

FEDERAL ELECTION COMMISSION

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FEC ISSUES RESULTS
OF COMPLIANCE ACTION

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WASHINGTON - NOVEMBER 17 - The Federal Election Commission today issued its first monthly report of "closed or terminated" cases involving alleged violations of the federal campaign finance law.

The report contains details of the alleged violations, Commission investigations, Commission actions, if any, and compliance with Commission recommendations.

The Federal Election Campaign Act (FECA) empowers the Commission to "conduct investigations and hearings...to encourage voluntary compliance (with the law), and to report apparent violations to the appropriate enforcement authorities". FEC Chairman Thomas B. Curtis said, "By regularly publishing the results of FEC investigations into possible violations, the Commission hopes to provide greater public information about provisions of the campaign finance laws and to help encourage voluntary compliance with the law".

Names have been withheld because the law requires the Commission to keep confidential the identity of any individual, committee or organization involved in a compliance action, unless that party consents in writing to the Commission to having it made public.

The cases listed in the report involve the following 1975 "Compliance Actions" (CA), and Commission recommendations:

I. COMPLIANCE ACHIEVED:

-----CA #4, #12, #24: Three cases involving printed campaign material where the identity of the political committee authorizing the expenditure was omitted. The Commission determined that it was "quite clear" in each case that the literature was produced by the respective committees for their own candidates. Since the committees stated that the omissions had been inadvertent and that future literature would comply with the law's requirement for such information, the Commission considered compliance had been satisfactorily achieved.

-----CA #6: Solicitation in campaign literature by a Congressional candidate of contributions in excess of the \$1,000 individual limit. Candidate's representative said the solicitations had appeared inadvertently. The literature was corrected, with copies furnished to the FEC, and the Commission considered compliance satisfactorily achieved.

II. NO FEC JURISDICTION:

-----CA #18 and #19: Failure of corporation to list names of sponsoring officers on newspaper advertisement which mentioned President's name. Since the FEC has no jurisdiction over the provision of the law which relates to political advertising, the FEC transmitted the case to the Department of Justice.

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-----CA #22: Use of confidential Veterans Administration mailing lists to solicit contributions. Commission investigations revealed apparent violations which do not fall within the FEC jurisdiction. Case transmitted to Department of Justice.

-----CA #31: Use by candidate of radio commercials that were considered "fallacious, malicious, and libelous" by the opposition. FEC does not have jurisdiction in this area; information returned to person asserting violation.

III. NO VIOLATIONS:

-----CA #17: Voluntary contribution made by individual to political fund during working hours on non-government employer's premises. Because the contribution was voluntary and not solicited by the employer, the FEC judged this activity not in violation of the law.

-----CA #20: Failure to report as an "in-kind" contribution an entertainer's volunteered services to a Federal candidate. Since the law exempts services "provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate" from the definition of contribution, the Commission determined that this activity was not a violation of the FECA.

In addition, two complaints, CA #'s 14 and 23, involving the use by Senatorial candidates of Federal property and telephone service for campaign purposes, were inappropriately made in the form of requests for advisory opinions. Requests for advisory opinions cannot be made about another person's actions. "It was determined that the allegations did not warrant immediate investigation. The complainant was advised that in the absence of a formal complaint, the matter will be reserved for the regular audit program."