

NEWS FROM...

FEDERAL ELECTION COMMISSION



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FEC RELEASES LIST OF "NON-FILERS"
IN NEW YORK SPECIAL ELECTIONS

WASHINGTON - Feb. 11 - The Federal Election Commission today published the names of House candidates and their "principal campaign committees" which failed to file the required 10-day pre-election report of their campaign finances for the February 14 special election in the 10th and 21st Districts of New York.

The following candidates and/or their "principal campaign committees" failed to file the February 4 "pre-election" reports for the February 14 special elections:

LOUIS NINE21st District (Democratic Party)

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 to the filing date to candidates whose names are on the February 14 ballot, as certified by the Secretary of State of New York, and confirmed by a list with the Clerk of the House of Representatives. This notice usually reminds candidates and committees of their required 10-day pre- and 30-day post-election reports, and the appropriate filing dates.

The second notice is sent only to candidates and committees whose reports have not been received 8 days before the election, 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 only to candidates and committees whose reports are not filed 15 days before the 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 candidate and/or his committee on a list of non-filers.