



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 10, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1980-83

Mr. Jan W. Baran
Baker & Hostetler
818 Connecticut Avenue, N.W.
Washington, D.C. 20006

Dear Mr. Baran:

This responds to your letter of July 3, 1980, requesting an advisory opinion on behalf of the Crane for President Committee, Inc. ("the Committee") concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act") to the Committee's reporting obligations.

You state that Representative Philip Crane designated the Committee as his principal campaign committee for his candidacy for the Republican nomination for the office of President. On April 17, 1980, Representative Crane announced his withdrawal as a candidate for the nomination. The Committee has been filing monthly reports in accordance with 2 U.S.C. 434(a)(3) and 11 CFR 104.5(b), but now that Representative Crane is no longer a candidate, the Committee would prefer to switch to a quarterly reporting schedule as provided in 2 U.S.C. 434(a)(4)(A) and 11 CFR 104.5(c). You ask whether such a change in reporting frequency is permissible.

The Act requires a committee which is the principal campaign committee of a candidate for the office of President in any calendar year during which a general election is held to fill such office to file monthly reports if such committee has received or expended, or anticipates receiving or expending, \$100,000. 2 U.S.C. 434(a)(3)(A) and 11 CFR 104.5(b). On the other hand, a political committee which is not the principal campaign committee of a candidate, or an authorized committee of such candidate, files its reports with the Commission during a general election year on a quarterly basis as well as 12 days before certain primary elections, and the general election, and 30 days after the general election. 2 U.S.C. 434(a)(4)(A) and 11 CFR 104.5(c).

As you have indicated in your request, the Committee is the principal campaign committee of Representative Philip Crane' a candidate for the office of President, and, according to reports filed already this year with the Commission, the Committee has received contributions and made expenditures in excess of \$100,000 during this calendar year. Notwithstanding the fact that Representative Crane is no longer an active candidate for the office of President, the Act itself and the Commission regulations are quite specific in requiring principal campaign committees supporting Presidential candidates to file monthly reports during a given election year. Accordingly, the Commission concludes that the Committee is not permitted to change to a quarterly reporting schedule and should continue to file reports on a monthly basis¹ as required by 2 U.S.C. 434(a)(3)(A) and 11 CFR 104.5(b).

This response constitutes an advisory opinion concerning application of the Act or regulations prescribed by the Commission to the specific transaction or activity set forth in your request. See 2 U.S.C. 437f.

Sincerely yours,

(signed)

Max L. Friedersdorf
Chairman for the
Federal Election Commission

¹ In lieu of filing the reports otherwise due in November and December 1980, a pre-general election report may be filed by the Committee in accordance with 2 U.S.C. 434(a)(2)(A)(i), and a post-general election report may be filed in accordance with 2 U.S.C. 434(a) (2) (A) (ii). In addition, a year end report filed no later than January 31, 1981, must be filed. 2 U.S.C. 434(a)(3)(A)(i).