

NEWS FROM...

FEDERAL ELECTION COMMISSION



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RELEASE: ON RECEIPT

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

WASHINGTON - January 8, 1979 - The Federal Election Commission today published the names of federal candidates on the ballot for the October 7, 1978, primary election in Hawaii who personally, or whose "principal campaign committees" failed to file the required 30-day post-election report of campaign finances. The report was due November 6, 1978.

The names of the non-filers are as follows: (By District)

<u>District</u>	<u>Name of Candidate</u>	<u>Political Party</u>	<u>Type of Report</u>
1st.....	Debra Figueroa.....	Democrat.....	Principal Campaign Committee
1st.....	William D. Spillane.....	Republican.....	Prin. Cmpgn. Cmte./Candidate Personal
2nd.....	Amelia Lew Fritts.....	Libertarian.....	Prin. Cmpgn. Cmte./Candidate Personal

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 penalties (\$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 "post-election report" 30 days after each election, covering their financial transactions from 15 days before the election through 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 all "non-filers" are made public.

Prior notice is the first reminder, sent on a routine basis prior to the election to all candidates whose names are on the ballot, as provided by State officials and confirmed by a list from the Clerk of the U.S. House of Representatives and the Secretary of the Senate. This notice simply 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 post-election reports have not been received 12 days after the filing date, and states that "your apparent failure to file...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 30 days after the filing date, and states that "continued failure to file...gives the Commission 'reasonable cause to believe' that they are in violation, "and that failure to file the report may result in the publication of (the candidate's or committee's) name on a list of non-filers and referral of your name to our Office of General Counsel which may result in civil penalties."

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.