

FEDERAL ELECTION COMMISSION



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RELEASE: ON RECEIPT

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FEC PUBLISHES LIST OF "NON-FILERS"

WASHINGTON - October 28 - The Federal Election Commission today published the names of House and Senate candidates and their "principal campaign committees" which failed to file the required October 10 quarterly report of their campaign finances.

The following candidates and/or their "principal campaign committees" failed to file October 10 quarterly reports:

<u>Candidate</u>	<u>State</u>
Frank Collin (3rd Dist.)	Illinois
Thomas [redacted] (3rd Dist.)	Illinois
Richard Daly (7th Dist.)	Massachusetts
Joseph O'Loughlin (9th Dist.)	Massachusetts
Lillian McGowan (6th Dist.)	Massachusetts
James Libertarian Burns (00 Dist.)	Nevada
Richard Buggelli (12th Dist.)	New Jersey
F. Edward DeMott (13th Dist.)	New Jersey
Angelo S. Gambiro (9th Dist.)	New Jersey
David L. Jones (14th Dist.)	New Jersey
Warren T. Kupchik (11th Dist.)	New Jersey
John Valjean Mahalchik (4th Dist.)	New Jersey
Vincent Miskell (12th Dist.)	New Jersey
Robert Ryley (14th Dist.)	New Jersey
Walter Swirsky (3rd Dist.)	New Jersey
Bruce E. Todd (15th Dist.)	New Jersey
Jesus Aragon (1st Dist.)	New Mexico
Ray Garcia (1st Dist.)	New Mexico
Don Trubey (2nd Dist.)	New Mexico
Roy Underwood (11th Dist.)	North Carolina
Rochelle Davidson (2nd Dist.)	New York
Martin Sheperd (12th Dist.)	New York
William H. McGoamery (4th Dist.)	Tennessee
William K. Hathcock (13th Dist.)	Texas

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

(OVER)

Federal candidates and committees must file a report "not later than the 10th day following the close of any calendar quarter in which the candidate or political committee concerned received contributions in excess of \$1,000, or made expenditures in excess of \$1,000." Quarterly reports are due on October 10, January 10, April 10, and July 10.

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 to 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 October 10 quarterly, 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 within a week after the filing date, 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 within ten days after the filing date, 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 name of the candidate and/or his committee on a list of non-filers.

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.")