



THE FEDERAL ELECTION COMMISSION

RECORD

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

Volume 4, Number 12

December 1978

REPORTS

POST-GENERAL ELECTION REPORT DUE DECEMBER 7

All candidates (except those receiving personal reporting waivers), principal campaign committees and authorized candidate committees must file a post-general election report if the candidate sought Federal office in the 1978 general election. (Authorized committees should file their reports with the principal campaign committee which, in turn, files a consolidated report.) All other political committees must file a post-general election report if they supported any Federal candidates in the general election. (Support means the committee made a contribution to or an expenditure on behalf of a Federal candidate or his/her authorized committee.) Political committees which file on a monthly basis must file a post-general election report in lieu of the December monthly report.

The post-general election report must be filed regardless of the amount of financial activity. FEC Form 3a (postcard form) will not be considered an adequate filing and should not be used for the post-election report.

The report must be filed (or postmarked if sent by registered or certified mail) by December 7, 1978, and must cover all financial transactions (not previously reported) since the closing date of the last full report through November 27, 1978 (closing date of the post-general election report). Any pre-election contributions of \$1,000 or more which were reported by telegram or hand-delivered letter must be included in this report.

All reports are filed with the Clerk of the House, the Secretary of the Senate, or the Federal Election Commission, as appropriate. Questions or requests for forms may be addressed to the Commission by calling toll-free (800) 424-9530 or in Washington, D.C. (202) 523-4068.

For information on how to terminate reporting, see 800 LINE, p. 6.

YEAR-END REPORT COMING UP IN JANUARY

Candidates for Federal office (except those who have received a personal reporting waiver) and all political committees supporting one or more Federal candidate(s) must file a year-end report if:

- They have outstanding debts and obligations; or
- They raised or spent more than \$1,000 during the last quarter (October 1 through December 31, 1978); or
- During the last quarter, they either extinguished debts (paid, settled or forgave them) exceeding \$1,000 or incurred debts totaling more than \$1,000 (not including bills of less than \$500 if outstanding less than 60 days).

(NOTE: Any candidate or committee whose reporting obligations have been properly terminated need not file the report.) Due on January 31, 1979, the year-end report must cover all financial transactions occurring since the last complete report through December 31, 1978. (The year-end report is the same as a fourth quarter report.) FEC Form 3 or 6 may be used, as appropriate.

Committees filing on a monthly basis (the 20th of each month) must file a year-end report in lieu of the January report regardless of the amount of their financial activity. In this case, the report must cover the period from November 28 (the day after the close of books for the post-general election report) through December 31, 1978. It is due January 31, 1979.

For information on how to terminate reporting, see 800 LINE, p. 6.

FEDERAL REGISTER NOTICES

The following list identifies all FEC documents appearing in the Federal Register between August 27, 1978, and November 13, 1978.

Notice	Title	Federal Register Publication Date	Citation
1978-8	Opinion and Regulation Index	10/31/78	42 FR 50736

INFORMATION

FEDERAL AVIATION ADMINISTRATION CHANGES REGULATIONS TO RESOLVE CONFLICT WITH FECA

On September 26, 1978, the Federal Aviation Administration (FAA) changed its regulations to permit private aircraft owners and other noncommercial operators to accept payment for transporting candidates for Federal office. The FAA's action was prompted by the Federal Election Campaign Act (FECA) and Commission regulations which require Federal candidates to pay in advance for private air transportation if they wish to avoid receiving a contribution in-kind from the aircraft owner. See 11 CFR 114.9(e). This requirement had conflicted with FAA rules which generally prohibited the receipt of payments by any operator who does not have an air taxi or similar commercial certificate. FAA's recent action allows the private aircraft owner to carry a candidate and accept compensation without first becoming a commercial operator. The new regulation became effective on September 26, 1978.

COMMISSIONERS

NEW COMMISSIONER APPOINTED

On October 25, 1978, John McGarry was sworn in as a Commissioner of the FEC, replacing Neil Staebler, whose term had expired on April 30, 1977. Mr. Staebler had continued to serve on the FEC pending the swearing-in of a successor.

President Carter appointed Commissioner McGarry under the "recess appointment" clause of the U.S. Constitution (Article II, Section 2). The Senate had adjourned on October 22, 1978, without completing action on the nomination of Mr. McGarry for the full six-year term.

Under the Constitution, a "recess appointment" expires at the end of the next session of Congress (1979). If Mr. McGarry is to serve a full six-year term on the Commission, his nomination must be resubmitted by the President and confirmed by the Senate. Section 5503, Title 5, of the U.S. Code provides that the President resubmit the appointee's name within 40 days after the next Senate convenes.

John McGarry served in the Navy during World War II. After the war, he graduated from Holy Cross College and earned a law degree at Georgetown Law Center. From 1959 to 1962, Commissioner McGarry was Assistant Attorney General for Massachusetts. In 1962, he was named chief counsel for the House Special Committee to Investigate Campaign Expenditures. Since 1973, he has served as special counsel on elections to the Committee on House Administration. Mr. McGarry is married to Marietta M. Ethier, Esq.

Two days after the new Commissioner was sworn in, Common Cause filed suit on behalf of Neil Staebler challenging the legality of a "recess appointment" to the Commission. Filed in Federal court, the suit alleges that specific provisions of the Federal Election Campaign Act (2 U.S.C. §437(c)), concerning the appointment of new Commissioners, preclude a recess appointment by the President. A Court hearing will be held in December.

OPINIONS

PENDING ADVISORY OPINION REQUESTS

The following chart lists pending Advisory Opinion Requests (AOR's), with a brief description of the subject matter, the date the requests were made public and the number of pages of each request. The full text of each AOR is available to the public in the Commission's Office of Public Records.

AOR	Subject	Date Made Public	Number of Pages
1978-81	Unreimbursed travel expenses incurred by members of political committee.	10/20/78	5
1978-82	Reporting ticket sales for T.V. house parties.	10/20/78	1
1978-83	Use of booth at ticket association convention.	10/20/78	4
1978-84	Definition of trade association member.	11/1/78	11
1978-85	Expenditure of excess campaign funds for luncheon.	11/6/78	1

The RECORD is published by the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463. Commissioners are: Joan D. Aikens, Chairman; Robert O. Tiernan, Vice Chairman; Thomas E. Harris; John W. McGarry; William L. Springer; Vernon W. Thomson; J.S. Kimmitt, Secretary of the Senate, Ex Officio; Edmund L. Henshaw, Jr., Clerk of the House of Representatives, Ex Officio. For more information, call 523-4068 or toll free 800/424-9530.

1978-86	Multicandidate committee status for former principal campaign committee.	11/8/78	1
1978-87	Contribution of excess campaign funds to charitable organization.	11/8/78	6
1978-88	Filming and airing of public service announcements.	11/9/78	2

A separate contribution limit applies to each election in which Mr. Ireland seeks nomination or election. Thus, one individual could contribute \$1,000 for his primary and another \$1,000 for the general election. As a general rule, contributions made after the date of the primary count toward the general election. In this case, the date on which a primary election would have been held is considered to be the date of the primary.

Surplus funds from the 1978 campaign, consisting of funds received before the general election, may be transferred as a lump sum to the 1980 campaign committee. These funds are not subject to the 1980 election limits. The individual contributors of surplus funds need not be identified on subsequent reports since they were already disclosed in 1978.

Except for contributions made to retire debts outstanding from the 1978 election, contributions received after the 1978 general election are attributable to a 1980 election and count against the 1980 election limits. (Length: 3 pages)

**AO 1978-69: 1976 Campaign Committee
Redesignated for 1982 Campaign**

The Melcher for Senate Committee (the Committee), Senator Melcher's principal campaign committee for the 1976 election, may begin receiving and expending funds for the Senator's 1982 campaign. Senator Melcher, after receiving the first contribution for the 1982 campaign, must file a Statement of Candidacy for the 1982 election. An amended Statement of Organization (FEC Form 1) must also be filed to designate the Committee as the principal campaign committee for the 1982 election.

Committee campaign reports indicated that it had sufficient funds on hand on January 1, 1977, to satisfy all outstanding debts from the 1976 campaign. The Commission concluded, therefore, that contributions received by the Committee between January 1977 and the date of the 1982 Montana Democratic primary election count against the 1982 primary election contribution limits. (Length: 2 pages)

**AO 1978-72: Sale of Pamphlet
by Candidate**

House candidate Max Carasso may publish and sell a pamphlet consisting of articles he previously wrote (between 1956 and 1969) without the expenses or proceeds of the sale counting as campaign contributions or expenditures. The income received from the sale of the pamphlet would be considered personal funds provided that:

- The price charged for the pamphlet is a reasonable reflection of Mr. Carasso's costs and profit, and is the same as he would charge if he were not a candidate; and
- Neither the advertisements for the pamphlet nor the articles themselves include solicitations for his campaign or advocate the election or the defeat of any clearly identified candidate. (Length: 3 pages)

ADVISORY OPINIONS: SUMMARIES

Designated as AO's, Advisory Opinions discuss the application of the Act or Commission regulations to specific factual situations. Any qualified person requesting an Advisory Opinion who in good faith acts in accordance with the opinion will not be subject to any sanctions under the Act. The opinion may also be relied on by any other person involved in a specific transaction which is indistinguishable in all material aspects from the activity discussed in the Advisory Opinion. Those seeking guidance for their own activity should consult the full text of an Advisory Opinion and not rely only on the summary given here.

**AO 1978-61: Corporate Solicitation
of Franchisees**

Jerrico, Inc. (Jerrico) or its separate segregated fund may solicit contributions from the executive and administrative personnel of the franchisees (restaurants) of Jerrico and of Long John Silver's, Inc. (LJS), a wholly-owned subsidiary of Jerrico.

Because of Jerrico's "...continuing control and direction over the business policies, practices and procedures of its franchisees, as well as the nature and extent of the franchisees' contractual obligation to Jerrico. . ." the franchisees are considered to be affiliates of Jerrico.

All separate segregated funds established by the franchisees would share a single contribution limit with Jerrico's separate segregated fund.

Commissioners Neil Staebler and Thomas Harris filed a dissenting opinion. (Length, including the dissenting opinion: 6 pages)

**AO 1978-65: Reporting Rules and Contribution
Limits for Unopposed Candidates**

Although Andy Ireland, candidate for Congress, is unopposed in Florida's general election, he is considered a candidate because he will not receive a certificate of election until after the general election. Accordingly, Mr. Ireland is required to file pre- and post-general election reports. Regulations concerning quarterly reports are also applicable. See 11 CFR 104.1(c)(1)(i) and 104.4(d).

AO 1978-73: Donation of Honorarium to Charitable Organization

An honorarium offered to Representative Dan Rostenkowski is not subject to the monetary limitations on honoraria as long as the payor organization contributes the honorarium directly to a charitable organization according to the rules prescribed by 2 U.S.C. 441i(b). Under that provision, adopted by Congress on December 20, 1977 (Public Law 95-216, Section 502), an honorarium is not considered to have been "accepted" by an officeholder (and, therefore, is not subject to the limits) when the payor organization contributes it directly to one of five charitable organizations suggested by the officeholder. The limitations on honoraria are triggered only if the honorarium is in fact "accepted." (Length: 2 pages)

AO 1978-74: Payroll Deduction Plan For Labor Organization's Members

The International Union of Operating Engineers (IUOE), Local 675, and Lone Star of Florida, Inc. (or any other corporation employing IUOE members) may agree to use a payroll deduction plan to collect contributions from IUOE members for IUOE's separate segregated fund. The agreement may be made even if the corporation does not provide such a plan for soliciting contributions from its own executive and administrative personnel. See 11 CFR 114.5(k)(4). (Length: 3 pages)

AO 1978-75: Solicitation of Parent Corporation's Stockholders by Subsidiary's Separate Segregated Fund

The United Good Government Fund (the Fund), the separate segregated fund of United Airlines, Inc. (United), may solicit the stockholders of United's parent corporation UAL. Under the Commission's regulations, a corporation or its separate segregated fund may solicit the executive and administrative personnel of the corporation's subsidiaries and affiliates. In this case, the parent corporation (UAL) is considered an affiliate of the wholly-owned subsidiary (United); hence, the Fund may lawfully solicit the individual stockholders of UAL. All separate segregated funds established by a corporation, its affiliates, subsidiaries, branches and divisions are subject to a single contribution limitation.

Commissioner Thomas E. Harris filed a dissenting opinion. (Length, including the dissent: 4 pages)

AO 1978-76: Use of Film Produced with Campaign Funds

A film produced with campaign funds may be shown on television, as a public service announcement, after the November election. The film depicts facilities and services available to constituents through Representative Robert Duncan's congressional office. A station's offer to run the film as a public service announcement, free of charge to Mr. Duncan, would not constitute an in-kind contribution to Mr. Duncan. Under the Act, a news story, commentary or editorial distributed through the facilities of a broad-

casting station is not considered an expenditure and is not treated as an in-kind contribution unless the broadcast facilities are owned or controlled by a political party, political committee or a candidate. The Commission concluded that this exception applies to the broadcast of public service announcements.

The Commission expressed no opinion as to the application of tax laws, House Rules, or the rules of the Federal Communications Commission to the situation described, since these matters fall outside the Commission's jurisdiction. (Length: 2 pages)

AO 1978-77: Volunteer Activity Rendered by Corporate Officer

Congressman Les Aspin may use a campaign radio commercial in which an officer of American Motors Corp. (AMC), identified by name and title, describes the legislative efforts of the Congressman. The activity would not constitute a contribution to Representative Aspin's campaign because the campaign committee will pay for all the production and broadcasting costs of the commercial. The actual time spent in taping the commercial would be regarded as **volunteer activity** by the AMC officer. Under the Act, volunteer activity is not considered a political contribution. (Length: 2 pages)

AO 1978-78: Funds Contributed to Defray Office Rent

The National Conservative Political Action Committee (NCPAC) may not, under 2 U.S.C. 431(e)(5)(H), solicit persons otherwise prohibited from making political contributions for funds to defray office rental expenses. This special provision of the Act exempts certain funds from the definition of contribution, **but only when contributed to a national or State committee of a political party**. Even though NCPAC supports a wide variety of Federal and State candidates and engages in political education on specific issues of public interest, it is not a "political party" under the Act.

Any funds given to NCPAC for the purpose of defraying office rental expenses are, therefore, considered contributions subject to the Act's limitations and reporting requirements. (Length: 2 pages)

AO 1978-79: Separate Contribution Limit for Candidate Unopposed in General Election

Senator J. Bennett Johnston's name will not appear on the general election ballot in Louisiana because he is unopposed in that election. He may nevertheless receive contributions with respect to the 1978 general election because the certificate of election is not granted until after the general election. See 11 CFR 110.1(j). Contributions made after the Louisiana primary on September 16, 1978, but not later than the general election on November 7, would be

attributed to the general election. They would count against a separate limit for that election, rather than against the limits for an election in 1984.

Senator Johnston's campaign committee is required to file pre-election and post-election reports covering the general election period. (Length: 2 pages)

**AO 1978-80: Campaign Use of Property
Owned by Candidate**

Representative Benjamin Gilman's campaign committee may use its funds to lease office space in a building owned by Mr. Gilman. Such payments must be reported as operating expenditures by the committee. (Length: 2 pages)

**ALTERNATIVE DISPOSITION OF
ADVISORY OPINION REQUESTS**

Since November 1978, the Commission has responded to the following Advisory Opinion Requests in a manner other than the issuance of an Advisory Opinion.

- AOR 1978-76 was partially withdrawn by its requestor. A response to the first of two questions was subsequently covered in an Advisory Opinion summarized in this issue.
- AOR 1978-82 was withdrawn by its requestor.

COMPLIANCE

**FEC PUBLISHES
NAMES OF NONFILERS**

The Commission is required by the Federal Election Campaign Act to publish the names of candidates and political committees who fail to file required reports of receipts and expenditures. Before publishing the name of a candidate or committee who has failed to file, the Commission sends them at least two notices. If, following receipt of these notices, a candidate or committee continues not to file the required report, the name of that "nonfiler" is made public.

The Commission recently published the names of candidates and political committees who failed to file a required report. The following list summarizes Commission action:

Publication Date	Report Not Filed	Number of Nonfilers
10/5/78	Hawaii (Pre-Primary)	1
10/30/78	October 10 (Quarterly)	294
11/4/78	October 28 (Pre-General)	117

**THE LAW
IN THE COURTS**

LITIGATION STATUS INFORMATION

The following is a list of new litigation involving the Commission, together with the date the suit was filed, the Court involved, the Docket Number and a brief description of the major issue(s) involved in the case. Persons seeking additional information on a particular case should contact the Court where the suit is filed or the Commission.

John D. Hemenway v. D. Douglas Barnard and FEC, U.S. District Court for the District of Columbia, Docket No. 78-1426, August 2, 1978.

Suit challenges Commission's failure to act on a complaint.

FEC v. Seith for Senate, et al., U.S. District Court for the Northern District of Illinois, Docket No. 78C 3237, August 14, 1978.

The Commission alleges that the defendant violated the Act by failing to file required reports. On November 3, the suit was settled by consent.

FEC v. Illinois Democratic Campaign Committee, et al., U.S. District Court for the Northern District of Illinois, Docket No. 78C 3238, August 14, 1978.

The Commission alleges that the defendant Anthony R. Martin-Trigona and his principal campaign committee violated the Act by failing to file required reports.

FEC v. Jerry Lebovitz, et al., U.S. District Court for the Western District of Pennsylvania, Docket No. 78 1061 D, September 19, 1978.

The Commission alleges defendant violated the Act by exceeding contribution limits and failing to report contributions.

FEC v. Service Station Dealers PAC, et al., U.S. District Court for the Eastern District of Pennsylvania, September 22, 1978.

The Commission alleges defendant violated the Act by making excessive contributions and failing to file required reports.

800 LINE

HOW TO TERMINATE REPORTING OBLIGATIONS

Following the 1978 general election, many candidates and political committees may wish to terminate their reporting obligations under the Act. The process is not complicated, but certain conditions must be met before committee registration or candidacy (and thus reporting obligations) may be terminated. In the explanation given below, citations refer to FEC regulations.

WHO IS ELIGIBLE TO TERMINATE

A **candidate** may terminate his or her candidacy (and thus reporting obligations) once all campaign debts for which he or she is personally responsible have been retired.

An **authorized committee** may terminate its registration (and reporting obligations) when:

1. The committee has either retired all obligations, including debts owed by and debts owed to the committee; or the committee has settled the debts in a manner permissible under the Commission's regulations. 102.4(a); 114.10(c). See "Settling Debts With Creditors" below.
2. The committee has decided not to raise or spend more than \$1,000 during the calendar year to influence Federal elections.

A **principal campaign committee** may terminate its registration (and reporting obligations) only if:

1. Candidate status has been terminated for the candidate.
2. Debts owed by or to the committee have been retired; or the committee has settled the debts in a manner permissible under the Commission's regulations. See "Settling Debts With Creditors" below.
3. All debts of affiliated authorized committees have also been retired.
4. The committee has decided not to raise or spend more than \$1,000 during the calendar year to influence Federal elections. 102.4(b).

Any other political committee may terminate its registration (and reporting obligations) when:

1. The committee has either retired all obligations, including debts owed by and debts owed to the committee; or the committee has settled the debts in a manner permissible under the Commission's regulations. 102.4(a); 114.10(c). See "Settling Debts With Creditors" below.
2. The committee has decided not to raise or spend more than \$1,000 during the calendar year to influence Federal elections.

HOW TO TERMINATE

Candidates and political committees terminate their reporting status by filing a **Termination Report**. It may be filed at any time by letter or by checking the appropriate box on FEC Form 3 (or Form 6, if appropriate). The Termination Report must disclose:

1. All receipts and disbursements not previously reported,
2. The disposition of any residual funds (if the committee is also disbanding).

SETTLING DEBTS WITH CREDITORS

A political committee may not terminate its reporting status until it pays its debts. Under limited circumstances, however, a political committee in debt may terminate if it settles its debts according to the rules outlined below:

Debt Must Be Treated In Commercially Reasonable Manner

A **corporate creditor** may not forgive or settle debts "for less than the amount owed" unless the creditor and debtor have treated the debt in a commercially reasonable manner. A debt settled or forgiven which has not been treated in a commercially reasonable manner would constitute a prohibited corporate contribution. To treat a debt in a commercially reasonable manner means that:

1. Credit was extended "in the ordinary course of business" with terms substantially similar to those granted to nonpolitical debtors of similar credit risk; and
2. The debtor committee made all reasonable efforts to retire the debt; and
3. The creditor pursued remedies in a manner similar to those used to seek payment from nonpolitical debtors, including lawsuits if filed in similar circumstances.

A **noncorporate creditor** may settle debts for less than the amount owed only if, in addition to satisfying the above three conditions, it extended credit in connection with providing goods or services in the ordinary course of business or professional enterprise. Loans of money, therefore, may not be settled for less than the full amount without counting as a contribution, subject to limits, from the creditor.

Statement of Settlement Must Be Filed

If a **debt owed to a corporation** is settled for less than the amount owed and the committee wishes to terminate its reporting status, the corporate creditor and/or the debtor committee **must** file a Statement of Settlement with the FEC. The Commission must approve the Statement before the committee may terminate. The Statement must include:

1. The initial terms of credit;
2. The steps the debtor took to extinguish the debt;
3. The remedies pursued by the creditor; and
4. Their terms of settlement.

When a **noncorporate creditor forgives a debt**, the creditor and/or debtor **must** file a Statement of Settlement with the Commission if either of the following circumstances occurs:

1. If the creditor's forgiveness of the debt causes him/her to exceed the contribution limits; or
2. If the creditor notifies the Commission that he/she wishes to treat the amount forgiven as a debt settlement rather than a contribution in-kind.

The Statement of Settlement is subject to Commission approval and must contain the same information required when a corporate creditor forgives a debt. See above.

A notice summarizing termination procedures was recently mailed to all candidates and political committees participating in the 1978 elections. For additional information, contact the Reports Analysis Division by calling toll-free (800) 424-9530 or in Washington, D.C. 523-4048.

STATISTICS

FEC UPDATES REPORTS ON FINANCIAL ACTIVITY OF NONPARTY POLITICAL COMMITTEES

Updating earlier studies on nonparty political committee activity, the FEC released figures on November 2, 1978, detailing the financial activity of 1,828 nonparty and noncandidate political committees. The study covered a 21-month period from January 1, 1977, through September 30, 1978. Highlights included the following:

- Out of a total of \$60.4 million spent by these committees, \$18.7 million was contributed to Federal candidates. As of September 30, 1978, the committees still had \$19.2 million in cash-on-hand. Remaining disbursements defrayed fundraising costs; administrative costs; contributions to party committees or State and local elections; and other miscellaneous activities not related to Federal elections.
- Sixty percent of all nonparty and noncandidate committees (1,101 committees) registered with the FEC during 1977-78 contributed to Federal candidates.
- House candidates received \$13.7 million (73 percent); Senate candidates received \$5 million (27 percent) and Presidential candidates received \$43,000 (.2 percent).
- Democratic candidates received \$11.8 million (63 percent); Republican candidates received \$7 million (37 percent) and minor party and independent candidates received \$11,000 (.06 percent).
- Incumbents received \$12.5 million (67 percent); challengers to incumbents received \$3.1 million (16 percent); and candidates in open-seat races (no incumbent) received \$3.2 million (17 percent).

In releasing these new figures, the Commission noted that:

1. Since the study was run on the FEC computer on October 27, 1978, the data from committees filing a late third quarter report may not be complete as of September 30.
2. The study includes only gross figures for committees filing the October monthly report.
3. Receipt and disbursement figures have been "adjusted" to subtract transfers between affiliated committees.
4. Contribution figures may include contributions for elections held before 1978, such as contributions to 1977 special elections and contributions made to retire old campaign debts.

The current study supersedes figures contained in three earlier versions released in March, April and September 1978 and summarized, respectively, in the April, June and November issues of the **Record**.

NEW UPDATE ON FINANCIAL ACTIVITY OF 1977-78 SENATE AND HOUSE CAMPAIGNS

On November 3, 1978, the Commission released updated figures which show that 1,919 Senate and House candidates raised \$149.5 million and made disbursements of \$138.2 million. (NOTE: Gross receipt and disbursement totals were adjusted to eliminate transfers between filers within the same campaign.) The study covers the financial activity of candidates who have registered with the FEC and have been certified by appropriate State officials as official candidates in a 1977 or 1978 election. Data is taken from reports filed by candidates and their authorized committees from January 1, 1977, through their last report filed as of October 27, 1978. In some cases, certain itemized information is complete for those reports filed through October 10, 1978.

The study highlighted the following facts:

- The 257 Senate campaigns reported total receipts of \$63.6 million and disbursements totaling \$61.8 million, while 1,662 House candidates reported \$85.9 million in receipts and \$76.4 million in disbursements. *continued*

FEC PUBLIC APPEARANCES

In keeping with its objective of making information available to the public, the Federal Election Commission regularly accepts invitations for its representatives to address public gatherings on the subject of campaign finance laws and the Commission itself. This regular column lists scheduled Commission appearances, detailing the name of the sponsoring organization, the location of the event and the Commission's representative.

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| 12/1 | Secretary of State of Connecticut and
Federal Bar Association-Hartford Chapter
Hartford, Connecticut
Vice Chairman Robert O. Tiernan
Gary Greenhalgh, Director,
National Clearinghouse |
| 12/4-6 | National Association of Secretaries of State
Buena Vista, Florida
Gary Greenhalgh, Director,
National Clearinghouse
Tom Haselhorst, Assistant Staff Director,
Reports Analysis
Richard Thomas, State Coordinator |
| 12/13 | National Municipal League
National Conference on Government
Campaign Disclosure Enforcement Panel
Minneapolis, Minnesota
Ken Gross, Assistant General Counsel |

- The 997 Democratic candidates raised \$83.1 million and spent \$76.5 million, while 693 Republican candidates received \$65.6 million and spent \$61 million. The 229 minor party and independent candidates received \$.8 million in contributions and spent \$.7 million.
- The 414 Senate and House incumbents raised \$58.4 million and spent \$51 million, while their 984 challengers accumulated \$44.1 million and spent \$42.2 million in attempts to unseat them. The 521 candidates in open-seat races received \$47 million and spent \$45 million.

Figures in the study update those released in September and summarized in the November issue of the Record.

FEC RELEASES INDEX OF 1977-78 INDEPENDENT EXPENDITURES

The Index of Independent Expenditures, released by the Commission on November 3, 1978, lists the 18 Senate and 51 House candidates for or against whom independent expenditures were made. Based on reports filed as of October 10, 1978, the Index reveals that a total of \$104,901 was spent in independent expenditures. An independent expenditure is an expenditure made by an individual, a group of people or a political committee "for a communication expressly advocating the election or defeat of a clearly identified candidate." The expenditure must be made without any consultation or coordination with the candidate or his/her authorized committee or staff.

The following ten political committees reported the greatest dollar amounts in independent expenditures:

Committee	For	Against	Total
American Medical PAC	\$42,359	\$ 0	\$42,359
National Conservative PAC	616	9,729	10,345
5th District Political Research Committee	0	6,675	6,675
Plaquemines Campaign Fund - Faucheux	6,076	0	6,076

NRA Political Victory Fund	0	4,825	4,825
Brown Committee for Marvin Leath	4,454	0	4,454
Minnesota Gun Owners' Political Victory Fund	0	4,072	4,072
Cook County Concerned Citizens	0	1,693	1,693
Conservative Caucus 2nd CD of South Dakota	1,505	0	1,505
Our United Republic PAC	1,178	0	1,178

Copies of all financial studies are available in the Office of Public Records by calling 523-4181 or toll-free (800)424-9530.

STAFF

JOB OPENINGS FOR ACCOUNTANT/AUDITORS

The Federal Election Commission is seeking job applicants for financial audit work. A Bachelor of Science degree in accounting is required, with one to three years' experience. Approximately 40 percent of the employee's time would be spent in traveling. Salary range is \$13,014 to \$19,263. Interested individuals should call the Commission at (202) 523-4155.

MANAGEMENT PLAN APPROVED FOR FY 1979

On October 26, 1978, the Commission approved the management plan for FY 1979. Under the plan, the Commission authorized programs costing \$8 million, the amount appropriated by Congress. This figure represents \$623,128 less than the budget the Commission requested in September 1977. The management plan envisions a permanent staff of 259 and 13 temporary personnel.

FEDERAL ELECTION COMMISSION
1325 K STREET, NW
WASHINGTON, DC 20463

OFFICIAL BUSINESS

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