

NEWS FROM...

# FEDERAL ELECTION COMMISSION



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

RELEASE: ON RECEIPT

FEC RELEASES LIST OF "NON-FILERS"  
IN ALABAMA AND NORTH DAKOTA PRIMARIES

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WASHINGTON - September 2, 1978 - The Federal Election Commission today published the names of federal candidates on the ballot for the September 5, 1978, primary elections in Alabama and North Dakota who personally, or whose "principal campaign committees" failed to file the required 10-Day pre-election report of their campaign finances. They are as follows: (By State and District)

## ALABAMA

<u>District</u>	<u>Name of Candidate</u>	<u>Political Party</u>	<u>Type of Report</u>
Senate.....	Glen Hewett.....	Democrat.....	Prin. Cmpgn. Cmte./Candidate Personal

## NORTH DAKOTA

<u>District</u>	<u>Name of Candidate</u>	<u>Political Party</u>	<u>Type of Report</u>
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NONE

NOTE: According to Alabama State law, Federal candidates who are unopposed in their Party's primary at the time of that State's filing date are automatically certified to the General Election Ballot. In these cases, there is, in effect, no primary election for these candidates, and therefore, no requirements for them to file 10-day pre-election reports.

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 penalties (\$5,000 for "any violation" and \$10,000 for a "knowing and willful violation").

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 "pre-election report" 10 days before each election, covering their financial transactions up to 15 days before 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 all "non-filers" are made public.

Prior notice is the first reminder, sent on a routine basis prior to the filing date to all candidates whose names are on the ballot, as provided by State officials and confirmed by lists with the Clerk of the House of Representatives and the Secretary of the Senate. This notice reminds candidates and committees of their required 10-day pre- and 30-day post-election reports, and the appropriate filing dates.

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The second notice is sent only to candidates and committees whose reports have not been received 8 days before the election, 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 only to candidates and committees whose reports are not filed 6 days before the election, and states that "continued failure to file...gives the Commission 'reasonable cause to believe'" that they are in violation of the reporting requirements...and that "failure to respond immediately will result in the publication of your name on a list of non-filers and referral to our Office of General Counsel which may result in civil penalties."

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 candidate and/or his committee on a list of non-filers.