

FEDERAL ELECTION COMMISSION



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RELEASE: ON RECEIPT

FEC RELEASES LIST OF "NON-FILERS"
IN PRIMARY IN TEXAS

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WASHINGTON - May 4, 1978 - The Federal Election Commission today published the names of Texas federal candidates who personally, or whose "principal campaign committees," failed to file the required 10-day pre-election report of their campaign finances for the May 6, 1978 primary election in Texas. They are as follows: (By District)

<u>District</u>	<u>Name of Candidate</u>	<u>Political Party</u>	<u>Type of Report</u>
Senate.....	Luis A. Diaz De Leon.....	Raza Unida.....	Committee
9th.....	Ed Falk.....	Republican.....	Committee
11th.....	Richard Perry Ellis.....	Democrat.....	Committee
18th.....	Nathaniel West.....	Democrat.....	Committee
19th.....	Joseph Ezekiel Hickox.....	Republican.....	Candidate

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 all candidates whose names are on the ballot, as provided by State officials and confirmed by lists with the Clerk of the House of Representatives and the Secretary of the Senate. This notice 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 6 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.