

NORTHERN DISTRICT OF CALIFORNIA

**FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL**

77040030801
1 : Victor Sterling, Attorney
Federal Election Commission
2 1325 K Street, N.W.
Washington, D.C. 20463

3 Telephone No. 202/492-4055

ORIGINAL
FILED

JAN 20 1977

WILLIAM L. WHITAKER
CLERK, U. S. DIST. COURT
SAN FRANCISCO

8 UNITED STATES DISTRICT COURT FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA

10 FEDERAL ELECTION COMMISSION,)

Plaintiff)

11 v.)

12 OSCAR KLEE)

Defendant)

C 77 0146 SAW
CIVIL ACTION NO. _____

COMPLAINT

13 JURISDICTION

14 1. Jurisdiction of this Court is invoked pursuant to
15 28 U.S.C. §1345. This action is authorized and instituted
16 pursuant to the authority of the Federal Election Campaign Act
17 of 1971, as amended, 2 U.S.C. §431 et seq., (hereinafter, "the
18 Act"). Express authority is granted to institute this action
19 in 2 U.S.C. §437d(a)(6) and §437g(a)(5)(B).

20 2. The defendant Oscar Klee, a candidate for election to
21 the United States House of Representatives from the 2nd District
22 of California, maintains an office at 1681 Wildwood Drive, Ukiah,
23 California and resides in this judicial district.

24 PARTIES

25 3. The plaintiff Federal Election Commission (hereafter
"the FEC" or "the Commission") is an agency of the United
States, empowered by 2 U.S.C. §417e and §437d, to administer,
interpret and enforce FEA, and is expressly authorized to
bring this action by 2 U.S.C. §437g(a)(5).

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4. The defendant Oscar Klee lost the general election on November 2, 1976. Prior to losing the election, he was a candidate for federal office within the meaning of 2 U.S.C. §431(b), having won the primary election on June 8, 1976, and received the nomination of the Democratic Party.

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED

5. The Federal Election Campaign Act of 1971, as amended, provides for public disclosure of funds contributed and expended in campaigns for election to federal office. For purposes of the Act, the terms "candidate", "election", "contribution", "expenditure" and "Federal office" are defined by 2 U.S.C. §431.

6. All candidates for Federal office are required to designate a principal campaign committee by 2 U.S.C. §432(e)(1).

7. All candidates for Federal office are required to file reports publicly disclosing all contributions to their campaign and expenditures made on behalf of it by 2 U.S.C. §434. Reports are required to be filed ten days before and thirty days after each election, (2 U.S.C. §434(a)(1)(A)(i) and (ii)) and within ten days of the close of a calendar quarter (2 U.S.C. §434(a)(1)(C)).

STATEMENT OF CLAIM

8. As a candidate for Federal Office, Oscar Klee is required by 2 U.S.C. §432(e)(1) to designate a principal campaign committee but, despite notices sent to him by the Commission on October 4, and October 12, 1976 notifying him that the Commission had received no such designation, defendant Oscar Klee has failed and refused to designate a principal campaign committee.

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- 3 -

5 As a candidate for Federal office, Oscar Klee was
6 and is required by 2 U.S.C. §434(c)(1)(C) to file a quarterly
7 report on October 10, 1976, but despite notice from the
8 Commission on September 30, 1976, prior to the filing date
9 reminding him of his filing obligation and a letter enclosing
10 the forms for reporting, and a notice from the Commission on
11 October 19, 1976 that it had not yet received that report,
12 defendant Oscar Klee has failed and refused to file the ~~ten~~ ^{Oct 10}
13 ~~day pre-primary~~ ^{quarterly} report as required by 2 U.S.C. §434(a)(1)(A)(i).

9 WHEREFORE, plaintiff Federal Election Commission respectfully
10 prays that this Court:

11 1) Grant an injunction enjoining defendant Oscar Klee
12 from continuing to refuse to file the quarterly reports required
13 by the Act, 2 U.S.C. §434;

14 2) Order defendant Oscar Klee to file all reports required
15 to be filed by 2 U.S.C. §434, and to designate a principal
16 campaign committee as required by 2 U.S.C. §432(e);

17 3) Retain jurisdiction over this case until four years
18 subsequent to the general election of November 2, 1976 to assure
19 defendant Oscar Klee's compliance with the requirements of the
20 Act;

21 4) Order defendant Oscar Klee to maintain for a period
22 of one year subsequent to the election of November 2, 1976,
23 all books and records relating to contributions and expenditures
24 to and on behalf of his campaign as defined in the Act and to
25 permit inspection and copying of those books and records by the
Commission upon request;

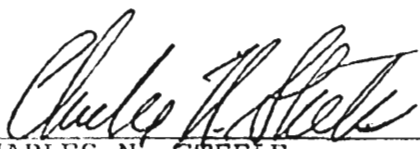
5) Assess a civil penalty of not more than \$5,000
against defendant Oscar Klee for failing and refusing to
comply with the requirements of the Act;

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- 6) Award the Commission its costs in this action;
- 7) Such other and further relief as the Court deems appropriate.

Respectfully submitted,

WILLIAM C. OLDAKER
GENERAL COUNSEL


CHARLES N. STEELE
ASSOCIATE GENERAL COUNSEL


VICTOR STERLING
ATTORNEY

Attorneys for plaintiff
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Telephone No. 202/382-5657

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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William L Whittaker
Clerk
United States District Court
for the Northern District of California
P.O. Box 36060
San Francisco, California 94102

Dear Mr. Whittaker:

The Federal Election Commission files the enclosed complaint against Oscar Klee.

The Commission is empowered, under 2 U.S.C. §437g(a)(5), to file civil actions in the United States District Courts seeking redress against persons who violate the Federal Election Campaign Act of 1971, as amended.

Please send me a copy of the complaint and summons in this case bearing your stamp. A return envelope is enclosed for your convenience. If you have any questions, please do not hesitate to call me at (202) 382-4055.

Sincerely yours,

Victor Sterling

Victor Sterling
Attorney

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Non-Filer/Oscar Klee

)
)

MUR 344 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 28, 1977, the Commission determined by a vote of 5-0 to find probable cause to believe that a violation of 2 U.S.C. §434 (a)(1) had been committed in the above-captioned matter; and that the suit previously filed by the Commission be amended to include this action. Commissioner Tiernan was not present at the time of the vote.

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

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77040051901

BEFORE THE FEDERAL ELECTION COMMISSION

April 22, 1977

In the Matter of)
Non-Filer/Oscar Klee) MUR 344 (76)

GENERAL COUNSEL'S REPORT

I. Allegation

Mr. Klee as a candidate for the U.S. House of Representatives has failed to file the 30 day post election report required by 2 U.S.C. §434(a)(1).

II. Evidence

Mr. Klee's name appeared on the California ballot as the Democratic candidate for the U.S. House of Representatives from the 2nd district. The candidate's name appears in the index from the Clerk of the House of Representatives. A prior notice was received by Mr. Klee October 1, 1976 informing him of his filing requirements as a federal candidate and the dates of reports due in the near future. Despite prior notice, Mr. Klee failed to file the 30 day post general election report due December 2, 1976.

Mr. Klee received notification from the Commission December 11, 1976 and December 21, 1976 informing him of his failure to file the required report. On these dates the reason to believe letter for non-filers and the reasonable cause letter for non-filers were received by Mr. Klee.

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The candidate did not respond to either notice; therefore, the Commission published his name on a non-filers list January 21, 1976. Mr. Klee received the letter from the General Counsel informing him of his name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought.

Mr. Klee lost the general election receiving 88,829 votes in comparison to the winner receiving 121,290. Mr. Klee's latest report, the 10 day pre general election report, reveals \$40,576.16 in total expenditures year to date.

The Commission has previously found probable cause to believe Mr. Klee violated 2 U.S.C. §432(e)(1) for not designating a principal campaign committee and 2 U.S.C. §434(a)(1) for not filing the October 10 quarterly report.

III. Analysis

Mr. Klee has not filed the 30 day post election report. The Commission has repeatedly notified Mr. Klee of his failure to file the report; but the candidate has not responded to these efforts by the Commission to correct or prevent a violation.

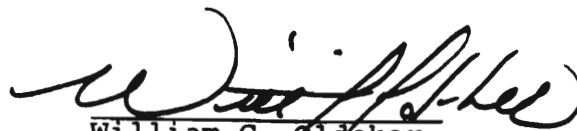
The reasonable cause to believe letter advised the candidate that the Commission was ready to conciliation the case; but Mr. Klee has not utilized his statutory right to

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the informal methods of conference, conciliation and persuasion.

IV. Recommendation

It is recommended that the Commission find probable cause to believe that a violation has been committed of 2 U.S.C. §434(a)(1); and that the suit previously filed by the Commission be amended to include this action.


William C. Oldaker
General Counsel

DATE: 4/26/77

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77040060901



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

January 21, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Oscar Klee
571 E. Perkins Street
Ukiah, California 95482

Dear Mr. Klee:

On January 21, 1977, your name was released for publication in a list of persons who had failed to meet the filing requirements of the Federal Election Campaign Act of 1971, as amended. I have enclosed a copy of the publication.

As of this date, we have not received your report. If we do not hear from you within five (5) days, we are prepared to recommend to the Commission that we be allowed to seek appropriate civil penalties.

Please direct any response to 202/382-1203.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



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FEDERAL ELECTION COMMISSION



1325 K Street, N.W., Washington, D.C. 20463

RELEASE: ON RECEIPT
(Friday, January 21, 1977)

CONTACT: DAVID FISKE
SUSAN TIFFT
(202) 382-4112

FEC RELEASES LIST OF "NON-FILERS"

WASHINGTON-January 21- The FEC today published the names of 47 House candidates and 2 Senate candidates from 25 states and the District of Columbia who failed to file the required post-election report of their campaign finances. The report was due December 2, 1976, 30 days after the November 2 general election.

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 of not more than \$5,000 for "any violation" and not more than \$10,000 for a "knowing and willful violation". To date, the Commission has initiated 17 civil court suits to compel candidates to file earlier reports and to impose civil fines for failure to file 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."

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 to 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 the "non-filers" are made public.

The FEC procedures are as follows:

... -"Prior notice" is the first reminder, which was sent on a routine basis prior to the election to all candidates whose names were on the November 2 general election ballot in their respective states, as certified by their Secretary of State, and confirmed by lists of the Clerk of the House and the Secretary of the Senate. This notice reminds candidates and committees of the required 10-day pre-election and 30-day post-election reports, and the appropriate filing dates.

...-The second notice was sent December 10 to candidates and committees whose post-election reports had not been received by that date. This notice stated that this "apparent failure ...gives the Commission reason to believe" that the candidate or committees were in violation of the reporting requirements.

...-The third notice was sent, December 20 to candidates and committees whose post-election reports had still not been filed. This notice stated that "continued failure to file has given the Commission "reasonable cause to believe" that they were 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 the 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 candidates on a list of non-filers.

The following candidates and/or their "principal campaign committees" failed to file December 2 post-election reports following the November 2 general election:

(over)

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The following are the names of the House and Senate candidates published today (January 21, 1977) for failing to file the post-election report required 20 days after the November 2, 1976 general election, (listed by state, with name, Congressional District, and political party affiliation, if any.)

<u>State</u>	<u>Candidate</u>
California	Oscar Klee (2nd Dist.) Democrat
"	Tom Spinoso (6th Dist.) Republican
Colorado	Lann Meyers (1st Dist.) U.S. Labor
"	Alfredo Archer (3rd Dist.) La Raza Unida
Connecticut	Anthony Discepolo (2nd Dist.) Independent
Delaware	Joseph F. McInnerney (Sen.) non-partisan
District of Columbia	Louis S. Aronica (00 Dist.) D.C. Statehood
Illinois	Spencer Leak (2nd Dist.) Republican
"	Frank Collin (3rd Dist.) White Power
"	Newell Ward (7th Dist.) Republican
"	Peter G. Prineas (24th Dist.) Republican
Indiana	John E. Tipton (7th Dist.) Democrat
Iowa	James D. Roberson (2nd Dist.) Independent
Kansas	David N. Scoggin (2nd Dist.) Prohibition
"	Robert A. Cowdrey (4th Dist.) American
Louisiana	Richard A. Tonry (1st Dist.) Democrat
Maryland	William Salisbury, (7th Dist.) Independent
Massachusetts	Richard W. Daly (7th Dist.) Republican
"	James J. Murphy (7th Dist.) Independent
"	Joseph M. O'Loughlin (9th Dist.) Independent
Michigan	Isaac Hood (1st Dist.) Republican
"	Edward W. Aho (11th Dist.) Human Rights
"	Marshall F. Moser (14th Dist.) Libertarian
"	Aldi C. Fuhrmann (15th Dist.) American
"	Independent
"	William E. Rostron (16th Dist.) Republican
Nevada	James Burns (00 Dist.) Libertarian
New Hampshire	John Adams (1st Dist.) Republican
New Jersey	Walter M. Swirsky (3rd Dist.) Libertarian
"	Jack Moyers (4th Dist.) Libertarian
"	Tony Grandison (10th Dist.) Republican
"	Robert Ryley (14th Dist.) Libertarian
New York	Seth C. Morgan (1st Dist.) Conservative
"	Martin S. Shepherd, Jr. (12th Dist.)
"	Conservative
"	Ned Schneier (17th Dist.) Liberal
"	Calvin Kimbrough (37th Dist.) Republican
North Carolina	Roy Underwood (11th Dist.) American
Ohio	Karl T. Untch, (19th Dist.) Independent
"	Theodore Held III (20th Dist.) Independent
"	Anthony R. Curry (21st Dist.) Independent
Oklahoma	Donald F. Parker (5th Dist.) Independent
Pennsylvania	Andrew J. Watson (Sen.) Constitutional
"	Dennis Grant (2nd Dist.) Revolutionary
"	Workers
"	Jesse W. Woods, Jr. (2nd Dist.) Republican
"	Terence J. Schade (3rd Dist.) Republican
South Dakota	Donald Stevens (1st Dist.) Independent
Texas	William K. Hathcock (13th Dist.) American
Utah	Harry B. Gerlach (1st Dist.) American
Washington	Gene Goosman (7th Dist.) American
"	Constitution
Wisconsin	R. Julian Chapman (5th Dist.) Independent

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PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: ✓

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 18A2915E33450069
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY 12/11/76 POSTMARK
 DEC 11 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
 CA102
 OSCAR Klee

☆ GPO: 1975-O-568-047

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☒ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 WA1515H635520029
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized agent

4. DATE OF DELIVERY 12/21/76 POSTMARK
 DEC 21 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
 CA102
 OSCAR Klee

☆ GPO: 1975-O-568-047

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: Oscar Klee

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 8413146
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY 12/21/76 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

PS Form 3811, Mar. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO: 1975-O-203-416

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SHORT FORM
Report of Receipts and Expenditures
for a Candidate or
Principal Campaign Committee

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election; the candidate has authorized only the principal campaign committee, and no independent expenditures are made on behalf of other candidates.)

RECEIVED
OCT 26 1976

RECEIVED
OCT 28 PM 2:40
U.S. HOUSE OF REPRESENTATIVES

1. OSCAR KLEE 2. ID# CA0210
Name of Candidate or Committee (in full)
1681 WILLOWood DRIVE 3. CONGRESS CALIF 2nd
Address (number and street) Office Street State District
UKIAH, CALIF 95482
City, State, and ZIP Code ☐ Check if address is different than previously reported

4. Type of Report
☐ April 10 Report
☐ July 10 Report
☐ October 10 Report
☐ January 31 Report
☒ Tenth Day Pre-Election Report
☐ Thirtieth Day Post-Election Report
Check if appropriate: ☐ Amended filing ☐ Termination Report

SUMMARY OF RECEIPTS AND EXPENDITURES
(Figures may be rounded to nearest dollar)

5. Covering Period 10/1/76 through 10/18/76
This period Calendar year to date
6. Cash on Hand January 1, 1976 NONE
7. Cash on Hand at beginning of reporting period NONE
8. Receipts
Itemized (use Schedule 6A) 260 448.29
Unitemized 613.00
Total Receipts 5031.29 40,576.16
9. Expenditures
Itemized (use Schedule 6B) 5031.29
Unitemized 40,576.16
Total Expenditures 5031.29 40,576.16
10. Cash on Hand at close of reporting period NONE
11. Debts and obligations owed to the committee (use Schedule 6C) NONE
12. Debts and obligations owed by the committee (use Schedule 6D) NONE

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

10/22/76 Oscar Klee
Date Signature

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Non-Filer/ Oscar Klee)

MUR 344 (76)

CERTIFICATION

77040730911
I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 2, 1976, the Commission determined by a vote of 5-0 that there was probable cause to believe that a violation of the Federal Election Campaign Act of 1971, as amended, had been committed and to institute a civil action for relief in the above-captioned matter. Commissioner Staebler was not present at the time of the vote.

Marjorie W. Emmons
Secretary to the Commission

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 344 (76)
Non-Filer/Oscar Klee)

GENERAL COUNSEL'S REPORT

I. Allegation

Mr. Klee as a candidate for the U.S. House of Representatives in the 2nd District of California has failed to: 1) designate a principal campaign committee required by 2 U.S.C. §432(e)(1) and; 2) file the October 10 quarterly report required by 2 U.S.C. §434(a)(C).

II. Evidence

Mr. Klee's name appeared on the California ballot for the November 2 general election as the democratic candidate for the U.S. House of Representatives in the 2nd district. His name appears in the index from the Clerk of the House of Representatives.

The Commission sent the candidate a prior notice September 30, 1976 informing him of his filing obligations as a federal candidate. The candidate received the notice October 1, 1976.

Having failed to designate a principal campaign committee, Mr. Klee received a reason to believe letter for no principal campaign committee from the Commission. The

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letter was sent by the Commission October 4, 1976, and received by Mr. Klee October 6, 1976. No action was taken by Mr. Klee to designate a principal campaign committee; therefore, the Commission sent him a reasonable cause to believe letter for no principal campaign committee. The reasonable cause to believe letter was received by Mr. Klee October 13, 1976.

The candidate has also failed to file the October 10 quarterly report. The Commission sent Mr. Klee a reasonable cause to believe letter for non-filers October 19, 1976, which he received October 20, 1976. Due to a clerical error the reason to believe letter for non-filers was not sent to Mr. Klee.

Mr. Klee's name was published by the Commission on the non-filers list when he failed to respond to any of the letters previously sent. The latest report filed by Mr. Klee, the ten day pre-election report, shows \$40,576.16 in total expenditures year to date. The previous report shows \$22,021.92 in total expenditures year to date. Mr. Klee lost the general election receiving 88,200 votes in comparison to the winning candidate receiving 120,840 votes.

A follow up letter has been sent to the candidate from the General Counsel informing him of his name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought.

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77040000915

III. Analysis

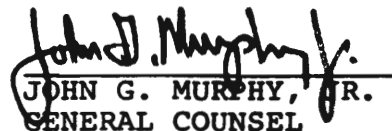
Mr. Klee has failed to designate a principal campaign committee and to file the October 10 quarterly report. The Commission has repeatedly contacted the candidate informing him of his filing obligations. The candidate has not responded to these efforts to correct or prevent a violation.

Between May 25, 1976 and September 30, 1976, \$13,000 in expenditures is not disclosed by Mr. Klee. The coverage dates of the October 10 report, July 1, 1976 through September 30, 1976; encompass most of this time period.

The reasonable cause to believe letter advised the candidate that the Commission was ready to conciliate the case; but the candidate has totally ignored his statutory right to utilize the informal methods of conference, conciliation and persuasion.

IV. Recommendation

It is recommended that the Commission find probable cause to believe a violation has been committed of 2 U.S.C. §§432(e)(1) and 434(a)(C).


JOHN G. MURPHY, JR.
GENERAL COUNSEL

DATE: November 23, 1976

SHORT FORM
Report of Receipts and Expenditures
for a Candidate or
Principal Campaign Committee

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election; the candidate has authorized only the principal campaign committee; and no independent expenditures are made on behalf of other candidates.)

RECEIVED
1976 OCT 28 PM 2:46
U.S. HOUSE OF REPRESENTATIVES

REGULAR MAIL

OCT 26 1976

1. OSCAR KLEE 2. I.D.# CA0210
Name of Candidate or Committee (in full)
1681 Wildwood Drive 3. CONGRESS CALIF/2nd
Address (number and street) Office Sought State District
UKIAH, CALIF 95482
City, State, and ZIP Code ☐ Check if address is different than previously reported

4. Type of Report
☐ April 10 Report ☐ October 10 Report ☒ Tenth Day Pre-Election Report
☐ July 10 Report ☐ January 31 Report ☐ Thirtieth Day Post-Election Report
Check if appropriate ☐ Amended filing ☐ Termination Report

SUMMARY OF RECEIPTS AND EXPENDITURES
(Figures may be rounded to nearest dollar)

5. Covering Period 10/1/76 through 10/18/76

This period Calendar year to date

6. Cash on Hand January 1, 197 <u>6</u>		<u>NONE</u>	<u>NONE</u>
7. Cash on Hand at beginning of reporting period		<u>NONE</u>	
8. Receipts			
Itemized (use Schedule 6A)	<u>460</u>	<u>448.29</u>	
Unitemized		<u>613.00</u>	
Total Receipts		<u>5031.29</u>	<u>40,526.16</u>
9. Expenditures			
Itemized (use Schedule 6B)		<u>5031.29</u>	
Unitemized		<u>4031.29</u>	
Total Expenditures		<u>5031.29</u>	<u>40,526.16</u>
10. Cash on Hand at close of reporting period		<u>NONE</u>	
11. Debts and obligations owed to the committee (use Schedule 6C)		<u>NONE</u>	
12. Debts and obligations owed by the committee (use Schedule 6D)		<u>NONE</u>	

I certify that I have examined this Report and to the best of my knowledge and belief it is true and correct.

[Signature] [Signature] [Signature]

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

October 27, 1976

Oscar Klee
1681 Wildwood Drive
Ukiah, California 95482

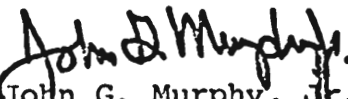
Dear Mr. Klee:

On October 27, 1976, your name was released for publication in a list of persons who had failed to meet the filing requirements of the Federal Election Campaign Act of 1971, as amended. I have enclosed a copy of the publication.

As of this date, we have not received your report. If we do not hear from you within five (5) days, we are prepared to recommend to the Commission that we be allowed to seek appropriate civil penalties.

Please direct any response to (202/382-6462).

Sincerely,


John G. Murphy, Jr.
General Counsel

Certified Mail
Return Receipt Requested



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77040060910

FEDERAL ELECTION COMMISSION



LEASE: ON RECEIPT

1325 K Street, N.W., Washington, D.C. 20463

CONTACT: DAVID FISKE

SUSAN TIEFT

(202) 382-4112

FEC PUBLISHES LIST OF "NON-FILERS"

WASHINGTON - October 27 - 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>
Oscar Klee (2nd Dist.)	California
Nicholas Kudrovzeff (11th Dist.)	California
Jim Madrid (25th Dist.)	California
Alfredo Archer (3rd Dist.)	Colorado
Edward Aho (11th Dist.)	Michigan
Theodore Albert (Sen.)	Michigan
Gregory Clark (12th Dist.)	Michigan
Harold DeWaters (13th Dist.)	Michigan
Bette Jane Erwin (Sen.)	Michigan
Aldi Fuhrman (15th Dist.)	Michigan
Isaac Hood (1st Dist.)	Michigan
Hector McGregor (1st Dist.)	Michigan
William Rostrom (16th Dist.)	Michigan
Thomas McSweeney (20th Dist.)	Ohio

Starting September 1, the Commission began publishing "non-filers" for primary elections. Today's list is the first publication of "non-filers" for 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."

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.

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"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.")

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SHORT FORM
Report of Receipts and Expenditures
for a Candidate or
Principal Campaign Committee

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$25,000 per election and the candidate has authorized only the principal campaign committee)

11:50

1. CASAR KLEE

Name of Candidate or Committee (in full)

OFFICE OF THE CLERK
 U.S. HOUSE OF REPRESENTATIVES

2. I.O. # CA 0310

1681 Wilwood Drive

Address (number and street)

3. CONGRESS CALIF/2nd

Office Sought

State District

KIHH CALIF 95482

City, State, and ZIP Code

☐ Check if address is different than previously reported

U.S. HOUSE

4. Type of Report

- ☐ April 10 Report
☐ July 10 Report

- ☐ October 10 Report
☐ January 31 Report

- ☒ Tenth Day Pre-Election Report
☐ Thirtieth Day Post-Election Report

Check if appropriate

- ☐ Amended filing
☐ Termination Report

SUMMARY OF RECEIPTS AND EXPENDITURES

Covering Period 4/1/76 through 5/24/76

This period

Calendar year to date

1. Cash on Hand January 1, 1976

5,000.00

NONE

2. Cash on Hand at beginning of reporting period

3. Receipts

Itemized (use schedule SA)

12,592.65

Unitemized

236.50

Total Receipts

12,849.15 22,021.92

4. Expenditures

Itemized (use schedule SB)

17,573.93

Unitemized

275.22

Total Expenditures

17,849.15 22,021.92

5. Cash on Hand at close of reporting period

NONE

6. Debts and obligations owed to the committee (use schedule SC)

NONE

7. Debts and obligations owed by the committee (use schedule SD)

NONE

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

5/28/76
 Date

Casar Klee
 Signature of Candidate or Principal Campaign Committee

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Warning: Submission of false, incorrect, or incomplete information may subject the person signing this Report to the criminal penalties of 18 U.S.C. § 493, found on reverse side of form.

1976 10/6

1. The following service is requested (check one).

☐ Show to whom and date delivered..... 15c

☐ Show to whom, date, & address of delivery.. 35c

☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65c

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85c

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
REGISTER NO. CERTIFIED NO. INSURED NO.

4. I have received the article described above.
SIGNATURE: [Signature] Address: [Address]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

1976

PS Form 3811, Jan. 1975

1. The following service is requested (check one).

☐ Show to whom and date delivered..... 15c

☐ Show to whom, date, & address of delivery.. 35c

☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65c

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85c

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
REGISTER NO. CERTIFIED NO. INSURED NO.

4. I have received the article described above.
SIGNATURE: [Signature] Address: [Address]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

1976

☆ GPO: 1975-O-563-047

PS Form 3811, Jan. 1975

1. The following service is requested (check one).

☐ Show to whom and date delivered..... 15c

☐ Show to whom, date, & address of delivery.. 35c

☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65c

☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85c

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
REGISTER NO. CERTIFIED NO. INSURED NO.

4. I have received the article described above.
SIGNATURE: [Signature] Address: [Address]

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

1976

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7 7 0 4 0 0 5 7 9 2 1

SENDER (Complete only 1, 2, and 3.)
A. List address in the "RETURN TO" space on
reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

ARTICLE NUMBER: _____
ARTICLE NO. _____
RECEIVED NO. _____
DATE: 11/25/01
TIME: 10:01
BY: _____
SIGNATURE: _____

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