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COMMUNICATIONS SECTION




FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463


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May 5, 2000

Memorandum

To: The Commission

From: James A. Pehrkon   
Staff Director

Alison L. Doone   
Deputy Staff Director

Subject: Administrative Fine Program: Public Outreach

**SUBMITTED LATE  
AGENDA ITEM**  
For Meeting of: 5-11-00

The purpose of this memorandum is to update the Commission on the plans to inform all committees that they may be subject to enforcement action through the administrative fine program.

Notice to All Filers

Our plan for informing committees about the administrative fine program has changed from the plan outlined in the memorandum sent to the Commission on April 7, 2000. Given that the earliest date the Commission would approve the administrative fine program is May 9 and given the planned implementation date of July 15, the fastest and most efficient way to inform committees about the program will be to send a special notice to all filers. The Information Division will prepare and send the notice that will state that Congress amended 2 U.S.C. 437g(a)(4) and (6)(A) to authorize the Commission to impose an administrative fine on late and non-filers pursuant to a fine schedule and that the Commission will implement the new program with the reports due on July 15, 2000. The Information Division also will inform all committees of the administrative fine program through Prior Notices, beginning with the notice sent for the July 15 filing date. In addition, the Information Division will enclose a sheet informing committees of the administrative fine program with all notices and information sent to committees, including registration packets to newly registered committees, forms packets, and campaign guides.

As described in the administrative fine program memorandum sent to the Commission on April 7, beginning with the non-filer mailgrams sent for the 2000 April Quarterly Report, we had planned to inform committees that Congress amended 2 U.S.C.

437g(a)(4) and (6)(A) to authorize the Commission to impose an administrative fine on late and non-filers pursuant to a fine schedule and that the Commission is in the process of developing a new program to implement the amendment. Also beginning with the April Quarterly Report, RAD had planned to send notices by mailgram to all committees that file a report late and were not sent a non-filer mailgram for that report.

### Public Outreach

As stated in the April 7 memorandum, it is important to inform all committees that they may be subject to enforcement action through the administrative fine program. The May 2000 *Record* includes an article that discusses the Notice of Proposed Rulemaking regarding the administrative fine program.

After the Commission approves the implementation of the administrative fine program and the final regulations, the Press Office will issue a press release, and Data will add an announcement of the program in the What's New section of the home page on [www.fec.gov](http://www.fec.gov).

The Information Division will draft a letter for Commission approval to be sent to the Democratic National Committee, the Democratic Senatorial Campaign Committee, the Democratic Congressional Campaign Committee, the Republican National Committee, the National Republican Senatorial Committee, and the National Republican Congressional Committee that requests that the committees inform their federal candidates and registered party committees of the new administrative fine program through their newsletter(s) and their Web sites with a link to our Web site. The Information Division also will prepare another article about the program for the July *Record* that will be published in the first week of July.

When the program is implemented in July, an interactive calculator that calculates the amount of a fine based on the variables in the formula (e.g., number of days late, amount on the report, and election sensitivity) will be added to the Web site.