



# THE FEDERAL ELECTION COMMISSION

# RECORD

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

Volume 4, Number 6

June 1978

## POLICY STATEMENTS

### VACATING PAST POLICY PRONOUNCEMENTS

On April 19, 1978 the Commission published in the *Federal Register* a notice announcing the Commission's decision to vacate certain policy pronouncements published between June 1975 and January 1977. The policy materials (including policy statements and interim guidelines, among others) had appeared in the *Federal Register* and the *Record* at various times during 1975-1977. They were used by the Commission as a means "of expressing the Commission's interpretation and intended application of selected provisions of the Act" before the Commission's regulations were prescribed on April 13, 1977. Because the policy materials were intended to be only interim pronouncements, in the notice they are vacated and declared to have "no continuing legal effect." Much of the subject matter of these policy materials was included in the regulations prescribed by the Commission. Any Advisory Opinion which contains an interpretation of the Act or Commission regulations which was originally set forth in a policy statement continues to be valid.

Advisory Opinions will continue to be summarized each month in the *Record* (see, OPINIONS). In addition, under the heading INFORMATION, the *Record* will summarize other new documents, such as notices clarifying reporting procedures or charts on party expenditure limits. [This differs from 800 LINE articles which, in response to questions frequently posed, summarize relevant sections of the Act and regulations.]

The following chart lists all policy pronouncements vacated by the Commission, together with the *Federal Register* notice number, publication date and citation. Also noted are pertinent Advisory Opinions (AO). IG = Interim Guideline. PS = Policy Statement.

Notice Number	Subject	Publication Date	Citation
1975-1	IG: Reports	6/2/75	40 FR 23831
1975-3	IG: Reports and Registration (Addendum)	6/16/75	40 FR 23831
1975-4	Advisory Opinion Request Procedure	6/24/75	40 FR 25440
1975-6	IG: Multicandidate Committee	6/26/75	40 FR 26991
1975-9	IG: Complaint Procedure	7/7/75	40 FR 28578
1975-19	PS: Pre-1975 Campaign Debts	8/5/75	40 FR 32952
1975-20	IG: Reporting Debts and Obligations	8/5/75	40 FR 32950
1975-22	IG: Records Maintained by Candidate for Matching Funds	8/11/75	40 FR 33817
1975-34	IG: New Hampshire Senate Election	9/3/75	40 FR 40668
1975-36	IG: Disbursement Procedures for Public Financing	9/3/75	40 FR 40671
1975-40	IG: Presidential Primary Matching Funds -- Supplemental	9/9/75	40 FR 41933
1975-47	IG: Tennessee Special Election	9/22/75	40 FR 43660
1975-53	IG: October 10 Quarterly Report	9/29/75	40 FR 44708

*continued*

Notice Number	Subject	Publication Date	Citation
1975-58	IG: Presidential Primary Matching Funds	10/9/75	40 FR 47691
1975-91	IG: January 31 Annual Report of Receipts and Expenditures	12/17/75	40 FR 58617
1976-30	PS: Payment of Delegates' Travel and Subsistence During National Nominating Convention (See AO 1975-12 at 40 FR 55596)	6/16/76	41 FR 24513
Unpublished	Funding of Presidential Debates Sponsored by League of Women Voter,	(8/30/76)	None
1976-46	PS: Contributions to Political Committee Making Independent Expenditures on Behalf of Clearly Identified Candidate (See Commission's Response to AOR 1976-20)	10/6/76	41 FR 44130
1976-50	PS: Family Member Contribution Limits in Light of <u>Buckley v. Valeo</u> and 1976 Amendments to FECA (See AO 1976-26, 1976-74 and 1977-15)	10/6/76	41 FR 44131
1976-56	PS: Application of Calendar Year Limitation Provisions of FECA to 1976 Federal Election Activity	10/18/76	41 FR 45954
1976-57	Filing of FEC Form 7	10/18/76	41 FR 45957
1976-73	PS: Application of Contribution Limits to Contributions Made After General Election to Retire Debts Incurred with Respect to 1976 Election(s) (See Commission's Responses to AOR 1976-101, 1976-103. Also see AO 1977-11, 1977-24, 1977-29 and 1977-48)	1/12/77	42 FR 2624

## 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
1978-24	Preemption of State law.	4/14/78	1
1978-25	Definition of "election."	4/14/78	4
1978-26	Solicitation of stockholders by corporate PAC.	4/20/78	2
1978-27	Definition of "executive personnel."	4/25/78	3

### ADVISORY OPINIONS: SUMMARIES

Designated as AO's, Advisory Opinions discuss the application of the Act or Commission's 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. Anyone 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 1976-79: Solicitation of Corporate "Members"

Because the Articles of Incorporation of the National Right to Work Committee (NRWC), a nonprofit corporation, preclude it from having members, neither NRWC nor its separate segregated fund, the Employee Rights Campaign Committee (ERCC), may solicit contributions from individuals other than the administrative or executive personnel (and their families) of NRWC. Although ERCC stated that it believes "... it may solicit supporters of NRWC's goals as 'members' . . .," the Commission determined that the fact that NRWC has no members "... is dispositive of the issue raised." (Length: 3 pages)

*The RECORD is published by the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463. Commissioners are: Thomas E. Harris, Chairman; Joan D. Aikens, Vice-Chairman; William L. Springer; Neil Staebler; Vernon W. Thomson; Robert O. Tiernan; 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.*

### AO 1977-37: Contribution Collection Systems

The National Education Association Political Action Committee (NEAPAC) may not use two proposed systems as alternatives to the collection of political funds through the reverse check-off procedure. The reverse check-off procedure is a collection system which requires an individual to make a payment to a political fund in addition to his/her union dues or fees. If the individual does not wish to contribute to the political fund, he/she must submit a written request for a refund.

System I proposed cash options which would not require that a political contribution be included with the dues payment if the individual paid his/her dues in cash. In some local affiliates, the cash option would require that the individual pay his/her dues in a lump sum (annual cash payment option). In other locals, an individual could pay his/her dues in installments. The number of installments would vary from State-to-State, but would in no case be less than three (installment cash payment option).

If an individual utilizes the cash payment options to avoid the reverse check-off procedure, he/she would lose the convenience of paying his/her dues through payroll deduction. Additionally, the annual cash payment option is not permissible in that a lump sum payment would be financially burdensome and would not provide an acceptable alternative to the use of the reverse check-off procedure itself. A four-vote majority of the Commission did not express an opinion as to the specific use of the installment cash payment option.

System II (premembership reimbursement option) required the deduction of political funds from the paychecks of all individuals who authorized payroll deduction. However, upon a written submission, NEA would return the political funds at or before the beginning of the membership year (usually September 1), rather than after that time as under the reverse check-off procedure.

The premembership reimbursement option merely alters the timing of the reimbursement and does not relieve the unlawful aspects of the reverse check-off procedure. Chairman Thomas Harris issued an opinion dissenting from the majority's conclusions on the premembership reimbursement system.

Neither System I nor System II adequately deals with the prohibition against soliciting nonmembers of the union, specifically agency fee payers. Thus, the proposed systems could not be utilized in any manner to solicit contributions from any person other than members of NEA or their families. 2 U.S.C. §441b(b)(4)(A)(ii). (Length, including dissenting opinion, 10 pages)

### AO 1978-7: Contribution From an Estate

The Jim Guy Tucker for Senate Campaign Committee must report the portion of a partnership contribution allocable

to two decedents' estates as "... contributions from the living beneficiaries of those estates according to their interest in the estate under relevant testamentary and trust instruments." The contributions may be allocated in this manner only if such beneficiaries can make a "knowing and voluntary decision to contribute" and the contribution is otherwise legal under the Act. In the alternative, the contribution may be allocated by the partnership among only the living partners in accordance with the Commission's regulations at 11 CFR 110.1(e). (Length: 3 pages)

### AO 1978-12: Multicandidate Committee

Friends of Congressman Henry A. Waxman (the Committee), a political committee, may operate as a multicandidate committee for purposes of the contribution limits, provided:

- The Committee qualifies as a multicandidate committee under the Act (2 U.S.C. §441a(a)(4)); and
- Congressman Waxman does not authorize the Committee in writing to solicit or receive contributions on his behalf.

Even though Congressman Waxman will assist in fundraising efforts for the Committee and will participate in the selection of candidates to receive contributions, if the two conditions above are met, the Committee "... will not be considered one of [Congressman Waxman's] authorized committees, and contributors to the Committee will not be regarded as making contributions with respect to Congressman Waxman's 1978 House campaign." Once qualified as a multicandidate committee, the Committee may make contributions up to \$5,000 per candidate, per election. (Length: 3 pages)

### AO 1978-15: Candidate Participation in Charity Drive

Vic Fazio, a candidate for the U.S. House of Representatives, may participate as Honorary Chairman in a fundraising campaign for the Sacramento unit of the American Cancer Society. The costs of the publicity and brochures used in connection with the drive would not be considered a contribution to or an expenditure on behalf of Mr. Fazio's candidacy because the major purpose of the drive is not to influence the nomination or election of a candidate to Federal office and, additionally, because:

- Mr. Fazio agreed to participate as chairman before he became a candidate for Federal office;
- Mr. Fazio "... presumably will not control or have any role in deciding the distribution to be made of brochures and letters bearing his picture and name";
- The brochures and letters will not contain any reference to Mr. Fazio's candidacy for Federal office.

Commission approval of the opinion was also conditioned on an assumption that all other activities in connection with the drive will not involve solicitation or acceptance of

*continued*

contributions in connection with Mr. Fazio's campaign or communications expressly advocating his election (or the defeat of any other candidate). (Length: 3 pages)

#### **AO 1978-16: Payroll Deduction Program**

The Whirlpool Corporation's political action committee (WPAC) may use an open-ended payroll deduction program for its executive and administrative personnel to make contributions to WPAC. The employee's signed authorization will not, in itself, be considered a contribution because:

1. The authorization may be terminated at any time; and
2. No certain total amount may be identified.

The authorization does not constitute a contract, promise or agreement (2 U.S.C. §431(e)(2); 11 CFR 100.4(a)(3)). Thus, it is not reported as a debt owed to WPAC. WPAC must, however, disclose (on FEC Form 3) each contribution made when the payroll deduction is actually made and the proceeds are remitted to WPAC. Contributions from one donor aggregating in excess of \$100 during a calendar year must be itemized.

The Commission noted, however, that authorization of a payroll deduction to a committee would constitute a contribution if the executive or administrative employee making the authorization "... specified ... that it would be effective over a definite period of time ... ." The committee's obligation to itemize such a contribution on its report would arise from the authorization itself if the total amount of the promised contribution (by itself or when aggregated with other contributions by the same donor) exceeded \$100 during a calendar year. (Length: 3 pages)

#### **AO 1978-17: Solicitations by Trade Association**

The National Cable Television Association (NCTA) may conduct solicitations for its separate segregated fund (CABLEPAC) on the exhibit floor at its annual convention provided certain conditions are met. NCTA may set up a booth for the purpose of selling T-shirts, caps and buttons to raise funds for CABLEPAC provided that:

- Only persons who may be properly solicited by NCTA under the Act and Commission's regulations (2 U.S.C. §441b, 11 CFR 114.8) will purchase the items in the booth, thus making a contribution to CABLEPAC;
- Existence of the booth will not be publicized prior to or during the convention;
- Signs will be posted on the booth itself to inform potential contributors of the restrictions on who may contribute;

- Funds from persons who are employed by nonmember corporations of NCTA or by member corporations who have not given the requisite approval will not be accepted;
- CABLEPAC maintains records of each purchase including the amount and type of purchase and the company affiliation of each purchaser.

At the same convention, NCTA may orally seek to obtain permission for solicitations from member corporations who have not given such permission, provided "... the actual request for approval is made in writing" in accordance with the Commission's regulations at 11 CFR 114.8(d)(3). Approval to conduct solicitations must also be made in writing before such solicitations may be made. (Length: 5 pages)

#### **AO 1978-18: Distribution of Publication to Members of Congress**

The Chamber of Commerce may distribute a single copy of its publication "How They Voted" to each Member of Congress. Because the publication will be distributed to all Members, without regard to their status as a candidate for Federal office, and because the limited distribution shows "... no evident purpose to influence Federal elections...", the costs of the publication will not constitute a prohibited use of corporate treasury funds (2 U.S.C. §441b). The distribution of the publication to other nonmembers of the Chamber, however, would constitute an unlawful use of corporate funds since the publication was financed from the treasury funds of the Chamber.

Vice Chairman Joan D. Aikens filed a dissenting opinion. (Length, including the dissenting opinion, 9 pages)

#### **AO 1978-19: Contributions to Two Committees for the Same Candidate**

Congressman Donald Fraser may regard contributions to the Minnesota Fraser Committee (Senate 1) as separate and distinct from contributions made to the Fraser Senate Committee (Senate 2). The Senate 1 committee supported the Congressman's campaign for the U.S. Senate for the term ending in 1984, while the Senate 2 committee is currently supporting the Congressman's campaign for the U.S. Senate for the term ending in 1982. The election for both the 1982 and 1984 Senate seats will be held in November 1978.

Because the Senate 1 committee is now terminated and because its efforts were for a separate Federal office, contributions to it "need not be aggregated with those made to the 'new' Senate 2 committee. . . ." Contributions to the two committees would have to be aggregated only if contributions made to the Senate 1 committee were transferred, directly or indirectly, to the Senate 2 committee under 2 U.S.C. §441a(a)(5)(C). Such contributions transferred from the Senate 1 committee would have to be attributed to the original donors, and aggregated for purposes of determining the \$100 disclosure threshold and for contribution limitation purposes. (Length: 3 pages)

## ADVISORY OPINION REQUESTS WITHDRAWN

Since January 1, 1978, the following Advisory Opinion Requests (AOR's) have been withdrawn from Commission consideration by the requestor:

AOR	Subject	Date Withdrawn
1977-28	Establishment and activities of political committee.	1/4/78
1977-33	Payment of interest on personal loan by candidate.	1/4/78
1977-34	Acceptance of earmarked contributions by corporate PAC.	3/24/78
1977-55	Payment of candidate expenses by party committee.	1/26/78

Beginning with this issue, the **Record** will periodically list those AOR's withdrawn or disposed of in a manner other than the issuance of an Advisory Opinion.

## 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. Prior to publishing names of nonfilers, the Commission sends notices to the candidates and committees reminding them of their reporting obligations and urging compliance.

In an election year, candidates and committees must file reports quarterly (April 10, July 10, October 10), pre- and post-election (primary and general) and, in most cases, at the year's end (January 31). (Under certain circumstances, quarterly reports may be waived.) Political committees which make contributions or expenditures in more than one State may, upon request to and approval by the Commission, file monthly reports by the 20th of the month. These monthly reports must be filed each month regardless of the level of activity by the committee, except for the months of November, December and January. In lieu of these monthly reports, the committee files pre- and post-general election reports and a year-end report.

Under Commission procedures, at least two notices are sent to candidates and committees who fail to file required reports. If a candidate or committee does not file the required report(s) following receipt of these notices, the name of that "nonfiler" is made public. In addition to publishing the names of nonfilers, the Commission has the authority to take further enforcement action under the

statute, including civil court enforcement and imposition of civil fines. The following list summarizes Commission publication of nonfilers in recent weeks:

Publication Date	Report Not Filed	Number of Nonfilers
4/10/78	February (Monthly)	2
4/29/78	North Carolina (Pre-primary)	6
4/29/78	Indiana (Pre-primary)	12
5/4/78	March (Monthly)	1
5/4/78	Texas (Pre-primary)	5
5/6/78	Nebraska (Pre-primary)	1
5/6/78	West Virginia (Pre-primary)	1

## AUDITS

### FEC AUDIT POLICY

On April 6, 1978, the Commission approved a new audit policy establishing priorities for audits to be conducted during the remainder of Fiscal Year 1978 (after May 1, 1978) and during Fiscal Year 1979. For a summary of the FEC's previous audit policy and priorities, see the **Record**, June 1977, p. 6 and September 1977, p. 6.

In the report approved on April 6, first priority will be given to referral audits approved by the Commission. These include candidates and committees, referred by the Reports Analysis Division or the Office of General Counsel, whose reports and statements indicate a need for assistance in improving reporting or recordkeeping systems.

A second priority will be placed on national and State party committees. The Commission will audit three major party national committees, 13 affiliates of the national party committees, nine national party congressional campaign committees, and approximately 60 State party committees.

As a third priority, the Commission will audit non-party and local party committees as follows:

- All committees which received or expended \$500,000 or more in calendar year 1976 or 1977;

*continued*

- Fifty percent of the committees which received or expended between \$250,000 and \$499,999 in calendar year 1976 or 1977;
- Twenty committees which received or expended less than \$250,000 in calendar year 1976 or 1977;
- Approximately 25 committees consisting of 1) committees, not included above, which received or expended in excess of \$250,000 during 1978, and 2) any committees in any of the above categories which request an audit.

### AUDITS RELEASED TO THE PUBLIC

The Federal Election Campaign Act requires the Commission "... to make from time to time audits and field investigations with respect to reports and statements filed under the [Act]." (For the audit policy used to determine these audits, see the Record, June 1977, p. 6 and September 1977, p. 6.) The Commission is also required to conduct audits of all campaigns of Presidential candidates who received public funds. Once an audit is completed and an audit report is approved by the Commission, the report is made public and is available in the Office of Public Records or the Press Office at the Commission. Beginning with this issue, the Record will list completed audits, together with the release date. The following is a list of all audits released as of January 1978, in chronological order. (Notations in parenthesis indicate Congressional candidate's State and district.)

Audit	Date Made Public
1. United Federation Teachers Committee on Political Education	10/5/76
2. Voice of Teachers for Education Committee on Political Education	10/5/76
3. The Sanford for President Committee	10/14/76
4. United Steelworkers of America Political Action Fund	10/28/76
5. United Technologies Corporation Political Action Committee	3/24/77
6. Trust for Special Political Agricultural Community Education	7/12/77
7. Church for President Committee, Inc.	7/18/77
8. The Pro-Life Action Committee -- McCormack	8/24/77
9. The Bentsen in '76 Committee	8/29/77
10. Brown for President Committee	9/28/77
11. Democratic Congressional Campaign Committee	12/12/77

Audit	Date Made Public
12. Democratic National Congressional Committee	12/12/77
13. Jamie Whitten/Committee to Re-Elect Jamie Whitten (MS/01)	12/13/77
14. Richardson Preyer/Preyer for Congress Committee (NC/06)	12/14/77
15. Citizens Committee for the Democratic National Convention, Inc.	12/20/77
16. 1976 Democratic National Convention Committee, Inc.	12/20/77
17. Dave Obey/Citizens for Dave Obey (WS/07)	1/5/78
18. Frank Savino/Savino for Congress (WS/07)	1/5/78
19. Ray Roberts/Ray Roberts Campaign Committee (TX/04)	1/19/78
20. Frank Glenn/Glenn for Congress Committee (TX/04)	1/19/78
21. Jack Brooks/Jack Brooks Campaign Committee (TX/09)	1/19/78
22. Henry M. Jackson/The Jackson for President Committee	1/25/78

### 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.

6/13 American Law Institute -- American Bar Association  
 Committee on Continuing Professional Education  
 Chicago, Illinois  
 Jan Baran, Executive Assistant to  
 Commissioner Joan Aikens

## STATISTICS

### REPORTS ON FINANCIAL ACTIVITY OF PARTY AND NON-PARTY POLITICAL COMMITTEES

On April 9, 1978, the FEC released its latest study of campaign finance activity of political committees during 1977-1978. The study is an update of studies released earlier this year. (See the *Record*, March 1978, p. 8 and April 1978, p. 6.) Volume I contains information on the following:

- Individual national and congressional political committees (Democratic and Republican);
- State and local Democratic and Republican committees by State totals; and
- Non-party political committees by six categories (corporation, labor organization, etc.).

Volume II presents figures for each individual State and local major party political committee, while Volume III presents figures for each non-party committee. This study is based on reports filed by the committees and contains figures covering the following reporting periods:

- January 1, 1977, through February 28, 1978, for committees filing monthly; or
- January 1, 1977, through December 31, 1977, for committees filing quarterly.

Information for the non-party political committees includes the number of committees, adjusted receipts, adjusted disbursements, contributions to Federal candidates, latest cash-on-hand, and debts owed by and to the committee. Figures showed that the 1,492 non-party committees raised a total of \$33.2 million and spent \$21.3 million, including \$3.9 million in contributions to Federal candidates. Cash-on-hand at the end of the period covered was approximately \$23 million.

The figures for the 35 national and congressional party committees and the 563 State and local committees included the same information as that for the non-party committees. The party committees raised \$47.2 million, spent \$43.8 million (including \$.95 million in contributions to Federal candidates) and showed cash-on-hand of approximately \$12 million.

The study also includes breakdowns of contributions by category of candidate (Presidential, House, Senate), by candidate's party and by incumbent/nonincumbent status. To request copies of the study, contact the Office of Public Records: 202/523-4181 or toll-free 800/424-9530.

Purchase price, payable in advance: Volume I, Summary Tables, \$15.00; Volume II, State and Local Party Detailed Tables, \$30.00; Volume III, Non-Party Detailed Tables, \$60.00.

### UPDATE OF MULTICANDIDATE COMMITTEE INDEX

The Commission publishes each month an update to the *Multicandidate Committee Index*. For a summary of the contents of the Index, see the *Record*, February 1978, p. 4. The update is available on the last day of each month. Copies of the Index, the current update or any past updates are available through the Office of Public Records -- telephone 202/523-4181 or toll-free 800/424-9530. The purchase price is 10 cents per page, payable in advance.

## THE LAW IN THE COURTS

### NATIONAL CONSERVATIVE POLITICAL ACTION COMMITTEE, et al., v. FEDERAL ELECTION COMMISSION, et al.

On February 15, 1978, the National Conservative Political Action Committee (NCPAC) filed suit against the Federal Election Commission challenging the legality of the Commission's regulation (11 CFR 110.1(g)(1)) and the Commission's Advisory Opinion 1978-1 which provide that the contribution limitations (2 U.S.C. §441a) do not apply to pre-1975 campaign debts. In the case of AO 1978-1, the Commission allowed the Democratic National Committee to retire pre-1975 debts without regard to the contribution limitations.

On April 28, 1978, the Court granted the Commission's motion to dismiss with respect to AO 1978-1 and granted summary judgment with respect to 11 CFR 110.1(g)(1). The Court cited the following reasons:

- The Court lacks jurisdiction with respect to the activities of the DNC because NCPAC did not use the statutorily established compliance procedures (2 U.S.C. §437g) prior to filing suit in District Court.
- AO 1978-1 and its effect on NCPAC does not present an issue "ripe for review" by the Court.
- Nothing in the Act or legislative history of the Act provides for the extension of the contribution limits to pre-1975 election debts.
- The regulation does not "deny equal protection of the laws to persons and entities subject to the contribution limitations. . . ."
- The regulations were promulgated in accordance with the Administrative Procedures Act.

## 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.

**FEC v. Ronald Wayne Evans**, U.S. District Court for the Eastern District of Michigan, Docket No. 78-10034, February 16, 1978.

The Commission alleges that Ronald Wayne Evans failed to file required reports of receipts and expenditures in connection with the 1976 election.

**FEC v. Milton Weinsten, et al.**, U.S. District Court for the Southern District of New York, Docket No. 78CIV 932, March 2, 1978.

The Commission alleges that Milton Weinsten and the Winfield Manufacturing Company made illegal contributions in connection with Federal elections.

## FEDERAL REGISTER NOTICES

The following list identifies all FEC documents appearing in the **Federal Register** between April 13, 1978 and May 15, 1978.

Notice	Title	Federal Register Publication Date	Citation
1978-4	Vacating Past Commission Policy Pronouncements	4/19/78	43 FR 16547

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

OFFICIAL BUSINESS

## PUBLICATIONS

### CASSETTE VERSION OF CAMPAIGN GUIDE

The FEC recently acquired an audio cassette version of the **Campaign Guide for Congressional Candidates and Their Committees**. For further information, contact the Office of Public Communications -- telephone 202/523-4068 or toll-free 800/424-9530.

## REPORTS

### NEW FEC FORM 5

On April 6, 1978, the Commission approved a revised FEC Form 5 (Report of Independent Expenditures or Contributions by Persons). This form must be filed by any individual or person, other than a political committee, who:

1. Makes an independent expenditure in an aggregate amount in excess of \$100 during a calendar year; or
2. Makes a contribution in an aggregate amount in excess of \$100 to another person (other than a political committee) for the purpose of making an independent expenditure.

The form must be signed by the person filing the report and **must be notarized**. The newly revised form is designated in the upper left-hand corner as: **FEC Form 5, March 1978**. Requests for copies of the form or questions about it should be addressed to the Office of Public Communications -- telephone 202/523-4068 or toll-free 800/424-9530.

POSTAGE AND FEES PAID

