

# FEDERAL ELECTION COMMISSION



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## FEC OUTLINES "BEST EFFORTS" FOR DISCLOSURE

WASHINGTON -- In response to a growing concern that federal political committees were not providing sufficient information about their contributors, the Federal Election Commission recently revised its regulations to encourage the disclosure of complete and accurate contributor information. The changes became effective March 3.

Dubbed the "best efforts" rule, the new FEC regulations specify that all solicitations must contain the following statement:

"Federal law requires political committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year."

The FEC is now requiring such wording because surveys showed that less specific language netted fewer responses. The FEC is also requiring that the statement be clearly and conspicuously placed on all solicitations for funds. Only by doing so may committees avail themselves of the "best efforts" defense.

Whenever contributor information is lacking, a written or oral follow-up request for the information must be made within 30 days of receiving the contribution. To ensure that such follow-up requests are not overlooked, they may not include material on other subjects (other than thanking the contributor for the previous contribution) or contain additional solicitations. Amendments must be filed containing any additional contributor information received by the committee.

The FEC began the process of revising its regulations by publishing a Notice of Proposed Rulemaking on September 24, 1992. After receiving comments and holding a public hearing on March 31, 1993, the agency conducted a random anonymous survey of various types of committees to ascertain what methods they used to obtain the required information and the cost effectiveness of such methods.

The Commission's concerns were three-fold: how should such information be requested, where should the request be located on solicitations, and what steps should committee treasurers be required to take if such information was not received.

The FEC gave serious consideration to competing concerns of the privacy interests of contributors and perceived intrusiveness versus the high priority under election law for the public interest in disclosure of complete and accurate information. The agency also made every effort to ensure that the costs of complying with the new rules would be reasonable and that committees would be given as much flexibility as possible in utilizing efforts they found to be the most efficient and effective.

The new rules establish procedures that many committees already follow voluntarily.

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