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## Advisory Opinions

### [AO 2015-07: Payment for Food, Beverages, and Valet Parking at Campaign Events](#)

Attendees at a campaign event may pay for their own food, beverages and valet parking without making in-kind contributions to the committee.

#### **Background**

Hillary for America (the "committee") is the principal campaign committee for presidential candidate Hillary Clinton. The committee would like to hold campaign events at restaurants, hotels and other venues where food and beverages may be offered to attendees, and at museums, private homes, and other locations where valet parking services may be offered. Any such services would be offered independent of the campaign--the committee will not request or pay for any of the services--but the committee expects event attendees may choose to pay for them on their own.

Hillary for America asks if attendees may pay for their own food, beverages and valet parking services at these events without the payments resulting in in-kind contributions to the committee.

#### **Analysis**

Under the Federal Election Campaign Act and Commission regulations, a contribution includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office. 52 U.S.C. § 30101(8)(A)(i); 11 CFR 100.52(a). "Anything of value" includes all in-kind contributions as well as the entire amount paid to attend a fundraiser or other political event. 52 U.S.C. § 30101(8)(A)(i); 11 CFR 100.52(a), (d); 11 CFR 100.53.

In previous advisory opinions, the Commission concluded that payments for food and beverage expenses for a committee's event by anyone other than the committee would result in an in-kind contribution. See AOs [1980-63](#) (Wirth); [1980-89](#) (Coelho). Similarly, if a committee provides food and beverages at an event, and an attendee reimburses or defrays the committee's costs for the food and beverages, the attendee would make

an in-kind contribution to the committee. See AO [2007-22](#) (Hurysz). If costs for food and beverages are included in the charge to attend an event, any payment of that charge would result in a contribution. See 11 CFR 100.53.

Hillary for America's request differs from those precedents because the committee does not plan to provide food or beverages at its planned events. Therefore, attendees would not be reimbursing or defraying any costs that the committee would otherwise incur. Also, these costs would not be included in the charge to attend the event, so an attendee's payment for his or her own food and beverage would not result in a contribution to the committee. However, the Commission pointed out that its conclusion assumes that the attendees' choice to purchase food and beverages at the event will not affect the committee's costs for the event. That is, the committee will not receive any discounts based on attendees' purchases, nor will it be obligated to pay a minimum charge if attendees do not make a purchase.

The Commission also approved an attendee's payment for valet parking services under the same analysis.

Date Issued: 10/1/2015; 5 pages

*(Posted October 9, 2015; By: Zainab Smith)*

**Resources:**

- [Advisory Opinion 2015-07](#) [PDF]
- [Commission Discussion of Advisory Opinion 2015-07](#)

### **[Pending Advisory Opinion Requests as of October 30, 2015](#)**

Advisory Opinion Requests (AORs) pending before the Commission as of the end of the month are listed below. Procedures for commenting on pending AORs are [described here](#).

- [AOR 2015-08](#) [PDF] Use of web platform to collect pledges for and make contributions to candidates (Repledge, August 19, 2015)
- [AOR 2015-09](#) [PDF] Interaction between independent-expenditure-only committees and federal candidates and prospective federal candidates (Senate Majority PAC and House Majority PAC, September 11, 2015)
- [AOR 2015-11](#) [PDF] Vendor collecting and forwarding contributions to political committees (FYP LLC, September 22, 2015)
- [AOR 2015-12](#) [PDF] Use of FEC contributor information in mobile application (Ethiq, September 29, 2015)

*(Posted 10/30/2015; By: Dorothy Yeager)*

**Resources:**

- [Advisory Opinion Search](#)

## Litigation

### [Combat Veterans for Congress PAC v. FEC \(Court of Appeals\)](#)

On October 16, 2015, the United States Court of Appeals for the District of Columbia Circuit denied a petition for rehearing and rehearing en banc filed by Combat Veterans for Congress PAC and its treasurer. Petitioners had sought rehearing of the appeals court's July 2015 decision affirming a district court judgment that upheld the Commission's final determinations in three administrative fine matters. For more information, see the *Record* summary at <http://www.fec.gov/pages/fecrecord/2015/september/cvcpvfecappealsct.shtml>.

*(Posted 10/28/2015; By: Zainab Smith)*

#### **Resources:**

- *Combat Veterans for Congress PAC v. FEC* [Ongoing Litigation Page](#)

## Outreach

### [FEC Introduces First Phase of betaFEC Website](#)

The Federal Election Commission introduced its [betaFEC website](#) on October 29, 2015, providing the public with a first look at a redesign that will bring easier access to the agency's rich data. The Commission seeks public feedback on the evolving website design.

"We initiated the-top-to-bottom website overhaul to fulfill the mission of the FEC – promoting democracy by providing transparency and disclosure of campaign finances," said Commission Chair Ann M. Ravel. "The intuitive search features of the website make it easier for voters, researchers, journalists and others to find the data they need."

"The new betaFEC website is just the beginning, but a very auspicious one," said Commission Vice Chair Matthew S. Petersen. "The site is neither comprehensive nor complete right now, but that's the point. We want user feedback to help us make the most useful website possible."

The Commission launched its website improvement initiative last year in partnership with 18F, a digital services delivery team in the General Services Administration (GSA). The introduction of betaFEC today caps a year of intensive, collaborative work by the two partners.



The team is designing the site in phases, allowing the Commission to launch new features faster than it would by releasing a completely redesigned fec.gov. The official site for FEC data remains the [Campaign Finance Disclosure Portal](#).

The betaFEC site allows users to browse comprehensive lists of candidates, committees, filings, receipts, and disbursements. Visitors can find information about candidates and committees with new pages that break down:

- basic information, like party affiliation, status, treasurer, address, and FEC ID;
- financial information, including contributions, disbursements, and other transactions;
- all filings in a sortable and filterable format; and
- links to detailed pages about the election and district.

Viewers can also find information about elections by searching for a ZIP code, browsing a map, or choosing a state and district. One major new offering is the election pages, which were designed to incorporate the user-friendly campaign finance maps on the Commission's current website. The election pages add consistency across elections and make related data easier to find.

The site is built to be responsive, meaning that it works on mobile devices and tablets of any size. More information on the redesign process can be found [here](#).

One of the unique aspects of the project is that the Commission is using a user-centered development process that permits users to comment on features and for 18F to take these comments into consideration as it continues to build the site. This process ensures that the website will provide the best possible experience and utility for everyone who uses it, from professionals to average citizens who want to make an informed choice at the ballot box.

*(Posted 10/30/2015)*

**Resources:**

- [betaFEC website](#)
- [18F Blog Post](#)

### **[FEC to Host Candidate 101 Webinar for Campaign Committees](#)**

On November 18, 2015, the Commission will offer a webinar for new candidates and their committees. "Candidate 101: Basics for Campaign Treasurers & Staff" provides an introduction to the campaign finance laws and regulations that apply to federal candidates and campaigns, covering topics such as candidate registration, treasurer responsibilities, contribution limits and prohibitions, and basic reporting requirements.



*Webinar Information.* This workshop is available only online via webinar. Additional instructions and technical information will be provided to those who register.

*Registration Information.* The registration fee is \$25 per session. A full refund will be made for all cancellations received by Friday, November 13; no refunds will be made for cancellations received after that time. Complete registration information is available on the FEC's website at <http://www.fec.gov/info/outreach.shtml#roundtables>.

### **Registration Questions**

Please direct all questions about webinar registration and fees to Sylvester Management at 1-800/246-7277 or email [Rosalyn@sylvestermanagement.com](mailto:Rosalyn@sylvestermanagement.com). For other questions call the FEC's Information Division at 800/424-9530 (press 6), or send an email to [Conferences@fec.gov](mailto:Conferences@fec.gov).

*(Posted 10/08/2015; By: Isaac Baker)*

### **Webinar Schedule:**

#### **November 18, 2015**

Webinar Only

- "Candidate 101: Basics for Campaign Treasurers & Staff," 1:00 PM — 2:30 PM Eastern Time

#### **Resources:**

- [FEC Educational Outreach Opportunities](#)