

Supplement to AOR 2007-09



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06/21/2007 03:11 PM

Subject Description of media vendors' legal compliance duties

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Duane and Ron,

Following up on our conversation yesterday, here is more background on the media vendors' role in ensuring compliance with Title 2 and Title 26:

As a publicly funded campaign, the Kerry-Edwards campaign bore the burden of proving that every dollar it spent was a qualified campaign expense. See 11 CFR 9003.5. To satisfy that requirement, its media vendors were contractually obligated to provide detailed back-up for all production costs and media buys. Given the multitude of subcontractors and other costs associated with the production of ads, and the high volume of ads created and aired during the general election, the recordkeeping burdens for the media vendors throughout the general election were far more significant than other campaign workers for whom a 5% GELAC reimbursement was automatically permitted (such as for members of the advance team, to cover the time they would spend keeping track of their taxi receipts and other relatively simple travel costs). In addition to recordkeeping, the media vendors had to ensure that every ad contained the necessary disclaimer requirements, which required them to not only create the disclaimers, but also to coordinate with counsel to ensure that the disclaimers were compliant.

Please let us know if you need any more information.

Thanks,
Caroline

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