



Commission: Federal Election Commission Names Alec Palmer as New Staff Director



The Federal Election Commission (FEC) has named D. Alec Palmer to be the agency's new Staff Director. Palmer, who served as Acting Staff Director, also will continue his responsibilities as the FEC's Chief Information Officer (CIO)

"Mr. Palmer has demonstrated exceptional leadership and management skills while serving as Acting Staff Director and also continuing his role as the Commission's Chief Information Officer," said Chair Cynthia L. Bauerly. "The Commission is grateful for his many years of service so far and is confident in his ability to continue to positively affect the Agency's mission in areas of disclosure, compliance, and educational outreach as our permanent Staff Director."

Palmer came to the FEC in 2003 as CIO. In that role, he has created new information technology initiatives that were designed to improve the agency's operating efficiency along with its disclosure and transparency practices. He drove efforts that allowed for the development of new website tools including the addition of the popular campaign finance maps to the FEC's website, the real-time disclosure of independent expenditures, publishing of enforcement case files dating back to 1975, the expansion of the advisory opinion search feature and a new searchable rulemaking system.

Prior to joining the FEC, Palmer had 15 years of CIO experience, and has provided leadership to senior management professionals in the public service, hospitality, oil and gas, high-tech manufacturing, financial services, publishing and healthcare industries. Alec received his bachelor's degree from Brigham Young University.

As Staff Director, Palmer serves as the chief administration and management officer for more than 350 employees and six Commissioners. The position is one of three statutory positions at the FEC.

(Posted 8/4/2011; By: Dorothy Yeager)

Outreach: Treasurer's Liability

This article answers frequently asked questions about the duties and responsibilities of political committee treasurers. Under FEC regulations, a committee's treasurer is personally responsible for carrying out his or her duties as treasurer. Thus, it is important that treasurers understand these duties before taking them on.

Duties of the Treasurer

According to the Federal Election Campaign Act and Commission regulations, a political committee must have a treasurer before it can accept contributions or make expenditures. 2 U.S.C. §432(a); 11 CFR 102.7(a) and (b). The treasurer is responsible for registering the committee, depositing receipts within 10 days, authorizing expenditures, monitoring contribution limits and prohibitions and signing and filing all reports and statements on time.

Although support staff, volunteers or professional consultants may perform these duties, the treasurer remains responsible for the committee's compliance with the Act. 11 CFR 104.14(d). If a committee's treasurer is absent, the committee cannot make expenditures or accept contributions unless it has designated an assistant treasurer or designated agent on the committee's Statement of Organization (Form 1). Committees are encouraged to name an assistant treasurer to fill any vacancies in the office of treasurer.

Treasurer's Liability in Enforcement Actions

In enforcement actions brought against a committee, the Commission names as respondents both the committee and the committee treasurer, in his or her official capacity, even if the committee has incorporated for purposes of liability. Furthermore, the treasurer can be named and found liable in his or her personal capacity if he or she knowingly and willfully violates the Act, recklessly fails to fulfill duties imposed by the law, or intentionally deprives himself or herself of the operative facts giving rise to the violation. Even when an enforcement action alleges violations that occurred during the term of a previous treasurer, the Commission usually names the current treasurer as a respondent in the action. See [Statement of Policy Regarding Treasurers, 70 F.R. 3 \(January 3, 2005\)](#).

Treasurer's Liability Under Administrative Fine Program

Similarly, when the Commission makes a final determination and assesses a civil penalty against a committee and its treasurer under the Administrative Fine Program, both the committee and the treasurer are liable for the fine. It is therefore important for treasurers to understand their obligations and responsibilities under the law. For more information, call the FEC's Information Division, 1-800-424-9530 (press 6 when prompted).

(Posted 8/11/2011; By: Christopher Berg)

Resources:

- [FEC Tips for Treasurers Page](#)
- [Committee Treasurers Brochure](#)
- [E-Learning Resources](#)
- [FEC Training for Treasurers and Committee Staff](#)

Outreach: FEC to Host San Diego Conference in October



The Commission will hold a regional conference in San Diego, California, on October 25-26, 2011. Commissioners and staff will conduct a variety of technical workshops on the federal campaign finance laws affecting federal candidates, parties and PACs. 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. To view the conference agenda or to register for the conference, please visit the conference website at <http://www.fec.gov/info/conferences/2011/sandiego.shtml>.

Hotel Information

The conference will be held at the Omni San Diego Hotel, in the heart of the historic Gaslamp Quarter, close to the city's top sites and attractions. For hotel reservations, call 1-800-843-6664 and identify yourself as attending the Federal Election Commission conference. (Alternatively, click the link on the FEC's conference website.) The FEC recommends waiting to make hotel and air reservations until you have received confirmation of your conference registration from Sylvester Management Corporation.

Registration Information

The registration fee is \$525 per attendee, which includes a \$25 nonrefundable transaction fee. Complete registration information is available online at <http://www.fec.gov/info/conferences/2011/sandiego.shtml>.

FEC Conference Questions

Please direct all questions about conference registration and fees to Sylvester Management Corporation (Phone: 1-800/246-7277; email: rosalyn@sylvestermanagement.com). For questions about the conferences and workshops, call the FEC's Information Division at 1-800/424-1100, or send an email to Conferences@fec.gov.

(Posted 8/18/11; By Kathy Carothers)

Resources:

- [FEC Minneapolis Conference, September 7-8, 2011](#)
- [FEC Educational Outreach Opportunities](#)

Advisory Opinions: AO 2011-13 Party Committee May Revise Disclaimers on Solicitation Web Pages

A national party committee may revise the disclaimers that appear on its web pages. The disclaimer requirements are the same for the party committee's website as for the version of the website that appears on smartphones, personal digital assistants and other mobile devices.

Background

The Democratic Senatorial Campaign Committee (DSCC) is a national committee of the Democratic Party. DSCC solicits credit card contributions on its website and on the version of its website that appears on smartphones, personal digital assistants and other mobile devices (collectively, solicitation web pages).

The DSCC solicitation web pages contain several statements and disclaimers intended to comply with requirements of the Federal Election Campaign Act (the Act) and Commission regulations. One statement reads: "*Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and name of employer of individuals whose contributions exceed \$200 in a calendar year.*" Another reads: "*Paid for by the Democratic Senatorial Campaign Committee, <http://www.dsc.org>, and not authorized by any candidate or candidate's committee.*" DSCC does not propose altering or eliminating any of the above disclaimers and statements.

DSCC's solicitation web pages also require contributors to check a box to confirm the following six statements are true: the contribution is made from the contributor's own funds; the contribution is not made from the general treasury funds of a corporation, labor organization or national bank; the contributor is not a foreign national who lacks permanent U.S. resident status; the contribution is not made from an entity or person who is a federal contractor (this does not apply to personal contributions by subcontractors, employees, partners, shareholders or officers of federal contractors); the contribution is made with a personal credit or debit card for which the contributor has the legal obligation to pay, and the contribution is not made on a corporate or business entity card; the contributor is at least 18 years old.

DSCC proposes to modify its solicitation web pages to eliminate the requirement that contributors check the box to affirm their eligibility to contribute according to the six criteria currently listed. Rather, DSCC proposes to add language below the button that contributors click to complete their contributions that would read:

"By clicking this button, I certify that I am at least 18 years old and am making this contribution on a personal credit or debit card with my own personal funds – not those of another person or entity – and that I meet the eligibility requirements set forth below:

- *I am not a foreign national.*
- *I am not a federal contractor."*

Next to each of the bulleted statements, DSCC also plans to include a link that would direct contributors to a more comprehensive definition of each term at the bottom of the solicitation web pages.

Analysis

The Act and Commission regulations require websites of political committees that are not authorized by a candidate, an authorized committee of a candidate or an agent of either, to state the full name and permanent address, telephone number or web address of the person paying for the communication, and that the communication is not authorized by any candidate or candidate's committee. 11 CFR 110.11(a) and (b)(3).

In addition to this disclaimer requirement, the Act and Commission regulations require political committees to keep account of and report the identification of any person who makes a contribution or contributions aggregating more than \$200 during a calendar year. 2 U.S.C. §§432(c) and 434(b); 11 CFR 102.9(a) and 104.3(a)(4). Political committee reports will be considered to comply with the Act when committee treasurers exercise best efforts to obtain the contributor's full name, mailing address, occupation and name of employer, and include an accurate statement of federal law regarding the collection and reporting of contributor identifications. 11 CFR 104.7(b).

The Commission determined that the statements and disclaimers DSCC intends to continue including on its solicitation web pages appear to satisfy the regulations concerning disclaimers and best efforts statements.

In several advisory opinions, the Commission has addressed language political committees proposed to use in soliciting contributions to ensure contributions are not accepted from prohibited sources, including a box for contributors to check. See: [Advisory Opinions 2007-30](#) (Chris Dodd for President), [1995-35](#) (Alexander for President) and [1995-09](#) (NewtWatch PAC). The Commission has noted that notice of this type is not required by the Act and Commission regulations. However, the Commission has indicated that such notice would act as an appropriate safeguard against receiving contributions from prohibited sources. The Commission found DSCC's check box on its current solicitation web pages to be an example of this type of safeguard. Because DSCC is not required to provide a box for contributors to check, but does so as a safeguard, DSCC may revise its solicitation web pages as proposed.

Date Issued: July 21, 2011; Length: 5 pages.

(Posted 8/23/2011; By: Isaac J. Baker)

Resources:

- [Advisory Opinion 2011-13](#) [PDF; 5 pages]
- [Commission's consideration of AOR 2011-13](#) 

Compliance: Consideration of Legal Questions by the Commission

On July 21, 2011, the Commission made permanent a program established in 2010 to provide a means for early review of legal questions arising during the report review and audit processes. See [76 Fed. Reg. 45798 \(August 1, 2011\)](#). The now-permanent program became effective on August 1, 2011.

Procedures

Under this program, persons or entities involved in the report review or audit processes that are obligated to take corrective action may request consideration of the corrective action by the Commission if a material dispute on a question of law exists. The persons or entities may seek Commission consideration within 15 business days of a Reports Analysis Division or Audit Division determination that the persons or entities are obligated to take the corrective action.

Requests for consideration of legal questions during the report review or audit processes are limited to questions of law on material issues. The Commission classifies a matter as a material dispute when:

- The legal issue is novel, complex or pertains to an unsettled question of law;
- There has been intervening legislation, rulemaking or litigation since the Commission last considered the issue; or
- The request to take corrective action is contrary to or otherwise inconsistent with prior Commission matters dealing with the same issue.

The request must specify the question of law at issue, why it is subject to Commission consideration, relevant court decisions and any other analysis of the issue that may assist the Commission in decision-making.

All requests for Commission consideration of legal questions should be directed to the Commission Secretary, Federal Election Commission, 999 E Street, NW, Washington, DC 20463. Upon receipt, the Commission Secretary will forward a copy of the request to each Commissioner, the General Counsel and the Staff Director.

Any request for an extension of time to file will be considered on a case-by-case basis and will only be granted if good cause is shown, and the Commission approves the extension request by four affirmative votes within five business days of the extension request. Within five business days of notification to the Commissioners, if two or more Commissioners agree that the Commission shall consider the issue, the Office of General Counsel (OGC) will prepare a recommendation. Within 15 business days, OGC shall circulate that recommendation for Commission action.

In the event of an objection by any Commissioner, the matter shall be automatically placed on the next meeting agenda. If, within 60 business days of filing the request for consideration, the Commission cannot resolve the issue or provide guidance on how to proceed by an affirmative vote of four or more Commissioners, the Office of Compliance (the OC, which includes the Reports Analysis Division and the Audit Division) may proceed with the matter. After 60 business days, the Commission will provide any requestor a copy of OGC's recommendation and either an accompanying vote certification or a cover page stating the disposition of the recommendation.

After the report review or audit process has concluded, a copy of the request for consideration, as well as the recommendation memorandum and accompanying vote certification or disposition memorandum, will be placed on the public record within 30 days.

This program does not circumvent or supplement the Advisory Opinion process. Legal questions that qualify for consideration as an Advisory Opinion are not appropriate under these procedures. Further, this program does not supersede the procedures for eligibility and entitlement to public funds.

Annual Review

By July 1 of each year, the OC and OGC will jointly prepare and distribute to the Commission a written report that summarizes the requests made under the program during the previous year, as well as the Commission's consideration of those requests and resulting actions taken. This report will also include an assessment by those offices of whether, and to what extent, the program has promoted efficiency and fairness in the report review and audit processes. In addition, the report will include the OC and OGC's recommendations, if any, for modifications to the program.

Finally, the Commission may terminate or modify this program through additional policy statements at any time upon an affirmative vote of four of its members.

(Posted 8/23/2011; By: Dorothy Yeager)

Resources:

- [Federal Register notice](#) [PDF; 2 pages]
- [Office of Compliance](#)
- [Policy Statements](#)
- [Commission's consideration of policy statement](#) 

Litigation: Citizens for Responsibility and Ethics in Washington (CREW), et al. v. FEC

On August 1, 2011, the U.S. District Court for the District of Columbia entered judgment in favor of the Commission in *Citizens for Responsibility and Ethics in Washington (CREW) et al. v. FEC*, granting the Commission's motion to dismiss this case. CREW and its executive director Melanie Sloan had filed suit alleging that the Commission had wrongfully dismissed their administrative complaint and claiming that the agency had failed to provide timely notice of its dismissal as well as the reasons for dismissal.

Background

In March 2007, plaintiffs filed an enforcement complaint with the FEC against Peace Through Strength Political Action Committee (PTS PAC), a leadership PAC sponsored by Representative Duncan Hunter. The complaint alleged that the PAC provided financial support in amounts beyond those permitted by the Federal Election Campaign Act (the Act) to Representative Hunter's Presidential exploratory committee in the form of excessive expenditures for advertisements.

The First General Counsel's report found that, while the expenditures made by PTS PAC for ads cited by CREW in its complaint did not appear to constitute violations of the Act, other disbursements by PTS PAC did indicate possible violations by the exploratory committee. The report recommended that the Commission find reason to believe that (1) Representative Hunter failed to timely file a Statement of Candidacy for President and to maintain a record of contributions received or expenditures made while he was exploring a potential candidacy for President; (2) his Presidential campaign committee, Hunter for President, Inc. (HFP), failed to report contributions received or expenditures made during the exploratory period; and (3) PTS PAC made, and HFP accepted, excessive in-kind contributions to Representative Hunter's Presidential campaign, in the form of excessive payments for travel to early primary states by Representative Hunter. The report recommended taking no action, however, in regard to allegations that PTS PAC failed to report its expenditures for advertising. The Commission voted to approve these recommendations and commenced an investigation (MUR 5908).

The investigation found that PTS PAC spent a little over \$10,000 for Representative Hunter's travel expenses. The Second General Counsel's report recommended that the Commission find that PTS PAC made, and HFP accepted, excessive in-kind contributions. In regard to the late filing of the Statement of Candidacy, because it was only three days late, the General Counsel recommended that the Commission not pursue a civil penalty. Finally, the General Counsel recommended that the Commission take no action in regard to the allegations about PTS PAC expenditures for advertising.

The Commission voted to dismiss MUR 5908 on June 29, 2010. In a Statement of Reasons for its dismissal, the Commission explained that because the amount of any potentially excessive contributions by PTS PAC to HFP was small, and the late filing of the Statement of Candidacy was *de minimis*, the Commission chose to exercise prosecutorial discretion and close the case regarding both allegations. Subsequently, the Commission notified CREW of its decision to close the file by letter dated July 23, 2010, and sent CREW its Statement of Reasons by letter dated August 24, 2010.

Section 437g(a)(8)(B) of the Act provides that the complainants may petition the court to review a Commission decision to dismiss an administrative complaint in an enforcement case within 60 days after that dismissal. On August 11, 2010, CREW filed a complaint (amended on October 28, 2010) with the District Court alleging that the Commission wrongfully dismissed MUR 5908, did not timely notify CREW of its dismissal and had an unlawful policy and practice of failing to provide enforcement case complainants with what plaintiffs claimed was the "statutorily mandated 60 days' notice of dismissal and basis of dismissal." The FEC moved to dismiss the complaint on the grounds that CREW lacked standing and failed to state a claim.

District Court Decision

In its memorandum opinion, the District Court noted that CREW must establish its standing to pursue its claim. The court noted that, while CREW had the right to file an administrative complaint with the FEC, that right did not grant them standing to seek judicial review of the disposition of that complaint.

Thus, the court analyzed whether CREW had standing in the case. In its arguments, the Commission contended that CREW failed to establish standing to appeal the dismissal of MUR 5908 under prongs one and three of the test in *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992). The court noted that under the first prong of the *Lujan* test, "the plaintiff "must have suffered an 'injury in fact' – an invasion of a legally protected interest which is (a) concrete and particularized . . . and (b) 'actual or imminent, not "conjectural" or "hypothetical[.]'" The court also noted that under the third prong of the *Lujan* test, "it must be 'likely,' as opposed to merely 'speculative,' that the injury will be 'redressed by a favorable decision.'"

The court's review of the complaints, the General Counsel's reports and the FEC's Statement of Reasons led the court to find that CREW failed to suffer an "informational injury" as the amount spent on travel was publicly disclosed in FEC reports. Since the amended complaint filed by CREW demanded amended FEC filings regarding the previously disclosed expenditures, the court found that the Plaintiffs did not have standing to bring their claim for wrongful dismissal of MUR 5908.

Regarding the claim that the Commission failed to timely notify CREW of its dismissal of the case, the court noted that the Act requires that any court challenge be filed within 60 days of the agency's dismissal, but it does not contain a timeframe in which a complainant must receive notice of the dismissal. In this case, the Commission voted to dismiss the case on June 29, 2010, notified CREW of its decision to close the file by letter dated July 23, 2010 and sent CREW its Statement of Reasons by letter dated August 24, 2010. Because the agency notified CREW of its decision to dismiss the administrative complaint within the 60-day timeframe, the district court found that CREW did not have standing to bring this claim.

The text of the court's opinion is available at http://www.fec.gov/law/litigation/crew101350_dc_memo_opinion.pdf.

United States District Court for the District of Columbia (No. 10-1350 (JEB)), August 1, 2011.

(Posted 8/23/2011; By: Dorothy Yeager

Resources:

- [CREW v. FEC: Ongoing Litigation Page](#)
- [CREW v. FEC: Court Decisions and Related Documents](#)
- [FEC Enforcement Query System](#) - Enter 5908 into case number search field to see related documents

Litigation: *Bluman v. FEC*

On August 8, 2011, the U.S. District Court for the District of Columbia dismissed a challenge to the constitutionality of the prohibition on foreign nationals making contributions or expenditures in connection with U.S. elections. The court denied the plaintiffs' motion for summary judgment and granted the FEC's motion to dismiss the case.

Background

The Plaintiffs, Benjamin Bluman and Asenath Steiman, both foreign nationals who lawfully live and work in the United States, filed suit against the FEC on October 19, 2010. The suit challenged the constitutionality of 2 U.S.C §441e and its implementing regulations at 11 CFR 110.20, which prohibit contributions, expenditures, and other election-related spending by foreign nationals.

Federal law and Commission regulations bar foreign nationals who have not received permanent resident status in the United States from "directly or indirectly" making "a contribution or donation of money or other thing of value... in connection with a federal, state or local election." Such persons are also prohibited from making "a contribution or donation to a committee of a political party," and from making a disbursement for independent expenditures or electioneering communications. 11 CFR 110.20. A knowing and willful violation of the foreign national ban is punishable by a civil penalty not exceeding the greater of \$10,000 or 200 percent of any contribution or expenditure involved in the violation. It is also punishable criminally by up to five years' imprisonment. 2 U.S.C. §§437g(a)(5) and (d).

The Plaintiffs claimed that the foreign national ban violates the First Amendment as applied to foreign nationals, such as the Plaintiffs, who lawfully reside and work in the United States.

Court Decision

The court granted the FEC's Motion to Dismiss and denied the plaintiffs' Motion for Summary Judgment. In its Memorandum Opinion, the court cited a long history of Supreme Court case law holding that foreign citizens may be excluded from certain activities that are an integral part of democratic self-government in the United States. The opinion listed several examples of activities that foreign citizens may be barred from: voting, serving as jurors, working as police or probation officers and teaching at public schools. *See, e.g., Cabell v. Chavez-Salido*, 454 U.S. 432 (1982); *Ambach v. Norwick*, 441 U.S. 68 (1979); *Foley v. Connelie*, 435 U.S. 291 (1978). "Under those precedents, the federal ban at issue here readily passes constitutional muster," the court stated.

The court said these cases provide a straightforward precedent: "It is fundamental to the definition of our national political community that foreign citizens do not have a constitutional right to participate in, and thus may be excluded from, activities of democratic self-government." For purposes of First Amendment analysis, the court stated the United States has a compelling interest in limiting the participation of foreign citizens in such activities, and "thereby preventing foreign influence over the U.S. political process." The court found that political contributions and expenditures are a vital aspect of the process of American democratic self-government.

The court said the ban on foreign election spending was also in line with the [2010 Supreme Court decision in *Citizens United v. FEC*](#), 130 S. Ct. 876 (2010).

U.S. District Court for the District of Columbia: 1:10-cv-01766-RMU.

(Posted 8/26/11; By: Isaac J. Baker)

Resources:

- [Bluman v. FEC: Ongoing Litigation Page](#)
- [Foreign Nationals brochure](#)

Reporting: Oregon Special Election Reporting: 1st District

Oregon will hold a Special Election to fill the U.S. House seat in Oregon's 1st Congressional District vacated by Representative David Wu. The Special Primaries will be held November 8, 2011, and the Special General will be held on January 31, 2012.

Candidate committees involved in these elections must follow [the reporting schedule](#). Please note that the reporting period for the Post-General election report spans two election cycles. For this report only, authorized committees must use the Post-Election Detailed Summary Page rather than the normal Detailed Summary Page.

PACs and party committees that file on a semi-annual schedule and participate in this election must also follow [the schedule](#). PACs and party committees that file monthly must continue to file according to their regular filing schedule.

Filing Electronically

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the applicable filing deadline. Electronic filers who instead file on paper or submit an electronic report that does not pass the Commission's validation program by the filing deadline will be considered nonfilers and may be subject to enforcement actions, including administrative fines.

Timely Filing for Paper Filers

Registered and Certified Mail. Reports sent by registered or certified mail must be post-marked on or before the mailing deadline to be considered timely filed. A committee sending its reports by registered or certified mail should keep its mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by certified mail. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

Overnight Mail. Reports filed via overnight mail [1](#) will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. A committee sending its reports by Express or Priority Mail, or by an overnight delivery service, should keep its proof of mailing or other means of transmittal of its reports. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

Other Means of Filing. Reports sent by other means—including first class mail and courier—must be received by the FEC before the Commission’s close of business on the filing deadline. 11 CFR 100.19 and 104.5(e).

Forms are available for downloading and printing at the FEC’s website (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline, the agency’s automated fax system (202/501-3413).

48-Hour Contribution Notices

Note that 48-hour notices are required of the participating candidate’s principal campaign committee if it receives any contribution of \$1,000 or more per source between October 20 and November 5, 2011, for the Special Primary, and between January 12 and January 28, 2012, for the Special General.

24- and 48-Hour Reports of Independent Expenditures

Political committees and other persons must file 24-hour reports of independent expenditures that aggregate at or above \$1,000 between October 20 and November 6, 2011, for the Special Primary, and between January 12 and January 29, 2012, for the Special General. This requirement is in addition to that of filing 48-hour reports of independent expenditures that aggregate \$10,000 or more during a calendar year.

Electioneering Communications

The 30-day electioneering communications period in connection with the Special Primary Election runs from October 9 through November 8, 2011. The 60-day electioneering communications period in connection with the Special General Election runs from December 2 through January 31, 2012.

Disclosure of Lobbyist Bundling Activity

Campaign committees, party committees and leadership PACs that are otherwise required to file reports in connection with the special election must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the [special election reporting period](#). 11 CFR 104.22(a)(5)(v).

The lobbyist bundling disclosure threshold for calendar year 2011 is \$16,200. This threshold amount may change in 2012 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the Commission will publish it in the *Federal Register* and post it on its website. For more information on these requirements, see [March 2009 Record](#).

(Posted 8/25/2011; By Elizabeth Kurland)

FOOTNOTE:

1 "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight service with which the report is scheduled for next business day delivery and is recorded in the service’s on-line tracking system.

Resources:

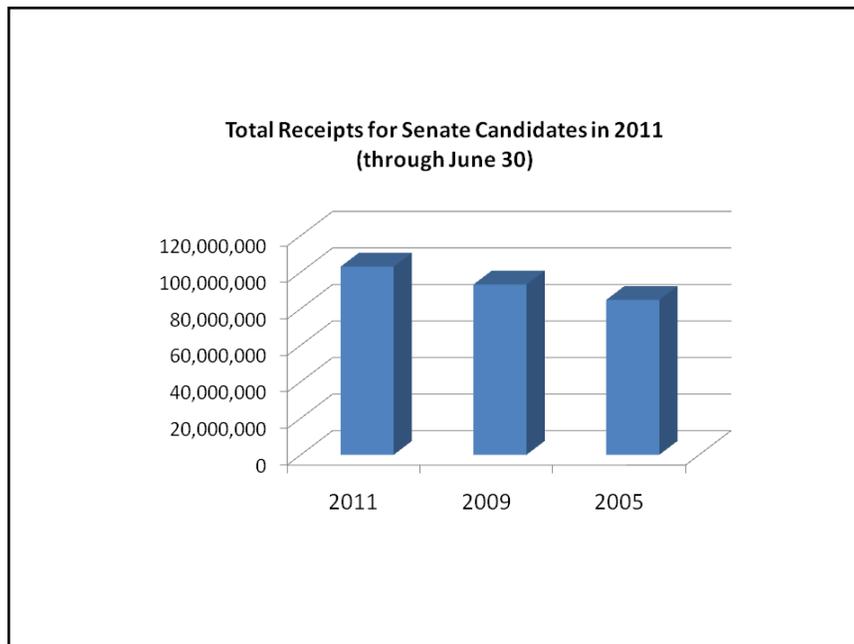
- [Federal Register Notice](#)
- [FEC Forms and Instructions](#)
- [Electronic Filing information](#)
- [Independent Expenditure brochure](#)
- [Electioneering Communications brochure](#)

House and Senate Campaign Fundraising Through June 2011

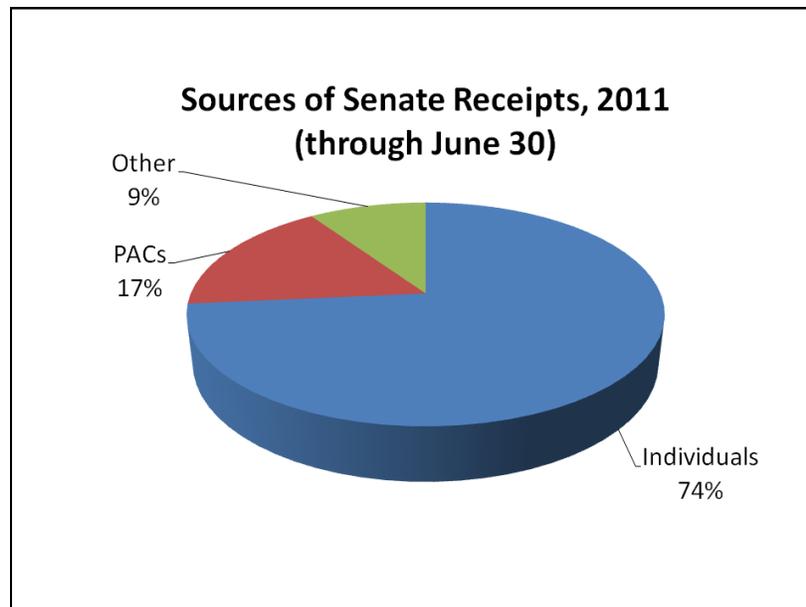
2012 candidates for the U.S. Senate and House of Representatives reported raising a total of \$285.2 million from January 1 through June 30, 2011, according to disclosure reports filed with the Federal Election Commission. Candidates seeking election to 33 U.S. Senate seats reported raising \$103.1 million during the first six months of 2011. Candidates for the House of Representatives reported raising \$182.1 million in that period.

Senate Candidates

The \$103.1 million that 82 individual Senate campaign committees raised in 2011 was the highest total ever reported for the first six months in a non-election year, exceeding the previous high of \$93.2 million raised in the first half of 2009. In 2005, the last time this same group of Senate seats was up for election, 85 candidates raised \$84.8 million during the first six months of the cycle.



From January 1 through June 30, 2011, contributions from individuals accounted for \$75.8 million, or 74 percent of the total Senate candidates raised.* Political action committee (PAC) contributions to Senate candidates totaled \$17.5 million, representing 17 percent of the campaigns' receipts.



Senate candidates ended the first six months of 2011 with \$121 million cash-on-hand and debts of \$5.4 million, some from previous elections.

U.S. House of Representatives

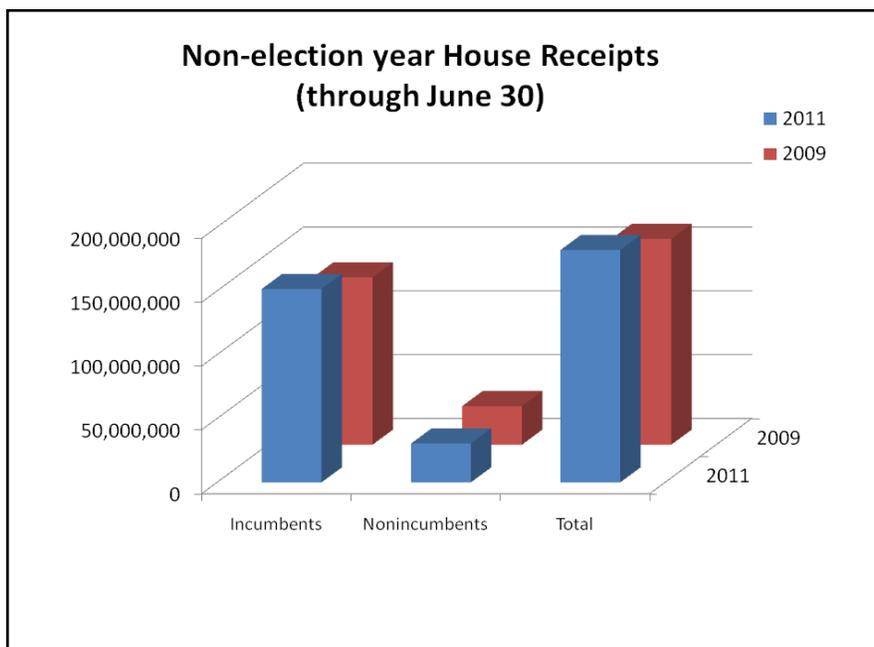
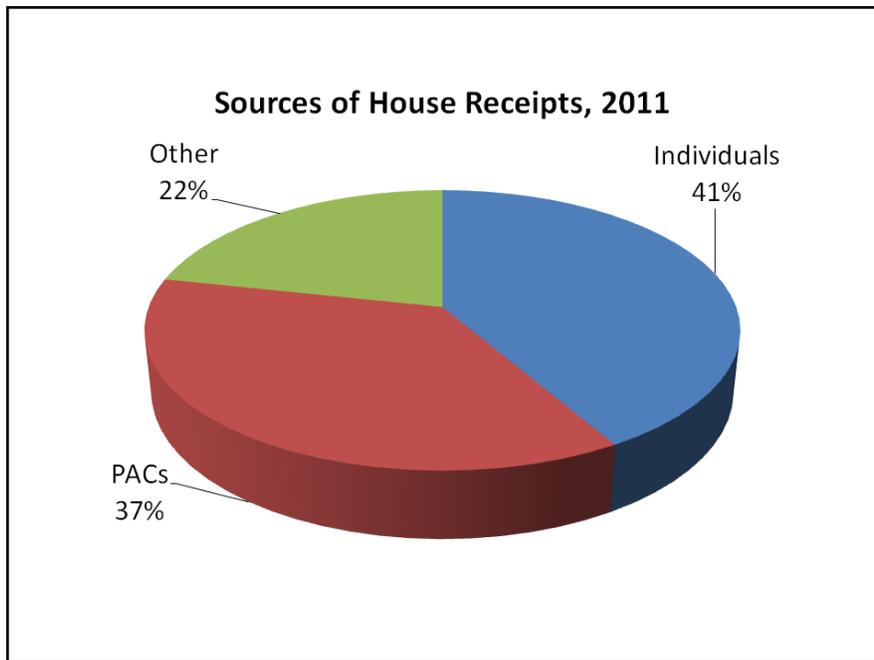
Campaign finance reports filed by House candidates for the period January 1 through June 30, 2011, show 420 House incumbents with combined receipts of \$151.6 million, a \$20.5 million (15.6%) increase from the same period in 2009.

Individual contributions accounted for \$75.8 million of House incumbents' total receipts in the first half of 2011, representing a \$13.2 million (21.1%) increase from the first six months of 2009.* Contributions from PACs amounted to \$66.9 million, a slight increase of \$2.1 million (3.2%) compared to the same time period in the previous election cycle. House incumbents reported a combined \$217.4 million cash-on-hand total at the end of the reporting period, a decrease of \$15.5 million (6.7%) from the first half of 2009.

Non-incumbent candidates raised a total of \$30.5 million for House races during the first six months of 2011, slightly outpacing the \$30.3 million raised during the same six-month period in 2009. As of June 30, 2011, House non-incumbent candidates had a combined cash-on-hand total of \$18.1 million, a \$500,000 (2.8%) increase from the June 2009 combined total.

For additional information, the full text of the Commission's press release as well as downloadable data in Excel and PDF formats are available at http://www.fec.gov/press/press2011/20110824_20126mCongCandSum.shtml. Comparative charts and graphs are also included, along with summary statistical information for each Senate candidate. Information on financial activity for these Senate candidates in 2007-2008, 2009-2010, and 2011-2012 is also provided.

House freshman incumbents reported receipts of \$37.2 million, an increase of \$9.5 million (34.3%) from the same six-month period in 2009. House freshman incumbents received \$20.8 million from individual contributors and \$14.6 million from PACs and other political committees, representing increases of \$7 million (50.7%) and \$1.4 million (10.6%) from 2009 six-month totals, respectively. The combined cash-on-hand total for House freshman incumbents as of June 30, 2011 equaled \$28.2 million, a \$6.3 million (28.8%) increase compared to the combined total of the first six months of 2009.



* The limits on contributions by individuals to candidate committees are indexed for inflation every two years. The current contribution limit for individuals to these committees is \$2,500 per election.

(Posted 8/26/2011; By: Dorothy Yeager)

Resources:

- [August 24, 2011 Press Release with links to data tables](#)
- [Disclosure Data Weblog](#)
- [Campaign Finance Reports and Data](#)
- [Availability of FEC Information \(brochure\)](#)