

May 28, 1998

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BEFORE THE FEDERAL ELECTION COMMISSION

Democratic Party of New Mexico

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)MUR # 4752

COMPLAINT

The Republican Party of New Mexico, by and through its Chairman, John Dendahl, brings this complaint pursuant to 2 U.S.C. § 437g(a)(1). The Republican Party of New Mexico may be reached at 2901 Juan Tabo NE, Suite 116, Albuquerque, NM 87112.

The Democratic Party of New Mexico ("DPNM") has knowingly and willfully failed to file disclosure reports required by law, 2 U.S.C. 434(a)(2)(A)(i) and (iii) (attached). Specifically, the DPNM has refused to reveal its 1998 receipts and expenditures in either a first quarter report (due 43 days ago) or a pre-primary report (due 7 days ago). DPNM knows when and how to file these reports - having done so in prior years - knows that these reports are mandatory, and knows that extensions are never granted. The claim of innocence and confusion about dates contained in their letter to Mr. Gibson at the Commission, dated May 11, 1998, appears to be incredible and made in bad faith.

Complete and timely disclosure is singularly important in promoting public trust in government. New Mexicans have the right to know where the three major parties' support comes from - indeed, good government starts with open and honest reporting, and it is the FEC's duty to ensure compliance. DPNM's reckless disregard for the law and for New Mexican voters cannot go unanswered by the Commission.

In 1996 the Democratic National Committee refused to disclose its finances just before the Presidential election. Although the DNC's Executive Director subsequently described the DNC's failure to file as "the most boneheaded thing I've ever done," the DNC's decision actually represented calculated concealment of illegal activities. The DNC treasuries at that time contained millions of dollars in illegal foreign contributions, including donations routed from the Chinese military establishment, and the Democratic Party did not want American voters to know of its actions.

One must presume that the DPNM is knowingly and willfully violating federal law for the same reason - to conceal its own illegal actions from the citizens of New Mexico. New Mexican citizens deserve more information, under federal law they have the right to more, and that same law tasks the Commission with enforcing disclosure obligations.

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The Commission should investigate the Democratic Party of New Mexico's knowing and willful violation of 2 U.S.C. 434(a)(2)(A)(i) and (iii). Congress authorized the Commission to aggressively pursue knowing and willful violations of FECA by imposing civil penalties and possibly criminal enforcement. 2 U.S.C. 437g(d)(1)(A). The Republican Party of New Mexico is not aware of many clearer violations of law - or more egregious examples of knowing and willful malfeasance - than the DPNM's continuing failure to file its long overdue FEC reports as the primary elections and an important special election to fill a vacancy in the U.S. House of Representatives approach.

Respectfully Submitted,



John Dendahl, Chairman
Republican Party of New Mexico

State of New Mexico

Signed and sworn to before me this 28th day of May, 1998.



NOTARY PUBLIC

My commission expires: June 12, 2001