

FEDERAL ELECTION COMMISSION



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FEC SEEKS COMMENTS ON PROPOSED RULE TO REVISE "BEST EFFORT" PROVISION OF RECORDKEEPING AND REPORTING

WASHINGTON -- The Federal Election Commission is seeking public comments on a proposed rule revising regulations governing "best efforts" committee treasurers must exercise in reporting complete contributor identifications.

Proposals the FEC is seeking comment on include:

- requiring committees to request information and provide proper notice to contributors that reporting the information is required by law.
- requiring treasurers, who may not have complete contributor identifications, to report what is available, and to later file amended reports when additional information is obtained.
- requiring committees to report contributor information, which has not been provided by the contributor, but which is known to the treasurer or other committee agents.
- requiring treasurers to make at least one effort after the contribution is received to obtain missing information from the contributor.

(The specific proposals were published in the September 24, 1992, Federal Register.)

Under current regulations, the "best efforts" regulation is satisfied when the treasurer makes at least one written or oral request for the information per solicitation.

Experience has demonstrated to the FEC that numerous disclosure reports lack complete contributor identification and case studies have shown that many committees' requests are inadequate because they are either too small to be read or otherwise fail to convey to contributors the importance of reporting the required information.

All presidential campaigns who received public funds were notified in July of what type of notice to contributors would satisfy the "best efforts" standard, and directed the committees to go back to contributors for missing information if original notices did not meet that standard.

By law, all committee treasurers must disclose details concerning any contributor who has given more than \$200 aggregate in a calendar year. In addition to the date and amount of a contribution, treasurers must report contributor name, mailing address, occupation and employer.

Written comments, which must be received by December 18, 1992, should be sent to Susan E. Propper, Assistant General Counsel, 999 E Street, N.W., Washington, D.C. 20463.

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