FEDERAL•ELECTION COMMISSION

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FEC TEST SEEKS TO SPEED FINAL
ACTION ON FILING VIOLATIONS

WASHINGTON--A six month test program has been undertaken by the
Federal Election Commission that could reduce by up to two months the
time necessary to complete enforcement actions relating to violations
of federal election law reporting requirements. Late-filing and non-
filing cases represent a major class of violations handled by the FEC.

Under existing law and procedures, the Commission must approve a
finding of "Reason to Believe" before the respondent is notified.
Then there is a waiting period for the respondent to present his or
her case or to ask for a pre-probable cause conciliation, after which
a proposed conciliation agreement is prepared and approved by the
Commission. In cases where a respondent doesn't understand the
process for asking for pre-probable cause conciliation, the process is
further delayed.

The test program will amend this procedure for the relatively
straight forward filing violations, and will provide that the
Commission's "Reason to Believe" finding to the respondent will
include a proposed conciliation agreement containing an admission of
the violation and a civil penalty consistent with the severity of the
violation.

A respondent can refuse the opportunity for early conciliation
and present arguments or facts to demonstrate why no further action
should be taken by the FEC. Also, a respondent retains the right to
refuse to settle the matter.

In announcing the experiment, the Commission said:

"We believe that we can save upwards of a month or two on the
resolution of such cases by working on the assumption that respondents
generally will not controvert our finding that their report(s) have
not been filed on time and will avail themselves of this opportunity
to rapidly resolve their reporting problems".

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