

# FEDERAL ELECTION COMMISSION



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## NEW YORK HOUSE CAMPAIGN FAILS TO FILE PRE-PRIMARY REPORT

WASHINGTON -- The Gary L. Nicholson for Congress Committee has failed to meet the August 28 deadline for filing 12-day pre-primary campaign disclosure reports.

Provisions of the Federal Election Campaign Act require that committees supporting candidates seeking U.S. House and Senate seats in the September 9 primary election in New York file a report of all financial activity 12 days prior to the election.

As of 5 p.m., September 5, the report from the Nicholson Committee had not been filed.

The report was to include financial activity occurring from July 1 through August 20. If sent certified or registered mail, the report should have been postmarked by August 25. Otherwise, the due date was August 28. The committee was twice notified of its filing obligation.

Some individuals and their committees have no obligation to file reports under federal election law, even though their names may appear on state primary ballots. If an individual and his or her campaign committee raise or spend less than \$5,000, the individual is not considered a "candidate" and neither the individual nor the committee has to register.

The Commission notified the committees of all candidates participating in the runoff election of their potential filing requirements on June 30. Those committees which did not file on the due date were notified that their reports had not been received and that their names would be published for failure to file if they did not respond within 4 business days.

The Commission publishes only the names of those committees which have been designated by candidates as their principal campaign committees. Under Amendments to the Federal Election Campaign Act, effective January 8, 1980, candidates no longer are required to file personal reports of receipts and expenditures. All such information is reported by authorized committees of the candidates.

Other political committees supporting House and Senate candidates in elections (those which are not authorized units of a candidate's campaign) also are required to file pre-primary and pre-runoff reports unless they report monthly. Those committee names are not published by the FEC.

Further Commission action against non-filers and late filers will be decided on a case-by-case basis, depending on the amount of financial activity involved, the percent of vote received and/or the lateness of the report. The election law gives the Commission broad authority to initiate enforcement actions, including civil court enforcement and the imposition of civil penalties (\$5,000 for "any violation" and \$10,000 for any "knowing and willfull" violation) for infractions of the law, including failure to file required disclosure reports.

The next report due for New York candidates will be the third quarter report-- on October 15. The report will cover activity from August 21 through September 30, 1980.