



# SPECIAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

NEW YORK SPECIAL ELECTION  
25<sup>th</sup> Congressional District

October 1, 2018

## POLITICAL COMMITTEES INVOLVED IN THE SPECIAL GENERAL (11/06/18) MUST FILE:

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General	10/01/18 - 10/17/18	10/22/18	10/25/18
48-Hour Notices	10/18/18 - 11/03/18	---see p. 3 of notice---	
Post-General	10/18/18 - 11/26/18	12/06/18	12/06/18
Year-End	11/27/18 - 12/31/18	01/31/19	01/31/19

**Supplemental Filing Information is available on pages 2, 3 and 4 of this notice**

<sup>1</sup> These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered as a political committee up through the close of books for the first report due.

## SUPPLEMENTAL FILING INFORMATION

### WHO MUST FILE

#### **Principal Campaign Committees**

Congressional candidates<sup>2</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) who seek election in the special election must file the above reports and notices.<sup>3</sup> Before a committee can stop filing with the FEC, it must file a termination report with the Commission. *See* 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted. *See* 11 CFR 116.7(d).

#### **Unauthorized Committees – Political Action Committees (PACs) and Party Committees**

PACs and party committees filing on a quarterly basis in 2018 are subject to special election reporting if they make previously undisclosed contributions or expenditures in connection with a special election by the close of books of the applicable report(s). *See* 11 CFR 104.5(c), (h). For more information, consult the *Federal Register* Notice on the FEC website at [www.fec.gov/help-candidates-and-committees/dates-and-deadlines/](http://www.fec.gov/help-candidates-and-committees/dates-and-deadlines/).

### METHODS OF FILING REPORTS

#### **Electronic Filing**

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at [www.fec.gov/help-candidates-and-committees/filing-reports/electronic-filing/](http://www.fec.gov/help-candidates-and-committees/filing-reports/electronic-filing/).

Under the Commission's mandatory electronic filing regulations, political committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must file all reports and statements with the FEC electronically. Other political committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules. *See* 11 CFR 104.18.

#### **Registered & Certified Mail**

Pre-election reports sent by registered or certified mail must be postmarked on or before the mailing deadline to be considered timely filed; other reports must be postmarked by the filing deadline. *See* 52 U.S.C. §§ 30104(a)(2)(A)(i), (a)(4)(A)(ii), (a)(5); 11 CFR 100.19(b)(1); 104.5(a)(2), (e). A committee sending its reports by certified or registered mail should keep its mailing receipt with the U.S. Postal Service (USPS) postmark as proof of mailing because the USPS does not keep complete records of items sent by certified or registered mail. 11 CFR 104.5(i).

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<sup>2</sup> Generally, an individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. *See* 11 CFR 100.3(a).

<sup>3</sup> If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z.

### **Overnight Mail**

Reports filed via overnight mail will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. “Overnight mail” includes Priority or Priority Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service’s online tracking system. *See* 11 CFR 100.19(b)(1), 104.5(a)(2), (e).

### **Other Means of Filing**

Reports filed by any other means—including first class mail and courier—must be received by the FEC before the Commission’s close of business on the prescribed filing date. (If the deadline falls on a weekend or federal holiday, such filers should plan accordingly and file reports by the close of business on the last business day before the filing deadline). *See* 11 CFR 100.19(b)(2), 104.5(e).

Paper forms are available for downloading and printing on the FEC website at [www.fec.gov/help-candidates-and-committees/forms/](http://www.fec.gov/help-candidates-and-committees/forms/).

### **NOTE FOR FILING POST-ELECTION REPORT**

The reporting period for the Post-General Election Report spans two election cycles. For this report only, committees should use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8) instead of the normal Detailed Summary Page.

### **48 HOUR NOTICES ON CONTRIBUTIONS**

The principal campaign committee must file notices if any authorized committees of the candidate receive any contribution (**including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee**) of \$1,000 or more per source, during the period of October 18 through November 3, 2018.

The notices, which may be filed using Form 6, or a letter containing the same information, must reach the FEC within 48 hours of the committee’s receipt of the contribution(s).

**Campaign committees that file electronically MUST submit their 48-hour notices electronically.** *See* 11 CFR 104.5(f). For more information, visit the FEC website at [www.fec.gov/help-candidates-and-committees/forms/](http://www.fec.gov/help-candidates-and-committees/forms/). U.S. House candidates faxing 48-hour notices should transmit them to the FEC at (202) 219-0174.

### **DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY**

Principal campaign committees, party committees and Leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from any lobbyist/registrant or lobbyist/registrant PACs that aggregate in excess of \$18,200 during the special election reporting periods (see page 1 of this notice). 11 CFR 104.22(a)(5)(v), (b) and 110.17(e)(2), (f).

## COMPLIANCE

**Treasurer Responsibility.** Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. For additional information, see the Commission's *Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings* on the website at <https://transition.fec.gov/law/policy/2004/notice2004-20.pdf>.

**Report Format.** In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.

**Administrative Fine Program.** Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$22,682 (or more for repeat late- and non-filers).<sup>4</sup> *See generally*, 11 CFR Part 111, Subpart B. *See also* 11 CFR 111.43. For additional information, visit the FEC website at [www.fec.gov/legal-resources/enforcement/administrative-fines/](http://www.fec.gov/legal-resources/enforcement/administrative-fines/).

**Electronic Filers Must File Electronically.** Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission or CD) that does not pass the validation program by 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines). 11 CFR 104.18.

## IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC. This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail service, and hand delivery.

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<sup>4</sup> Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$22,682, even for first-time violations.