



# Candidate 101: Basics for Campaign Treasurers & Staff

November 18, 2015  
1:00 – 2:30 p.m.

## Objectives

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- ▣ **Explain basic rules regarding candidacy and registration**
- ▣ Review contribution limits and prohibitions
- ▣ Outline reporting requirements
- ▣ Identify ways to receive compliance help from the FEC

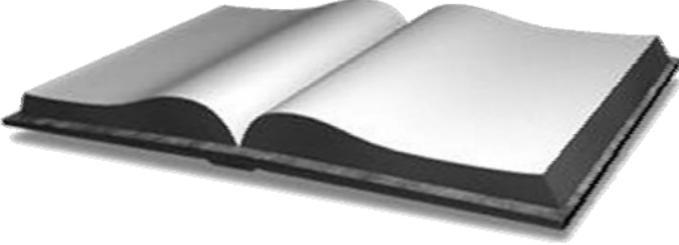
## Basic Provisions of Candidacy and Registration

### Campaign Finance Laws

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#### Contributions & Expenditures:

Funds raised and spent for the purpose of influencing a federal election



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### I. Federal Campaign Finance Law Basics

The federal law administered by the FEC defines candidacy in terms of finances.

#### A. Contribution & Expenditure

1. Contribution: anything of value given, loaned or advanced to influence a federal election.
2. Expenditure: purchase, payment, distribution, advance, deposit or gift of money influencing a federal election.

#### B. Timing of Registration

Based upon financial activity, not determined by a particular date on the calendar.

## Definition of Candidate

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### Raise or spend in excess of \$5,000:

- ▣ **FEC Form 2 (Statement of Candidacy)**
  - Filed by candidate within 15 days of reaching threshold
  
- ▣ **FEC Form 1 (Statement of Organization)**
  - Filed by campaign committee within 10 days of filing Form 2

- II. **Definition of Candidate** (*Campaign Guide for Congressional Candidates and Committees* (“Guide”), p. 5)
- A. **Individual who seeks nomination for election to federal office** (U.S. House, U.S. Senate or U.S. President).
  
  - B. **Registration threshold:** \$5,000 in contributions raised or expenditures made.

## Testing the Waters Exemption

Registration and reporting exemption  
for individuals who are exploring a  
potential candidacy, but have not  
decided whether to run

## Testing the Waters v. Campaigning

### Testing the Waters

- ☐ Polling, traveling, and phone calls, etc. to determine feasibility of candidacy
- ☐ Does not trigger registration and reporting
- ☐ Keep records



- C. **Testing the Waters v. Campaigning** (*Guide*, pp. 1-3)
1. **Testing the Waters**
    - a. Activity to determine the viability of candidacy.

- b. Records of all activity must be kept. If/when individual triggers registration as a candidate, he/she will be responsible to report all “Testing the Waters” activity on first report.

## Testing the Waters v. Campaigning

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### Campaigning

- ▣ Activities that indicate you have decided to run for office (i.e., making statements referring to self as candidate, taking action to qualify for ballot)
- ▣ Triggers registration and reporting

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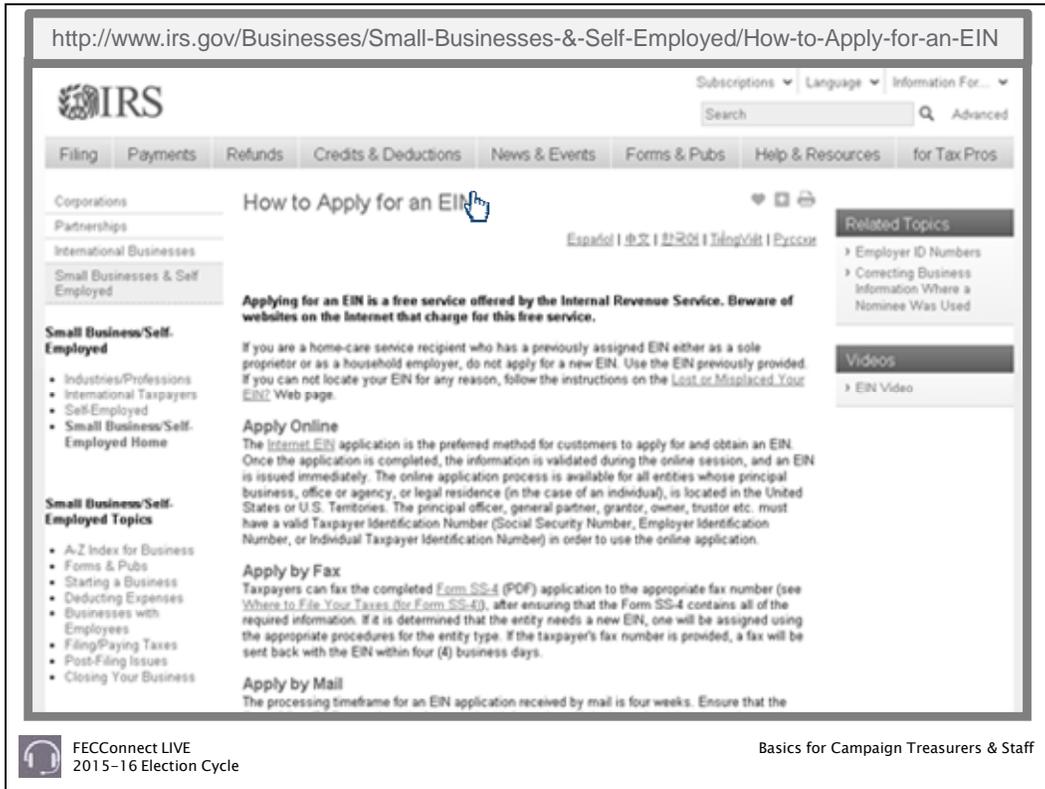
## 2. Campaigning

Certain activities indicate that the individual is campaigning and not merely “Testing the Waters.” For example, if an individual is:

- a. Making or authorizing statements referring to himself/herself as a candidate;
- b. Using general public political advertising to advertise intention to campaign; or
- c. Taking action to qualify for the ballot.

## First Steps

1. Call FEC Information Division  
(800) 424-9530 (press 6)
2. Visit IRS website to get Tax ID number (“EIN”)
3. Open a separate bank account



The screenshot shows the IRS website page for applying for an EIN. The URL is <http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/How-to-Apply-for-an-EIN>. The page features the IRS logo, a search bar, and navigation tabs for Filing, Payments, Refunds, Credits & Deductions, News & Events, Forms & Pubs, Help & Resources, and for Tax Pros. The main content area is titled "How to Apply for an EIN" and includes a warning about free services, instructions for applying online, by fax, and by mail. A sidebar on the left lists various business categories, and a sidebar on the right lists related topics and videos.

http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/How-to-Apply-for-an-EIN

IRS

Subscriptions Language Information For... Search Advanced

Filing Payments Refunds Credits & Deductions News & Events Forms & Pubs Help & Resources for Tax Pros

Corporations Partnerships International Businesses Small Businesses & Self Employed

### How to Apply for an EIN

Español | 中文 | 繁體中文 | Tiếng Việt | Português

**Applying for an EIN is a free service offered by the Internal Revenue Service. Beware of websites on the Internet that charge for this free service.**

If you are a home-care service recipient who has a previously assigned EIN either as a sole proprietor or as a household employer, do not apply for a new EIN. Use the EIN previously provided. If you can not locate your EIN for any reason, follow the instructions on the [Lost or Misplaced Your EIN?](#) Web page.

**Apply Online**  
The [Internet EIN](#) application is the preferred method for customers to apply for and obtain an EIN. Once the application is completed, the information is validated during the online session, and an EIN is issued immediately. The online application process is available for all entities whose principal business, office or agency, or legal residence (in the case of an individual), is located in the United States or U.S. Territories. The principal officer, general partner, grantor, owner, trustee etc. must have a valid Taxpayer Identification Number (Social Security Number, Employer Identification Number, or Individual Taxpayer Identification Number) in order to use the online application.

**Apply by Fax**  
Taxpayers can fax the completed [Form SS-4](#) (PDF) application to the appropriate fax number (see [Where to File Your Taxes \(or Form SS-4\)](#)), after ensuring that the Form SS-4 contains all of the required information. If it is determined that the entity needs a new EIN, one will be assigned using the appropriate procedures for the entity type. If the taxpayer's fax number is provided, a fax will be sent back with the EIN within four (4) business days.

**Apply by Mail**  
The processing timeframe for an EIN application received by mail is four weeks. Ensure that the

**Small Business/Self-Employed**

- Industries/Professions
- International Taxpayers
- Self-Employed
- Small Business/Self-Employed Home

**Small Business/Self-Employed Topics**

- A-Z Index for Business
- Forms & Pubs
- Starting a Business
- Deducting Expenses
- Businesses with Employees
- Filing/Paying Taxes
- Post-Filing Issues
- Closing Your Business

**Related Topics**

- Employer ID Numbers
- Correcting Business Information Where a Nominee Was Used

**Videos**

- EIN Video

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<http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>

The screenshot shows the IRS website page for applying for an Employer Identification Number (EIN) online. The page is titled "Apply for an Employer Identification Number (EIN) Online" and includes a search bar, navigation tabs, and a three-step process. The steps are: 1. Determine Your Eligibility, 2. Understand the Online Application, and 3. Submit Your Application. The page also includes a "Hours of operation" box and a "Related Topics" sidebar.

**Hours of operation:** Monday through Friday 7:00 a.m. to 10:00 p.m. Eastern Time

- 1 Determine Your Eligibility...**
  - You may apply for an EIN online if your principal business is located in the United States or U.S. Territories.
  - The person applying online must have a valid Taxpayer Identification
- 2 Understand the Online Application...**
  - You must complete this application in one session, as you will not be able to save and return at a later time.
  - Your session will expire after 15 minutes of inactivity, and you will need to start over.
- 3 Submit Your Application...**
  - After all validations are done you will get your EIN immediately upon completion. You can then download, save, and print your EIN confirmation notice.

[Apply Online Now](#)

**Small Business Self-Employed Topics**

- A-Z Index for Business
- Forms & Pubs
- Starting a Business
- Deducting Expenses
- Businesses with Employees
- Filing/Paying Taxes
- Post-Filing Issues
- Closing Your Business

**Small Business Self-Employed**

- Industries/Professions
- International Taxpayers
- Self-Employed
- Small Business Self-Employed Home

**Related Topics**

- Privacy Act Statement and Paperwork Reduction Act Notice
- Online EIN Frequently Asked Questions
- System Requirements
- State and Federal Online Business Registration
- Employer ID Numbers

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<http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>

## Bank Accounts & Investments

- ❑ Every political committee must have checking account
- ❑ Additional investments accounts are permitted
- ❑ All receipts and disbursements must pass through checking account



### III. Campaign Depository (*Guide*, pp. 2, 9)

#### A. Separate Bank Account

1. It is recommended that, from the beginning, an individual set up a separate account for the deposit of receipts and payment of expenses related to running for federal office.
2. If/when the individual becomes a candidate, a campaign account *must* be established to keep campaign funds separate from the individual's personal funds.

#### B. Required Accounts

1. Must have at least one (federal) checking account.
2. All contributions deposited into and expenditures made from depository.

#### C. Timing

Deposit contributions within 10 days of treasurer's receipt.

#### IV. Candidate Registration – FEC Form 2 (*Guide*, p. 8)

##### A. When to File

File within 15 days of crossing \$5,000 threshold.

## Statement of Candidacy

- ▶ Candidate's Name and Address
- ▶ Identification Number
- ▶ New or Amended
- ▶ Party Affiliation
- ▶ Office Sought
- ▶ State and District

FEC FORM 2 STATEMENT OF CANDIDACY		
1. (a) Name of Candidate (in full)		
(b) Address (number and street) <input type="checkbox"/> Check if address changed		2. Identification Number
(c) City, State, and ZIP Code		3. Is This Statement <input checked="" type="checkbox"/> New (N) OR <input type="checkbox"/> Amended (A)
4. Party Affiliation	5. Office Sought	6. State & District of Candidate



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##### B. Required Information:

1. Candidate Name and Address
2. FEC Identification Number
3. Is this Statement New or Amended
4. Party Affiliation
5. Office Sought
6. State and District

## Statement of Candidacy

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**DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE**

7. I hereby designate the following named political committee as my Principal Campaign Committee for the \_\_\_\_\_ election(s).  
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (in full) \_\_\_\_\_

**REQUIRED**

(b) Address (number and street) \_\_\_\_\_

(c) City, State, and ZIP Code \_\_\_\_\_

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**DESIGNATION OF OTHER AUTHORIZED COMMITTEES**  
(including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full) \_\_\_\_\_

**OPTIONAL**

(b) Address (number and street) \_\_\_\_\_

(c) City, State, and ZIP Code \_\_\_\_\_

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**C. Additional notes on Required Information:**

- 1. Line 1: Candidate Address**  
Mailing address where FEC correspondence may be sent to candidate -- P.O. Box is OK.
- 2. Line 2: FEC ID #**  
If this is the first time filing the form, leave this BLANK.  
FEC ID# is assigned once FEC Form 2 is filed and processed.
- 3. Line 7: Designation of Principal Campaign Committee (PCC)**  
Registration of designated PCC will be done using FEC Form 1 (see next section below).
- 4. Line 8: Additional Authorized Committee**  
Not required. All authorized committees for the same candidate are generally treated as one committee so far as contribution limits are concerned.

**V. Committee Registration - FEC Form 1 (Guide, pp. 9-11)**

- A. When to File**  
File within 10 days of designating PCC on Form 2.

## Statement of Organization

The image shows a portion of the FEC Form 1, 'STATEMENT OF ORGANIZATION'. A red arrow points to the first line, '1. NAME OF COMMITTEE (in full)'. To the right of this line is a checkbox labeled '(Check if name is changed)' and a note: 'Example: if typing, type over the lines.' Below this line are several horizontal lines for text entry. To the right of these lines is a small box containing the alphanumeric string '12FE4M5'. Below the name line are sections for 'ADDRESS (number and street)', 'COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)', and 'COMMITTEE'S WEB PAGE ADDRESS (URL)'. Each of these sections has a checkbox for '(Check if address is changed)' and corresponding lines for text entry. The 'ADDRESS' section also includes fields for 'CITY', 'STATE', and 'ZIP CODE'.

## Statement of Organization

### ▼ Name of Committee

- Must include candidate's name
- Unauthorized committees cannot use candidate's name

### B. Additional Notes on Required Information:

#### 1. Line 1: Name of Committee

- a. Authorized committees must include candidate's name.

- b. Name must be identical to name the candidate provided on Statement of Candidacy.
- c. Use of committee's official name on:
  - 1) FEC reports and statements.
  - 2) Disclaimer notices for public advertising.

## Statement of Organization

FEC FORM 1	STATEMENT OF ORGANIZATION	Office Use Only
1. NAME OF COMMITTEE (in full) <input type="checkbox"/> (Check if name is changed) Example: If typing, type over the lines. 12FE4M5		
ADDRESS (number and street) <input type="checkbox"/> (Check if address is changed)		
CITY STATE ZIP CODE		
COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address) <input type="checkbox"/> (Check if address is changed)		
COMMITTEE'S WEB PAGE ADDRESS (URL) <input type="checkbox"/> (Check if address is changed)		

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## Statement of Organization

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### ▼ E-Mail Address:

- Required for E-Filers
- Necessary to receive report notices and other courtesy mailings from FEC

- d. Committee email and website address:
- 1) FEC uses email address on Form 1 for correspondence, including reporting reminders and other helpful compliance information.
  - 2) May disclose up to two email addresses.

## Statement of Organization

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### ▼ Website URL:

- Publicly identifies campaign's official website
- Helps avoid confusion with unauthorized websites

## Statement of Organization

The image shows a screenshot of the FEC Form 1, 'Statement of Organization'. Four red arrows point to the following sections of the form:

- Line 2:** DATE (MM / DD / YYYY)
- Line 3:** FEC IDENTIFICATION NUMBER (C To be assigned)
- Line 4:** IS THIS STATEMENT  NEW (N) OR  AMENDED (A)

Below these lines, the form includes a certification statement: "I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete." followed by fields for the Treasurer's name and signature, and a date field. A note at the bottom states: "NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS." The form footer includes "Office Use Only", "For further information contact: Federal Election Commission, Toll Free 800-424-9530, Local 202-694-1100", and "FEC FORM 1 (Revised 02/2003)".

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- 2. Line 2: Date**  
Provide the date on which the candidate designated the committee as a PCC.
- 3. Line 3: FEC Identification Number**  
If this is the first time filing the form, leave this BLANK.  
FEC ID# is assigned once FEC Form 2 is filed and processed
- 4. Line 4: New or Amended?**  
Note whether the statement is new or for the purpose of submitting changes (amended).

## Statement of Organization

FEC Form 1 (Revised 02/2009) Page 2

5. TYPE OF COMMITTEE

**Candidate Committee:**

(a)  This committee is a principal campaign committee. (Complete the candidate information below.)

(b)  This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate \_\_\_\_\_

Candidate Party Affiliation \_\_\_\_\_ Office Sought:  House  Senate  President State \_\_\_\_\_ District \_\_\_\_\_

(c)  This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate \_\_\_\_\_

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5. **Line 5: Type of Committee**
  - a. Check Box (a) for Principal Campaign Committee.
  - b. Also provide information about the candidate. Must be identical to what was disclosed on Statement of Candidacy.

# Statement of Organization

## ► Authorized Committee

FEC Form 1 (Revised 02/2009) Page 3

Write or Type Committee Name

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Affiliated Authorized Committee

Mailing Address

OPTIONAL

CITY STATE ZIP CODE

Relationship:  Connected Organization  Affiliated Committee  Joint Fundraising Representative  Leadership PAC Sponsor

6. **Line 6: Name of Affiliated Committee**
  - a. Separate committee authorized to raise funds for the candidate. Not required.
  - b. Note that all authorized committees for the same candidate are generally treated as one committee so far as contribution limits are concerned. Similarly, all committees established, financed, maintained, or controlled by the same person, organization, or group are affiliated.

# Statement of Organization

## ► Custodian of Records

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name \_\_\_\_\_

Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Title or Position▼ CITY▲ STATE▲ ZIP CODE▲

\_\_\_\_\_  
Telephone number \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_



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### 7. Line 7: Custodian of Records

The person who is in possession of the committee's books and records. May be the same person as the Treasurer.

## Statement of Organization

- ▶ Treasurer
- ▶ Assistant Treasurer

8. Treasurer: List the name and address (phone number – optional) of the treasurer of the committee, and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer			
Mailing Address	REQUIRED		
Title or Position ▼	CITY ▲	STATE ▲	ZIP CODE ▲
Telephone number			
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Full Name of Designated Agent			
Mailing Address	RECOMMENDED		
Title or Position ▼	CITY ▲	STATE ▲	ZIP CODE ▲
Telephone number			



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8. **Line 8: Treasurer / Assistant Treasurer**
  - a. **Form 1 Disclosure:**
    - 1) Committee must have a Treasurer. Committee may not raise or spend funds when there is a vacancy in the office of Treasurer.
    - 2) Appointing an Assistant Treasurer (“Designated Agent”) as well is recommended, in case something arises and the Treasurer is unable to perform his/her duties.
    - 3) Candidate may serve as his/her own Treasurer and/or Custodian of Records.

## Treasurer/Assistant Treasurer

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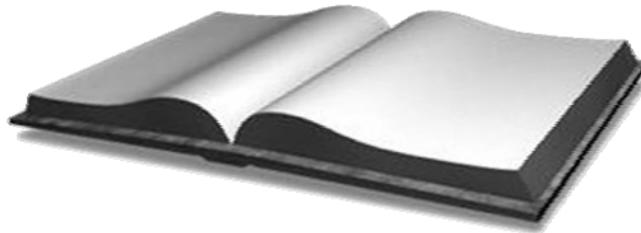
- ▣ **Duties include:**
  - Deposits receipts
  - Authorizes all expenditures
  - Monitors contributions
  - Keeps all required records
  - Signs reports
  - Files accurate reports on time

## Treasurer Required

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Committee cannot raise or spend funds  
when office of treasurer is vacant.

- 11 CFR 102.7(b)



## Treasurer's Liability

- ▣ Treasurer generally named as enforcement respondent in his/her official capacity
- ▣ Personal liability possible if:
  - Knowingly & willfully violated the Act;
  - Recklessly failed to fulfill duties; or
  - Intentionally ignored information that led to the violation



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**b. Treasurer Liability (*Guide*, pp. 7-8)**

- 1) The personally responsible for carrying out these duties and should understand these responsibilities before taking them on.
- 2) FEC Treasurer Personal Liability Policy:  
<http://www.fec.gov/law/policy/2004/notice2004-20.pdf>
- 3) FEC Embezzlement Policy:  
<http://www.fec.gov/law/policy/embezzlepolicy.pdf>

# Statement of Organization

## ► Banks or Other Depositories

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲



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9. **Line 9: Banks or Other Depositories (Guide, pp. 10-11)**
  - a. List the name and address (but NOT the account number) of any depositories used by a campaign for deposits and disbursements.
  - b. Committee may invest their funds however each committee must maintain at least one checking account, from which all committee disbursements must be made.

VI. Recordkeeping and Best Efforts (*Guide*, pp. 73-76)

## Recordkeeping

- ▣ **Contributions over \$50:**
  - Amount
  - Date received
  - Donor's name and address
  - Full-size photocopy or digital image of check
- ▣ **Contributions aggregate over \$200:**
  - Above info, plus occupation and employer for individual donors



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A. Recordkeeping

1. For Receipts:

- a. For any amount, need:
  - 1) Amount, and
  - 2) Date of receipt.
- b. For amount over \$50, need above information plus:
  - 1) Name and address of donor, and
  - 2) Full-size photocopy or digital image of check for committee records.
- c. For amount over \$200 in aggregate during the election cycle, need above information plus occupation and employer for individual.

## Recordkeeping

▣ **All disbursements, record:**

- Amount
- Date
- Name and Address of Payee
- Purpose of Disbursement



▣ **Each disbursement exceeding \$200:**

- Above information plus committee must keep receipt, invoice or canceled check

**2. For Disbursements:**

**a. Check and Cash Disbursements**

- 1) Check:** Disbursements must be made by check (or similar draft) from the campaign's designated depository.
- 2) Cash:** Campaign may maintain petty cash fund for small disbursements.
  - Written records of petty cash disbursements must be maintained.
  - Payments from petty cash for any one purchase may not exceed \$100.

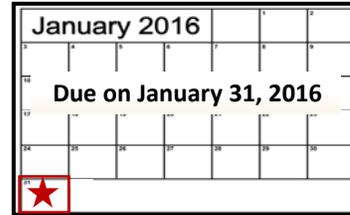
**b. For any amount, need:**

- 1) Name and address of payee,
- 2) Purpose of disbursement, and
- 3) Date of disbursement.

**c. For each single disbursement that exceeds \$200, need above information plus receipt, invoice or canceled check.**

## Recordkeeping

Retain records for three years from the date of the report to which the records relate



Any time after  
January 31, 2019

### 3. Record Retention

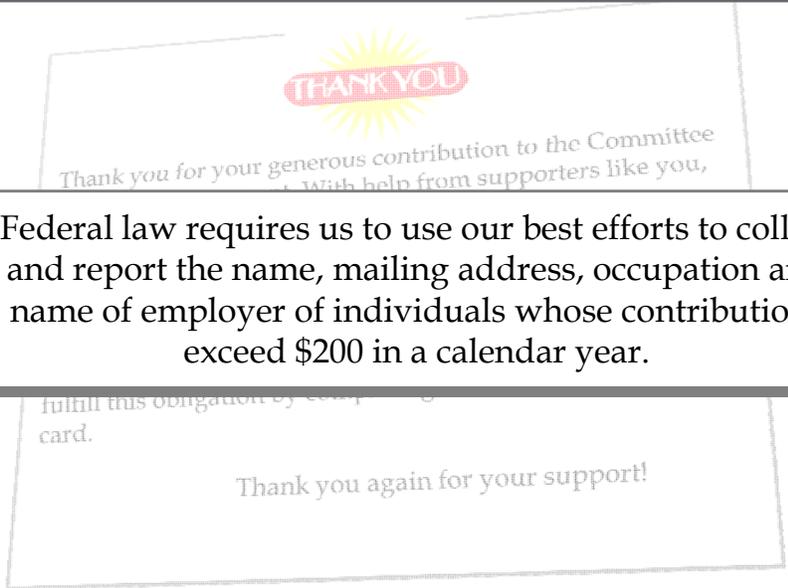
Retain each record for three years from the date of the report on which it was last disclosed.

## Making Best Efforts

- ✓ Request contributor info when soliciting contribution
- ✓ If info missing, make follow-up request within 30 days
- ✓ Amend report to disclose missing information once received

- B. Best Efforts (11 CFR 104.7) (Guide, pp. 76-77)**
- 1. Required to make “best efforts” to obtain, maintain and report required information.**
  - 2. To show “best efforts,” committee must:**
    - a. Request information in solicitation materials, along with applicable disclaimer informing contributors that information is required under federal law;
    - b. Make follow-up request within 30 days of receipt of contributions lacking required information, keep written documentation of follow-up request (with no additional solicitation made); and
    - c. Amend reports to disclose information received but not previously disclosed (or include information in memo reports on the next report filed).

## Making Best Efforts (Follow-up)



Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year.



## Amendments

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- ▣ File within 10 days after change in information
- ▣ E-filers submit replacement file
- ▣ Paper filers
  - Complete only portions requiring changes
  - May also submit a letter stating changes to registration information

**C. Amendments (*Guide*, p. 11)**

Any changes in information found in your registration forms must be reported within ten days of the change. A change in treasurer, email address, etc., requires this action.

## VII. Where to File FEC Financial Reports (11 CFR 108.4)

### Where to File - House/Presidential

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Federal Election Commission  
999 E Street, NW  
Washington, DC 20463



### Where to File - Senate

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#### **By Mail:**

Secretary of the Senate  
Office of Public Records  
P.O. Box 77578  
Washington, DC 20013

#### **Hand Delivery:**

Secretary of the Senate  
Office of Public Records  
232 Hart Senate Building  
Washington, DC 20510



# Welcome Email



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# Welcome Email

- ▣ FEC Identification Number
- ▣ Links to Compliance Information
- ▣ Email Reminders
- ▣ Contact Information for Info and RAD analyst

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**Federal Election Commission**

@FECDATE

Dear @TREASURER\_NAME,

The Federal Election Commission recently received and processed your committee's registration form Statement of Organization, FEC Form 1.

The committee's FEC identification number is: @REPLACEMENT\_CMTE\_ID. This number identifies your committee in the Commission's disclosure database and should be included on all reports and statements filed with the agency.

The FEC is committed to helping committees comply with the federal campaign finance law. We staff a toll-free information line, conduct educational workshops throughout the country and produce a variety of publications explaining the law's requirements. The following publications and documents available on our website are especially helpful for treasurers of campaign committees:

- [Campaign Guide for Congressional Candidates and Committees](#)
- ["Committee Treasurers" brochure](#)
- [Federal Election Campaign Act](#)
- [FEC Regulations \(11 CFR\)](#)
- [FEC Form 3, Report of Receipts and Disbursements](#)
- [Schedule of Reporting Dates](#)
- [The FEC Record](#)

To further assist you, the Commission sends e-mail reminders shortly before your reports are due. These notices are sent to the e-mail address listed on your committee's Statement of Organization, so please be sure that address is current and correct.

If you have any questions, please contact Information Division staff toll-free at 1-800-424-9530 (press 6), locally at 202-694-1100 or by e-mail at [info@fec.gov](mailto:info@fec.gov). For help with specific reporting issues, you may also contact @RAD\_ANALYST\_NAME, the Campaign Finance Analyst assigned to review your committee's reports, toll-free at 1-800-424-9530 (press 5) or locally at 202-694-1130.

We look forward to serving you.

Sincerely,

The FEC Information Division  
Federal Election Commission (FEC)

Basics for Campaign Treasurers & Staff

## Contribution Limits and Prohibitions

### Objectives

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- ▣ Explain basic rules regarding candidacy and registration
- ▣ **Review contribution limits and prohibitions**
- ▣ Outline reporting requirements
- ▣ Identify ways to receive compliance help from the FEC

### I. Contributions (*Guide*, pp. 13-16)

### Definition of Contribution

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- ▣ Generally, anything of value given to influence a federal election
- ▣ Includes:
  - Gifts of money
  - In-kind contributions (goods/services offered free or at less than market value)
  - Loans
  - Extensions of credit

## Contribution Limits

### ▣ **Per Election Limits**

- Primary, runoff, general are all considered separate elections; separate contribution limits for each
- Only entitled to a limit if candidate participates in the election (NOTE: Unopposed candidate has limit)

### ▣ **Accounting Method**

- If candidate loses primary, must return general election \$\$ within 60 days
- During primary: cash on hand  $\geq$  general election \$\$

## II. Contribution Limits (*Guide*, pp. 17-30)

### A. Per Election Basis

1. Limits are per election, per candidate.
2. The value of an in-kind contribution (usual and normal charge) counts against same contribution limit as gifts of money.

### B. Candidates Who Lose in the Primary (*Guide*, pp. 20-21)

1. Entitled to limit only if candidate seeks office in that election. Note: candidate has a limit for an election, even if unopposed.
2. Candidate who accepts contributions for general election before primary is held and loses the primary must refund, redesignate or reattribute general election contributions within 60 days of the primary or public withdrawal from the primary race.
3. Similar application for convention, runoff, etc.

### C. Accounting Method (*Guide*, p. 74)

1. Campaign must adopt an accounting system to distinguish between contributions made for the primary and those for the general election.
2. During the primary, the campaign's cash on hand must at least equal the amount of general election contributions received.

# Contribution Amount Limits

For 2015-16 Elections	Candidate Committee per election	PAC (SSF and Nonconnected) per year	State, District & Local Party Committee per year	National Party Committee per year	Additional National Party Committee Accounts per year
Individual	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
Candidate Committee	\$2,000	\$5,000	Unlimited Transfers	Unlimited Transfers	
PAC: multicandidate	\$5,000	\$5,000	\$5,000 (combined)	\$15,000	\$45,000
PAC: Nonmulticandidate	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
National Party Committee	\$5,000 – House \$46,800 per cycle- Senate	\$5,000	Unlimited Transfers	Unlimited Transfers	
State, District & Local Party Committee	\$5,000 (combined)	\$5,000 (combined)	Unlimited Transfers	Unlimited Transfers	



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## D. Contribution Limits for 2015-16 Election Cycle

[http://www.fec.gov/ans/answers\\_general.shtml#How\\_much\\_can\\_I\\_contribute](http://www.fec.gov/ans/answers_general.shtml#How_much_can_I_contribute)

## Contribution Amount Limits

- ▣ **2015-16 Election Cycle**
  - Certain contribution limits indexed for inflation in odd-numbered years
  - Indexed/increased limits include contributions from individuals and national party to senate campaign; others unchanged
- ▣ **Additional Limits**
  - Cash contributions - \$100
  - Anonymous contributions - \$50 or less



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1. **Certain Limits indexed for inflation**
  - a. Candidate and party limits increased and indexed; multicandidate PAC limits unchanged.
  - b. Indexing began in 2005 – odd-numbered years.
2. **How Applied**
  - a. Limits apply to contributions received and contributions made by committee.
  - b. If made by an individual, counts against the limit of the person signing the check or accompanying note.
3. **Cash Contributions – \$100**
4. **Anonymous Contributions – \$50**

## Limits to Campaign Committees

For 2015-16 Elections	Candidate Committee per election	PAC (SSF and Nonconnected) per year	State, District & Local Party Committee per year	National Party Committee per year	Additional National Party Committee Accounts per year
Individual	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
Candidate Committee	\$2,000	\$5,000	Unlimited Transfers	Unlimited Transfers	
PAC: multicandidate	\$5,000	\$5,000	\$5,000 (combined)	\$15,000	\$45,000
PAC: Nonmulticandidate	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
National Party Committee	\$5,000 – House \$46,800 per cycle- Senate	\$5,000	Unlimited Transfers	Unlimited Transfers	
State, District & Local Party Committee	\$5,000 (combined)	\$5,000 (combined)	Unlimited Transfers	Unlimited Transfers	

## Multicandidate v. Nonmulticandidate

For 2015-16 Elections	Candidate Committee per election	PAC (SSF and Nonconnected) per year	State, District & Local Party Committee per year	National Party Committee per year	Additional National Party Committee Accounts per year
Individual	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
Candidate Committee	\$2,000	\$5,000	Unlimited Transfers	Unlimited Transfers	
PAC: multicandidate	\$5,000	\$5,000	\$5,000 (combined)	\$15,000	\$45,000
PAC: Nonmulticandidate	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
National Party Committee	\$5,000 – House \$46,800 per cycle- Senate	\$5,000	Unlimited Transfers	Unlimited Transfers	
State, District & Local Party Committee	\$5,000 (combined)	\$5,000 (combined)	Unlimited Transfers	Unlimited Transfers	

## Multicandidate Committees

- ▣ Committee must meet all to qualify:
  - Registered with FEC for at least 6 months;
  - Received \$ from > 50 contributors; and
  - Made contributions to  $\geq$  5 federal candidates
- ▣ May give \$5,000 per election
- ▣ Limits are not indexed for inflation
- ▣ Must inform recipient committees of multicandidate status



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- E. Multicandidate Committees (*Guide*, p. 17)**
1. Determines whether PAC or party committee can give up to \$5,000 to candidate, per election (and whether candidate can accept it).
  2. Campaign can call FEC's Public Records Office, toll-free, at 800-424-9530 (press 2 when prompted) to verify status as qualified multicandidate committee.

## Limits from Campaign Committees

For 2015-16 Elections	Candidate Committee per election	PAC (SSF and Nonconnected) per year	State, District & Local Party Committee per year	National Party Committee per year	Additional National Party Committee Accounts per year
Individual	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
Candidate Committee	\$2,000	\$5,000	Unlimited Transfers	Unlimited Transfers	
PAC: multicandidate	\$5,000	\$5,000	\$5,000 (combined)	\$15,000	\$45,000
PAC: Nonmulticandidate	\$2,700	\$5,000	\$10,000 (combined)	\$33,400	\$100,200
National Party Committee	\$5,000 – House \$46,800 per cycle- Senate	\$5,000	Unlimited Transfers	Unlimited Transfers	
State, District & Local Party Committee	\$5,000 (combined)	\$5,000 (combined)	Unlimited Transfers	Unlimited Transfers	

- F. From Other Federal Campaigns (*Guide*, p. 19)**
1. Limit: *Still* \$2,000/election.
  2. NOT subject to inflation indexing.

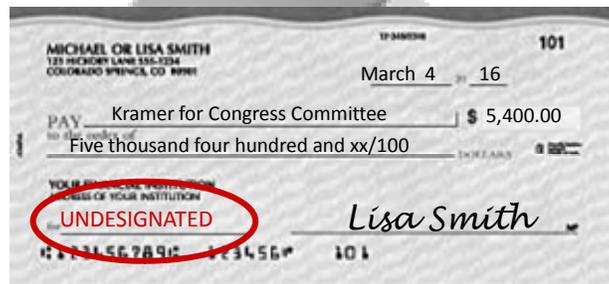
### III. Curing Excessive Contributions

## Excessive Contributions

- ▣ Refund to contributor
- ▣ Redesignate to another election
- ▣ Reattribute to another person

#### A. Refund

## Practical Application



## Excessive Contributions

### ▣ Redesignate to another election

- **Presumptive Procedure:**
  1. Designate permissible amount to election;
  2. Redesignate excessive amount to another election within cycle;
  3. Notify donor—option of refund
- Must not cause contributor to exceed limit
- Date undesignated contribution is made determines applicable election limit  
(Use postmark date for mailed contributions)



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### B. Redesignate (*Guide*, pp. 24-27)

#### 1. Presumptive Redesignation

If individual or non-multicandidate committee makes an excessive primary contribution, campaign may presumptively redesignate excessive portion to general election if contribution:

- a. Is made before candidate's primary election;
- b. Is not designated in writing for a particular election;
- c. Would be excessive if treated as a primary election contribution; and
- d. As redesignated, does not cause the contributor to exceed any other contribution limit.

#### 2. Backward-looking provision: An undesignated contribution made after primary, but before general, may be applied to primary debt if campaign's net debts are greater than the amount redesignated.

#### 3. Notification Requirement

Committee must notify contributor of redesignation by paper mail, email, fax or other written method within 60 days of treasurer's receipt of contribution; must notify contributor of right to receive refund instead.

**4. Electronic Contributor Redesignations**

The Commission acknowledged that, in certain circumstances, an online process can provide a sufficient level of assurance as to the contributor's identity and intent such that it satisfies the written signature requirements. See Interpretive Rule Regarding Electronic Contributor Redesignations. Available on FEC website:

[http://www.fec.gov/law/cfr/ej\\_compilation/2011/notice\\_2011-02.pdf](http://www.fec.gov/law/cfr/ej_compilation/2011/notice_2011-02.pdf)

## Practical Application



The image shows a check with the following details:

- Payor: MICHAEL OR LISA SMITH, 123 HICKORY LANE 12345, COLORADO SPRINGS, CO 80901 (circled in red)
- Date: March 4, 2016
- Payee: Kramer for Congress Committee
- Amount: \$ 5,400.00
- Text: Five thousand four hundred and xx/100
- Signature: Lisa Smith
- Account Number: 123456789012345678901

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Basics for Campaign Treasurers & Staff

## Excessive Contributions

- ▣ **Reattribute to another person**
  - Presumptive procedure for joint contributions:
    1. Attribute permissible amount to the signer;
    2. Reattribute excessive amount to the other account holder;
    3. Notify both donors—option of refund.
  - Must not cause contributors to exceed limits

- C. **Reattribute (*Guide*, p. 25)**
1. **Attribution of Contributions by Contributors**
    - a. Individual contributions attributed to person(s) who signs check.
    - b. Joint account – both must sign check or accompanying statement.
  2. **Presumptive Reattribution**
    - a. If individual contribution exceeds limit and is made on joint account, but has only one signature:
      - 1) Attribute permissible amount to the signer; and
      - 2) Presumptively reattribute excessive amount to other account holder, without obtaining his/her signature.
    - b. Reattribution may not cause contributors to exceed any contribution limits.
    - c. Committee must notify contributor of reattribution by paper mail, email, fax or other written method within 60 days of treasurer's receipt of contribution; must notify contributor of right to receive refund instead.

## Avoid Excessive Contributions

- ▣ Encourage donors to designate contributions
- ▣ Obtain signatures for joint contributions
- ▣ Designation Required:
  - If donor wants contribution to count toward future election, beyond upcoming election
  - If donor wants contribution to retire candidate's debt from a past election

### D. Avoiding Excessive Contributions

1. **Campaigns** – Ask contributors to designate contributions for a particular election.
2. **Ask joint contributors** to make sure both sign check or accompanying statement.
3. **Designation of Campaign Contributions by Contributor**
  - a. If contributor intends contribution to count toward a future election, beyond the upcoming election.
  - b. If contributor wants contribution to retire candidate's debt of a past election. Note: This is permissible only if:
    - 1) Candidate has net debt outstanding from that election; and
    - 2) Contribution, when aggregated with previous contributions to same candidate for same election, does not exceed limit.

## Contribution Exemptions

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- ▣ Volunteer Services
- ▣ Use of Personal Property
- ▣ Unreimbursed Travel
- ▣ Food/Beverage Vendor Discount
- ▣ Home/ Church /Community Room Event
- ▣ Computer Activity
- ▣ Free Legal & Accounting Services



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#### IV. **Contribution Exemptions** (*Guide*, pp. 39-41)

The following are exempt from the definition of contribution -- not subject to limit and, in most cases, not reportable.

## Contribution Exemptions

- ▣ **Volunteer Services**  
Individuals may provide uncompensated personal services to a campaign
- ▣ **Use of Personal Property**  
Examples: home or computer
- ▣ **Unreimbursed Travel**  
Individual's payment for own travel up to \$1,000 per election
- ▣ **Food / Beverage Vendor Discount**
  - Vendor (even if incorporated) may sell to campaign at a discount
  - Discount limited to \$1,000 per election



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Basics for Campaign Treasurers & Staff

- A. Volunteer Services**
1. **Uncompensated Time.** An individual may volunteer uncompensated personal services without contribution resulting. Volunteer activity is NOT reportable.
  2. **Meals and Lodging.** Campaign volunteers may spend unlimited amounts for their own meals and lodging without making a contribution, as long as the expenses are incidental to volunteer activity.
- B. Use of Personal Property**  
Individual may provide use of his/her real or personal property without contribution resulting (e.g., home or computer).
- C. Unreimbursed Transportation Exemption (*Guide*, p. 41)**
1. Individuals (including the candidate, paid staff member or volunteer) may spend up to \$1,000, per candidate, per election, for transportation expenses on behalf of campaign without making contribution.
  2. Payments exceeding \$1,000 are considered contributions, subject to limit.
- D. Food/Beverage Vendor Discount (*Guide*, p. 42)**
1. Vendors may sell food /beverage to campaign at a discount.
  - 2.. Applies whether or not vendor is incorporated.
  3. Charge must at least equal actual cost to vendor and may not exceed \$1,000 per candidate, per election.

## Contribution Exemptions

### ▣ Home/Church/Community Room Event

- Applies to campaign event hosted in an individual's home, recreation room of a condo complex, etc.
- ≤ \$1,000 per election, per resident on food, beverages and invitations; not a contribution
- Amount spent in excess of \$1,000 (or by nonresident co-host) results in an in-kind contribution

- E. **Home/Church/Community Room Event (*Guide*, p. 40)**
1. Individual may spend up to \$1,000 per election for food, beverages and invitations for event held in residence, church or community room without contribution resulting.
  2. Nominal fee paid to secure room exempt.
  3. Community room must be:
    - a. Used on regular basis by community for noncommercial reasons; and
    - b. Available regardless of political affiliation.
  4. In-kind contribution results:
    - a. Resident host/co-host:
      - 1) Amount spent on food, beverages or invitations in excess of the \$1,000 per election.
      - 2) Any expense outside of food, beverages or invitations.
    - b. Nonresident co-host: **ALL** expenses paid toward event - exemption does not apply to nonresident co-host.

## Contribution Exemptions

### ▣ **Computer Activity**

Volunteers may do the following for a campaign without making a contribution:

- ✓ Spend unlimited amount of their own time emailing and doing web activities (work time is limited)
- ✓ Use personal computer on an unlimited basis
- ✓ Use of work computer is limited
  - Must comply with company policy on computer use
  - Cannot be coerced
  - Cannot be conditioned on support of particular candidate
- ✓ Posting comments to a blog



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## F. **Computer Services (*Guide*, pp. 39-41)**

### 1. **Permissible Uses**

Individuals may use a computer for a wide variety of activities in connection with federal elections, including:

- a. Sending or forwarding unlimited emails on any political topic. Additionally, individuals do not have to identify themselves or state whether the messages have been authorized by any party or campaign committee.
- b. Creating, maintaining or hosting a website.
- c. Providing a hyperlink to a website.
- d. Posting comments to a blog, so long as they receive no compensation or, at most, a nominal fee. (Blogging also falls within certain exemptions for media activity.)
- e. Using a work computer for online political activity. This, however, is subject to an employer's rules for the personal use of computers and Internet access, and the employee must not be compensated for the activity.

### 2. **Not Exhaustive**

Additional activities may be possible.

### 3. **Interaction with Campaigns/Parties**

The contribution and expenditure exemptions apply regardless of whether individuals act with the knowledge or consent of a campaign or a political party committee.

## Contribution Exemptions

- ▣ **Free Legal & Accounting**
  - **Any entity may provide free legal & accounting assistance to a campaign:**
    - ▣ Services are provided only for purpose of complying with the Act and FEC regulations
    - ▣ Includes corporations, committees, unions, partnerships
    - ▣ Campaign reports value of service
  - **NOT part of exemption:**  
Individual personally volunteering legal or accounting services on his/her own time without compensation (not reportable)



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### G. Free Legal and Accounting Services (*Guide*, pp. 39)

#### 1. Exemption

- a. Available for any entity (e.g. committee, corporation, union, partnership) providing the campaign free legal and accounting services.
- b. Campaign reports: value of the service (amount paid by the employer); the name of each person who performed the service; and the date the service was provided.  
See example in *Guide*, p. 94.

#### 2. Use of Equipment

- a. Exemption only covers the services provided to ensure compliance with the Act.
- b. Employer cannot donate equipment (i.e., computers) without making a contribution.
- c. Use of employer's resources necessary to enable the employee to provide the service is not considered a contribution by the employer.

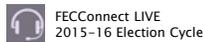
#### 3. Not Volunteer Services

If an individual personally volunteers legal or accounting services without compensation, the work is considered personal volunteer activity and the above restrictions do not apply. Not reportable.

## Prohibited Contributions

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- ▣ Corporations & Labor Unions
- ▣ Federal Government Contractors
- ▣ Foreign Nationals
- ▣ Contributions in name of another
- ▣ Cash exceeding \$100



Basics for Campaign Treasurers & Staff

### V. Prohibited Contributions (Guide, pp. 31-34)

- A. Corporations (including incorporated membership, trade and cooperative organizations or associations), labor organizations and national banks are prohibited from making contributions in connection with federal elections. Therefore, they may not:
1. Act as conduit for earmarked contribution.
  2. Give discount to campaign or committee that is not in normal business practice.
  3. Allow use of facilities or resources without reimbursement, and, in some cases, advance payment.

## ***Citizens United v. FEC***

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As a result of the Supreme Court's decision in *Citizens United v. FEC*, corporations and labor organizations are no longer prohibited from making *expenditures* in connection with federal elections

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Corporate and union *contributions* remain prohibited

- 4. Citizens United v. FEC**  
For more information see FEC website:

<http://www.fec.gov/law/recentdevelopments.shtml#CorpLaborExpenditures>

## Prohibited Contributions

- ▣ Corporations & Labor Unions
- ▣ Federal Government Contractors
- ▣ Foreign Nationals
- ▣ Contributions in name of another
- ▣ Cash exceeding \$100



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### **B. Federal Government Contractors**

### **C. Foreign Nationals**

1. Ban does not apply to permanent resident aliens (green card holders).
2. American subsidiary of foreign corporation may establish a PAC (known as a Separate Segregated Fund, or SSF) only if:
  - a. Foreign nationals do not control or participate in decisions of SSF; and
  - b. SSF is not administered or otherwise funded with foreign revenues.
3. Individuals who are foreign nationals may:
  - a. Volunteer for Congressional campaign and participate in decision-making. [AO 2004-26](#).
  - b. Attend campaign fundraising events. [AO 2004-26](#).
  - c. They may not, however, participate in decision-making regarding election activities for a corporation or a political committee. [AO 2004-32](#) and [AO 2004-26](#).

### **D. Contributions in Name of Another**

1. Cannot reimburse or be reimbursed for contributions.
2. Parents cannot give in names of children.
3. BCRA increased penalties for violations of this ban.

### **E. Contributions in Cash (currency) exceeding \$100.**

## Prohibited in All Elections

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- ▣ Foreign Nationals
- ▣ National Banks
- ▣ Federally Chartered Corporations

- F. Certain Prohibitions Apply to All U.S. Elections**  
Campaigns may not accept contributions made from the general treasury of national banks .

## Questionable Contributions

- ▣ Deposit or return  $\leq$  10 days of receipt
- ▣ Determine legality  $\leq$  30 days
- ▣ Seek oral or written evidence for files
- ▣ Retain or refund, as appropriate

### VI. Handling Questionable Contributions (*Guide*, pp. 33-34)

#### A. Deposit While Checking

If unsure whether contribution is from a permissible source, campaign may deposit it while confirming permissibility.

#### B. Refund After 30 Days if Unable to Verify Legality

Within 30 days of receipt, must refund if unable to determine if contribution is permissible.

# Questionable Contributions



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# Questionable Contributions



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Basics for Campaign Treasurers & Staff

## Campaign Reporting Basics

### Objectives

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- ▣ Explain basic rules regarding candidacy and registration
- ▣ Review contribution limits and prohibitions
- ▣ **Outline reporting requirements**
- ▣ Identify ways to receive compliance help from the FEC

#### I. Filing Dates (*Guide*, pp. 79-86)

### Reporting Basics

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- ▣ House/Senate file on FEC Form 3; Presidential file on FEC Form 3P
- ▣ Reports due quarterly\*
- ▣ House/Presidential campaigns file with FEC
  - Over \$50,000, file electronically
- ▣ Senate campaigns file with Secretary of Senate

\* Presidential campaigns that raise/spend >\$100k file monthly in election year.

## Quarterly Schedule - 2015

Report Type	Coverage and Due Dates
April Quarterly	Covers 1/1 - 3/31; Due 4/15/15
July Quarterly	Covers 4/1 - 6/30; Due 7/15/15
October Quarterly	Covers 7/1 - 9/30; Due 10/15/15
Year-End	Covers 10/1 – 12/31/15; Due 1/31/16

- A. During Non-Election Year (odd-numbered year)**  
House and Senate campaign committees file reports on a quarterly schedule (due April 15, July 15 and October 15 and January 31).

## Quarterly Schedule - 2016

Report Type	Coverage and Due Dates
April Quarterly	Covers 1/1 - 3/31; Due 4/15/16
Pre-Primary and Pre-Runoff reports - see next slide	
July Quarterly	Covers 4/1 - 6/30; Due 7/15/16
October Quarterly	Covers 7/1 - 9/30; Due 10/15/16
Pre-Election	Covers 1st day of current period to 20 days before election; Due 12 days before election (12G covers 10/1 - 10/19; Due 10/27/16)
Post-General	Covers from 1 <sup>st</sup> day of period to 11/28; Due 12/8/16
Year-End	Covers 11/29 - 12/31/16; Due 1/31/17



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### B. During Election Year (even-numbered year)

#### 1. Quarterly Schedule

House and Senate campaign committees file reports on a quarterly schedule (due April 15, July 15 and October 15 and January 31), **PLUS** pre- and post-election reports, as applicable.

## Quarterly Filers - 2016

### Pre-Election Reports

- ☐ Due 12 days before candidate's election - includes primary, general and runoff (if applicable)
- ☐ Covers period from close of books of last report through 20 days before the election

### 48-Hour Notices

- ☐ Reports of "last minute" contributions and/or loans of \$1,000 or more received < 20 days but > 48 hours before election
- ☐ Due within 48 hours of receipt of \$



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## 2. Pre-Election Reports

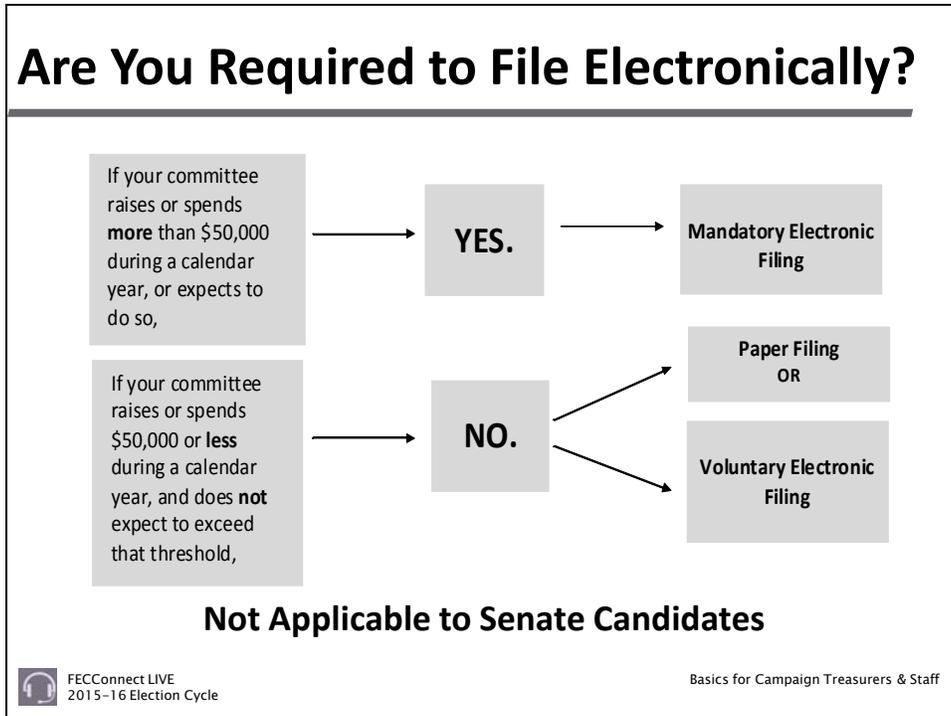
- a. Filed in addition to quarterly reports.
- b. Filed before the election in which the candidate seeks election.
- c. Due 12 days before the election and covers activity through the 20th day before the election.
- d. Required even if candidate is running unopposed or the election is not held.

## 3. 48-Hour Notices

- a. Special notices filed to disclose each contribution (including loans) of \$1,000 or more received less than 20 days, but more than 48-hours of the day of any election in which the candidate seeks election.
- b. The FEC (or Secretary of the Senate, for Senate campaigns) must receive the notice within 48 hours of the committee's receipt of the contribution.

## 4. Resources on FEC Website:

- a. Pre-Primary Deadlines/48-Hour Notice Periods (coming Jan. 2016):  
[http://www.fec.gov/info/charts\\_primary\\_dates\\_2016.shtml](http://www.fec.gov/info/charts_primary_dates_2016.shtml)
- b. 2016 Presidential and Congressional Primary Dates:  
<http://www.fec.gov/pubrec/fe2016/2016pdates.pdf>



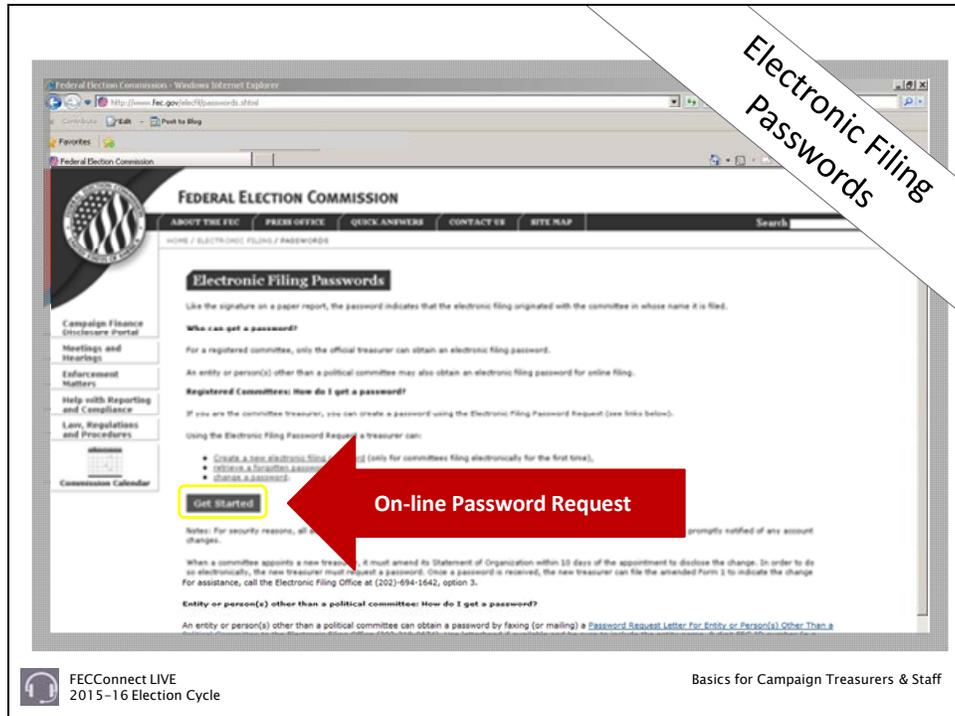
## II. Electronic Filing (Guide, pp. 83-86)

- A. **Mandatory for:** Campaign committees of House and Presidential candidates must file all reports and statements electronically if their total contributions or expenditures exceed \$50,000 in a calendar year.
- B. **Voluntary for:** All Other Filers (including Senate Campaigns). Must file paper copy of report with Secretary of Senate (statutory requirement).

## Electronic Filing

- ▣ Campaign required to file electronically, but instead files on paper, is considered nonfiler
- ▣ **“Reason to Expect:”** Once campaign exceeds the threshold, it has reason to expect to exceed the threshold for the next two calendar years, and must continue filing electronically for the next two calendar years

- C. **Reason to Expect to Exceed the Electronic Filing Threshold**
1. Once you exceed the threshold, you have reason to expect to exceed the threshold for the next two calendar years, and must continue filing electronically for the next two calendar years (January through December).
  2. **Exception:** A committee that met or exceeded the threshold and began filing electronically is not required to continue with electronic filing if it meets all three of the following requirements.
    - a. \$50,000 or less in net debts outstanding on January 1 of the year following an election;
    - b. Anticipates termination prior to the next election year;  
AND
    - c. Supports a candidate who has not qualified for the next election and does not intend to become a candidate in the next election.Such committees must continue to file electronically for the calendar year in which they exceeded the threshold.



## D. Password Required

Before you can electronically file your report, you will have to obtain a password. You cannot file without one.

### 1. Who Can Get a Password?

Only the official treasurer can obtain an electronic filing password.

It is important that the committee has provided a valid e-mail address on its Statement of Organization, as a validation e-mail will be sent to the committee.

### 2. How Do You Get a Password?

a. Most committees may obtain or change their password on-line at <http://www.fec.gov/electfil/passwords.shtml>

b. Existing committees that have not previously used the on-line system should contact the Electronic Filing Office for assistance at 202-694-1307.

### 3. Use Updated Software

a. Software revised when forms changed – always use the latest version. Auto update feature makes it simple.

b. Latest version of FECFile 8 – build 8.1.0.1 available for download at <http://www.fec.gov/electfil/updatelist.html>.

### 4. Paper Filing by E-Filer

Committees that submit a report on paper that should have been filing electronically will be treated as non-filers and may be subject to enforcement actions (including administrative fines).

## Electronic Filing



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5. For more information: <http://www.fec.gov/electfil/electron.shtml>

## Objectives

- Explain basic rules regarding candidacy and registration
- Review contribution limits and prohibitions
- Outline reporting requirements
- **Identify ways to receive compliance help from the FEC**

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## Compliance Help



[www.fec.gov](http://www.fec.gov)

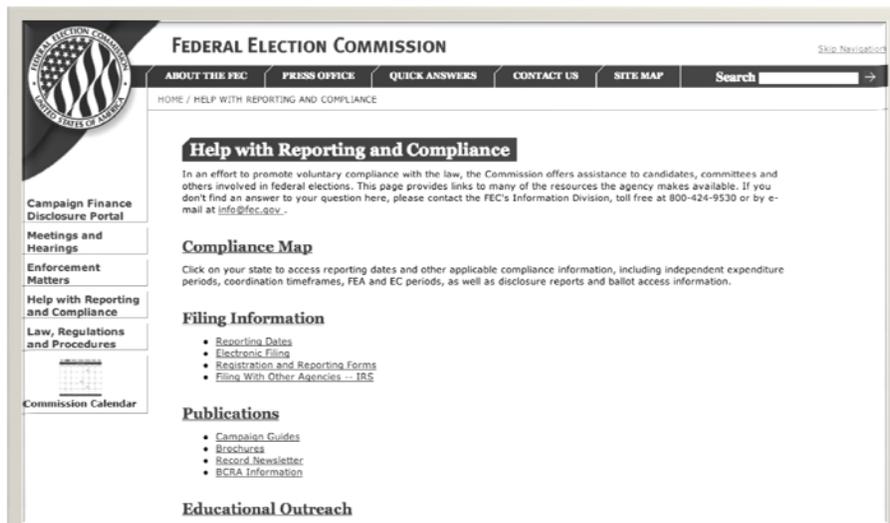
1-800-424-9530

[info@fec.gov](mailto:info@fec.gov)

 FECConnect LIVE  
2015-16 Election Cycle

Basics for Campaign Treasurers & Staff

## Compliance Help



The screenshot shows the Federal Election Commission website. At the top, there is a navigation menu with links for 'ABOUT THE FEC', 'PRESS OFFICE', 'QUICK ANSWERS', 'CONTACT US', and 'SITE MAP'. A search bar is located on the right. The main content area is titled 'Help with Reporting and Compliance' and includes a brief introduction, a 'Compliance Map' section with a link to state-specific reporting dates, a 'Filing Information' section with links for reporting dates, electronic filing, and registration forms, a 'Publications' section with links for campaign guides, brochures, newsletters, and BCRA information, and an 'Educational Outreach' section. A sidebar on the left contains links for 'Campaign Finance Disclosure Portal', 'Meetings and Hearings', 'Enforcement Matters', 'Help with Reporting and Compliance', 'Law, Regulations and Procedures', and 'Commission Calendar'.

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<http://www.fec.gov/info/compliance.shtml>

# Compliance Help

**FEDERAL ELECTION COMMISSION**

HOME / HELP WITH REPORTING AND COMPLIANCE / PUBLICATIONS

### Publications

The FEC's Information Division produces a variety of free publications that explain the finance law. Many of those publications are available on this page:

- The campaign guides are compliance manuals for committees registered with the finance law. Many of those publications are available on this page:
- The brochures and articles offer brief summaries of particular provisions of the procedures.
- The Record is the Commission's free monthly newsletter; and
- The BCRA page consolidates information regarding the Bipartisan Campaign Reform Act (Feingold).

If you don't find what you're looking for on these pages, please contact the FEC's Info 9530 or by e-mail at [info@fec.gov](mailto:info@fec.gov).

Sign-up to receive e-mail updates regarding FEC publications.

The PDF files on this web site may be viewed or printed using Acrobat Reader from Adobe.

- Campaign Guides**
  - Campaign Guide for Congressional Candidates and Committees (August 2008)
  - Campaign Guide for Corporations and Labor Organizations (January 2008)
  - Campaign Guide for Nonconnected Committees (May 2008) (PDF)
  - Campaign Guide for Political Party Committees (July 2009) (PDF)
  - Notice to All Campaign Guide Users (October 2011) (PDF)
- Brochures and Articles**
  - The Record
  - BCRA Information

**Related Items**

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<http://www.fec.gov/info/publications.shtml>

# Compliance Help

**FEDERAL ELECTION COMMISSION**

HOME / HELP WITH REPORTING AND COMPLIANCE / EDUCATIONAL OUTREACH

### Educational Outreach

Sign-up to receive e-mail updates regarding FEC conferences and webinars.

The PDF files on this web site may be viewed or printed using Acrobat Reader from Adobe.

- Conferences
  - FECConnect Online Services
    - Webinars
    - Live
    - Direct
  - Public Appearances

### Conferences

Each year, the Federal Election Commission sponsors two-day, regional conferences where Commissioners and staff conduct a series of technical workshops on the law. Discussion topics include fundraising, reporting and communications. Workshops are designed for those seeking an introduction to the basic provisions of the law as well as for those more experienced in campaign finance law. For questions about the conference program, call the FEC's Information Division at 1-800-698-6530 (or locally, 800-698-6530) or send an email to [conferences@fec.gov](mailto:conferences@fec.gov). (Include your name, contact information and bank of interest (candidate, party, nonconnected or corporate/labor/trade PAC)). Please direct questions about regional conference registration to Sylvester Management Corporation at 1-800-246-7277. [Click here to sign up](#) to receive e-mail updates regarding FEC conferences and webinars.

2015 Conference Schedule			
Program Information	Date	Location	Registration
Conference for House & Senate Campaigns, Political Party Committees and Corporate/Labor/Trade PACs	August 25-26	Chicago, IL	Please subscribe to our email list to be notified when registration opens.
Conference for House & Senate Campaigns, Political Party Committees and Corporate/Labor/Trade PACs	October 20-21	San Diego, CA	Please subscribe to our email list to be notified when registration opens.

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<http://www.fec.gov/info/outreach.shtml>

# Compliance Help



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<http://www.youtube.com/fectube>

# Compliance Help

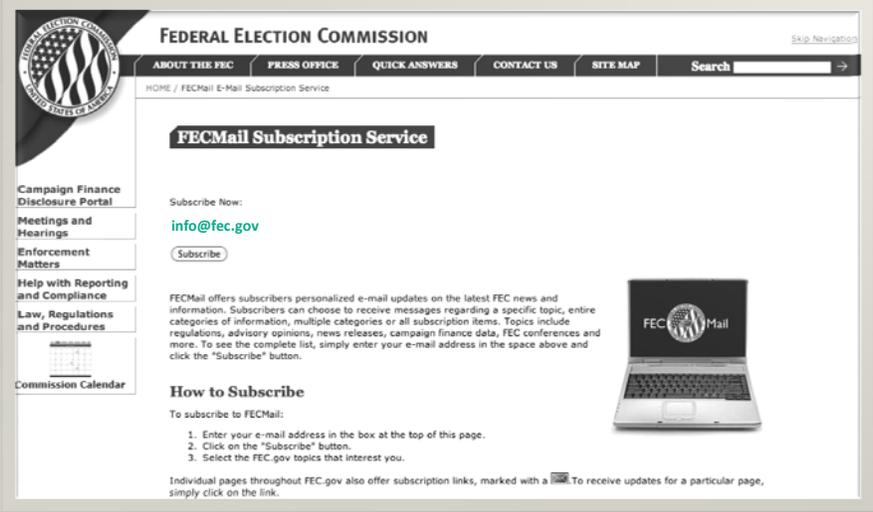


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<http://www.fec.gov/ans/answers.shtml>

## Compliance Help



The screenshot shows the Federal Election Commission (FEC) website's "FECMail Subscription Service" page. The page features a navigation menu with links for "ABOUT THE FEC", "PRESS OFFICE", "QUICK ANSWERS", "CONTACT US", and "SITE MAP". A search bar is located in the top right corner. The main content area includes a "Subscribe Now:" section with the email address "info@fec.gov" and a "Subscribe" button. Below this, there is a paragraph explaining that FECMail offers personalized e-mail updates on the latest FEC news and information, with options to receive messages regarding specific topics, entire categories, or all subscription items. A "How to Subscribe" section provides a three-step process: 1. Enter your e-mail address in the box at the top of this page. 2. Click on the "Subscribe" button. 3. Select the FEC.gov topics that interest you. A small image of a laptop displaying the FECMail logo is also present. The left sidebar contains various links such as "Campaign Finance Disclosure Portal", "Meetings and Hearings", "Enforcement Matters", "Help with Reporting and Compliance", "Law, Regulations and Procedures", and "Commission Calendar".

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<http://www.fec.gov/info/fecmail.shtml>

## Outside FEC Jurisdiction

- Ballot Access:  
Secretary of State's Office



The screenshot shows the Federal Election Commission (FEC) website's "Federal Election Compliance Information" page. The page features a navigation menu with links for "ABOUT THE FEC", "PRESS OFFICE", "QUICK ANSWERS", "CONTACT US", and "SITE MAP". A search bar is located in the top right corner. The main content area includes a "Federal Election Compliance Information" section with a map of the United States showing state boundaries. The left sidebar contains various links such as "Campaign Finance Disclosure Portal", "Meetings and Hearings", "Enforcement Matters", "Help with Reporting and Compliance", "Law, Regulations and Procedures", and "Commission Calendar".

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<http://www.fec.gov/info/ElectionDate/>

## Outside FEC Jurisdiction

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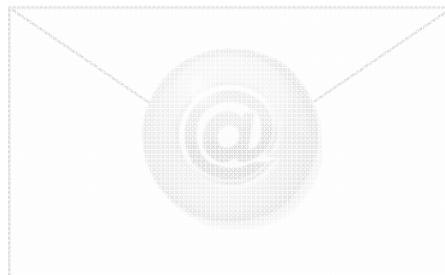
- ❑ **Ballot Access:**  
Secretary of State's Office
- ❑ **Tax Issues:**  
IRS Exempt Organizations Technical Division - [www.irs.gov/polorgs](http://www.irs.gov/polorgs)
- ❑ **Candidate Personal Financial Disclosure:**  
Congressional - House/Senate Ethics Committee  
Presidential - Office of Government Ethics (OGE)
- ❑ **Broadcast Rates/Equal Access Rules:**  
FCC Media Bureau, Policy Division

## Compliance Help

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1-800-424-9530

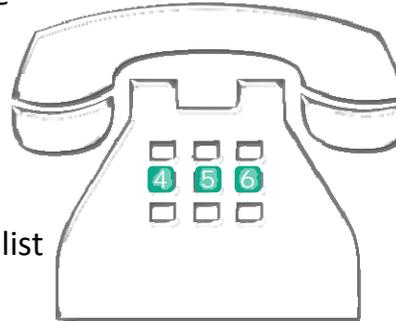


[info@fec.gov](mailto:info@fec.gov)

## Toll-free Information Line

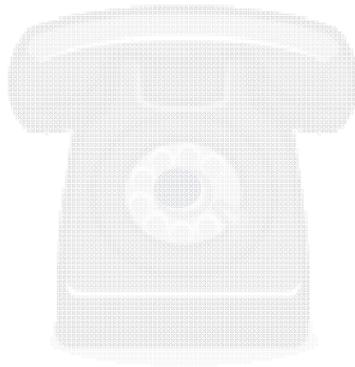
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- ▣ For tech support with e-filing, press 4 for the Electronic Filing Office
- ▣ For reporting help, press 5 to reach your RAD Analyst
- ▣ For other questions, press 6 for a Communications Specialist

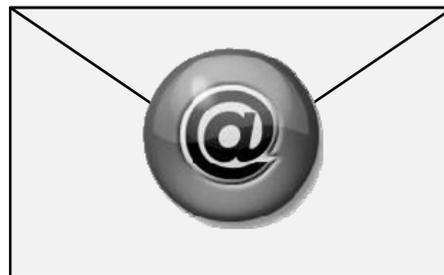


## Compliance Help

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1-800-424-9530



info@fec.gov

## Latest FEC Updates

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Live Commission Meeting Video and Recorded Podcasts

@FECUpdates on Twitter



**Record** FEC Record

Press Releases and Weekly Digest



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<http://twitter.com/fecupdates>

## Workshop Evaluation

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*Help Us Help You!*

Please complete an evaluation  
of this workshop.

<https://www.surveymonkey.com/r/KVHCRVB>



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<https://www.surveymonkey.com/r/KVHCRVB>