



RECEIVED
FEDERAL ELECTION
COMMISSION
WASHINGTON
D.C. 20543

2003 OCT 23 12 10 23

October 12, 2000

Larry Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Violation of the Code of Federal Regulations,
Robert Casey Jr. for Auditor General Committee

MUR 5116

SENSITIVE

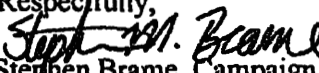
Dear Mr. Noble:

Pursuant to provisions of the Code of Federal Regulations, the Katie True for Auditor General Committee is filing this complaint with your office. It regards the campaign finance activities of the Robert Casey Jr. for Auditor General Committee, registered with the Pennsylvania State Bureau of Elections. (Registration number 9500053.) The Katie True for Auditor General Committee respectfully requests an immediate investigation by the Federal Election Commission.

An examination of campaign finance reports indicates the Robert Casey Jr. for Auditor General Committee contributed \$1,000 to the Citizens for Ron Klink Pennsylvania Senate primary campaign on March 23, and \$1,000 to Klink's general election campaign on May 3. Casey's campaign contributed an additional \$1,000 to the Ed O'Brien for Congress Committee on June 15. (PA 10th District)

The aggregate sum of these contributions exceeds the annual amount of federal expenditures allowable by a state committee as prescribed in the Code of Federal Regulations. The Casey Committee failed to file a Statement of Organization in accordance with 11 CFR 102.2 within ten days of the federal expenditures pursuant to 11 CFR 101.1. Failure to file such statement is a clear violation of section 102.1 (d) of the Code of Federal Regulations.

On behalf of the Katie True for Auditor General Committee, I urge the Commission to act expeditiously and impose the appropriate penalties.

Respectfully,

Stephen Brame, Campaign Manager
Katie True for Auditor General Committee

2000 OCT 12 10 23

RECEIVED
FEDERAL ELECTION
COMMISSION

Oct 12 2 14 PM '00

NOV 19 10 00 AM '00

BEFORE ME, the undersigned authority, on this day personally appeared

Stephen M Brame, (known to me) (or introduced to me by _____), to be the person whose name is subscribed to the

foregoing instrument, and acknowledged so he/she executed the same for the purposes and consideration therein expressed and SUBSCRIBED AND SWORN TO ME

this the 12th day of October A. D. 20 00.

Notary Signature Ray C Allen

Printed name of Notary Ray C. Allen

My commission expires

Notarial Seal
Ray C. Allen, Notary Public
Harrisburg, Dauphin County
My Commission Expires Feb. 21, 2002

NOTARY STAMP

RECEIVED
FEDERAL ELECTION
COMMISSION

Oct 15 2 32 PM '00



RECEIVED
FEDERAL ELECTION
COMMISSION
2000 OCT 14 AM 9:06

October 11, 2000

Larry Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C 20463

Re: Violation of the Code of Federal Regulations,
Robert Casey Jr for Auditor General Committee

Dear Mr. Noble:

Pursuant to provisions of the Code of Federal Regulations, the Katie True for Auditor General Committee is filing this complaint with your office. It regards the campaign finance activities of the Robert Casey Jr. for Auditor General Committee, registered with the Pennsylvania State Bureau of Elections. (Registration number 9500053.) The Katie True for Auditor General Committee respectfully requests an immediate investigation by the Federal Election Commission.

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The aggregate sum of these contributions exceeds the annual amount allowable as prescribed in section 110.1 (a)(b) of the Code of Federal Regulations. Further, the Casey Committee failed to file a Statement of Organization in accordance with 11 CFR 102.2 within ten days of the federal expenditures pursuant to 11 CFR 101.1. Failure to file such statement is a clear violation of section 102.1 (d) of the Code of Federal Regulations.

On behalf of the Katie True for Auditor General Committee, I urge the Commission to act expeditiously and impose the appropriate penalties.

Respectfully,


Stephen Brame, Campaign Manager
Katie True for Auditor General Committee

Cc: Richard Filling, PA Bureau of Elections



October 12, 2000

Larry Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Violation of the Code of Federal Regulations,
Robert Casey Jr. for Auditor General Committee

Dear Mr. Noble

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The aggregate sum of these contributions exceeds the annual amount of federal expenditures allowable by a state committee as prescribed in the Code of Federal Regulations. The Casey Committee failed to file a Statement of Organization in accordance with 11 CFR 102.2 within ten days of the federal expenditures pursuant to 11 CFR 101.1. Failure to file such statement is a clear violation of section 102.1(d) of the Code of Federal Regulations.

On behalf of the Katie True for Auditor General Committee, I urge the Commission to act expeditiously and impose the appropriate penalties.

Respectfully,


Stephen Brame, Campaign Manager
Katie True for Auditor General Committee

1353

RECEIVED
FEDERAL ELECTION
COMMISSION

NOV 12 2000

BEFORE ME, the undersigned authority, on this day personally appeared
Stephen M Drame, known to me (or introduced to me by
_____), to be the person whose name is subscribed to the
foregoing instrument, and acknowledged so he/she executed the same for the
purposes and consideration therein expressed and SUBSCRIBED AND SWORN TO ME
this the 12th day of October A. D. 20 00.

Notary Signature Ray C Allen

Printed name of Notary Ray C. Allen

My commission expires

Notarial Seal
Ray C. Allen, Notary Public
Harrisburg, Dauphin County
My Commission Expires Feb. 21, 2002

NOTARY STAMP

CAMPAIGN FINANCE REPORT

(NOTE: This report must be clear and legible. It may be typed or printed in blue or black ink.)

Filer Identification Number: 9500653	Report Filed By: CPC	CANDIDATE ^{1.}	COMMITTEE ^{2.} <input checked="" type="checkbox"/>	LOBBYIST ^{3.}
Name of Filer: CASEY, ROBERT, JR. FOR AUDITOR	Street Address: C/O TREAS: THOMAS OSTROWSKI	POSTED		
City: 434 LACKAWANNA AVE. STE 300	State: PA	Zip Code: 18503-0000		
TYPE OF REPORT <small>(place X to the right of report type)</small>	6TH TUESDAY PRE-PRIMARY ^{1.}	2ND FRIDAY PRE-PRIMARY ^{2.}	30 DAY POST PRIMARY ^{3.} <input checked="" type="checkbox"/>	AMENDMENT REPORT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	6TH TUESDAY PRE-ELECTION ^{4.}	2ND FRIDAY PRE-ELECTION ^{5.}	30 DAY POST ELECTION ^{6.}	TERMINATION REPORT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	ANNUAL REPORT ^{7.}	YEAR	FILING METHOD () CHECK ONE	PAPER <input checked="" type="checkbox"/> DISKETTE

Name of Office Sought by Candidate: Auditor General	DATE OF ELECTION MO. DAY YEAR 11 07 2000	District Number	Office Code AUD	Party Code DEM	County Code 35
(SEE INSTRUCTIONS FOR CODES)					

Summary of Receipts and Expenditures from:	MO. DAY YEAR			To	MO. DAY YEAR		
		03	21		2000		04
A. Amount Brought Forward From Last Report	\$ 676,103.28						
B. Total Monetary Contributions and Receipts (From Schedule I)	\$ 126,400.55						
C. Total Funds Available (Sum of Lines A and B)	\$ 802,503.83						
D. Total Expenditures (From Schedule III)	\$ 75,409.89						
E. Ending Cash Balance (Subtract Line D from Line C)	\$ 727,093.94						
F. Value of In-Kind Contributions Received (From Schedule II)	\$ 2,335.00						
G. Unpaid Debts and Obligations (From Schedule IV)	\$ -0-						

AFFIDAVIT SECTION

PART I - If this is a Committee report, treasurer sign here. If this is a Candidate report, candidate sign here.

I swear (or affirm) that this report, including the attached schedules, on paper or computer diskette, are to the best of my knowledge and belief true, correct and complete.

Sworn to and subscribed before me this 1st day of May 2000

Thomas J. Ostrowski
Signature of Person Submitting Report
Thomas J. Ostrowski, CPA
Printed Name

(570) 346-8425
Area Code Daytime Telephone Number

My commission expires March 20, 2004

NOTARIAL SEAL
SCOTT R. THORPE, Notary Public
Scranton, Lackawanna County

PART II - If this is a report of a Candidate's Authorized Committee, candidate shall sign here.

I swear (or affirm) that to the best of my knowledge and belief this political committee has not violated any provisions of the Act of June 3, 1937 (P.L. 1333, No. 320) as amended.

Sworn to and subscribed before me this 3rd day of May 2000

Robert P. Casey, Jr.
Signature of Candidate
Robert P. Casey, Jr.
Printed Name

(717) 787-2543
Area Code Daytime Telephone Number

My commission expires April 15, 2002

NOTARIAL SEAL
MARILENE J. GRACE, Notary Public
City of Harrisburg, Dauphin County

SCHEDULE III
STATEMENT OF EXPENDITURES

Name of Filing Committee or Candidate CASEY FOR AUDITOR GENERAL COMMITTEE	Reporting Period From 03/21/00 To 04/24/00
---	---

To Whom Paid	Month	Day	Year	Amount	Description of Expenditure
Citizens for Ron Klink Mailing Address: P.O. Box 15491 City: Pittsburgh State: PA Zip Code (Plus 4): 15237 -	03	23	2000	\$ 1,000.00	Contribution
Philadelphia Democratic City Committee Mailing Address: 1719 Spring Garden Drive City: Philadelphia State: PA Zip Code (Plus 4): 19130 -	03	27	2000	\$ 15,000.00	Contribution
Peter D. Hart Mailing Address: 1724 Connecticut Avenue NW City: Washington State: DC Zip Code (Plus 4): 20009 -	03	27	2000	\$ 26,000.00	Consultant
Bell Atlantic Mailing Address: P.O. Box 28000 City: Lehigh Valley State: PA Zip Code (Plus 4): 18002 -	03	30	2000	\$ 1,750.00	Telephone (Deposit)
CLD Mailing Address: P.O. Box 1000 City: Dallas State: PA Zip Code (Plus 4): 18690 -	03	30	2000	\$ 35.27	Telephone
Travel World Mailing Address: 10 Green Ridge Street City: Scranton State: PA Zip Code (Plus 4): 18508 -	03	30	2000	\$ 335.50	Travel
Sprint Mailing Address: P.O. Box 530503 City: Atlanta State: GA Zip Code (Plus 4): 30353 -	03	30	2000	\$ 637.89	Telephone
Vanessa DeSalvo Mailing Address: 1409 North Front Street City: Harrisburg State: PA Zip Code (Plus 4): 17102 -	03	30	2000	\$ 186.90	Reimbursement of Expenses

After Grand Total of Expenditures on Page 1, Report Cover Page, Item D.

PAGE TOTAL
\$ 44,945.56

Commonwealth of Pennsylvania
CAMPAIGN FINANCE REPORT

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 (COVER PAGE)

NOTE: This report must be clear and legible. It may be typed or printed in blue or black ink.)

Filer Identification Number: **9500053** Report Filed By: **CANDIDATE**¹ **COMMITTEE**² X **LOBBYIST**³

Name of Filing Committee, Candidate or Lobbyist:
Casey for Auditor General Committee

Street Address:
c/o Thomas J. Ostrowski, CPA, 434 Lackawanna Avenue, Suite 300

City: **Scranton** State: **PA** Zip Code: **18503**

TYPE OF REPORT (place X to the right of report type)	5TH TUESDAY PRE-PRIMARY	1.	2ND FRIDAY PRE-ELECTION	2.	30 DAY POST PRIMARY	3.	AMENDMENT REPORT?	YES	NO	X
	6TH TUESDAY PRE-ELECTION	4.	2ND FRIDAY PRE-ELECTION	5.	30 DAY POST ELECTION	6.	TERMINATION REPORT?	YES	NO	X
	ANNUAL REPORT	7.	YEAR		FILING METHOD (CHECK ONE)		PAPER	X	DISKETTE	

Name of Office Sought by Candidate: **Auditor General**

DATE OF ELECTION: MO. **11** DAY **07** YEAR **2000**

District Number: Office Code: **AUD** Party Code: **DEM** County Code: **35**

(SEE INSTRUCTIONS FOR CODES)

Summary of Receipts and Expenditures from:	MO. DAY YEAR			To	MO. DAY YEAR		
		04	25		2000		06
A. Amount Brought Forward From Last Report				\$	727,093.94		
B. Total Monetary Contributions and Receipts (From Schedule II)				\$	111,420.32		
C. Total Funds Available (Sum of Lines A and B)				\$	838,514.26		
D. Total Expenditures (From Schedule III)				\$	64,965.51		
E. Ending Cash Balance (Subtract Line D from Line C)				\$	773,548.75		
F. Value of In-Kind Contributions Received (From Schedule II)				\$	1,161.23		
G. Unpaid Debts and Obligations (From Schedule IV)				\$	-0-		

FOR OFFICE USE ONLY

AFFIDAVIT SECTION

PART I - If this is a Committee report, treasurer sign here. If this is a Candidate report, candidate sign here.

I swear (or affirm) that this report, including the attached schedules, on paper or computer diskette, are to the best of my knowledge and belief true, correct and complete.

Sworn to and subscribed before me this 8th day of June 2000

Scott R. Thorpe
 Signature

Thomas J. Ostrowski, CPA
 Signature of Person Submitting Report
 Thomas J. Ostrowski, CPA
 Printed Name

My commission expires _____

NOTARIAL SEAL
 M.O. SCOTT R. THORPE, Notary Public
 DAY, Lackawanna County
 My Commission Expires MAR. 20, 2004

570 Area Code 346-8425 Daytime Telephone Number

PART II - If this is a report of a Candidate's Authorized Committee, candidate shall sign here.

I swear (or affirm) that to the best of my knowledge and belief this political committee has not violated any provisions of the Act of June 3, 1937 (P.L. 1333, No. 320) as amended.

Sworn to and subscribed before me this 8th day of June 2000

Scott R. Thorpe
 Signature

Robert P. Casey, Jr.
 Signature of Candidate
 Robert P. Casey, Jr.
 Printed Name

My commission expires _____

NOTARIAL SEAL
 M.O. SCOTT R. THORPE, Notary Public
 DAY, Lackawanna County
 My Commission Expires MAR. 20, 2004

570 Area Code 787-2543 Daytime Telephone Number

1359



SCHEDULE III
STATEMENT OF EXPENDITURES

Name of Filing Committee or Candidate CASEY FOR AUDITOR GENERAL COMMITTEE	Reporting Period From <u>04/25/00</u> To <u>06/05/00</u>
---	---

To Whom Paid	MO.	DAY	YEAR	Amount
AVI Food Systems Mailing Address c/o Goodwill Industries 2600 E. Carson Street City Pittsburgh State PA Zip Code (Plus 4) 15203 -	05	03	2000	\$ 755.20
Description of Expenditure Event Expense				
Cheryl Yasavage Mailing Address c/o Goodwill Industries 2600 E. Carson Street City Pittsburgh State PA Zip Code (Plus 4) 15203 -	05	03	2000	\$ 128.27
Description of Expenditure Event Expense - Gratuity				
Citizens for Klink Mailing Address P.O. Box 15491 City Pittsburgh State PA Zip Code (Plus 4) 19110 -	05	03	2000	\$ 1,000.00
Description of Expenditure Contribution				
Brehon Law Society Mailing Address c/o Thomas Hunt 1135 Land Title Building City Philadelphia State PA Zip Code (Plus 4) 19110 -	05	05	2000	\$ 125.00
Description of Expenditure Advertisement				
Summit Chapter PA Sports Hall of Fame Mailing Address c/o Lou Cappiella 8901 Ridge Avenue City Philadelphia State PA Zip Code (Plus 4) 19128 - 2028	05	09	2000	\$ 100.00
Description of Expenditure Contribution				
Friends of Jim Wansacz Mailing Address 1184 A Heart Lake Road City Jermyn State PA Zip Code (Plus 4) 18433 -	05	10	2000	\$ 1,000.00
Description of Expenditure Contribution				
Cunningham Harris and Associates Mailing Address 201 Grand Street City Ripley State WV Zip Code (Plus 4) 25271 -	05	15	2000	\$ 6,500.00
Description of Expenditure Consulting Fee				
Vanessa DeSalvo Mailing Address 1409 North Front Street City Harrisburg State PA Zip Code (Plus 4) 17103 -	05	15	2000	\$ 1,682.17
Description of Expenditure Wages				

Enter Grand Total of Expenditures on Page 1, Report Cover Page, Item D.

PAGE TOTAL \$ 11,290.64

Commonwealth of Pennsylvania
CAMPAIGN FINANCE REPORT

(NOTE: This report must be clear and legible. It may be typed or printed in blue or black ink.)

Filer Identification Number: 9500053	Report Filed By: CANDIDATE ^{1.}	COMMITTEE ^{2.} <input checked="" type="checkbox"/>	LOBBYIST ^{3.}
Name of 9500053			
Street CASEY, ROBERT, JR FOR AUDIT GEN			
C/O TREA: THOMAS GSTROWSKI			
City 434 LACKAWANNA AVE STE 300			
SCRANTON PA 18503-0000			
State: Special		Zip Code: [REDACTED]	

TYPE OF REPORT (place X to the right of report type)	6TH TUESDAY PRE-PRIMARY ^{1.}	2ND FRIDAY PRE-PRIMARY ^{2.}	30 DAY SPECIAL POST PRIMARY ^{3.} <input checked="" type="checkbox"/>	AMENDMENT REPORT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	6TH TUESDAY PRE-ELECTION ^{4.}	2ND FRIDAY PRE-ELECTION ^{5.}	30 DAY POST ELECTION ^{6.}	TERMINATION REPORT? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	ANNUAL REPORT ^{7.}	YEAR <input checked="" type="checkbox"/>	FILING METHOD () CHECK ONE <input checked="" type="checkbox"/>	PAPER <input checked="" type="checkbox"/> DISKETTE <input type="checkbox"/>

Name of Office Sought by Candidate Auditor General	DATE OF ELECTION			District Number	Office Code	Party Code	County Code
	MO. 11	DAY 07	YEAR 2000		AUD	DEM	35
(SEE INSTRUCTIONS FOR CODES)							

Summary of Receipts and Expenditures from:	MO.	DAY	YEAR	To	MO.	DAY	YEAR	FOR OFFICE USE ONLY
		06	06		2000		06	
A. Amount Brought Forward From Last Report				\$	773,548.75			
B. Total Monetary Contributions and Receipts (From Schedule I)				\$	187,673.46			
C. Total Funds Available (Sum of Lines A and B)				\$	961,222.21			
D. Total Expenditures (From Schedule III)				\$	60,243.82			
E. Ending Cash Balance (Subtract Line D from Line C)				\$	900,978.39			
F. Value of In-Kind Contributions Received (From Schedule II)				\$	502.39			
G. Unpaid Debts and Obligations (From Schedule IV)				\$	-0-			

AFFIDAVIT SECTION

PART I - If this is a Committee report, treasurer sign here. If this is a Candidate report, candidate sign here.

I swear (or affirm) that this report, including the attached schedules, on paper or computer diskette, are to the best of my knowledge and belief true, correct and complete.

Sworn to and subscribed before me this

14th day of July 2000

[Signature]
 Signature NOTARIAL SEAL
SCOTT R. THORPE, Notary Public
 MO. Scranton, Lackawanna County
 My Commission Expires MAR. 20, 2004

[Signature]
 Signature of Person Submitting Report
Thomas J. Ostrowski, CPA
 Printed Name
570 **346-8425**
 Area Code Daytime Telephone Number

PART II - if this is a report of a Candidate's Authorized Committee, candidate shall sign here.

I swear (or affirm) that to the best of my knowledge and belief this political committee has not violated any provisions of the Act of June 3, 1937 (P.L. 1333, No. 320) as amended.

Sworn to and subscribed before me this

15th day of July 2000

[Signature]
 Signature NOTARIAL SEAL
SCOTT R. THORPE, Notary Public
 MO. Scranton, Lackawanna County
 My Commission Expires MAR. 20, 2004

[Signature]
 Signature of Candidate
Robert P. Casey, Jr.
 Printed Name
717 **787-2543**
 Area Code Daytime Telephone Number

**SCHEDULE III
STATEMENT OF EXPENDITURES**

PAGE 54 OF 58

Name of Filing Committee or Candidate Casey for Auditor General Committee	Reporting Period From <u>06/06/2000</u> To <u>06/30/2000</u>
---	---

To Whom Paid Matthew Casey	MO. 06	DAY 07	YEAR 2000	Amount \$2,600.00
Mailing Address 2002 North Washington Ave				
Purpose Consulting Fee				
City Dunmore	State PA	Zip Code (Plus 4) 18509--		Expenditure Code* 020
To Whom Paid Robert P Casey Jr				
Mailing Address Room 229 Finance Building				
Purpose Reimbursement of Expenses				
City Harrisburg	State PA	Zip Code (Plus 4) 17120--		Expenditure Code* 020
To Whom Paid Vanessa DeSalvo				
Mailing Address 27 North Front Street, Suite 300				
Purpose Wages				
City Harrisburg	State PA	Zip Code (Plus 4) 17102--		Expenditure Code* 020
To Whom Paid Vanessa DeSalvo				
Mailing Address 27 North Front Street, Suite 300				
Purpose Reimbursement of Expenses				
City Harrisburg	State PA	Zip Code (Plus 4) 17102--		Expenditure Code* 020
To Whom Paid Westmoreland Dem.				
Mailing Address 14 East Otterman				
Purpose Contribution				
City Greensburg	State PA	Zip Code (Plus 4) 15601--		Expenditure Code* 020
To Whom Paid Ed O'Brien for Congress				
Mailing Address P.O. Box 447				
Purpose Contribution				
City Bethesda	State PA	Zip Code (Plus 4) 18018--		Expenditure Code* 020
To Whom Paid IFR Furniture Rentals				
Mailing Address 3539 Walnut Street				
Purpose Furniture Rental				
City Harrisburg	State PA	Zip Code (Plus 4) 17109--		Expenditure Code* 020
To Whom Paid Independence Harrisburg				
Mailing Address 6330 Flank Drive				
Purpose Telephone Expense				
City Harrisburg	State PA	Zip Code (Plus 4) 17112--		Expenditure Code* 020

Enter Grand Total of Expenditures on Page 1, Report Cover Page, Item D.

PAGE TOTAL \$7,643.04
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* REFER TO INSTRUCTIONS FOR EXPENDITURE CODE NUMBERS

1360



Code of Federal Regulations

11

Revised as of January 1, 2000

Federal Elections

held by the candidate's party in that State.

(d) *Runoff election.* Runoff election means the election which meets either of the following conditions:

(1) The election held after a primary election, and prescribed by applicable State law as the means for deciding which candidate(s) should be certified as a nominee for the Federal office sought, is a runoff election.

(2) The election held after a general election and prescribed by applicable State law as the means for deciding which candidate should be certified as an officeholder elect, is a runoff election.

(e) *Caucus or Convention.* A caucus or convention of a political party is an election if the caucus or convention has the authority to select a nominee for federal office on behalf of that party.

(f) *Special election.* Special election means an election which is held to fill a vacancy in a Federal office. A special election may be a primary, general, or runoff election, as defined at 11 CFR 100.2 (b), (c) and (d).

§ 100.3 Candidate (2 U.S.C. 431(2)).

(a) *Definition.* Candidate means an individual who seeks nomination for election, or election, to federal office. An individual becomes a candidate for Federal office whenever any of the following events occur:

(1) The individual has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000.

(2) The individual has given his or her consent to another person to receive contributions or make expenditures on behalf of that individual and such person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000.

(3) After written notification by the Commission that any other person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000 on the individual's behalf, the individual fails to disavow such activity by letter to the Commission within 30 days of receipt of the notification.

(4) The aggregate of contributions received under 11 CFR 100.3(a) (1), (2), and (3), in any combination thereof, exceeds \$5,000, or the aggregate of expenditures made under 11 CFR 100.3(a) (1), (2), and (3), in any combination thereof, exceeds \$5,000.

(b) *Election cycle.* For purposes of determining whether an individual is a candidate under this section, contributions or expenditures shall be aggregated on an election cycle basis. An election cycle shall begin on the first day following the date of the previous general election for the office or seat which the candidate seeks, unless contributions or expenditures are designated for another election cycle. For an individual who receives contributions or makes expenditures designated for another election cycle, the election cycle shall begin at the time such individual, or any other person acting on the individual's behalf, first receives contributions or makes expenditures in connection with the designated election. The election cycle shall end on the date on which the general election for the office or seat that the individual seeks is held.

§ 100.4 Federal office (2 U.S.C. 431(3)).

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

§ 100.5 Political committee (2 U.S.C. 431 (4), (5), (6)).

Political committee means any group meeting one of the following conditions:

(a) Except as provided in 11 CFR 100.5 (b), (c) and (d), any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 or which makes expenditures aggregating in excess of \$1,000 during a calendar year is a political committee.

(b) Any separate segregated fund established under 2 U.S.C. 441b(b)(2)(C) is a political committee.

(c) Any local committee of a political party is a political committee if it receives contributions aggregating in excess of \$5,000 during a calendar year; it

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makes payments exempted from the definition of contribution, under 11 CFR 100.7(b) (9), (15) and (17), and expenditure, under 11 CFR 100.8(b) (10), (16) and (18), which payments aggregate in excess of \$5,000 during a calendar year; or it makes contributions aggregating in excess of \$1,000 or makes expenditures aggregating in excess of \$1,000 during a calendar year.

(d) An individual's principal campaign committee or authorized committee(s) becomes a political committee(s) when that individual becomes a candidate pursuant to 11 CFR 100.3.

(e) The following are examples of political committees:

(1) *Principal campaign committee.* *Principal campaign committee* means a political committee designated and authorized by a candidate pursuant to 11 CFR 101.1 and 102.1.

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

(3) *Multi-candidate committee.* *Multi-candidate committee* means a political committee which (i) has been registered with the Commission or Secretary of the Senate for at least 6 months; (ii) has received contributions for Federal elections from more than 50 persons; and (iii) (except for any State political party organization) has made contributions to 5 or more Federal candidates.

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

(5) *Delegate committee.* A delegate committee is a group of persons that receives contributions or makes expenditures for the sole purpose of influencing the selection of one or more delegates to a national nominating convention. The term *delegate committee* includes a group of delegates, a group of individuals seeking selection as delegates and a group of individuals supporting delegates. A delegate committee that qualifies as a political committee under 11 CFR 100.5 must register with the Commission pursuant to 11 CFR part 102 and report its re-

ceipts and disbursements in accordance with 11 CFR part 104. (See definition of *delegate* at 11 CFR 110.14(b)(1).)

(f) A political committee is either an authorized committee or an unauthorized committee.

(1) *Authorized committee.* An *authorized committee* means the principal campaign committee or any other political committee authorized by a candidate under 11 CFR 102.13 to receive contributions or make expenditures on behalf of such candidate, or which has not been disavowed pursuant to 11 CFR 100.3(a)(3).

(2) *Unauthorized committee.* An *unauthorized committee* is a political committee which has not been authorized in writing by a candidate to solicit or receive contributions or make expenditures on behalf of such candidate, or which has been disavowed pursuant to 11 CFR 100.3(a)(3).

(g) *Affiliated committee.* (1) All authorized committees of the same candidate for the same election to Federal office are affiliated.

(2) All committees (including a separate segregated fund, see 11 CFR part 114) established, financed, maintained or controlled by the same corporation, labor organization, person, or group of persons, including any parent, subsidiary, branch, division, department, or local unit thereof, are affiliated. *Local unit* may include, in appropriate cases, a franchisee, licensee, or State or regional association.

(3) Affiliated committees sharing a single contribution limitation under paragraph (g)(2) of this section include all of the committees established, financed, maintained or controlled by—
 (i) A single corporation and/or its subsidiaries;

(ii) A single national or international union and/or its local unions or other subordinate organizations;

(iii) An organization of national or international unions and/or all its State and local central bodies;

(iv) A membership organization, (other than political party committees, see 11 CFR 110.3(b)) including trade or professional associations, see 11 CFR 114.8(a), and/or related State and local entities of that organization or group, or

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campaign prior to becoming a candidate shall be considered contributions or expenditures under the Act and shall be reported in accordance with 11 CFR 104.3 in the first report filed by such candidate's principal campaign committee. The individual shall keep records of the name of each contributor, the date of receipt and amount of all contributions received (see 11 CFR 102.9(a)), and all expenditures made (see 11 CFR 102.9(b)) in connection with activities conducted under 11 CFR 100.7(b)(1) and 11 CFR 100.8(b)(1) or the individual's campaign prior to becoming a candidate.

[50 FR 9995, Mar. 13, 1985]

PART 102—REGISTRATION, ORGANIZATION, AND RECORDKEEPING BY POLITICAL COMMITTEES (2 U.S.C. 433)

Sec.

- 102.1 Registration of political committees (2 U.S.C. 433(a)).
- 102.2 Statement of organization: Forms and committee identification number (2 U.S.C. 433 (b), (c)).
- 102.3 Termination of registration (2 U.S.C. 433(d)(1)).
- 102.4 Administrative termination (2 U.S.C. 433(d)(2)).
- 102.5 Organizations financing political activity in connection with Federal and non-Federal elections, other than through transfers and joint fundraisers.
- 102.6 Transfers of funds; collecting agents
- 102.7 Organization of political committees (2 U.S.C. 432(a)).
- 102.8 Receipt of contributions (2 U.S.C. 432(b)).
- 102.9 Accounting for contributions and expenditures (2 U.S.C. 432(c)).
- 102.10 Disbursement by check (2 U.S.C. 432(h)(1)).
- 102.11 Petty cash fund (2 U.S.C. 432(h)(2)).
- 102.12 Designation of principal campaign committee (2 U.S.C. 432(e) (1) and (3)).
- 102.13 Authorization of political committees (2 U.S.C. 432(e) (1) and (3)).
- 102.14 Names of political committees (2 U.S.C. 432(e) (4) and (5)).
- 102.15 Commingled funds (2 U.S.C. 432(a)(3)).
- 102.16 Notice: Solicitation of contributions (2 U.S.C. 441d).
- 102.17 Joint fundraising by committees other than separate segregated funds.

AUTHORITY: 2 U.S.C. 432, 433, 438(a)(8), 441d.

SOURCE: 45 FR 15104, Mar. 7, 1980, unless otherwise noted.

102.1 Registration of political committees (2 U.S.C. 433(a)).

(a) *Principal campaign committees.* Each principal campaign committee shall file a Statement of Organization in accordance with 11 CFR 102.2 no later than 10 days after designation pursuant to 11 CFR 101.1. In addition, each principal campaign committee shall file all designations, statements and reports which are filed with such committee at the place of filing specified at 11 CFR part 105.

(b) *Authorized committees.* Each authorized committee(s) shall file only one Statement of Organization in accordance with 11 CFR 102.2 no later than 10 days after designation pursuant to 11 CFR 101.1. Such Statement(s) shall be filed with the principal campaign committee of the authorizing candidate.

(c) *Separate segregated funds.* Each separate segregated fund established under 2 U.S.C. 441b(b)(2)(C) shall file a Statement of Organization with the Federal Election Commission no later than 10 days after establishment. This requirement shall not apply to a fund established solely for the purpose of financing political activity in connection with State or local elections. Examples of establishment events after which a fund would be required to register include, but are not limited to: A vote by the board of directors or comparable governing body of an organization to create a separate segregated fund to be used wholly or in part for federal elections; selection of initial officers to administer such a fund; or payment of the initial operating expenses of such a fund.

(d) *Other political committees.* All other committees shall file a Statement of Organization no later than 10 days after becoming a political committee within the meaning of 11 CFR 100.5. Such statement(s) shall be filed at the place of filing specified at 11 CFR part 105.

§ 102.2 Statement of organization: Forms and committee identification number (2 U.S.C. 433 (b), (c)).

(a) *Forms.* (1) The Statement of Organization shall be filed in accordance with 11 CFR part 105 on Federal Election Commission Form 1, which may be

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FR 100.8(b)(1) or his or her campaign prior to becoming a candidate be considered contributions or expenditures under the Act and shall be reported in accordance with 11 CFR 100.8(b)(1) in the first report filed by such candidate's principal campaign committee. The individual shall keep records of the name of each contributor, the date of receipt and amount of contributions received (see 11 CFR 100.8(b)(1)), and all expenditures made in connection with activities conducted under 11 CFR 100.8(b)(1) and 11 CFR 100.8(b)(1) or the individual's campaign prior to becoming a candidate.

R 9995, Mar. 13, 1985

102-REGISTRATION, ORGANIZATION, AND RECORDKEEPING OF POLITICAL COMMITTEES (2 U.S.C. 433)

- Registration of political committees (2 U.S.C. 433(a)).
- Statement of organization: Forms and committee identification number (2 U.S.C. 433 (b), (c)).
- Termination of registration (2 U.S.C. 433(a)(1)).
- Administrative termination (2 U.S.C. 433(d)(2)).
- Organizations financing political activity in connection with Federal and non-Federal elections, other than through transfers and joint fundraisers.
- Transfers of funds, collecting agents.
- Organization of political committees (2 U.S.C. 432(a)).
- Receipt of contributions (2 U.S.C. 432(b)).
- Accounting for contributions and expenditures (2 U.S.C. 432(c)).
- Disbursement by check (2 U.S.C. 432(h)(1)).
- Petty cash fund (2 U.S.C. 432(h)(2)).
- Designation of principal campaign committee (2 U.S.C. 432(e) (1) and (3)).
- Authorization of political committees (2 U.S.C. 432(e) (1) and (3)).
- Names of political committees (2 U.S.C. 432(e) (4) and (5)).
- Commingled funds (2 U.S.C. 432(a)(3)).
- Notice: Solicitation of contributions (2 U.S.C. 441d).
- Joint fundraising by committees other than separate segregated funds.

AUTHORITY: 2 U.S.C. 432, 433, 438(a)(8), 441d.
 SOURCE: 45 FR 15104, Mar. 7, 1980, unless otherwise noted.

102.1 Registration of political committees (2 U.S.C. 433(a)).

(a) *Principal campaign committees.* Each principal campaign committee shall file a Statement of Organization in accordance with 11 CFR 102.2 no later than 10 days after designation pursuant to 11 CFR 101.1. In addition, each principal campaign committee shall file all designations, statements and reports which are filed with such committee at the place of filing specified at 11 CFR part 105.

(b) *Authorized committees.* Each authorized committee(s) shall file only one Statement of Organization in accordance with 11 CFR 102.2 no later than 10 days after designation pursuant to 11 CFR 101.1. Such Statement(s) shall be filed with the principal campaign committee of the authorizing candidate.

(c) *Separate segregated funds.* Each separate segregated fund established under 2 U.S.C. 441b(b)(2)(C) shall file a Statement of Organization with the Federal Election Commission no later than 10 days after establishment. This requirement shall not apply to a fund established solely for the purpose of financing political activity in connection with State or local elections. Examples of establishment events after which a fund would be required to register include, but are not limited to: A vote by the board of directors or comparable governing body of an organization to create a separate segregated fund to be used wholly or in part for federal elections; selection of initial officers to administer such a fund, or payment of the initial operating expenses of such a fund.

(d) *Other political committees.* All other committees shall file a Statement of Organization no later than 10 days after becoming a political committee within the meaning of 11 CFR 100.5. Such statement(s) shall be filed at the place of filing specified at 11 CFR part 105.

102.2 Statement of organization: Forms and committee identification number (2 U.S.C. 433 (b), (c)).

(a) *Forms.* (1) The Statement of Organization shall be filed in accordance with 11 CFR part 105 on Federal Election Commission Form 1, which may be

obtained from the Federal Election Commission, 999 E Street, Washington, DC 20463. The Statement shall be signed by the treasurer and shall include the following information:

- (i) The name, address, and telephone number of the committee.
- (ii) The name, address, and type of any connected or affiliated committee in accordance with 11 CFR 102.2(b);
- (iii) The name, address, and position of the treasurer of the committee;
- (iv) The name and address of the treasurer of the committee;
- (v) If the committee is a candidate, the name, address, and position of the candidate; and the name of the communication sent;
- (vi) A listing of all bar boxes, or other deposits, maintained by the committee.

(2) Any change or correction to the information previously reported in the Statement of Organization shall be reported no later than 10 days after the date of the change or correction by filing an amended Statement of Organization or by filing a letter of correction. The amendmer shall only the name of such correction or change.

(3) A committee shall be eligible to register with the Commission that it has satisfied the criteria for becoming a multicandidate committee set forth in 11 CFR 100.5(e)(3) by filing FEC Form 1 before it makes any contribution that exceeds \$1000 per candidate.

(b) For purposes of 11 CFR 102.2(a)(1)(ii), political committees shall disclose the names of all connected organization(s) of which the committee(s) in accordance with 11 CFR 102.2(b) (1) and (2).

(1) *Affiliated committee:* A committee defined in 11 CFR 100.3(a) or (b), or 110.14(j) or (k) shall be required to disclose the names and addresses of all other authorized committees which have been authorized by the candidate, and all other authorized committees that are authorized by the principal campaign

Unregistered Organizations

An organization which does not qualify as a federal political committee but which nevertheless wants to influence federal election activity must comply with certain federal rules.

Permissible Funds Only for Federal Activity

The organization must use permissible funds to pay for federal election activities. To ensure this, it must adopt one of the two following approaches:

1. It must be able to demonstrate through a reasonable accounting method that it has sufficient funds permissible under federal law to cover the amount of the federal disbursement at the time it is made. This includes direct monetary contributions to federal candidates and committees and the federal share of disbursements for activities, such as voter drives, that benefit federal candidates.

2. Alternatively, it must make the federal disbursement from a separate account reserved for funds permissible under federal law. 11 CFR 102.5(b). See "Two Accounts" above.

Becoming a Federal Political Committee

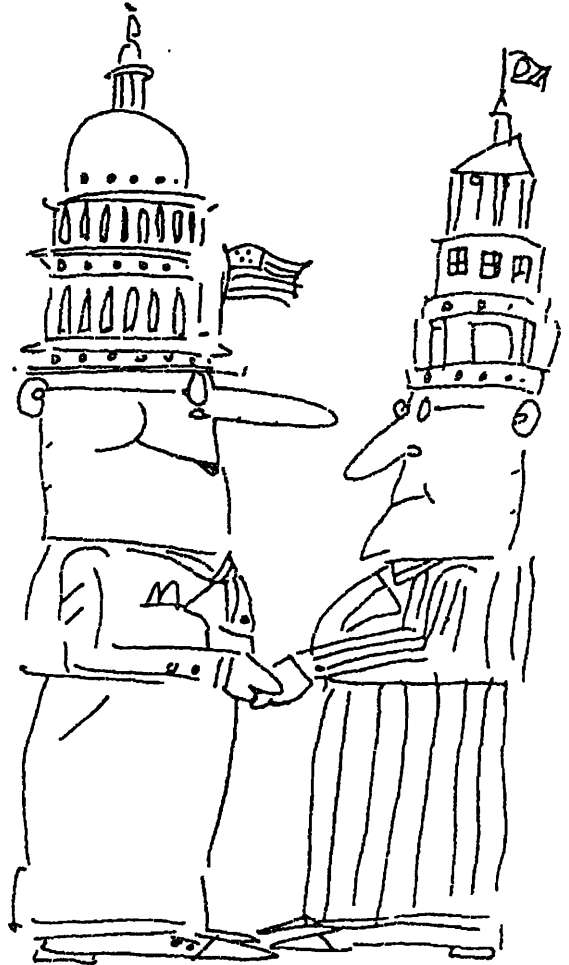
When a political organization⁶ makes federal contributions or expenditures (or a combination of both) aggregating over \$1,000 per year, it becomes a political committee. Within 10 days of exceeding this threshold, the committee must register with the FEC.⁷ 11 CFR 100.5(a) and 102.1(d).

6. The term "political organization" means a party, committee, association, fund or other organization (whether or not incorporated) organized and operated primarily for the purpose of accepting contributions or making expenditures to influence elections or appointments to public office. 26 U.S.C. §527(e).

7. A local party organization may also trigger federal registration requirements if it spends over \$5,000 per year for exempt party activities or receives over \$5,000 per year in contributions to influence federal elections.

Federal and State Campaign Finance Laws

Federal Election Commission
October 1995



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FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Office of the Commission Secretary 

DATE: October 24, 2000

SUBJECT: MUR 5116 - Complaint

The attached document is being circulated for your information.

Attachment

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