

CHAPTER 11; CODE OF FEDERAL REGULATIONS

SUBCHAPTER A—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

Part 100—Scope and definitions

Subpart A—Scope

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Authority.—The provisions of this Part 100 issued under section 308, 86 Stat. 17, and sections 311 and 316, as redesignated and amended, 88 Stat. 1279, 1282, 2 U.S.C. §§ 437d, 438. Interpret or apply section 301, 86 Stat. 11, as amended, 88 Stat. 1272, 2 U.S.C. § 431.

Subpart A—Scope

§ 100.1 *Scope.*

This subchapter is issued by the Federal Election Commission under title III of the Federal Election Campaign Act of 1971 (Public Law 92-225), as amended in 1974 (Public Law 93-443), and is applicable to campaigns for nomination or election to the offices of President and Vice President of the United States; and Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States. These regulations are for disclosure purposes only. Contributions and expenditures required to be disclosed under these regulations do not necessarily count for limitation purposes under Title 18, U.S.C.

(1)

Subpart B—Meaning of terms used in this subchapter

§ 100.2 *Candidate.*

An individual is a candidate for Federal office whenever any of the following events occur:

(a) The individual has taken the action necessary, under relevant state law, to qualify in a primary, runoff, special or general election; or

(b) The individual has received contributions or made expenditures, or has given consent for any other person to receive contributions or make expenditures, with a view toward bringing about his or her election; or

(c) If after written notification by the Commission that any other person is receiving contributions or making expenditures on the individual's behalf, the individual fails to disavow such activity by letter to the Commission within 30 days of receipt of the notification.

§ 100.3 *Commission.*

"Commission" means the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463.

§ 100.4 *Contribution.*

(a) "Contribution" means—

(1) A gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President. For purposes of subsection (a),

(i) The term "loan" includes a guarantee, endorsement and any other form of security where the risk of non-payment rests with the surety, guarantor or endorser as well as with a political committee, candidate or other primary obligor.

(ii) The term "money" includes currency of the United States or of any foreign nation, checks, money orders or any other negotiable instrument payable on demand.

(iii) The term "anything of value" includes securities, goods, facilities, equipment, supplies, personnel, advertising, services or other in-kind contributions provided without charge (other than volunteer services under § 100.4(b)(1)) or at a charge which is below the usual charge for such items. The amount of the contribution of a thing of value shall be the difference between the usual charge for such goods or services at the time of the contribution and the amount charged the candidate or political committee.

(2) A written contract, promise, or agreement such as a signed pledge card, whether or not legally enforceable, to make a contribution.

(3) A transfer of funds to a political committee or candidate from another political committee, other political organization or other similar source whether or not such organization is a political committee. The transfer occurs whenever the treasurer or other designated agent of the transferee committee or the candidate obtains control over the funds.

(4) The payment by any person other than a candidate or political committee of compensation for the personal services of another person which are rendered to a candidate or political committee without charge. No compensation is paid:

(i) to an employee who:

(A) is paid on an hourly or salaried basis;

(B) is expected to perform duties for an employer for a particular number of hours per period; and

(C) engages in political activity during what would otherwise be a regular work period;

if the taken or released time is made up or completed by that employee within a reasonable period.

(ii) To an employee who is paid on a commission or piecework basis, or is paid only for work actually performed, whose time is considered the employee's own to use as he or she sees fit and who engages in political activity during what would otherwise be normal working hours.

(iii) Where the time used by the employee to engage in political activity is bona fide, although compensable, vacation time or other earned leave time.

(b) The term "contribution" does not include:

(1) The value of services provided without compensation by individuals who volunteer a portion or all of their time on behalf of a candidate or political committee.

(2) (i) The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided without charge by an individual, in rendering voluntary personal services to a candidate on the individual's residential premises, to the extent that the cumulative value of those activities by any individual on behalf of that candidate do not exceed \$500 with respect to any election. For purposes of this paragraph a contribution by a married individual shall not be attributed to his or her spouse.

(ii) Where an individual allows use of his or her home for candidate-related activity, the rental value of the residence does not count toward the \$500 exemption.

(3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal or comparable commercial charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor, to the extent that the cumulative value of the difference between the normal or comparable commercial charge and the cost of such food and beverage to the vendor does not exceed \$500 for any election.

(4) Any unreimbursed payments for personal travel or living expenses made by an individual who volunteers his or her personal services to a candidate, to the extent that the cumulative value of the payments does not exceed \$500 for any election.

(5) The payment of the costs of preparation, display, or mailing or other distribution incurred by a state or local committee of a political party, with respect to a printed slate card, sample ballot, palm card, or other printed listing, of three or more candidates for any public office for which an election is held in the state in which such committee is organized. This subsection shall not apply in the case of costs incurred by such committee with respect to a display of such listing made on broadcasting stations, or in newspapers, magazines,

and similar types of general public political advertising such as billboards, posters, signs and bumper stickers.

(6) Any news story, commentary or editorial of any broadcasting station, newspaper, magazine, or other periodical publication unless the facility is owned or controlled by any political party, political committee or candidate.

(7) Any payment made or obligation incurred by a corporation or a labor organization which, under the provisions of the last paragraph of section 610 of Title 18, United States Code, would not constitute an expenditure by such corporation or labor organization.

§ 100.5 *Earmarking.*

"Earmarking" means a designation or instruction or encumbrance (including but not limited to those which are directed or indirect, express or implied, oral or written) which results in all or any portion of a contribution or expenditure being made to or expended for the benefit of a clearly identified candidate, or political committee.

§ 100.6 *Election.*

"Election" means the process by which individuals, whether opposed or unopposed, seek nomination for election, or election, to Federal office. Specific types of elections, defined below, are included in this definition.

(a) *General election.*—"General election" means:

(1)(i) an election held in even numbered years on the Tuesday next after the first Monday in November, or

(ii) an election which is held to fill a vacancy in a Federal office (special election) and which is intended to result in the final selection of a single individual to the office at stake.

(b) *Primary election.*—"Primary election" means an election—

(1)(i) which is held prior to a general election, as a direct result of which candidates are nominated, in accordance with applicable state law, for election to Federal office in a subsequent election, or

(ii) which is held for the expression of a preference for the nomination of persons for the election to the office of President of the United States, or

(iii) which is held to select delegates to a national nominating convention.

(2) With respect to individuals seeking Federal office as independent candidates, or without nomination by a major party (as defined in 26 U.S.C. § 9002(6)), the primary election is considered to occur the later of

(i) the day prescribed by applicable state law as the last day to qualify for a position on the general election ballot, or

(ii) the date of the last major party primary election, caucus or convention in that state.

(c) *Runoff Election.*—"Runoff election" means any election held after a—

(1) primary election prescribed by applicable state law as the means for deciding which candidate(s) should be certified as a nominee for the Federal office sought, or

(2) general election prescribed by applicable state law as the means for deciding which candidate should be certified as an

(d) Caucus or convention.

(1) A caucus or convention of a political party which selects a nominee is an election;

(2) a caucus or a convention of a political party held prior to a primary election which does not select a nominee, is not a separate election but is part of the primary election.

(e) Special election.—“Special election” means an election which is held to fill a vacancy in a Federal office, and which may be a primary, general or runoff election.

§100.7 Expenditure.

(a) “Expenditure” means:

(1) A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as a presidential or vice presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President.

(i) For purposes of subparagraph (1)

(A) the term “payment” includes

(1) the repayment of the principal of any outstanding obligation, the proceeds of which constituted a contribution under these regulations, and

(2) the payment of any interest on the obligation, and

(3) a guarantee or endorsement by a candidate or any political committee of a loan.

(B) The term “money” includes, currency of the United States or of any foreign nation, checks, money orders or any other negotiable instrument payable on demand.

(C) The term “anything of value” includes, securities, goods, facilities, equipment, supplies, personnel, advertising, services, or other in-kind contributions provided without charge (other than volunteer services under §100.4(b)(1)) or at a charge which is below the usual charge for such items. The amount of the expenditure of a thing of value shall be the difference between the usual charge for such goods or services at the time of the expenditure and the amount charged the candidate or committee.

(2) A written contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure.

(3) A transfer of funds from a political committee to another political committee or candidate. A transfer occurs whenever the treasurer or other designated agent of the transferee committee or the candidate obtains control over the funds which are transferred.

(b) The term “expenditure” does not include:

(1) any news story, commentary, or editorial of any broadcasting station, newspaper, magazine, or other periodical publication, unless the facility is owned or controlled, by any political party, political committee or candidate.

(2) Non-partisan activity, designed to encourage individuals to register to vote, or vote. For purposes of this section, non-partisan means activity which is non-discriminatory in nature, in that no effort

is made to determine the party or candidate preference of individuals before encouraging them to register or to vote.

(3)(i) Any communication by any membership organization or corporation to its members or stockholders, so long as such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election, of any person to Federal office.

(ii) For purposes of this paragraph, "members" means, in the case of a political party or club, dues paying or contributing members in good standing and not all enrolled members of the party.

(4) The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided without charge by an individual, to a candidate, on the individual's residential premises, to the extent that the cumulative value of those activities by the individual on behalf of that candidate do not exceed \$500 with respect to any election. For purposes of this subparagraph an exempted expenditure by a married individual shall not be attributed to a spouse for any election.

(5) Any unreimbursed payment for personal travel and subsistence expense made by an individual who volunteers his or her personal services to a candidate, to the extent that the cumulative amount for an individual incurred with the respect to a candidate does not exceed \$500 for an election.

(6) Any communication by any person which is not made for the purpose of influencing the nomination for election, or election, of any person to Federal office.

(7) Any payments from non-campaign funds for routine living expenses of a candidate which would have been incurred without candidacy, including but not limited to food and residence.

(8) The payment of the costs of preparation, display, or mailing or other distribution incurred by a state or local committee of a political party with respect to a printed slate card, sample ballot, palm card, or other printed listing, of three or more candidates for any public office for which an election is held in the state in which the committee is organized. This subsection shall not apply in the case of costs incurred by such a committee with respect to a display of any such listing made on broadcasting stations, or in newspapers, magazines, and similar types of general public political advertising, such as billboards, posters, signs and bumper stickers.

(9) Any payment made or obligation incurred by a corporation or a labor organization which, under the provisions of the last paragraph of 18 U.S.C. § 610, would not constitute an expenditure by such a corporation or labor organization.

§ 100.8 *Federal office.*

"Federal office" means the office of President or Vice President of the United States, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

§ 100.9 *File, filed or filing.*

"File," "filed," and "filing" mean with respect to reports and statements required to be filed under this Chapter:

(a) delivery to the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, the Secretary of the Senate, Washington, D.C. 20510, or the Clerk of the House of Representatives.

Washington, D.C. 20513, as required by Part 106, by the close of business of the prescribed filing date, or

(b)(1) deposit as registered or certified mail in an established U.S. Post Office and postmarked no later than midnight of the day of the filing date, except that pre-election reports so mailed must be postmarked not later than midnight of the twelfth day before the date of such election.

(2) Reports and statements sent by first class mail must be received by the close of business of the prescribed filing date to be timely filed.

§ 100.10 *Identification.*

"Identification" means (1) in the case of an individual, his or her full name, including first name, middle name or initial, if available, last name, and full address of his or her principal place of residence, and (2) in the case of any other person, the full name and mailing address of such person.

§ 100.11 *Occupation.*

"Occupation" means principal job title or description of work performed and whether or not self-employed.

§ 100.12 *Principal place of business.*

"Principal place of business" means the full name under which the business is conducted and the city in which the person is employed or conducts business.

§ 100.13 *Person.*

(a) "Person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons.

(b) The term "person" does not include a group of individuals who act in concert for the purpose of making a single expenditure in a single transaction so long as the funds expended are the personal funds of the individuals concerned, the transaction does not involve any solicitation effort on behalf of a candidate, the members do not continue to act in concert for the purpose of influencing a Federal election subsequent to the completion of the transaction, and the expenditure is not authorized by any candidate. Each individual shall report his or her activities under § 105.10.

§ 100.14 *Political committee.*

"Political committee" means any committee, club, association or other group of persons which receives contributions, or makes expenditures, totaling more than \$1,000 in value during a calendar year.

(a) The following are four categories of political committees:

(1) *Principal campaign committee.* "Principal campaign committee" means the political committee designated by a candidate as his or her principal campaign committee pursuant to § 103.5.

(2) *Single candidate committee.* "Single candidate committee" means a political committee other than a principal campaign committee which makes or receives contributions or makes expenditures on behalf of only one candidate.

(3)(i) *Multicandidate committee.*—"Multicandidate committee" means a political committee which makes or receives contributions or makes expenditures on behalf of two or more candidates.

(ii) *Qualified multicandidate committee.*—“Qualified multicandidate committee” means a multicandidate committee which qualifies under 18 U.S.C. § 608(b)(2) as a committee which may contribute up to \$5,000 to an individual candidate per election.

(4) *Party committee.*—“Party committee” means a political committee which represents a political party and is part of the official party structure at the national, state, or local level.

(b) A political committee is either an authorized committee or an unauthorized committee:

(1) *Authorized committee.*—An “authorized committee” is a political committee which is authorized in writing by a candidate to solicit or receive contributions or make expenditures on behalf of the candidate, or has not been disavowed pursuant to §100.2(c).

(2) *Unauthorized committee.*—An “unauthorized committee” is a political committee which has not been authorized in writing by a candidate to solicit or receive contributions or make expenditures on behalf of the candidate, or has been disavowed pursuant to §100.2(c).

(c) *Affiliated committee.*—An “affiliated committee” includes:

(1) All authorized committees of the same candidate.

(2) Multicandidate committees other than national, state, or subordinate state party committees, and the House and Senate campaign committees of each party which are under common control.

(d) The term “political committee” does not include a group of individuals who act in concert for the purpose of making a single expenditure in a single transaction so long as the funds expended are the personal funds of the individuals concerned, the transaction does not involve any solicitation effort on behalf of a candidate, the members do not continue to act in concert for the purpose of influencing a Federal election subsequent to the completion of the transaction, and the expenditure is not authorized by any candidate. Each individual shall report his or her activities under §105.10.

§100.15 *Political party.*

“Political party” means an association, committee, or organization which nominates or selects a candidate for election to any Federal office, whose name appears on an election ballot as the candidate of such association, committee or organization.

§ 100.16 *National committee.*

“National committee” means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the national level.

§ 100.17 *State.*

“State” means each state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

§ 100.18 *State committee, subordinate committee.*

(a) “State committee” means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of such political party at the state level.

(b) "Subordinate committee of a state committee" means any organization which, by virtue of the bylaws of the state committee, is responsible for the day-to-day operation of such political party at the level of city, county, neighborhood, ward, district, precinct or any other subdivision of a state, or any organization under the control or direction of the state committee.

Part 101—Candidate status and designations

§101.1 Duration of candidate status.

§101.2 Candidate designations.

§101.3 Waiver of candidate reporting.

Authority.—The provisions of this Part 101, issued under section 308, 86 Stat. 17, as amended, 2 U.S.C. § 438, interpret and apply 86 Stat. 14, as amended, 2 U.S.C. §§ 432(f), 436(b), and 437b.

§ 101.1 *Duration of candidate status.*

Once an individual becomes a candidate under § 100.2, he or she continues to report until all debts and obligations for which the candidate is personally obligated arising in connection with an election with respect to which the individual's status as a candidate arose are extinguished, unless a waiver has been obtained under § 101.3, and until candidacy is terminated by letter, containing the information required by § 102.4(b) (for those candidates who did not seek a waiver).

§ 101.2 *Candidate designations.*

(a) Within a reasonable period after attaining candidate status an individual is required to:

(1) file a Statement of a Candidate for Nomination or Election to Federal Office on FEC Form 2, or by letter containing the same information in which such candidate shall—

(i) designate a principal campaign committee in accordance with § 103.5, and

(ii) designate at least one national or state bank as a campaign depository under § 104.1, and

(2) file Statements of Authorization on FEC Form 2a or by letter containing the same information for any political committee other than a principal campaign committee which will be authorized to accept contributions or make expenditures on behalf of that candidate.

(3) Commence filing personal reports of receipts and expenditures in accordance with Part 105, unless a waiver of personal reporting is applied for and granted by the Commission under § 101.3, or unless reporting is exempted under § 105.1(c).

(b) If the candidate, or his authorized committee(s), receive contributions or make expenditures in connection with the general election prior to the date of the primary election, the candidate or his authorized committee(s) shall use acceptable accounting methods to distinguish between contributions received and expenditures made with respect to the primary election and contributions received and expenditures made with respect to the general election. Acceptable methods include, but are not limited to, (1) the designation of separate accounts for each election and (2) the establishment of separate books and records for each election.

§101.3 Waiver of candidate reporting.

A candidate is relieved of the duty personally to file reports of receipts and expenditures if the candidate files FEC Form 2 or a letter and states that:

(a) Within 5 days after personally receiving any contributions the candidate will surrender possession of the entire contribution to the treasurer of his or her principal campaign committee without expending any of the proceeds thereof. No such contributions shall be commingled with the candidate's personal funds or accounts. Contributions conveyed by check, money order or other written instrument shall be consigned directly to the political committee and shall not be cashed or redeemed by the candidate.

(b) The candidate shall not make any unreimbursed expenditures for his or her campaign, except that this paragraph does not preclude a candidate from making an expenditure from personal funds to the candidate's designated principal campaign committee so long as the amount of funds does not exceed the limit prescribed in 18 U.S.C. §608(a).

(c) The waiver shall continue in effect so long as the candidate complies with the conditions under which it was applied for.

Part 102—Registration of political committees

§102.1 Registration of political committees.

§102.2 Forms and filing.

§102.3 Change or correction in information.

§102.4 Discontinuance of registration.

§102.5 Identification number.

§102.6 Registration of state committees; establishment of campaign committees.

Authority.—The provisions of this Part 102, issued under section 308, 86 Stat. 17, as amended, 2 U.S.C. §438(a)(1) (Supp. 1975), interpret and apply section 303, 86 Stat. 14, as amended, 2 U.S.C. §§431, 433 and 437.

§102.1 Registration of political committees.

(a) Each political committee except as specified in subsections (b) and (c), shall file a Statement of Organization with the Federal Election Commission, the Secretary of the Senate, or the Clerk of the House, as appropriate, within 10 days after the date of its organization, or within 10 days after the date on which the committee has information which causes it to anticipate receiving contributions or making expenditures exceeding \$1,000 in a calendar year for Federal candidates, whichever is later.

(b) Each authorized single candidate committee shall file the Statement of Organization required by paragraph (a) of this section, and any amendment thereto, or termination thereof required by sections 102.3 or 102.4 of this Part, with the affiliated principal campaign committee. The principal campaign committee shall file a copy of such Statement, amendment, or termination as in (a).

(c) A political committee which has previously filed a Statement of Organization with the Commission, the General Accounting Office, the Clerk of the Houses of Representatives or the Secretary of the Senate, and has not validly terminated is not required to file a new Statement.

§102.2 Forms and filing.

(a) The Statement of Organization shall be filed on Federal Election Commission Form 1, which may be obtained from the Federal Election

Commission, 1325 K Street, N.W., Washington, D.C. 20463. The Statement shall include the following:

- (1) the name and address of the committee;
- (2) the names, addresses, and relationships of affiliated or connected organizations (see paragraph (b) of this section);
- (3) the area, scope or jurisdiction of the committee.
- (4) The name, address, and committee position of the custodian of books and accounts.
- (5) The name, address, and committee position of other principal officers, including officers and members of the finance committee, if any.
- (6) The name, address, office sought, and party affiliation of (i) each candidate(s) for Federal office whom the committee is supporting and (ii) each candidate whom the committee is supporting for nomination or election to any other public office; or if the committee is supporting the entire ticket of any party, the name of the party and the state in which the election is held.
- (7) A statement whether the committee's existence will continue beyond the calendar year;
- (8) the disposition of residual funds which will be made in the event of dissolution;
- (9) a listing of all banks, safety deposit boxes, or other repositories used;
- (10) a statement listing any reports (other than those required by these regulations) regarding candidates for Federal office filed under state or local law by the committee with state or local officers, and the names, addresses, and positions of such officers. See 2 U.S.C. § 453 and § 111.7.

(b)(1) "Affiliated organization" means an affiliated committee as defined in § 100.14(c) of this subchapter. Only a principal campaign committee is required to report the names and addresses of all other authorized committees of its candidate. The other authorized committees need only report the name of their principal campaign committees.

(2) "Connected organization" includes any organization which is not a political committee but which organized or financially supported the registrant.

§ 102.3 *Change or correction in information.*

Any change or correction in the information previously filed in the Statement of Organization shall be reported within 10 days following the date of the change or correction by filing an amended Statement of Organization or by filing a letter noting the change(s).

§ 102.4 *Discontinuance of registration.*

(a) Any political committee not having outstanding debts or obligations owed to or by it which, after having filed one or more Statements of Organization seeks to disband or determines that it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$1,000, shall so notify the Commission, the Clerk of the House or the Secretary of the Senate, as appropriate.

(b) A notice of termination shall be noted on FEC Form 3 or by letter containing the same information, which shall be filed with the Commission, the Clerk of the House or the Secretary of the Senate as

appropriate or, in the case of an authorized single candidate committee, with the principal campaign committee. It shall contain a final report of receipts and disbursements, including a statement as to the disposition of residual funds if the committee is disbanding.

§ 102.5 Identification number.

Upon receipt of a Statement of Organization under this Part, or upon Commission review of statements already filed, an identification number shall be assigned to the statement, receipt shall be acknowledged thereof, and the political committee shall be notified of the number assigned. This identification number shall be entered by the political committee on all subsequent reports or statements filed under the Act, as well as on all communications concerning such reports or statements.

§ 102.6 Registration of state committees; establishment of campaign committees by political committees.

(a) (1) Each state committee, and each subordinate committee of a state committee, which intends to solicit, receive, or make contributions or expenditures, in excess of \$1,000, to, for or on behalf of any candidate for Federal office, or

(2) any political committee which has solicited or received contributions for or on behalf of, or made expenditures or transfers to or on behalf of, any candidate for Federal office, shall either:

(b) (1) register as a political committee and report all receipts and expenditures, Federal and non-Federal, pursuant to these regulations, or

(2) establish a separate Federal campaign committee, which shall register as a political committee. The Federal campaign committee shall establish a segregated Federal account in either a state or national bank, which account may not receive contributions other than contributions designated for such committee, or where the solicitation expressly states that such contribution will be used for Federal elections. The segregated Federal account may not receive transfers from an account or committee established by a state committee, subordinate committee of a state committee, or another political committee except from another Federal campaign account or committee. The Federal campaign committee or account may make transfers for any lawful purpose. The committee shall file a Statement of Organization and shall file reports and statements pursuant to Part 105.

Part 103—Organization of political committees

- § 103.1 Organization.
- § 103.2 Receipt of Contribution.
- § 103.3 Accounting for contributions and expenditures.
- § 103.4 Petty cash fund.
- § 103.5 Designation of principal campaign committee.
- § 103.6 Authorization of political committees.
- § 103.7 Unauthorized activity; notice.
- § 103.8 Notice; solicitation of contributions.
- § 103.9 Records; retention.
- § 103.10 Segregated funds.

Authority.—The provisions of this part 103 issued under section 308(a)(13), 86 Stat. 17, 2 U.S.C. 438, interpret or apply section 302, 86 Stat. 12, 2 U.S.C. §§ 432, 435 and 437.

§ 103.1 Organization.

- (a) Every political committee shall have a chairman and a treasurer, who shall not be the same individual.
- (b) A political committee may designate—
- (1) a vice chairman who shall act as chairman in the event of a vacancy in such office;
 - (2) an assistant treasurer who shall act as treasurer in the event of a vacancy in such office.
- (c) No contribution or expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of the chairman or the treasurer thereof.
- (d) No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their authorized agents.

§ 103.2 Receipt of contribution.

Every person who is not an authorized agent of the treasurer or candidate, and who receives a contribution in excess of \$10 on behalf of a political committee or candidate shall, on demand of the treasurer or candidate, and in any event within 5 days after receipt, render to the treasurer or an authorized agent or candidate an accounting thereof, which shall include—

- (a) the amount of the contribution and the date received and,
- (b) the identification of the contributor and, in the case of a contribution in excess of \$100, the occupation and principal place of business or employment, if any.

§ 103.3 Accounting for contributions and expenditures.

It shall be the duty of the treasurer of a political committee to—

- (a) keep a record of all contributions made to or for such committee, and, keep a record of—
- (1) the identification of every person making a contribution in excess of \$10; and
 - (2) the occupation and principal place of business of individuals whose contributions aggregate in excess of \$100 in a calendar year, and
 - (3) the date received; and
 - (4) the amount of the contribution.
- (b) keep an account of all contributions made by or on behalf of such committee, and
- (1) the identification of every person to whom any expenditure is made,
 - (2) the date of the expenditure,
 - (3) the amount of the expenditure,
 - (4) the name of each candidate on whose behalf such expenditure was made, and
 - (5) the office sought by the candidate.
- (c) obtain and keep a receipted bill from the person to whom the expenditure is made for every expenditure made by or on behalf of a political committee—
- (1) in excess of \$100;
 - (2) in a lesser amount if the aggregate amount of expenditures during a calendar year to the same person exceeds \$100;
 - (3) the receipted bill must contain

- (i) the full name and address of the person to whom the expenditure is made,
 - (ii) the amount of the expenditure,
 - (iii) the purpose of the expenditure, and
 - (iv) the date the expenditure was made.
- (4) In lieu of a receipted bill, the treasurer may keep
- (i) the canceled check(s) showing payment(s) of the bill, and
 - (ii) the bill, invoice or other contemporaneous memorandum of the transaction containing the same information as required in (3) above.

(d) The treasurer of each political committee and each candidate shall keep full and complete records of proceeds from the sale of tickets and mass collections at each dinner, luncheon, rally, and other fundraising events, and such records shall include the date, location, and nature of each event. He or she shall also keep full and complete records of the proceeds from the sale of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, jewelry, and similar materials, and such records shall reflect the cost of the items to the committee, the sale price, and the total volume sold. Such records shall be preserved in accordance with § 110.2.

(e) The treasurer shall use his or her best efforts to obtain the required information, and shall keep a complete record of the efforts to do so.

§ 103.4 *Petty cash fund.*

A political committee may maintain a petty cash fund out of which it may make expenditures not in excess of \$100 to any person in connection with a single purchase or transaction. If a petty cash fund is maintained, it shall be the duty of the treasurer of such political committee to keep and maintain a written journal of all disbursements, including the purpose of each disbursement from such fund. The treasurer need not preserve receipts or invoices in connection with the transaction except as provided in § 103.3(c).

§ 103.5 *Designation of principal campaign committee.*

(a) Each candidate for Federal office (other than for election to the office of Vice President of the United States), shall designate a political committee as his or her principal campaign committee. See § 101.2.

(b) No political committee may be designated as the principal campaign committee of more than one candidate.

(c) No political committee which supports more than one candidate may be designated as a principal campaign committee, except that, after nomination, a candidate for the office of President of the United States may designate the national committee of such political party as his or her principal campaign committee.

§ 103.6 *Authorization of political committee.*

(a) Any political committee authorized by a candidate to receive contributions or make expenditures shall be authorized in writing by the candidate. The authorization shall include a designation of campaign depositories to be used by such political committee in accordance with § 101.2.

(b) A candidate is not required to authorize a national, state or

subordinate state party committee which solicits funds to be expended on the candidate's behalf pursuant to 18 U.S.C. § 608(f).

§ 103.7 *Unauthorized activity; notice.*

All literature, advertisements (including radio and television announcements and advertisements), stationery and similar material published or otherwise distributed by an unauthorized political committee, or on its behalf, which is for the purpose of influencing the nomination or election of a candidate shall contain a statement that the committee is not authorized by the candidate and the candidate is not responsible in any way for its activities. The statement shall be placed on the face or front page of printed matter, and at the beginning or end of broadcast matter.

§ 103.8 *Notice; solicitations of contributions.*

Each political committee shall include on the face or front page of all literature and advertisements soliciting contributions the following notice:

A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C.

§ 103.9 *Records; retention.*

The treasurer of a political committee shall preserve all receipts, bills, accounts and all other records required to be kept in accordance with the requirements of § 110.2.

§ 103.10 *Segregated funds.*

All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of that committee.

Part 104—*Campaign depositories*

§ 104.1 *Notification of the Commission.*

§ 104.2 *Depositories.*

§ 104.3 *Deposits and expenditures.*

§ 104.4 *Vice-Presidential candidate campaign depositories.*

Authority.—The provisions of this part 104 are issued under section 308, 86 Stat. 17, 2 U.S.C. § 433, Interpret or apply section 302, 86 Stat. 12, 2 U.S.C. §§ 433 and 437b.

§ 104.1 *Notification of the Commission.*

(a) Each unauthorized single candidate committee, each multi-candidate committee (whether authorized or unauthorized), and each party committee shall designate a state or national bank(s) as its campaign depository(ies) on its Statement of Organization (FEC Form 1) and shall file that Statement with the Commission, the Clerk of the House or the Secretary of the Senate, as appropriate.

(b) Principal campaign committees shall list the bank(s) designated by its authorizing candidate pursuant to § 101.2 as its campaign depository(ies), in its Statement of Organization.

(c) An authorized single candidate committee shall inform its principal campaign committee of the bank(s) designated by authorizing candidate pursuant to § 101.2 as its campaign depositories, by listing them in its Statement of Organization. (FEC Form 1).

(d) Each registered political committee which changes its designated

campaign depository(ies), shall amend its Statement of Organization pursuant to § 102.3(a), listing the currently designated campaign depositories, either by filing an amended Statement of Organization, or by filing a letter, with the Commission, the Clerk of the House, the Secretary of the Senate, or for authorized committees, the principal campaign committee, as appropriate.

§ 104.2 *Depositories.*

Only national or state banks chartered by the United States or a state may be designated as campaign depositories. One or more depositories may be established in one or more states. One or more accounts may be established in a depository.

§ 104.3 *Deposits and expenditures.*

(a) All contributions received by a candidate, his or her authorized political committee(s) and any other political committee(s) shall be deposited in the appropriate campaign depository by the candidate, or by the treasurer of such committee or his or her designee, within 10 days of the candidate's or treasurer's receipt thereof. An expenditure may be made by any committee only by check drawn on an account in a designated campaign depository, except expenditures to one person for \$100 or less in connection with a single transaction or purchase. Expenditures for \$100 or less may be made from a petty cash fund, maintained pursuant to § 103.5. If the candidate has established separate primary and general accounts pursuant to § 101.2(b), the deposits and expenditures should be made to and from the appropriate account.

(b) Contributions which appear to be illegal shall be, within 10 days—

- (1) returned to the contributor; or
- (2) deposited into the campaign depository, in which case the treasurer shall make and retain a written record noting the basis for the appearance of illegality. The treasurer shall take all reasonable steps to determine the legality of the contribution. Refunds shall be made when a contribution is determined to have been illegal, and the treasurer shall so note by amending the current report or noting on the candidate's or committee's next required report.

§ 104.4 *Vice-Presidential candidate campaign depositories.*

The campaign depository(ies) designated by a political party's candidate for President shall be the campaign depository(ies) of that political party's candidate for the office of Vice-President.

Part 105—Reports by political committees and candidates

- § 105.1 General.
- § 105.2 Form and content of reports.
- § 105.3 Disclosure of receipt and consumption of in-kind contributions.
- § 105.4 Filing dates.
- § 105.5 Uniform reporting of contributions.
- § 105.6 Uniform reporting of expenditures.
- § 105.7 Allocation of expenditures among candidates.
- § 105.8 Disclosure of earmarked contributions and expenditures.
- § 105.9 Continuous reporting of debts and obligations.
- § 105.10 Reports of independent expenditures and contributions.
- § 105.11 Waiver of reporting requirements.
- § 105.12 Political committees; cash on hand.
- § 105.13 Members of Congress; reporting exemption.

Authority.—The provisions of this Part 105, issued under section 303(a)(13), 36 Stat. 17, as amended, 2 U.S.C. § 438, interpret or apply section 304, 36 Stat. 14, as amended, 2 U.S.C. § 434.

§ 105.1 General.

(a) Each political committee registered with the Commission, the Clerk of the House, the Secretary of the Senate, or with a principal campaign committee (Part 102 of this subchapter) shall file quarterly reports of contributions and expenditures (unless waived) until:

(1) all debts and obligations relating to that committee's Federal election activity are extinguished; and

(2) the committee has filed a valid Notice of Termination (§ 102.4).

(b) Each candidate for Federal office (other than a vice-presidential candidate) shall file quarterly reports of contributions and expenditures until all debts and obligations relating to that candidacy on which he is personally obligated are extinguished, unless the candidate is granted a waiver pursuant to § 101.3, or has terminated candidate status under § 101.1.

(c) A political committee or candidate is exempt from filing a quarterly report if the political committee or candidate did not receive contributions in excess of \$1,000 and make expenditures in excess of \$1,000 in that quarter. However,

(1) the political committee or candidate shall notify the Commission in writing at the close of the first quarter in which the exemption applies; and

(2) the political committee or candidate shall continue to file the pre-election, post-election and annual reports required by § 105.4 until terminated or waived.

§ 105.2 Form and content of reports.

(a) Except as noted below, each report filed by a political committee or candidate under this part shall be on FEC Form 3, and shall reflect all receipts and disbursements of a candidate or committee.

Forms may be obtained from the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463.

(b) Each report filed under this part shall include all receipts and disbursements from the close of the last reporting period to the close of the current reporting period, and shall disclose:

(1) The amount of cash on hand at the beginning of the calendar year and at the beginning of the reporting period, including, but not limited to, currency, balances on deposit in banks and savings and loan institutions, checks, negotiable money orders, and other paper commonly accepted by a bank in a deposit;

(2) The identification, occupation, and principal place of business, if any, of each person who has made a contribution to or for such committee or candidate during the reporting period in an amount or value in excess of \$100, or in an amount of less than \$100 if the person's contributions within a calendar year total more than \$100, together with the amount and date of such contributions;

(3)(i) The total of contributions made to or for a committee or candidate during the reporting period and not reported under subparagraph (2) of this paragraph;

(ii) Candidates and committees, which, in addition to the required totals, choose to itemize contributions not in excess of \$100, shall itemize by attaching a separate schedule. These itemized contributions shall not be commingled with the required itemized list of contributions in excess of \$100.

(4) The identification of each political committee or other political organization from which the reporting committee or the candidate received, or to which the reporting committee or the candidate made, any transfer of funds in any amount during the reporting period, together with the amounts and dates of all transfers and complete disclosure, pursuant to § 105.8, of each transfer of earmarked funds;

(5) Each:

(i) (A) loan to or from any political committee; or

(B) campaign-related loan to a candidate which is:

(ii) (A) over \$100 in value and made during the reporting period; or

(B) less than \$100 in value and the total of the loans from the maker is over \$100 shall be reported together with the identification, occupation, and principal place of business, if any, of each lender, endorser, or guarantor, as the case may be. The report shall include the date and amount of that loan.

(6) The total amount of proceeds from—

(i) the sale of tickets to each dinner, luncheon, rally, and other fundraising event;

(ii) mass collections made at such events; and

(iii) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, jewelry, and similar materials, so long as the items are sold by the candidate or an unauthorized committee.

(7) Each receipt in excess of \$100 received during the reporting period, not otherwise listed under subparagraphs (2) through (6) of this paragraph, together with the identification, date and amount received, occupation and principal place of business of each such person from whom such receipts have been received during the reporting period; including

(i) The interest or other proceeds from the investment, in an interest-bearing account, note, bill, stock, bond or other similar device, of funds transferred out of a checking account in a campaign depository and

(ii) rebates and refunds received by the candidate or committee:

(8) (i) The total of all receipts by or for the committee or candidate during the reporting period and the calendar year; and

(ii) total receipts less transfers between affiliated political committees (as defined in § 100.14).

(9) The identification of each person to whom expenditures have been made by or on behalf of such committee or candidate within the reporting period which total more than \$100, or in an amount less than \$100 if the total exceeds \$100 within a calendar year, together with the amount, date and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditures were made;

(10) The total of expenditures made by or on behalf of such committee or candidate during the reporting period and the calendar year together with total expenditures less transfers between affiliated political committees (as defined in § 100.14(c)) candidate;

(11) The amount and nature of outstanding debts and obligations owed by or to the committee including any written contracts, agreements, or promises to make contributions or expenditures. (Section 105.9 of this part sets forth the special reporting requirements applicable to debts and obligations.)

(c) (1) Except as noted in (2) below, each principal campaign committee shall consolidate in its report for each election the reports required to be filed with it, including (i) the candidate's report (unless waived) and (ii) reports submitted to it by any authorized committees. The consolidation shall be completed on FEC Form 36 and be submitted with the reports of the principal campaign committee and the reports or applicable portion of reports of the committees shown on the consolidation.

(2) For pre-election reports, the principal campaign committee may, if necessary, file the consolidated report disclosing the total receipts and expenditures by all authorized committees with respect to that election without including all of the detailed reports of committees required to file with it.

(i) Committees required to file with a principal campaign committee shall file a copy of their report with the Commission or with the Clerk of the House, or the Secretary of the Senate, as custodian for the Commission by the 10th day preceding the election, in addition to filing with the principal campaign committee, unless the principal campaign committee files a complete consolidated report 10 days prior to the election under (c)(1) above.

(ii) The principal campaign committee shall then file a consolidated report no later than 5 days before the election, the report to include the detailed reports from committees required to file with it, if the detailed report was not filed 10 days prior to the election.

(d) Candidates and authorized committees which are following § 101.2(b) shall report primary and general activity separately.

§ 105.3 *Disclosure of receipt and consumption of in-kind contributions.*

(a)(1) Each in-kind contribution shall be valued at the usual and normal charge on the date received and reported on the appropriate schedule of receipts, identified as to its nature and listed as a "contribution in-kind."

(2) Except for items noted in (c) below, each contribution shall be reported as an expenditure at the same usual and normal charge and reported on the appropriate expenditure schedule, identified and listed as an "in-kind contribution."

(b)(1) The usual and normal charge of any good shall be the retail price of that good in the market from which it ordinarily would have been purchased at the time of its contribution.

(2) The usual and normal charge of any services, other than those provided by an unpaid volunteer, shall be the prevailing hourly or

piecework rate charged for such services prevailing at the time such services were rendered.

(c) Contributions of stock, bonds, art objects, and other similar items to be liquidated shall be reported as follows:

(1) The committee or candidate shall report as a memo entry (not as cash) the item's fair market value on the date received, including the identification (and where in excess of \$100, occupation and principal place of business) of the contributor.

(2) When the item is sold, the committee or candidate shall report the proceeds on the report of receipts and expenditures, including the identification (and where in excess of \$100, occupation and principal place of business) of the purchaser, if known.

§ 105.4 *Filing dates.*

(a) Except as provided otherwise in this section, each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office shall file the reports of receipts and expenditures required under this part.

(b) *Pre-election and post-election reports.*—In any calendar year in which an individual is a candidate and an election for that office is held, a report shall be filed:

(1) no later than the 10th day before the election. (§ 105.2

(c)(2)(i)).

(i) The report shall disclose all receipts and disbursements as of the 15th day before that election.

(ii) Each report filed by registered or certified mail shall be postmarked not later than the end of the 12th day before the election.

(2) Not later than the 30th day after the election. This report must include all receipts and disbursements as of the 20th day after the election.

(c) *Annual report.*—In any calendar year in which an individual is a candidate but there is no election for the office sought, an annual report shall include all transactions as of December 31 and be filed by January 31 of the following year.

(d) *Quarterly report.*—A report shall be filed on April 10, July 10, October 10, and January 31 following the close of the immediately preceding calendar quarter in which the candidate or political committee received contributions in excess of \$1,000 or made expenditures in excess of \$1,000.

(1) These reports shall include all receipts and disbursements as of the close of that calendar quarter.

(2) When the last day for filing any quarterly report required by (c) above occurs within 10 days before or after an election, the quarterly report need not be filed so long as the pre-election reports required by § 105.4(b)(1) are timely filed.

(e) If any contribution of \$1,000 or more is received by a treasurer or his or her authorized agent subsequent to the 15th day, but more than 48 hours before 12:01 a.m. of the day on which an election is to be conducted, this information shall be reported directly to the Commission or to the Clerk of the House or Secretary of the Senate, as custodian for the Commission, within 48 hours of receipt. For purposes of this paragraph, report means—

- (1) a letter signed by the treasurer or his or her agent, hand delivered within 48 hours of the receipt of the contribution, or
- (2) a telegram, followed by a letter signed by the treasurer or his or her agent, sent registered or certified mail and post-marked within 48 hours of the receipt of the contribution.

For purposes of this subparagraph (e) only, "election" means an election for which the ballot bears the name of the candidate, or delegates committed to such candidate, who received (or one of whose authorized committees received) the contribution.

(f) *Monthly reporting.*

(1) In any calendar year in which a general election is held (not including a special election to fill a vacancy), each Presidential candidate who makes contributions or expenditures in more than one state, his or her principal campaign committee and any other authorized committee, shall file the reports required by this Part 105 by the 10th day of the month in each month except January, November, and December of such calendar year, instead of pre- and post-primary reports and quarterly reports. These reports shall include all receipts and disbursements as of the last day of the month immediately preceding the month in which the report is filed.

(2) The pre- and post-election reports required to be filed under paragraph (b) relating to a general election, the 4th quarterly report required to be filed under paragraph (d), and the reports required to be filed prior to an election under paragraph (e), must still be filed.

(3) For candidates, the monthly reporting requirement shall continue until a candidate files with the Commission a statement that his or her name will not appear on any ballot in a primary or the general election. Any candidate filing this statement shall thereafter file reports pursuant to paragraphs (c) and (d) of this section.

(4) Multicandidate committees which make contributions or expenditures in more than one state, may, upon request to and approval by the Commission, file monthly reports as set out above.

§ 105.5 *Uniform reporting of contributions.*

(a) Each contributor of an amount in excess of \$100 shall be disclosed by identification, occupation, and principal place of business, if any. If a contributor's name or address is known to have changed since an earlier contribution reported during the calendar year, the exact name or address previously used shall be noted with the first subsequent entry.

(b) In each case when a contribution received from a person in a reporting period is added to previously unitemized contributions from the same person and the aggregate exceeds \$100 within the calendar year, the identification, occupation, and principal place of business, if any, of that contributor shall then be listed on the prescribed reporting forms.

All contributions from the same person during the calendar year shall be listed under the same name.

(c) Absent evidence to the contrary, any contribution made by check, money order, or other written instrument shall be reported as a contribution by the last person signing the instrument prior to delivery to the candidate or committee.

§ 105.6 *Uniform reporting of expenditures.*

(a) A candidate or committee shall report each expenditure by or on behalf of a candidate or committee in excess of \$100, and shall include the identification of the recipient.

(b) In each case when an expenditure made to a recipient in a reporting period is added to previously unitemized expenditures to the same recipient and the total exceeds \$100 for the calendar year, the identification of that recipient shall be listed on the prescribed reporting forms.

§ 105.7 *Allocation of expenditures among candidates.*

A political committee making an expenditure on behalf of more than one candidate for Federal or non-Federal office shall allocate the expenditure(s) among the candidates on a reasonable basis pursuant to Part 107, and report the allocation for each Federal candidate. The treasurer shall retain all documents supporting the allocation in accordance with § 110.2.

§ 105.8 *Disclosure of earmarked contributions and expenditures.*

(a) Each candidate, political committee, and other person required to file reports who receives an earmarked contribution of any amount or makes an earmarked expenditure of any amount (including a transfer of funds)—shall report: (1) the identification, and if the earmarked contribution or expenditure exceeds \$100 the occupation and principal place of business, of the contributor; (2) the name and address of each political committee or candidate for whom the contribution or expenditure is earmarked; and (3) the amount of the earmarked contribution or expenditure.

(b) The reporting of earmarked contributions and expenditures shall be in addition to all other reporting of contributions or expenditures required by the Act.

§ 105.9 *Continuous reporting of debts and obligations.*

(a) Debts and obligations which remain outstanding after the election shall be continuously reported until extinguished. See § 105.1

(b) These debts and obligations shall be reported on separate schedules together with a statement explaining the circumstances and conditions under which each debt and obligation is incurred or extinguished.

(b) A debt, obligation, or other promise to make an expenditure of \$500 or less, shall be reported as of the time payment is made or no later than 60 days after incurrence, whichever comes first. A loan of money in the ordinary course of business and any debt or obligation over \$500 shall be reported as of the time of the transaction.

§ 105.10 *Reports of independent expenditures and contributions.*

(a) (1) "Independent contribution" means a contribution, not by a political committee or candidate, not made to a political committee or candidate.

(2) "Independent expenditure" means an expenditure not made by, or at the request of, a political committee or candidate.

(b) Each person who makes independent expenditures or contributions which, in the aggregate, exceed \$100 in a calendar year shall file reports with the Commission on FEC Form 3.

(c) Reports filed under this section shall include all information required for reports by §§ 105.5, 105.6 and 105.7. However, these reports need not be cumulative.

(d) Reports required by this section shall be filed on the dates political committees file pursuant to § 105.4.

§ 105.11 *Waiver of reporting requirements.*

(a) Upon application to the Commission, a political committee may be relieved, at the discretion of the Commission, of the duty to file reports of receipts and disbursements if the treasurer of that political committee certifies that the political committee

- (1) primarily supports persons seeking State or local office; and
- (2) does not operate in more than one state or does not operate on a statewide basis.

§ 105.12 *Political committees; cash on hand.*

Political committees and candidates which have cash on hand at the time of registration shall disclose on their first report the source(s) of such funds, including the information required by Part 105.2. The cash balances are assumed to be composed of those contributions most recently received by the committee or candidate.

§ 105.13 *Members of Congress; reporting exemption.*

A Member of the Congress is not required to report, as contributions received or as expenditures made, the value of photographic, matting, or recording services furnished to him by the Senate Recording Studio, the House Recording Studio, or by an individual whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives and who furnishes such services as his primary duty as an employee of the Senate or House of Representatives, or if such services were paid for by the Republican or Democratic Senatorial Campaign Committee, the Democratic National Congressional Committee, or the National Republican Congressional Committee. This subsection does not apply to such recording services furnished during the calendar year before the year in which the Member's term expires.

Part 109—Reports on convention financing

- § 109.1 Reports; committees shall report.
- § 109.2 Reports; political parties.
- § 109.3 Financial statements; time and content of filing.
- § 109.4 Committees receiving Federal funds.
- § 109.5 Convention expenses; definitions.

Authority.—The provisions of this Part 109 issued under section 308(a)(13), 86 Stat. 17, 2 U.S.C. 438, interpret or apply section 307, 86 Stat. 16, 2 U.S.C. 437, as amended.

§ 109.1 *Reports; committees shall report.*

Each committee or other organization which:

- (a) represents a state, a political subdivision thereof, or any other group of persons, in dealing with officials of a national political party with respect to matters involving a presidential nominating convention held in that state, and
- (b) receives or expends any funds in connection with the national nominating convention, shall file reports with the Commission as set out in § 109.3 below.

§ 109.2 *Reports; political parties.*

(a) Each committee or other organization, including a national committee which

(1) represents a national political party in making arrangements for the convention of that party held to nominate a candidate for the office of President or Vice President; and

(2) receives or expends any funds in connection with that convention, shall file statements as set out in §109.3 below.

(b) A state committee or a subordinate committee of a state committee which assists delegates and alternates to the convention from that state with travel expenses and arrangements, or which sponsors caucuses, receptions and similar activities at the convention site need not report under this Part 109.

§109.3 *Financial statements; time and content of filing.*

Each committee or organization required to file a financial statement shall:

(a) within 60 days following the last day the convention is officially in session, but not later than 20 days prior to the date of the general election; file with the Commission financial statements on FEC Form 4, which shall contain all receipts and disbursements in connection with the convention.

(b) file, no later than 10 days after the end of the calendar quarter, a quarterly report disclosing all transactions completed as of the close of that calendar quarter if the committee spends or receives any funds after the filing of the report required in §109.3(a).

(c) file a final report with the Commission not later than 10 days after it ceases activity.

§109.4 *Committees receiving Federal funds.*

Any committee which receives, directly or indirectly, all or part of the payment for Presidential nominating conventions under 26 U.S.C. §9008, shall, in addition to the reports required to be filed under §109.3 above, file quarterly reports as follows:

(a) The first quarterly report shall be filed at the end of the calendar quarter in which the committee receives its first payment under 26 U.S.C. §9008. A report shall be filed for each subsequent quarter in which the committee receives or expends any funds, except that a report need not be filed at the end of the quarter in which the committee files the report required by §109.3.

(b) The reports shall contain the same information as required under §109.3, shall be filed not later than 10 days after the end of the calendar quarter, and shall disclose all transactions as of the end of the calendar quarter.

§109.5 *Convention expenses; definition.*

For the purposes of this part, receipts and disbursements, in connection with a convention, means—qualified convention expenses and unqualified convention expenses as defined in Part 120 of these regulations.

Part 110—Formal requirements respecting reports and statements

§ 110.1 Verification.

§ 110.2 Preservation of records.

§ 110.3 Effect of acknowledgement and filing by the Commission.

§ 110.4 Personal responsibility of person signing statement.

Authority.—The provisions of this Part 110 issued under section 308, S2 Stat. 17, 2 U.S.C. § 438, interpret or apply section 306, S6 Stat. 17, 2 U.S.C. §§ 432, 434 and 436.

§ 110.1 *Verification.*

Each individual having the responsibility to file a report required under this subchapter, shall sign the original report.

§ 110.2 *Preservation of records.*

Each candidate, political committee, or other person required to file any report or statement under this subchapter shall:

(a) maintain records with respect to the matters required to be reported, including vouchers, worksheets, receipts, bills and accounts, which shall provide in sufficient detail the necessary information and date from which the filed reports and statements may be verified, explained, clarified, and checked for accuracy and completeness;

(b) preserve a copy of each report or statement filed; and

(c) keep those records and reports available for audit, inspection, or examination by the Commission or its authorized representatives for a period of not less than 3 years from the end of the year in which the report or statement was filed.

§ 110.3 *Effect of acknowledgement and filing by the Commission.*

Acknowledgements by the Commission, the Clerk of the House, or the Secretary of the Senate, of the receipts of statements of organization or reports or statements filed under this subchapter are intended solely to inform the person filing the report of its receipt and neither the acknowledgement nor the acceptance of a report or statement shall constitute express or implied approval, or in any manner indicate that the contents of any report or statement fulfills the filing or other requirements of the Act or of these regulations.

§ 110.4 *Personal responsibility of person signing statement.*

Each treasurer of a political committee, each candidate, and any other person required to file any report or statement under these regulations and under the Act shall be personally responsible for the timely and complete filing of the report or statement and for the accuracy of any information or statement contained in it.

Part 111—Filing copies of reports and statements with State officers

§ 111.1 Filing requirements.

§ 111.2 Filing copies of reports of Presidential and Vice Presidential candidates.

§ 111.3 Filing copies of reports by other Federal candidates and committees.

§ 111.4 Filing copies of reports by committees supporting Presidential candidates.

§ 111.5 Time and manner of filing copies.

§ 111.6 Duty of state officers.

§ 111.7 Effect on state law.

Authority.—The provisions of this Part 111 issued under section 308(a)(13), 86 Stat. 17, 2 U.S.C. § 438, interpret or apply section 309, 86 Stat. 18, 2 U.S.C. §§ 439 and 453.

§ 111.1 *Filing requirements.*

A copy of each statement and report required to be filed under this subchapter shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent state officer) of the appropriate state. For purposes of this part, the term "appropriate state" means the state or jurisdiction designated in § 111.2 or § 111.3.

§ 111.2 Filing copies of reports by Presidential and Vice Presidential candidates.

A copy of each report and statement required to be filed shall be filed by the candidate or authorized committee with the state officer of each state or other jurisdiction in which an expenditure is made during a reporting period by a candidate for the office of President or Vice President or on the candidate's behalf, the report to contain at least all transactions pertaining to that state.

§ 111.3 Filing copies of reports by other Federal candidates and committees.

A copy of each report and statement required to be filed under this subchapter by other candidates and committees shall be filed with the state officer of each state or other jurisdiction in which a candidate, other than for President or Vice President, seeks election.

§ 111.4 Filing copies of reports by committees supporting Presidential candidates.

Committees, other than a presidential candidate's principal campaign committee, and other authorized committees, which make contributions to, or expenditures on behalf of, presidential candidates shall file a copy of reports and statements only in the state(s) in which the recipient and contributing committees have their headquarters.

§ 111.5 Time and manner of filing copies.

A copy required to be filed with a state officer under this part shall be filed at the same time as the original report is filed. Each copy of a report or statement shall be a complete, true, and legible copy of the original report or statement filed.

§ 111.6 Duty of state officers.

It is the duty of the Secretary of State, or the equivalent state officer,

(a) to receive and maintain in an orderly manner all reports and statements required to be filed with him;

(b) to preserve such reports and statements for a period of 10 years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives need be preserved for only 5 years from the date of receipt;

(c) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person, such per copy expense to be reasonable.

§ 111.7 Effect on state law.

The provisions of the Federal Election Campaign Act of 1971, as amended, and rules and regulations issued thereunder, supersede and preempt any provision of state law with respect to election to Federal office.