

NEWS FROM...

FEDERAL ELECTION COMMISSION



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FEC FILES SUIT AGAINST THREE CAMPAIGNS

WASHINGTON - October 27 - The Federal Election Commission today revealed that it has filed civil suit in three United States District Courts to compel one Federal candidate, his "principal campaign committee", and the "principal campaign committees" of two other Federal candidates to comply with the reporting requirements of the Federal Election Campaign Act.

The FEC has asked the courts to assess a penalty of not more than \$5,000 against the candidate and committees for "failing and refusing to comply with the requirements of the Act."

In separate suits involving two candidates for the U.S. Senate and one candidate for the U.S. House of Representatives, the Commission has asked the District Courts to order one candidate and his committee to file the report required ten days before the November 2, 1976 general election, the report required thirty days after, and the 1976 year-end report due January 31, 1977. The Commission also asked the courts to order one candidate's "principal campaign committee" to file the 1976 year-end report and the April 10, 1977 quarterly report, and the other candidate's committee to file a "complete" ten-day pre-election report due October 23, 1976.

The following are the candidates involved, their states/districts, their political party, and the U.S. District Court in which the suits were filed:

Joseph McInerneyU.S. Senate
Independent(District of Delaware)

Lenore EtchisonU.S. Senate
Democratic write-in(District of Nebraska)

James Sheehan7th District - New Jersey
Republican(District of New Jersey)

The Commission stated in its court complaints that prior to filing civil suits it has sent at least two notices to each candidate/committee concerning the failure to file the ten-day pre-election report, the thirty-day post-election report, the January 31 year-end report, and the April 10, 1977 quarterly report. The Commission also said it sent at least three notices to one "principal campaign committee" concerning the failure to file a "complete" ten-day pre-election report.

In the case of McInerney, the FEC sent notices about the required ten-day pre-election report to the candidate and his committee on October 26 and 28, and notices about the required thirty-day post-election report on December 10 and 20, 1976. The candidate's name was published as a "non-filer" on October 30, 1976 and January 21, 1977 respectively. The candidate and his committee were also cited in the court suit for failure to file the January 31, 1977 year-end report.

In the case of Etchison, the FEC sent notices to the candidate's "principal campaign committee" about the required January 31, 1977 year-end report on April 9 and 28, 1977. The Commission also sent notices concerning the April 10 quarterly report on May 16 and 27, 1977.

In the case of Sheehan, the FEC sent notices to the candidate's "principal campaign committee" concerning its failure to file a "complete" ten-day pre-election report on December 6, 1976, January 12, 1977, and February 15, 1977. The court complaint cited the committee for failure to fully disclose the full name, mailing address and principal place of business of each contributor aggregating over \$100, the aggregate sum of individual contributions made to the committee, the name and full address of each contributing political committee, and the amount and nature of debts owed by or to the campaign committee.

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In each case, under FEC compliance procedures, the first notice informed the candidate/committee that the Commission found "reason to believe" a violation of the Act may have occurred, and the second notice informed the candidate/committee that the Commission found "reasonable cause to believe" a violation of the Act may have occurred. Prior to filing the report, the Commission voted to find "probable cause" to believe a violation may have occurred.