

Record

January 2005

Federal Election Commission

Volume 31, Number 1

Table of Contents

Commission

- 1 Message from the Chairman
- 2 New Chairman and Vice Chairman

Legislation

- 1 Congress Amends Law for Campaigns' Use of Funds and Contributions to Other Candidates

Reports

- 3 Reports Due in 2005

Regulations

- 6 Technical Amendments to BCRA Rules
- 7 Notice of Proposed Rulemaking on Party Committee Donations to Tax-Exempt and Political Organizations
- 7 Federal Register

8 Advisory Opinions

Public Funding

- 9 Commission Certifies Matching Funds for Presidential Candidates

Alternative Dispute Resolution

- 9 ADR Program Update

Court Cases

- 12 New Litigation

Statistics

- 13 National Party Fundraising

Outreach

- 14 Roundtables
- 15 FEC Conferences

15 Index

Commission

Message from the Chairman

I look forward to a challenging year. For the past few years, the Commission has focused primarily on implementing the new Bipartisan Campaign Reform Act and finding alternative ways to handle its workload. This year Congress will be taking a hard look at the Commission's decision-making structure, and at how the Commission has applied the law substantively. Also, Congress will be looking for ways to revitalize the presidential public funding program. I hope to work constructively with Congress to improve the law and streamline its application.

The citizens who rely on the Commission to restrain the undue influence of money in our political process, as well as the regulated community, deserve an agency that is efficient, impartial, and fair. I urge everyone inside and outside the Commission to work toward this goal.

—Scott E. Thomas
FEC Chairman

(continued on page 2)

Legislation

Congress Amends Law for Campaigns' Use of Funds and Contributions to Other Candidates

On December 8, 2004, President Bush signed legislation (the Consolidated Appropriations Act of 2005) that included amendments to the Federal Election Campaign Act (the Act) to:

- Return "any other lawful purpose" (as long as it does not constitute "personal use") to the list of permissible uses of campaign funds and explicitly allow donations to state and local candidates, consistent with state law; and
- Raise to \$2,000 the amount that the authorized committee of one candidate can contribute to the authorized committee of another.

Permissible Uses of Campaign Funds

The Bipartisan Campaign Reform Act of 2002 (BCRA) amended 2 U.S.C. §439a, which addresses the permissible uses of a candidate's campaign funds. In doing so, Congress removed "any other lawful purpose" (so long as funds are not converted to personal use) from the

(continued on page 2)

Legislation

(continued from page 1)

list of statutorily permissible uses. Thus, in post-BCRA rulemakings and advisory opinions, the Commission has interpreted the list of permissible uses in section 439a as being exhaustive.¹ Under the new amendments to the Act, permissible uses of campaign funds now include, in addition to the previously listed uses:

¹ These permissible uses include otherwise authorized expenditures in connection with the candidate's campaign for federal office, ordinary and necessary expenses incurred in connection with the duties of the individual as a federal officeholder, contributions to charitable organizations described in 26 U.S.C. §170(c) and unlimited transfers to national, state or local political party committees. 2 U.S.C. §439a(a). Campaign funds must not be converted to "personal use" by any person. 2 U.S.C. §439a(b)(1).

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

800/424-9530
202/694-1100
202/501-3413 (FEC Faxline)
202/219-3336 (TDD for the hearing impaired)

Scott E. Thomas, Chairman
Michael E. Toner, Vice Chairman
David M. Mason, Commissioner
Danny L. McDonald,
Commissioner
Bradley A. Smith, Commissioner
Ellen L. Weintraub, Commissioner
James A. Pehrkon, Staff Director
Lawrence H. Norton, General Counsel

Published by the Information
Division

Greg J. Scott, Assistant Staff
Director

Amy Kort, Editor
<http://www.fec.gov>

- Donations to state and local candidates, subject to the limits and prohibitions of state law; and
- Any other lawful purpose that does not violate 2 U.S.C. §439a(b).

Contributions from One Authorized Committee to Another

Under the Act, with certain exceptions, no political committee that supports, or has supported, more than one candidate may be designated as an authorized committee. 2 U.S.C. §§432(e)(3)(A) and 432(e)(3)(B). Prior to the new amendment, "support" was defined to exclude a contribution of \$1,000 or less.² This support limitation was not raised under the BCRA when the contribution limits for candidates and authorized committees increased to \$2,000. The current amendment to the Act raises to \$2,000 the amount that one authorized committee can contribute to another without that contribution being considered "support."

—Amy Kort

Commission

(continued from page 1)

New Chairman and Vice Chairman Elected

On December 16, 2004, the Commission elected Scott E. Thomas as its Chairman and Michael E. Toner as Vice Chairman for 2005.

Chairman Thomas began his service at the FEC as a legal intern during the summer of 1975. Upon graduating from law school in 1977, Mr. Thomas worked on the FEC's legal staff, eventually serving as an Assistant General Counsel in the Enforcement Division. In 1983, he became Executive Assistant to then-Commissioner Tom Harris.

² Commission regulations have interpreted this to limit candidate-to-candidate contributions to \$1,000 per election. 11 CFR 102.12(c)(2) and 102.13(c)(2).

In 1986, with Commissioner Harris retiring, President Reagan appointed Mr. Thomas to the remainder of a six-year term. He was reappointed in 1991 by President George H.W. Bush, and reappointed again by President Clinton in 1997.

Commissioner Thomas served as FEC Chairman in 1987, 1993 and 1999. He served as Vice Chairman and Finance Committee Chair in 1992 and 1998. He also has served on the Regulations Committee, the Litigation Committee and the Commission Operations Review Committee. He has focused over the years on improving the enforcement process through the Enforcement Priority System and adequate staffing, restricting the use of "soft money" in the federal election process, and streamlining Commission audit, reports analysis and disclosure procedures. He has had several law review articles published, and has participated in numerous conferences and seminars in this country and abroad concerning election law.

Chairman Thomas hails from Wyoming where he graduated from Lander Valley High School in 1970. He received a degree in political science from Stanford University in 1974 and graduated from Georgetown University Law Center in 1977. He lives in the District of Columbia with his wife, Elena King.

Vice-Chairman Toner was nominated to the Commission by President George W. Bush on March 4, 2002, and appointed on March 29, 2002. Commissioner Toner was confirmed by the U.S. Senate on March 18, 2003.

Prior to being appointed to the FEC, Mr. Toner served as Chief Counsel of the Republican National Committee. Mr. Toner joined the RNC in 2001 after serving as General Counsel of the Bush-Cheney Transition Team in Washington, DC, and General Counsel of the Bush-Cheney 2000 Presidential Campaign in Austin, TX.

Before joining the Bush campaign in Austin, Commissioner Toner was Deputy Counsel at the RNC from 1997-1999. Prior to his tenure at the RNC, Mr. Toner served as counsel to the Dole/Kemp Presidential Campaign in 1996.

Mr. Toner was an associate attorney at Wiley, Rein, & Fielding in Washington, DC, from 1992-1996.

Visit the FEC's Redesigned Web Site

FEC staff recently completed a significant upgrade of the Commission's web site, www.fec.gov. The redesigned site offers a wealth of information in a simple, clearly-organized format. Features include cascading menus that improve navigation and interactive pages that allow users to tailor content to their specific needs. Noteworthy among the new features is a search engine. This tool allows visitors to immediately access all pages on the site that contain a desired word or phrase. Another new feature, the Commission Calendar, helps users keep track of reporting deadlines, upcoming conferences and workshops, Commission meetings, comment deadlines and more.

The site also offers a robust new enforcement section that includes the Enforcement Query System, information on closed MURs, the Alternative Dispute Resolution and Administrative Fine programs and—for the first time—access to final audit reports issued by the Commission.

The Commission encourages the regulated community and the public to make use of this dynamic and interactive site by visiting www.fec.gov.

His work there included advising political committees and corporate clients on federal and state election law compliance. He was also involved in a number of First and Fourteenth Amendment appellate litigation matters, including two cases that were successful in the U.S. Supreme Court.

Mr. Toner has written widely on campaign finance matters, including in the *Washington Post*, *Boston Globe*, *Chicago Tribune* and *Washington Times*. Mr. Toner is a lecturer in the Department of Politics at the University of Virginia.

Mr. Toner received a J.D. *cum laude* from Cornell Law School in 1992, an M.A. in Political Science from Johns Hopkins University in 1989 and a B.A. with distinction from the University of Virginia in 1986. He is a member of the District of Columbia and Virginia bars as well as the U.S. Supreme Court bar, the Fourth U.S. Circuit Court of Appeals and the U.S. District Courts for the District of Columbia and the Eastern District of Virginia.

—Amy Kort

Reports

Reports Due in 2005

This article on filing requirements for 2005 is supplemented by the reporting tables on the following pages.

General Information

It is the responsibility of the committee treasurer to file required reports on time. To assist treasurers, the Commission sends committees notices of upcoming reporting deadlines. Please note that filing deadlines are not extended in cases where the filing date falls on a weekend or federal holiday. In such cases, reports filed by first-class mail or courier must be received by the Commission on the business day

preceding the filing date. Reports filed electronically must be received by the Commission and pass the validation test by 11:59 Eastern time on the filing date.

Under the Commission's mandatory electronic filing regulations, individuals and organizations¹ that receive contributions or make expenditures in excess of \$50,000 in a calendar year—or expect to do so—must file all reports and statements with the FEC electronically. Electronic filers who instead file on paper or submit an electronic report that does not pass the validation test will be considered nonfilers and may be subject to enforcement actions (including administrative fines).

Committees that file with the Secretary of the Senate² are not subject to the mandatory electronic filing rules, but are encouraged to file an unofficial electronic copy of their reports with the FEC in order to expedite disclosure. 11 CFR 104.18.

The Commission's electronic filing software, FECFile 5, can be downloaded from the FEC's web site at <http://www.fec.gov/electfil/electron.shtml>. Filers may also use commercial or privately-developed software as long as the software meets the Commission's format specifications, which are available on the Commission's web site.

Most paper forms are available at the FEC's web site (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline, the agency's automated fax system (202/501-3413). The 2005

(continued on page 4)

¹ The regulation covers individuals and organizations required to file reports of contributions and/or expenditures with the Commission, including any person making an independent expenditure. Disbursements for "electioneering communications" do not count toward the \$50,000 threshold for mandatory electronic filing. 11 CFR 104.18(a).

² See "Where to File" on page 5.

Guide to 2005 Reporting

Type of Filer	Reports			
	2004 Year-End	Semi-annual	Quarterly	Monthly
House and Senate Candidate Committees ¹	X		X	
Presidential Candidate Committees	X		X	or ² X
National Party Committees	X			X
State, Local and District Party Committees	X	X	or ³	X
Political Action Committees	X	X	or ⁴	X

¹This category includes committees of candidates retiring debts from a previous election or running for a future election.

²Presidential committees may file on either a quarterly or a monthly basis. Those wishing to change their filing frequency should notify the Commission in writing. Electronic filers must file this request electronically.

³State, district and local party committees that engage in reportable "federal election activity" must file on a monthly basis. 11 CFR 300.36(c)(1). Other state, district and local party committees may file on a semiannual basis.

⁴Political action committees (PACs) may file on either a semiannual or a monthly basis. Committees wishing to change their filing frequency must notify the Commission in writing when filing a report under the committee's current schedule. Electronic filers must file this request electronically. A committee may change its filing frequency only once per calendar year. 11 CFR 104.5(c).

Reports

(continued from page 3)

Reporting Schedule is also available on the FEC's web site (http://www.fec.gov/info/report_dates.shtml), and from Faxline. For more information on reporting, call the FEC at 800/424-9530 or 202/694-1100.

Year-End Reports Covering 2004 Activity

All committees must file a 2004 year-end report due January 31, 2005. The coverage and reporting dates are found on page 5.

Reports Covering 2005 Activity

To find out which reports your committee must file in 2005, check the Guide to 2005 Reporting on page 4. Then check the tables on page 5 for reporting dates. Please note that committees active in special elections in 2005 may have to file additional special election reports, as explained on page 6.

Authorized Committees of Candidates

House and Senate Candidates. All campaigns that raise or spend more than \$5,000 (and thus trigger

registration and reporting requirements) must file quarterly reports in 2005. Under the Bipartisan Campaign Reform Act of 2002 (BCRA), principal campaign committees may no longer file on a semiannual basis in non-election years. 2 U.S.C. §434(a)(2)(B).

Committees that wish to terminate must continue filing reports until notified in writing that their termination report has been accepted by the Commission.

Principal campaign committees of candidates running in 2006 must file FEC Form 3Z-1 as part of their 2005 July Quarterly and Year-End reports. 11 CFR 104.19. The information provided on Form 3Z-1 allows opposing candidates to compute their "gross receipts advantage," which is used to determine whether a candidate is entitled to increased contribution and coordinated party expenditure limits under the "Millionaires' Amendment." 2 U.S.C. §§441a(i) and 441a-1. Form 3Z-1 is included in the FEC Form 3 package, and need only be filed with the July 15 quarterly report and year-end report for the year preceding the general election for the office the candidate seeks.

Presidential Candidates. All committees authorized by Presidential candidates must file on either a monthly or a quarterly schedule in 2005. A Presidential committee wishing to change its filing schedule should notify the Commission in writing. 11 CFR 104.5(b)(2). Electronic filers must file this request electronically.

State, District and Local Party Committees

State, district and local party committees that engage in reportable "federal election activity" must file on a monthly schedule. 11 CFR 300.36(c)(1). Committees that do not engage in reportable "federal election activity" may file on a semiannual basis in 2005. (See the April 2003 *Record*, page 5, for

2004 Year-End Report

Note: All committees file this report.

Report	Period Covered	Filing Date ¹
Year-End	Closing date of last report through 12/31/04	January 31, 2005

2005 Monthly Reports

Note: All national party committees and any state, district or local party committee that engages in “federal election activity” must file monthly reports.

Report	Period Covered	Filing Date ¹
February	January 1-31	February 20*
March	February 1-28	March 20*
April	March 1-31	April 20
May	April 1-30	May 20
June	May 1-31	June 20
July	June 1-30	July 20
August	July 1-31	August 20*
September	August 1-31	September 20
October	September 1-30	October 20
November	October 1-31	November 20*
December	November 1-30	December 20
Year-End	December 1-31	January 31, 2006

2005 Quarterly Reports

Note: All principal campaign committees must now file on a quarterly schedule in non-election years as well as in election years. Presidential committees may choose to file quarterly, rather than monthly, in non-election years.

Report	Close of Books	Filing Date ¹
1st Quarter	March 31	April 15
2nd Quarter ²	June 30	July 15
3rd Quarter	September 30	October 15*
Year-End ²	December 31	January 31, 2006

2005 Semiannual Reports

Note: PACs that file quarterly in election years file on a semiannual schedule in non-election years.

Report	Close of Books	Filing Date ¹
Mid-Year	June 30	July 31*
Year-End	December 31	January 31, 2006

* Note that this filing date falls on a weekend. Filing dates are not extended for weekends or federal holidays.

¹Reports sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an on-line tracking system must be postmarked, or deposited with the mailing service, by the filing date. Reports sent by other means—including first class mail—must be received by the filing date. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

² Authorized committees of candidates in the 2006 general election file Form 3Z-1.

more information on monthly filing for state, district and local party committees.) A committee that filed monthly in 2004 due to its federal election activity must notify the Commission in writing if it wishes to file semiannually in 2005. 11 CFR 104.5(b)(2). Electronic filers must file this request electronically.

National Party Committees

Under the BCRA, national committees of political parties must file on a monthly schedule in all years and may no longer choose to change their filing schedule in non-election years. 2 U.S.C. §434(a)(4)(B).

Political Action Committees

PACs (separate segregated funds and nonconnected committees) that filed on a quarterly basis during 2004 file on a semiannual basis in 2005. Monthly filers continue on the monthly schedule. PACs may change their filing schedule, but must first notify the Commission in writing. Electronic filers must file this request electronically. A committee may change its filing frequency only once a year. 11 CFR 104.5(c).

Where to File

Committee treasurers must file FEC reports with the appropriate federal office. State filing requirements also apply to reports filed by the principal campaign committees of candidates seeking office in Guam, Montana and Puerto Rico and to reports filed by PACs and party committees who support these candidates. 2 U.S.C. §439(a)(2)(B).

House Candidate Committees.

Principal campaign committees of House candidates file with the FEC. 11 CFR 105.1.

Senate Candidate Committees.

Principal campaign committees of Senate candidates file with the Secretary of the Senate. 11 CFR 105.2.

Presidential Committees. Principal campaign committees of Presidential candidates file with the FEC. 11 CFR 105.3.

(continued on page 6)

Reports

(continued from page 5)

Candidate Committees with More Than One Authorized Committee. If a campaign includes more than one authorized committee, the principal campaign committee files, with its own report, the reports prepared by the other authorized committees as well as a consolidated report (FEC Form 3Z). 11 CFR 104.3(f).

PACs and Party Committees. Generally, PACs and party committees file with the FEC. 11 CFR 105.4. However, committees supporting only Senate candidates, and the national Democratic and Republican Senatorial committees, file with the Secretary of the Senate. 11 CFR 105.

Waiver of State Filing

Under the Commission's State Filing Waiver program, qualified states are relieved of the requirement to make paper copies of FEC reports available to the public. As a result, political committees no longer have to file copies of their federal reports at the state level in the states that have received the waiver.³ Committees in states not certified for the waiver must continue to file copies

³ The Commission has certified that the following states and territories qualify for filing waivers: Alabama, Alaska, American Samoa, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virgin Islands, Virginia, Washington, West Virginia, Wisconsin and Wyoming. Committees that file their reports at the FEC need not file copies in these states. Guam, Montana and Puerto Rico are not currently in the State Filing Waiver Program.

of their reports with the appropriate state election office. The addresses for the federal offices (FEC and Secretary of the Senate) appear in the instructions for the Summary Page of FEC Forms 3 and 3X. A list of state filing offices is available from the Commission.

Late Filing

The Federal Election Campaign Act does not permit the Commission to grant extensions of filing deadlines under any circumstances. Filing late reports can result in enforcement action by the Commission.

The agency pursues compliance actions against late-filers and nonfilers under the Administrative Fine program and on a case-by-case basis. For more information on the Administrative Fine program, visit the FEC web site at <http://www.fec.gov/af/af.shtml>.

Independent Expenditures

The BCRA requires political committees and other persons who make independent expenditures at any time during the calendar year—up to and including the 20th day before an election—to disclose this activity within 48 hours each time that the expenditures aggregate \$10,000 or more. This reporting requirement is in addition to the requirement to file 24-hour notices of independent expenditures each time that disbursements for independent expenditures aggregate at or above \$1,000 during the last 20 days—up to 24 hours—before an election. 2 U.S.C. §§434(b),(d) and (g). Political committees must report independent expenditures that do not trigger the 48- or 24-hour reporting thresholds on their regularly-scheduled disclosure reports. Other persons report these expenditures once they exceed \$250. 11 CFR 104.4(b)(1) and 109.10(b).

All individuals, persons and committees, including Senate committees, must file their 24- and 48-hour notices of independent expenditures

with the Commission. 11 CFR 104.4, 109.10, 105.1 and 105.2.

Committees Active in Special Elections

Committees authorized by candidates running in any 2005 special election must file pre- and post-election reports in addition to regularly scheduled reports. 11 CFR 104.5(h). They are also required to comply with the 48-hour notice requirement for contributions of \$1,000 or more (including loans) received shortly before an election. See 11 CFR 104.5(f).

PACs and party committees supporting candidates running in special elections may also have to file pre- and post-election reports—unless they file on a monthly basis. 11 CFR 104.5(c)(3) and 104.5(h). All PACs are subject to 24-hour reporting of independent expenditures made shortly before an election. See 11 CFR 104.4(b) and (c) and 104.5(g).

Additionally, individuals and other persons who make “electioneering communications” that aggregate in excess of \$10,000 must file disclosure statements with the Commission within 24 hours of distribution to the public. See 11 CFR 100.29. When timing permits, the *Record* will alert committees to special election reporting dates.

—Amy Kort

Regulations

Commission Approves Technical Amendments to BCRA rules

On November 18, 2004, the Commission approved technical amendments to correct certain citations and headings in its final rules governing the definitions of “contribution” and “expenditure,” personal use of campaign funds and reporting. These rules implemented provisions of the Bipartisan Campaign Reform

Act of 2002 (BCRA). Corrections were also made to the Explanation and Justification for the BCRA rules on disclaimers and personal use of campaign funds. The Commission did not issue a Notice of Proposed Rulemaking for these corrections because, as technical amendments, they are not substantive regulations requiring notice and comment under the Administrative Procedure Act. The corrections took effect on November 24, 2004, when they were published in the *Federal Register* (69 FR 68237). The technical amendments can be viewed on the FEC web site at http://www.fec.gov/law/law_rulemakings.shtml.

—Amy Kort

NPRM on Party Committee Donations to Tax-Exempt Organizations and Political Organizations

On December 2, 2004, the Commission approved a Notice of Proposed Rulemaking (NPRM) pro-

posing changes to its rules governing the limits on national, state and local party committees' donations to certain tax-exempt organizations and political organizations. The proposed rules would conform to the U.S. Supreme Court decision in *McConnell v. FEC*. In that decision, the Court upheld the Bipartisan Campaign Reform Act's (BCRA) restrictions on solicitations for and the making or directing of donations of nonfederal funds to:

- Organizations that are exempt from tax under 26 U.S.C. §501(a) (or have submitted an application to obtain this tax status) and make expenditures or disbursements in connection with an election for federal office, including expenditures or disbursements for "federal election activity"; and
- Political organizations described in 26 U.S.C. §527 that are not a political committee under the Federal Election Campaign Act (FECA), a state, district or local committee of a political party or the authorized campaign committee of a state or local candidate. 2 U.S.C. §441i(d).

However, the Court stated that this provision of the BCRA could be considered overbroad "if read to restrict donations from a party's federal account—i.e., funds that have already been raised in compliance with FECA's source, amount and disclosure limitations." *McConnell*, 124 S. Ct. at 680-681.

Accordingly, the Commission proposes to amend its rules at 11 CFR 300.11, 300.37, 300.50 and 300.51 to provide that the prohibition on political party committees making or directing donations to these organizations is limited to donations of nonfederal funds and does not apply to donations of federal funds.

The Commission also invites comments on whether the Supreme Court's rationale for limiting the

BCRA's prohibition on directing or donating nonfederal funds should apply to Levin funds.¹ The donation of Levin funds is subject to the amount limitations, certain source prohibitions and reporting requirements of the FECA. Thus, the funds may fall within the Court's description of funds "already raised in compliance with FECA's source, amount and disclosure limitations." However, the Commission has stated that Levin funds are a "new type of non-Federal funds" and are unlike federal funds.² The Commission seeks comments on whether political party committees should be allowed to make or direct donations of Levin funds to certain tax-exempt organizations to the extent allowed by state law.

Comments

The NPRM was published in the December 9, 2004, *Federal Register* (69 FR 71388) and is available on the FEC web site at http://www.fec.gov/law/law_rulemakings.shtml and from the FEC faxline, 202/501-3413. All comments should be addressed to Ms. Mai T. Dinh, Assistant General Counsel, and must be submitted in either written or electronic form by January 10, 2005.

(continued on page 8)

Federal Register

Federal Register notices are available from the FEC's Public Records Office, on the web site at http://www.fec.gov/law/law_rulemakings.shtml and from the FEC faxline, 202/501-3413.

Notice 2004-16

Technical Amendments to Bipartisan Campaign Reform Act ("BCRA") Rules and Explanation and Justification (69 FR 68237, November 24, 2004)

Notice 2004-17

Political Party Committees Donating Funds to Certain Tax-Exempt Organizations and Political Organizations (69 FR 71388, December 9, 2004)

¹ *Levin funds are funds that a state, district or local party committee may raise itself, under state law, and are limited to \$10,000 per year from any source. Foreign nationals and anyone prohibited from contributing under state law may not contribute Levin funds. 2 U.S.C. §441(b)(2)(A)(ii); 11 CFR 300.2(h) and (i). Levin funds may be used to pay a portion of certain types of "federal election activity" and for any other use that is permissible under state law.*

² *See Explanation and Justification to Final Rules; Prohibited and Excessive Contributions: Non-Federal Funds or Soft Money, 67 FR 49064, 49065 and 49085 (July 29, 2002).*

Regulations

(continued from page 7)

The Commission recommends that comments be submitted via e-mail. E-mail comments should be sent to partytaxexempts@fec.gov and must include the full name and postal service address of the commenter. Comments that do not contain this information will not be considered. Faxed comments should be sent to 202/219-3923, with a printed copy follow-up to ensure legibility. Mailed comments should be sent to the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. No oral comments can be accepted.

—Amy Kort

Campaign Guides Available

For each type of committee, a *Campaign Guide* explains, in clear English, the complex regulations regarding the activity of political committees. It shows readers, for example, how to fill out FEC reports and illustrates how the law applies to practical situations.

The FEC publishes four *Campaign Guides*, each for a different type of committee, and we are happy to mail your committee as many copies as you need, free of charge. We encourage you to view them on our web site (www.fec.gov).

If you would like to place an order for paper copies of the *Campaign Guides*, please call the Information Division at 800/424-9530.

Advisory Opinions

AO 2004-40 Status of State Party as State Committee of Political Party

The Libertarian Party of Maryland (the Party) satisfies the requirements for state committee status.

The Federal Election Campaign Act (the Act) defines a state committee as “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, as determined by the Commission.” 2 U.S.C. §431(15). In order to achieve state committee status under Commission regulations, an organization must meet three requirements. 11 CFR 100.14 and 100.15. It must:

- Be a political party that gained ballot access for at least one federal candidate who has qualified as a candidate under the Act;¹
- Have bylaws or a similar document that “delineates activities commensurate with the day-to-day operation” of a party at a state level; and
- Be part of the official party structure.

The Libertarian Party of Maryland meets all three requirements. It satisfies the first requirement—ballot access for at least one federal candidate. Harry Browne appeared as the Party’s Presidential candidate on the Maryland ballot in 1996 and 2000, and he met the requirements for

becoming a federal candidate under 2 U.S.C. §431(2).²

The Party satisfies the second requirement because its bylaws delineate activity commensurate with the day-to-day functions of a political party on the state level and are consistent with the state party rules of other political organizations that the Commission has found to satisfy this requirement for state committee status. It is also an affiliate of the Libertarian National Party, which qualified for national committee status in 1975. See AO 1975-129.

Finally, as the Libertarian Party’s state party organization in Maryland, the Party is part of the official party structure and, thus, meets the third requirement as well. See AOs 2004-34, 2004-9, 2003-27 and 2002-10.

Date Issued: December 2, 2004;
Length: 4 pages.

—Amy Kort

Advisory Opinion Requests

AOR 2004-44

On December 14, 2004, the requesters withdrew Advisory Opinion Request 2004-44 and replaced it with Advisory Opinion Request 2004-45.

AOR 2004-45

Accounting method for determining whether campaign committee has “excess contributions” under the Millionaires’ Amendment (Ken Salazar and Salazar for Senate, December 14, 2004)

² An individual becomes a candidate for the purposes of the Act once he or she receives contributions aggregating in excess of \$5,000 or makes expenditures in excess of \$5,000. 2 U.S.C. §431(2) and 11 CFR 100.3. The Commission has granted state committee status to a state affiliate of a qualified national party committee where its only federal candidates, as defined under the Act, were the Presidential and Vice Presidential candidates of the national party. AOs 2004-34 and 2004-9.

¹ Gaining ballot access for a federal candidate is an essential element for qualifying as a political party. See 11 CFR 100.15.

Public Funding

Commission Certifies Matching Funds for Presidential Candidates

On November 30, 2004, the Commission certified \$14,023.37 in federal matching funds to two Presidential candidates for the 2004 election. The U.S. Treasury Department made the payment on December 1, 2004. This certification raises to \$28,140,734.74 the total amount of federal funds certified thus far to eight Presidential candidates under the Matching Payment Account Act.

Presidential Matching Payment Account

Under the Presidential Primary Matching Payment Account Act, the federal government will match up to \$250 of an individual's total contributions to an eligible Presidential primary candidate. A candidate must establish eligibility to receive matching payments by raising in excess of \$5,000 in each of at least 20 states (i.e., over \$100,000). Although an individual may contribute up to \$2,000 to a primary candidate, only a maximum of \$250 per individual applies toward the \$5,000 threshold in each state. Candidates who receive matching payments must agree to limit their committee's spending, limit their personal spending for the campaign to \$50,000 and submit to an audit by the Commission. 26 U.S.C. §§9033(a) and (b) and 9035; 11 CFR 9033.1, 9033.2, 9035.1(a)(2) and 9035.2(a)(1).

Candidates may submit requests for matching funds once each month. The Commission will certify an amount to be paid by the U.S. Treasury the following month. 26 CFR 702.9037-2. Only contributions from individuals in amounts of \$250 or less are matchable.

The chart at above lists the amount most recently certified to each eligible candidate who elected to participate in the matching fund

Matching Funds for 2004 Presidential Primary Candidates: November Certification

Candidate	Certification November 2004	Cumulative Certifications
Wesley K. Clark (D) ¹	\$0	\$7,615,360.39
John R. Edwards (D) ²	\$7,533.00	\$6,647,851.44
Richard A. Gephardt (D) ³	\$0	\$4,104,319.82
Dennis J. Kucinich (D) ⁴	\$0	\$3,083,962.59
Lyndon H. LaRouche, Jr. (D) ⁵	\$0	\$1,456,019.13
Joseph Lieberman (D) ⁶	\$0	\$4,267,796.85
Ralph Nader (I) ⁷	\$6,490.37	\$865,424.52
Alfred C. Sharpton (D)	\$0	\$100,000.00 ⁸

¹ General Clark publicly withdrew from the Presidential race on February 11, 2004.

² Senator Edwards publicly withdrew from the Presidential race on March 3, 2004.

³ Congressman Gephardt publicly withdrew from the Presidential race on January 2, 2004.

⁴ Congressman Kucinich became ineligible to receive matching funds on March 4, 2004.

⁵ Mr. LaRouche became ineligible to receive matching funds on March 4, 2004.

⁶ Senator Lieberman publicly withdrew from the Presidential race on February 3, 2004.

⁷ Ralph Nader became ineligible to receive matching funds on September 2, 2004.

⁸ On May 10, 2004, the Commission determined that Reverend Sharpton must repay this amount to the U.S. Treasury for matching funds he received in excess of his entitlement. See the July 2004 Record, page 8.

program, along with the cumulative amount that each candidate has been certified to date.

—Amy Kort

Alternative Dispute Resolution

ADR Program Update

The Commission recently resolved six additional cases under the Alternative Dispute Resolution (ADR) program. The respondents,

the alleged violations of the Federal Election Campaign Act (the Act) and the final disposition of the cases are listed below.

1. The Commission reached agreement with Battles for Congress and Gil Baird, its treasurer, regarding excessive contributions and accepting contributions designated for the general election when the candidate was not involved in that election. The respondents acknowledged that an inadvertent violation of the Act had occurred, but stated that the committee had insufficient funds at the time of the audit to refund the

(continued on page 10)

Alternative Dispute Resolution

(continued from page 9)

identified contributions. Following the recommendations of FEC auditors, they reported the amounts required to be refunded as debts beginning on the 2003 July Quarterly report. The 2004 July Quarterly report disclosed that refunds were made for all excessive contributions during the reporting period. In an effort to resolve this matter, the respondents have agreed to pay a \$1,000 civil penalty and work with Commission staff to terminate the committee. (ADR 159*)

2. The Commission reached agreement with the League of Conservation Voters Action Fund and Gwendolyn Sommer, its treasurer, regarding the committee's failure to accurately report receipts. Respondents acknowledged the reporting errors and explained that the unreported increase in aggregate receipts was due to technical difficulties in retrieving the data from their computerized donation tracking system. Before being advised by the FEC of problems with their reports, the respondents worked with a consultant to improve their data retrieval system in order to facilitate the early review of data prior to the completion of the monthly FEC reports. The respondents agreed to pay a \$4,500 civil penalty. In an effort to resolve these matters and avoid similar problems in the future, they also agreed to designate a staff member to be responsible for FEC compliance and to select at least two individuals from the Leagues Action Fund to attend an FEC seminar on federal election campaign reporting requirements within 12 months of the effective date of this agreement. (ADR 171*)

3. The Commission reached agreement with Bacardi USA, Inc. PAC and Robert Higdon, its treasurer,

regarding the committee's failure to comply with the Commission's mandatory electronic filing regulations, itemize disbursements and file a timely disclosure report. The respondents acknowledged violations of the Act, and they filed an electronic copy of the committee's 2003 Year End report once they learned that electronic filing was required. This report included the itemization required by Act. The respondents also filed their 2004 April Quarterly report late. The respondents agreed to pay a \$750 civil penalty and, in an effort to avoid similar errors in the future, to appoint an FEC compliance officer or retain a firm specializing in FEC requirements. The respondents will also have a staff member attend an FEC seminar within 12 months of the effective date of this agreement. (ADR 173/ MUR 5439)

4. The Commission closed the file involving Clark for President, Inc., and its treasurer, Dorian V. Weaver, regarding the payment of campaign travel. The ADR Office recommended that the case be closed, and the Commission agreed to close the file. (ADR 189/ MUR 5441)

5. The Commission closed the file involving Case for Congress and James H. Case, its treasurer, Phoenix Group, LLC, and B & K Enterprises regarding alleged corporate contributions. The ADR Office recommended that the case be closed, and the Commission agreed to close the file. (ADR 190/ MUR 5456)

6. The Commission closed the file involving John Kerry for President and Robert A. Farmer, its treasurer, regarding the alleged failure to deposit individual contributions within 10 days of the treasurer's receipt. The ADR Office recommended that the case be closed, and the Commission agreed to close the file. (ADR 192/ MUR 5465)

7. The Commission reached agreement with Charlie Dent for Congress and Jeff Berdahl, its treasurer, concerning the committee's

failure to report disbursements. The respondents acknowledged that some reporting of expenditures was incomplete and that the committee's testing-the-waters expenditures were not recorded on its first report filed with the Commission, as instructed by Commission regulations. In an effort to resolve this matter, the respondents amended their 2003 reports. In addition, the respondents agreed to send an appropriate representative to attend an FEC seminar on federal election campaign reporting requirements within 12 months of the effective date of this agreement. (ADR 157/ MUR 5397)

8. The Commission reached agreement with Tim Johnson for South Dakota, Inc., and Berniece Mayer, its treasurer, concerning the committee's misstatements of receipts, disbursements and cash on hand. In order to resolve this matter and avoid similar problems in the future, the respondents agreed

FEC Accepts Credit Cards

The Federal Election Commission now accepts American Express, Diners Club and Discover Cards in addition to Via and MasterCard. While most FEC materials are available free of charge, some campaign finance reports and statements, statistical compilations, indexes and directories require payment.

Walk-in visitors and those placing requests by telephone may use any of the above-listed credit cards, cash or checks. Individuals and organizations may also place funds on deposit with the office to purchase these items. Since prepayment is required, using a credit card or funds placed on deposit can speed the process and delivery of orders. For further information, contact the Public Records Office at 800/424-9530 or 202/694-1120.

*Cases marked with an asterisk were internally generated within the FEC.

Enforcement Query System Now Available on FEC Web Site

The FEC recently launched its Enforcement Query System (EQS), a web-based search tool that allows users to find and examine public documents regarding closed Commission enforcement matters. Using current scanning, optical character recognition and text search technologies, the system permits intuitive and flexible searches of case documents and other materials.

Currently, the EQS contains complete public case files for all MURs closed since January 1, 2000. Users of the system can search for specific words or phrases from the text of all public case documents. They can also identify single matters under review (MURs) or groups of cases by searching additional identifying information about cases prepared as part of the Case Management System. Included among these criteria are case names and numbers, complainants and respondents, timeframes, dispositions, legal issues and penalty amounts.

The system was recently updated to offer additional case information and navigation tools, including:

- A redesigned Case Summary section that includes the name of a respondent committee treasurer and any prior committee treasurer; and
- An On-Line Tutorial to help users to utilize the system's search capabilities more fully.

The Enforcement Query System may be accessed on the Commission's web site at www.fec.gov.

to reconcile on a regular basis the committee's reported activity with relevant bank records. Immediately following the effective date of this agreement, they will submit separately two quarterly reports of the committee's financial activity, with accompanying work papers showing the reconciliations noted above, for review by FEC Audit staff. In addition, the committee agreed to select a staff representative to attend an FEC seminar on federal election campaign reporting requirements within 12 months of the effective date of this agreement. (ADR 167*)

9. The Commission reached agreement with Citizens for Tracy L. Boyland and Sabrina Postles, its treasurer, regarding acceptance of prohibited contributions. The Boyland committee and Ms. Postles acknowledged that inadvertent violations of the Act occurred due to their inexperience. However, on learning of the prohibited contributions, they made refunds of all contributions named in the complaint. The respondents then filed an amended report. In addition, prior to receiving a copy of the complaint, they contracted with a firm experienced in campaign finance requirements to assist the committee with compliance. The respondents agreed to pay a \$5,000 civil penalty and, in an effort to avoid similar errors in the future, to send two individuals to an FEC-sponsored seminar on campaign finance for authorized committees within 12 months of the effective date of this agreement. The respondents will also develop a compliance manual for the education of the committee staff.

In addition to the Boyland committee and Ms. Postles, a number of other respondents were named in this case. The ADR Office recommended that the matter be dismissed, and the Commission agreed to close the file, with respect to R & M Health Systems Management, Schuman Lichtenstein Architects, Gotham Construction

Company, Herrick Feinstein and HPS Holding Company. The ADR Office recommended that the Commission take no further action, and the Commission agreed to take no further action and to close the file, in regard to the remaining named respondents: Michaels Development Co., Loewen Development, L & M Development, Full Spectrum, Signa Contracting Co., Ocean Hill Developers, FTC Management, Novalex Contracting, A. Aleem Contracting, 4502 Park Avenue LLC, R&J Brick Masonry, A. Kornegay Senior Housing, MHR Management, Shinda Management, SBA Management, E&M Electric Contracting, Solon Contracting Corporation, National Real Estate Services, Grafton Construction, Major Sewer & Water Contractors, Kent Construction, Sanita Construction, L&S Mechanical, Delta Funding Corporation, Kay Organization H&K Realty Group, Bina Drugs, Delight Construction, E-Z Pay, Comprehensive Healthcare, The Hudson Companies, New Foundation Rental & Management Association, L&C Builders, Precise Management, The Osborne Group and Sure Drugs. (ADR 172/MUR 5431)

10. The Commission reached agreement with the Ohio State Republican Party and its treasurer, Sarah Brown, regarding the committee's failure to report receipts accurately. The respondents acknowledged that they filed their August 2003 report with incomplete data rather than not filing the report. Immediately after filing, they advised the Reports Analysis Division that they were having problems retrieving contributor information. In order to resolve this matter and avoid similar problems in the future, the respondents agreed to pay a \$2,000 civil penalty and to send at least two staff members to an FEC seminar on federal campaign reporting requirements

(continued on page 12)

PACronyms, Other PAC Publications Available

The Commission annually publishes an alphabetical listing of acronyms, abbreviations and common names of political action committees (PACs).

For each PAC listed, the index provides the full name of the PAC, its city, state, FEC identification number and, if not identifiable from the full name, its connected, sponsoring or affiliated organization.

This index is helpful in identifying PACs that are not readily identified in their reports and statements on file with the FEC.

To order a free copy of PACronyms, call the FEC's Disclosure Division at 800/424-9530 or 202/694-1120.

PACronyms is also available on diskette for \$1 and can be accessed free on the FEC web site at www.fec.gov.

Other PAC indexes, described below, may be ordered from the Disclosure Division. Prepayment is required.

- An alphabetical list of all registered PACs showing each PAC's identification number, address, treasurer and connected organization (\$13.25).
- A list of registered PACs arranged by state providing the same information as above (\$13.25).
- An alphabetical list of organizations sponsoring PACs showing the name of the PAC and its identification number (\$7.50).

The Disclosure Division can also conduct database research to locate federal political committees when only part of the committee name is known. Call the telephone numbers above for assistance or visit the Public Records Office in Washington at 999 E St. NW.

Alternative Dispute Resolution

(continued from page 11)

within 12 months of the effective date of this agreement. (ADR 174*)

11. The Commission reached agreement with Schneider for Congress and Harold Schneider, its treasurer, regarding the committee's failure to report properly and accurately account for earmarked contributions and its failure to report accurately disbursements. The respondents acknowledged that inadvertent violations of the Act occurred due to inexperience and agreed to pay a \$1,500 civil penalty. In an effort to avoid similar errors in the future, the respondents enlisted the services of a financial manager experienced in electronic filing who will attend an FEC seminar. They also agreed to maintain a campaign finance manual for the education of their staff. (ADR 179*)

12. The Commission reached agreement with Jesse Jackson Jr. for Congress and Carol Stanley-Robbins, its treasurer, concerning the committee's failure to report disbursements accurately. The respondents acknowledged the reporting errors, citing problems in transcribing and retrieving data. In an effort to resolve these matters and avoid similar problems in the future, the respondents agreed to pay a \$3,500 civil penalty. They also agreed to designate a staff member to be responsible for FEC compliance and to send two staff members to attend an FEC seminar on federal election campaign reporting requirements within 14 months of the effective date of this agreement. (ADR 185*)

13. The Commission reached agreement with National Committee to Preserve Social Security and Medicare PAC and Shelly C. Shapiro, its treasurer, regarding the committee's failure to file 24-hour notices. In order to resolve this matter and avoid similar errors in the future, the respondents agreed to designate one member of the

committee's staff as an FEC Compliance Officer responsible for monitoring and supervising FEC compliance and to send a staff member to an FEC seminar on federal election campaign reporting requirements within 14 months following the effective date of this agreement. (ADR 186/Pre-MUR 421: *Sua sponte*)

14. The Commission closed the file concerning Dean for America and Don Beyer, its treasurer, regarding the committee's alleged failure to itemize contributions. The ADR Office recommended that the case be closed and the Commission agreed to close the file. (ADR 193/MUR 5494)

15. The Commission closed the file concerning Crowson for Congress and Anna M. Broadhead, its treasurer, regarding the committee's alleged failure to file disclosure reports. The ADR Office recommended that the case be closed and the Commission agreed to close the file. (ADR 203/MUR 5451)

—Amy Kort

Court Cases

New Litigation

Augusti and Augusti for Congress v. FEC

On June 16, 2004, Mark A. Augusti for Congress (the Committee) and Mark A. Augusti, as its treasurer, filed a complaint in the U.S. District Court for the Western District of Tennessee. The plaintiffs ask the court to review a final determination and a civil penalty assessed by the Commission under its administrative fines regulations.

Background. On June 30, 2003, the Commission found reason to believe that the Committee had filed its 2002 Year End report 26 days late. See 2 U.S.C. §434(a). On May 19, 2004, the Commission made a final determination that the Committee had violated 2 U.S.C.

§434(a) and assessed a \$750 civil money penalty. 11 CFR 111.43. The Commission did not accept the treasurer’s absence from the country until mid-January as an “extraordinary circumstance” that prevented her from timely filing the report. 11 CFR 111.35(b)(1)(iii).

Court Complaint. In their complaint, the plaintiffs allege that the FEC Reviewing Officer’s recommendation that the Commission find the Committee in violation of 2 U.S.C. §434(a) and assess a civil penalty did not take into account a conversation on or about February 24, 2003, between the Committee’s treasurer at the time and an FEC staff member. The plaintiffs allege that by failing to include the substance of that telephone conversation in the record for review, “the FEC negligently and inappropriately assessed a monetary penalty against the Campaign.” The plaintiffs ask the court to set aside the final determination and monetary penalty.

U.S. District Court for the Western District of Tennessee, Memphis Division, 04-2454-D/An.

—Amy Kort

Statistics

National Parties Raise Over \$1.4 Billion

Between January 1, 2003, and November 22, 2004, the national committees of the two major parties raised just over \$1.4 billion and spent \$1.36 billion. The federal funds raised by both major parties’ national committees were greater in the 2004 election cycle than the combined federal and nonfederal funds raised in any prior campaign. The 2004 election cycle is the first in which national parties have been prohibited from receiving nonfederal funds, or “soft money,” as a result of the Bipartisan Campaign Reform Act of 2002 (BCRA).

Republican committees, including the Republican National Committee (RNC), National Republican Senatorial Committee (NRSC), National Republican Congressional Committee (NRCC) and state and local committees who report to the FEC, raised \$755.3 million in federal funds during this period. The Democratic National Committee (DNC),

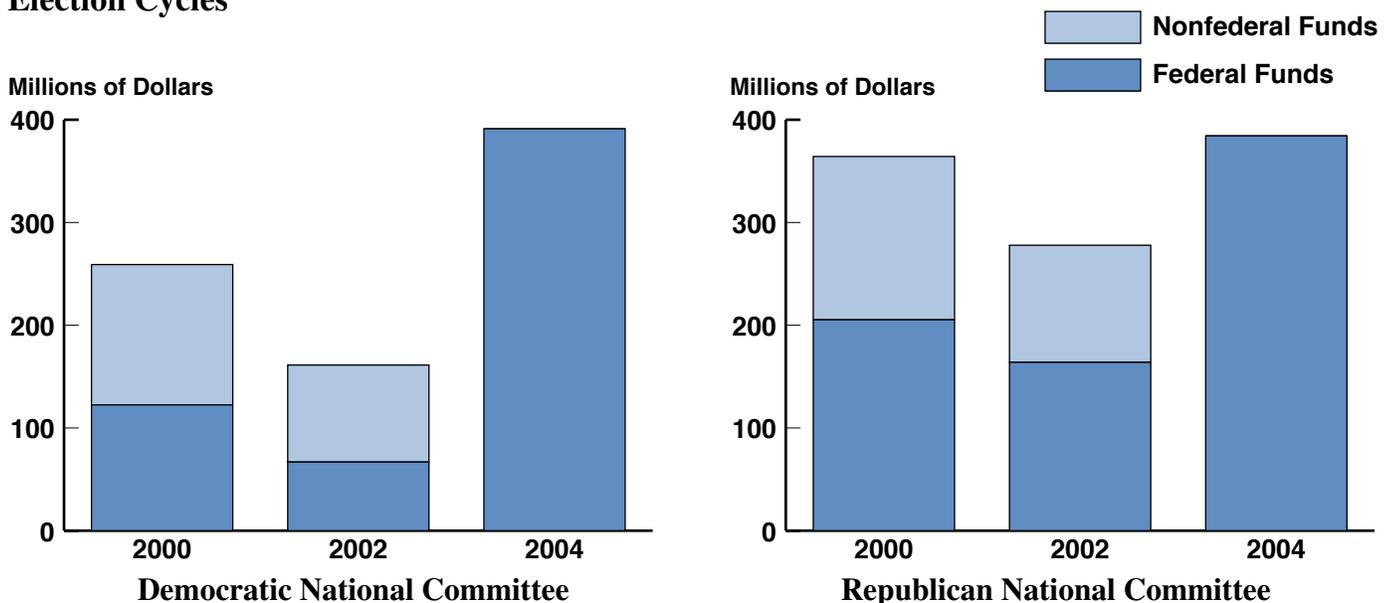
Democratic Senatorial Campaign Committee (DSCC), Democratic Congressional Campaign Committee (DCCC) and state and local committees raised \$683.6 million. Democratic party receipts were more than 150 percent higher than in the comparable period during the 2000 Presidential campaign, while Republican party fundraising grew by 69 percent when compared with the same period.

However, while the DNC and RNC raised substantially more this cycle than before, even counting donations of nonfederal funds, both parties’ Senatorial and Congressional committees raised less in 2004 than they had in previous cycles when nonfederal funds are included. The charts below show federal fundraising through 20 days after the election compared with both federal and nonfederal receipts from the same period in previous cycles.

Party committees’ direct spending to support federal candidates also increased substantially in 2004, after having declined in past cycles when soft money activity was increasing

(continued on page 14)

National Party Fundraising Through 20 Days After General Election—2000 through 2004 Election Cycles



Statistics

(continued from page 13)

for the parties. During this period, Democratic party committees reported a total of \$175.9 million in independent expenditures, which advocate the election or defeat of specific candidates but are not coordinated with campaigns. The DNC reported independent expenditures of \$120.4 million for Presidential candidates through November 22. In addition, Democratic committees spent a total of \$30.2 million in coordinated expenditures on behalf of general election candidates. Republican party committees reported \$88.4 million in independent expenditures and \$29.2 million in coordinated expenditures. In addition, while the RNC reported making \$18.2 million in independent expenditures, they also reported \$45.8 million in “generic media expenses” where they shared the costs of broadcast ads with Bush-Cheney ‘04.

An examination of party committee receipts shows that, during this period, contributions from individuals and financial support from candidates increased substantially for all national party committees. Particularly noteworthy were the large transfers that the DNC and RNC received from their Presidential nominees during the final weeks of the campaign. In addition, while proceeds from small unitemized contributions grew considerably for each committee, they did not grow as quickly as contributions made at the maximum amount that an individual may contribute to a national party committee, which was raised this election cycle from \$20,000 per year to \$25,000 per year.

Additional information on party committee financial activity is available in a press release dated December 14, 2004. That release includes detailed tables showing the sources of receipts for national party committees and financial overviews for national and state/local committees of the two major parties for the

post election period. Transfers from national to state parties are listed by state. The release is available on the FEC web site at <http://www.fec.gov/press/press2004/2004news.shtml>.

—Amy Kort

Outreach

January Roundtables

In January 2005, the Commission will host three roundtable sessions. The first session will be a joint FEC-IRS workshop regarding:

- New FEC rules on political committee status;
- New allocation rules for political action committees (PACs); and
- Internal Revenue Service rules pertaining to 527 organizations.

The remaining two sessions will focus on election year reporting, including new disclosure requirements under the Bipartisan Campaign Reform Act of 2002 (BCRA).

The reporting sessions will be followed by a half-hour reception at which each attendee will have an opportunity to meet the Campaign Finance Analyst who reviews his/her committee’s reports. Representatives from the FEC’s Electronic Filing Office will also be available to meet with attendees. See the chart below for details.

Attendance is limited to 30 people per session, and registration is accepted on a first-come, first-served basis. Please call the FEC before registering or sending money to ensure that openings remain. The registration form is available on the FEC web site at <http://www.fec.gov> and from Faxline, the FEC’s automated fax system (202/501-3413, request document 590). For more information, call the Information Division at 800/424-9530, or locally at 202/694-1100.

—Amy Kort

Roundtable Schedule

Date	Subject	Intended Audience
January 19 9:30-11:00	FEC-IRS Workshop • New FEC rules on political committee status; • Overview of IRS 527 rules.	• Political Action Committees; • 527 Organizations; and • Campaign Finance Attorneys.
January 26 9:30-11:30	• Year-End Reporting for PACs and Party Committees; • Meet your analyst and electronic filing staff at reception.	• Individuals responsible for filing FEC reports for PACs and Party Committees.
January 26 1:30-3:30	• Year-End Reporting for Candidates and their Committees; • Meet your analyst and electronic filing staff at reception.	• Individuals responsible for filing FEC reports for Candidate Committees.

FEC Campaign Finance Law Conferences in 2005

Each year the Federal Election Commission sponsors conferences where Commissioners and staff conduct a variety of technical workshops on the campaign finance 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. The schedule below lists the dates and locations for conferences to be held in 2005. This year,

Conferences Schedule for 2005

Conference for House and Senate Campaigns and Political Party Committees

March 15-17, 2005
Loews L'Enfant Plaza
Washington, DC

Conference for Corporations and their PACs

April 25-27, 2005
Loews L'Enfant Plaza
Washington, DC

Conference for Trade Associations, Membership Organizations, Labor Organizations and their PACs

June 1-3, 2005
Hyatt Regency Chicago
Chicago, IL

Conference for Campaigns, Parties and Corporate/Labor/Trade PACs

September 14-15, 2005
Hyatt Regency Islandia
San Diego, CA

Conference for Campaigns, Parties and Corporate/Labor/Trade PACs

October 25-26, 2005
Crowne Plaza Hotel
San Antonio Riverwalk
San Antonio, TX

conferences held in Washington, DC, will feature an opportunity for each participant to meet the FEC Campaign Finance Analyst who reviews his or her committee's FEC reports.

The registration fee for the March conference for House and Senate campaigns and political committees is \$375 for individuals who register on or before February 11. The room rate at the Loews L'Enfant Plaza is \$195 for conference participants who make their reservations by February 11.

The registration fee for the April conference for corporations and their PACs is \$375, and a room rate of \$189 will be available for conference participants. The registration periods for both the March and April conferences will open this winter. Complete registration information is available on the FEC web site at <http://www.fec.gov/info/outreach.shtml#conferences>.

Please direct all questions about conference registration and fees to Sylvester Management Corporation at 1-800/246-7277. For questions about the conference program, or to receive e-mail notification when registration begins, call the FEC's Information Division at 1-800/424-9530 (or locally at 202/694-1100) or send an e-mail to Conferences@fec.gov.

—Amy Kort

Get Conference Info Via E-Mail

Be the first to know about upcoming FEC conferences by signing up to receive advance notice e-mails. Simply send your contact information (e-mail address, name, organization, mailing address, fax and phone numbers) to Conferences@fec.gov and you will periodically receive updated information regarding FEC conferences of interest to your organization. The complete conference schedule for 2005 is also available on the FEC's web site at

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

—Meredith Trimble

Index

The first number in each citation refers to the "number" (month) of the 2005 *Record* issue in which the article appeared. The second number, following the colon, indicates the page number in that issue. For example, "1:4" means that the article is in the January issue on page 4.

Advisory Opinions

2004-40: Status of state party as state committee of political party, 1:8

Compliance

ADR program cases closed, 1:9

Court Cases

_____ v. FEC
– Augusti and Augusti for Congress, 1:12

Regulations

BCRA technical amendments, final rules, 1:6
Party committee donations to certain tax-exempt organizations and political organizations, Notice of Proposed Rulemaking, 1:7

Reports

Due in 2005, 1:3

FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

Official Business
Penalty for Private Use, \$300

PRESORTED STANDARD
U.S. POSTAGE
PAID
FEDERAL ELECTION COMMISSION

