believe" a violation of the Act may have occurred, and the second notice informed the candidate that the Commission has found "reasonable cause to believe" a violation of the Act may have occurred. Prior to filing suit, the Commission voted to find "probable cause" to believe a violation of the Act may have occurred.