

Record

January 2009

Federal Election Commission

Volume 35, Number 1

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Commission

Message from the Chairman

First, let me begin my first message in the *Record* by publicly thanking every member of our staff for their steadfast and loyal work during this trying period of last year. As most of you know, for a period of 191 days, from January 1 to July 10, the day the reinstated Commission held its first open session of the year, the Commission was not comprised of enough Commissioners (at least four of the usual six) to take any formal actions. Despite the absence of Commissioners, the staff continued to work diligently through this period of dormancy, facing uncertainty regarding when new Commissioners might be installed to begin picking up the pieces, and how to meet timelines and deadlines during a historic election year. Surely last year was unprecedented and we all hope that this kind of disruption will never recur. Upon our reinstatement, however, there was a need to choose priorities as quickly as possible, and to begin to work on the most urgent matters with the same kind of thoroughness and diligence that those matters are entitled to receive. I know I speak on behalf of each of the Commissioners that we appreciate this effort and loyalty during this uncertain period.

Court Cases

Republican National Committee v. FEC

On November 13, 2008, the Republican National Committee (the RNC), the Chairman of the RNC, the California Republican Party and the Republican Party of San Diego County (collectively the Plaintiffs) filed a complaint in the U.S. District Court for the District of Columbia challenging the constitutionality of the “Soft Money of Political Parties” provisions of the Federal Election Campaign Act (the Act), codified at 2 U.S.C. §441i. The Plaintiffs state that the soft money provisions as applied to their intended activities are overly broad and unconstitutional under the First Amendment guarantees of free speech and association, and are outside of Congress’ authority to regulate elections. The Plaintiffs filed a Motion to Expedite Summary Judgment Briefing Schedule on November 19, 2008.

Background

The Act’s soft money provisions prohibit national parties from soliciting, receiving or spending any nonfederal funds and require state, district and local party committees to fund certain “federal election activ-

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Court Cases

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ity" (FEA) either with federal funds or, in certain cases, with a combination of federal and Levin funds. 2 U.S.C. §§441i(a)(1) and 441i(b)(1). There are four types of FEA:

- Voter registration activity during the 120 days before a regularly scheduled federal election;
- Voter identification, get-out-the-vote (GOTV) and generic campaign activity conducted in connection with an election in which a federal candidate appears on the ballot;
- A public communication that refers to a clearly identified federal candidate and that promotes, attacks,

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supports or opposes any federal candidate; and

- Certain services provided by an employee of a state or local party committee in connection with a federal election. 2 U.S.C. §431(20), 11 CFR 100.24.

Complaint

The Plaintiffs state that the Supreme Court's decision in *Buckley v. Valeo*, 424 U.S. 1, 80 (1976), requires that the federal campaign finance laws limit only those First Amendment activities that are "unambiguously related to the campaign of a particular federal candidate."

The Plaintiffs allege that they plan to use funds raised under state laws and other nonfederal funds for activities that they claim are not related to campaigns of particular federal candidates. These activities include the RNC's raising and spending of nonfederal funds to pay for the present litigation and to support:

- Republican candidates in New Jersey and Virginia's 2009 elections, where no federal offices will appear on the ballots;
- Redistricting efforts of various states' Republican parties;
- Grassroots lobbying efforts for federal legislation and issues important to the Republican Party's platform; and
- State candidates in various states, whether or not a federal candidate appears on the ballot.

In addition, the Chairman of the RNC alleges that he intends to solicit nonfederal funds on behalf of the RNC for the activities described above, and to solicit nonfederal funds for the California Republican Party. The California Republican Party and the Republican Party of San Diego County allege that they intend to use nonfederal funds to pay for public communications in support of or opposition to state ballot initiatives, and that those communications may promote, attack, support or oppose federal candidates.

The Plaintiffs complain that the soft money provisions attempt to regulate activities, like those they plan to undertake, that are not "unambiguously related to the campaign of a particular federal candidate." As such, they claim that the provisions, as applied to their planned activities, are overbroad and sweep into First Amendment activity without constitutional authority.

Relief

The Plaintiffs seek a permanent injunction against the FEC's enforcement of 2 U.S.C. §441i, a judgment declaring the provision unconstitutional as applied to their activities and costs and attorneys fees.

On November 18, 2008, the court granted the Plaintiffs' Application for Three-Judge Court. The Plaintiffs' Motion to Expedite Summary Judgment is pending.

U.S. District Court for the District of Columbia, 1:08CV01953.

—Zainab Smith

Reports

Reports Due in 2009

This article on filing requirements for 2009 is supplemented by the reporting tables on the following pages.

Notification of Filing Deadlines

In addition to publishing this article, the Commission notifies committees of filing deadlines on its web site, via its automated Faxline and through reporting reminders called prior notices. Prior notices are distributed exclusively by electronic mail. For that reason, it is important that every committee update its Statement of Organization (FEC Form 1) to disclose a current e-mail address. To amend Form 1, electronic filers must submit Form 1 filled out in its entirety. Paper filers should include only the committee's name,

address, FEC identification number and the updated or changed portions of the form.

Treasurer's Responsibilities

The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Federal Election Campaign Act (the Act) and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law,

and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline. Please note that filing deadlines are not extended in cases where the filing deadline falls on a weekend or federal holiday. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received by the Commission's (or the Secretary of the Senate's) close of business on the last business day before the deadline.

Filing Electronically

Under the Commission's mandatory electronic filing regulations, individuals and organizations that receive contributions or make expenditures, including independent expenditures, in excess of \$50,000 in a calendar year—or have reason to expect to do so—must file all reports and statements with the FEC electronically. Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Standard/Daylight 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.

Senate committees and other committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but may file an unofficial copy of their reports with the Commission in order to speed disclosure.

The Commission's electronic filing software, FECFile, is free and can be downloaded from the FEC's web site. New FECFile Version 6.2.1.0 is available for download from the FEC web site at <http://www.fec.gov/electfil/updatelist.html>.

All reports filed after June 9, 2008, must be filed in Format Version 6.2 (the new version). Reports filed in previous formats will not be accepted. Filers may also use commercial or privately developed software as long as the software meets the Commission's format specifications, which are available on the Commission's web site. Committees using commercial software should contact their vendors for more information about the Commission's latest software release.

Guide to 2009 Reporting

Type of Filer	Required Reports			
	2008 Year-End	Semi-Annual	Quarterly	Monthly
House and Senate Campaign Committees ¹	X		X	
Presidential Candidate Committees	X		X or ² X	
National Party Committees	X			X
State, Local & District Party Committees	X	X or ³		X
Political Action Committees	X	X or ⁴		X

¹ This category includes committees of candidates retiring debts from a previous election or running for a future election.

² Presidential committees may file on either a quarterly or a monthly basis. Those wishing to change their filing frequency should notify the Commission in writing when filing a report under the committee's current schedule. Electronic filers must file this request electronically. A committee may change its filing frequency only once per calendar year and all reports filed after a change in filing frequency must follow the new filing schedule. 11 CFR 104.5(c).

³ State, district and local party committees that engage in certain levels of "federal election activity" must file on a monthly basis. 11 CFR 300.36(b) and (c)(1). Other state, district and local party committees may file on a semi-annual basis.

⁴ Political action committees (PACs) may file on either a semi-annual or a monthly basis. Committees wishing to change their filing frequency must notify the Commission in writing when filing a report under the committee's current schedule. Electronic filers must file this request electronically. A committee may change its filing frequency only once per calendar year, and all reports filed after a change in filing frequency must follow the new filing schedule. 11 CFR 104.5(c).

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2008 Year-End Report

Note: All committees file this report.

Report	Period Covered	Filing Deadline ¹
Year-End	Closing date of last report through 12/31/08	January 31, 2009*

2009 Monthly Reports

Note: All national party committees and any state, district or local party committee that engages in “federal election activity” (FEA) must file monthly reports.

Report	Period Covered	Filing Deadline ¹
February	January 1-31	February 20
March	February 1-28	March 20
April	March 1-31	April 20
May	April 1-30	May 20
June	May 1-31	June 20*
July	June 1-30	July 20
August	July 1-31	August 20
September	August 1-31	September 20*
October	September 1-30	October 20
November	October 1-31	November 20
December	November 1-30	December 20*
Year-End	December 1-31	January 31, 2010*

2009 Quarterly Reports

Note: All principal campaign committees must file on a quarterly schedule in non-election years as well as in election years. Presidential committees may choose to file quarterly, rather than monthly, in non-election years.

Report	Close of Books	Filing Deadline ¹
April Quarterly	March 31	April 15
July Quarterly	June 30	July 15
October Quarterly	September 30	October 15
Year-End	December 31	January 31, 2010*

2009 Semiannual Reports

Note: PACs that file quarterly in an election year will file on a semiannual schedule in non-election years.

Report	Close of Books	Filing Deadline ¹
Mid-Year	June 30	July 31
Year-End	December 31	January 31, 2010*

* Note that this filing date falls on a weekend. Filing dates are not extended for weekends or federal holidays. Accordingly, reports filed by methods other than Registered, Certified, or Overnight Mail, or electronically, must be received by the Commission’s (or the Secretary of the Senate’s) close of business on the last business day before the deadline.

¹ Reports sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system must be postmarked, or deposited with the mailing service, by the filing deadline. Reports sent by other means—including first class mail—must be received before the Commission’s (or the Secretary of the Senate’s) close of business on the filing deadline. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

Reports

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Timely Filing for Paper Filers

Registered and Certified Mail.

Reports sent by registered or certified mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by certified or registered 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 mail¹ 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 (or the Secretary of the Senate) before close of business on the filing deadline. 11 CFR 100.19 and 104.5(e).

Paper forms are available for downloading at the FEC’s web site (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline, the agency’s automated fax system (202/501-3413). The 2009 Reporting Schedule is also available on the FEC’s web site (http://www.fec.gov/info/report_dates.shtml), and from Faxline. For more information on reporting, call the FEC at 800/424-9530 or 202/694-1100.

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.

Year-End Reports Covering 2008 Activity

All committees must file a 2008 year-end report due January 31, 2009. The coverage and reporting dates are found in the chart on page 4.

Reports Covering 2009 Activity

To find out which reports your committee must file in 2009, check the Guide to 2009 Reporting on page 3. Then check the tables on page 4 for reporting dates. Please note that committees active in special elections in 2009 may have to file additional special election reports, as explained on page 6. These reporting dates are also available on the Commission's web site at http://www.fec.gov/info/report_dates.shtml.

Authorized Committees of Candidates

House and Senate Candidates. All campaigns that have a reporting obligation must file quarterly reports in 2009. Generally, an individual becomes a candidate for federal office, thus triggering registration and reporting obligations, when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a)(1). See also 11 CFR 100.3(a)(2) and (3).

Principal campaign committees of candidates who ran in past elections (who are retiring debts) or are running in future elections must also file quarterly reports in 2009. Committees that wish to terminate must file a termination request with the Commission or the Secretary of the Senate, as appropriate, and must continue filing reports until notified in writing that their termination request has been accepted by the Commission.

Presidential Candidates. All committees authorized by Presidential candidates must file on either a monthly or a quarterly schedule in 2009. A Presidential committee

wishing to change its filing schedule should notify the Commission in writing. 11 CFR 104.5(b)(2). Electronic filers must file this request electronically.

State, District and Local Party Committees

State, district and local party committees that engage in certain levels of "federal election activity" must file on a monthly schedule. 11 CFR 300.36(b) and (c)(1). Committees that do not engage in reportable "federal election activity" may file on a semiannual basis in 2009. 11 CFR 104.5(c)(1)(i).

National Party Committees

National committees of political parties must file on a monthly schedule in all years. 2 U.S.C. §434(a)(4)(B) and 11 CFR 104.5(c)(4).

Political Action Committees

PACs (separate segregated funds and nonconnected committees) that filed on a quarterly basis during 2008 will file on a semiannual basis in 2009. Monthly filers continue on the monthly schedule. PACs may change their filing schedule, but must first notify the Commission in writing. Electronic filers must file this request electronically. A committee may change its filing frequency only once a year, and after giving notice of change in filing frequency to the Commission, all future reports must follow the new filing frequency. 11 CFR 104.5(c).

Where to File

Committee treasurers must file campaign finance reports with the appropriate federal office, as discussed below. State filing requirements also apply to campaign finance reports filed by the principal campaign committees of candidates seeking office in Guam, Puerto Rico and the Northern Mariana Islands and to reports filed by PACs and party committees that support these candidates. 2 U.S.C. §439(a)(2)(B).

House Candidate Committees.

Principal campaign committees of House candidates file with the FEC. 11 CFR 105.1.

Senate Candidate Committees.

Principal campaign committees of Senate candidates file with the Secretary of the Senate. 11 CFR 105.2.

Presidential Committees. Principal campaign committees of Presidential candidates file with the FEC. 11 CFR 105.3.

Candidate Committees with More Than One Authorized Committee. If a campaign includes more than one authorized committee, the principal campaign committee files, with its own report, a consolidated report of receipts and disbursements (FEC Form 3Z) showing its own activity as well as the activity of all other authorized committees of the candidate. 11 CFR 104.3(f).

PACs and Party Committees.

Generally, PACs and party committees file with the FEC. However, committees that support only Senate candidates file with the Secretary of the Senate, as do the national Senatorial campaign committees. 11 CFR 105.2 and 11 CFR 105.4.

Late Filing

The Federal Election Campaign Act does not permit the Commission to grant extensions of filing deadlines under any circumstances. Filing late reports may result in enforcement action by the Commission. The Commission pursues compliance actions against late filers and nonfilers under the Administrative Fine program and on a case-by-case basis. For more information on the Administrative Fine program, visit the FEC web site at <http://www.fec.gov/af/af.shtml>.

Independent Expenditures

Political committees and other entities that make independent expenditures at any time during the calendar year—up to and including the 20th day before an election

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Reports

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(including a special election)—are required to disclose this activity within 48 hours each time that the expenditures aggregate \$10,000 or more. This reporting requirement is in addition to the requirement to file 24-hour reports of independent expenditures each time disbursements for independent expenditures aggregate or exceed \$1,000 during the last 20 days—up to 24 hours—before an election (including a special election). 2 U.S.C. §§434(b), (d) and (g) and 11 CFR 100.19(d), 104.4(b)-(c) and 109.10(c)-(d).

Political committees must use FEC Form 3X, Schedule E, to file 48- and 24-hour reports. Persons and other entities that are not political committees must use FEC Form 5.

Political committees must report independent expenditures that do not trigger the 48- or 24-hour reporting thresholds on their regularly scheduled campaign finance reports. These independent expenditure reports are not required when a party committee or PAC makes a contribution directly to a candidate.

Persons and other entities that are not political committees must disclose independent expenditures in

a quarterly report filed on FEC Form 5 once the expenditures exceed \$250 in a calendar year in connection with an election. 11 CFR 104.4(b) (1) and 109.10(b). Form 5 filers are not required to file quarterly reports for periods in which they have not made any independent expenditures. However, they must file quarterly reports for periods in which they made expenditures aggregating over \$250 in a calendar year for a given election, regardless of whether or not they have already reported that activity in a 48- or 24-hour report.

For a chart of 48- and 24-hour reporting periods for independent expenditures in connection with 2009 special elections, consult the FEC web site at http://www.fec.gov/info/charts_ie_dates_special.shtml.

All individuals, persons and committees, including Senate committees, must file their 24- and 48-hour reports and quarterly reports of independent expenditures with the Commission. 11 CFR 104.4, 109.10, 105.1 and 105.2.

Committees Active in Special Elections

Committees authorized by candidates running in any 2009 special election must file pre- and post-election reports in addition to regularly scheduled reports. 11 CFR 104.5(h). They are also required to comply with the 48-hour notice requirement for any contribution of \$1,000 or more per source (including loans) received shortly before an election. See 11 CFR 104.5(f).

PACs and party committees supporting candidates running in special elections may also have to file pre- and post-election reports unless they file on a monthly basis. 11 CFR 104.5(c)(3) and 104.5(h). All PACs are subject to 48- and 24-hour reporting of independent expenditures made before an election. See 11 CFR 104.4(b) and (c) and 104.5(g).

When time permits, the *Record* will alert committees to special election reporting dates.

Electioneering Communications

Additionally, individuals and other persons who make disbursements for “electioneering communications” that aggregate in excess of \$10,000 must file disclosure statements with the Commission within 24 hours of distribution of the communications to the public. See 11 CFR 100.29. A chart detailing the electioneering communication periods for 2009 special elections are available on the FEC web site at http://www.fec.gov/info/charts_ec_dates_special.shtml.

—Elizabeth Kurland

Public Hearing

FEC Announces Public Hearing on Commission Activities and Procedures

The Commission will hold a public hearing on January 14, 2009, to receive public comments on a broad range of the Commission’s policies, practices and procedures.

The FEC is charged with administering the Federal Election Campaign Act (the Act) and undertakes a number of efforts to provide disclosure of campaign finance activity, encourage voluntary compliance with the provisions of the Act and conduct civil enforcement activities. In the course of addressing its responsibilities, the Commission periodically reviews its programs. This public hearing is designed to re-examine the FEC’s practices and procedures, some of which have been in place since the Commission was founded. The regulated community and the public will have an opportunity to bring before the Commission general comments and concerns about the agency’s practices regarding compliance, enforcement, public disclosure, advisory opinions and other matters.

In 2003, the FEC conducted a similar hearing in which members of

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the public and the regulated community offered observations and suggestions for improvement of the internal practices of the Commission. Subsequent to that review, the Commission formally adopted several new policies, including a policy on deposition transcripts, a “fast track” policy for *sua sponte* matters, a policy clarifying treasurer liability and an interim disclosure policy for closed enforcement and related files. Additionally, in 2007 the Commission created a new procedure within the enforcement process that affords respondents the opportunity for an oral hearing before the Commission at the probable cause stage of a matter under review.

The upcoming public hearing and request for public comments are efforts to continue to receive and consider input from a variety of individuals and groups who are interested in the Commission’s work. A Notice of Public Hearing was published in the *Federal Register* on December 8, 2008, and is available at http://www.fec.gov/law/policy/enforcement/notice_2008-13.pdf. Written comments must be received on or before January 5, 2009, and may be submitted by email to acypro2008@fec.gov. Detailed instructions for submitting comments are provided in the Notice.

—Myles Martin

Advisory Opinions

AO 2008-14 Internet Campaign TV Station Qualifies for Press Exemption

Various news stories, discussions, commentaries and other web programming proposed by a corporation operating an Internet campaign-TV station would not result in a contribution or expenditure under the Federal Election Campaign Act (the

Act). Instead, those activities would fit into the Act’s “press exemption,” including certain solicitations on behalf of featured candidates under limited circumstances.

Background

Melothe, Inc. (the corporation), a for-profit corporation engaged in developing technology and providing technical capabilities for Internet web sites, plans to launch and operate an Internet TV station that would cover the campaign(s) of one or more federal candidates. The corporation would produce and transmit live and pre-recorded programming daily from the campaign’s headquarters. This programming would be viewable for free by the general public through an interactive multi-channel Internet TV Web site. The content of the corporation’s web site likely would feature and support Democratic candidates. The corporation is neither owned nor controlled by any political party, political committee or candidate. It hopes to commercialize the web site by generating ad revenues and selling merchandise.

The corporation also envisions that program hosts, interviewers and news anchors would solicit contributions during programming. Hyperlinks to campaign fundraising pages would appear on the web site. However, the corporation would not act as a conduit or intermediary for those contributions.

Analysis

Press Exemption. Under section 431(9)(B)(i) of the Act, known as the “press exemption,” the term “expenditure” does not include any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication. The press exemption does not apply if the facilities are owned or controlled by any political party, political committee or candidate. Under FEC regulations implementing the press exemption, the costs

of news stories, commentary or editorials by broadcasting stations, web sites, newspapers, magazines or other periodicals, including Internet and electronic publications, are exempt from the definitions of “contribution” and “expenditure,” provided that the facilities are not owned or controlled by any party, political committee or candidate. See 11 CFR 100.73 and 100.132.

To determine whether the press exemption applies to a particular situation, the Commission first asks whether the entity engaging in the activity is a press or media entity. Second, it applies a two-part analysis to determine that the entity is:

- Not owned or controlled by a party, political committee or candidate; and

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Commission Calendar Always Up-to-Date

Between issues of the *Record*, you can stay up-to-date on the latest FEC activity by visiting the Commission Calendar on our web site at <http://www.fec.gov/calendar/calendar.shtml>. The Calendar lists Commission meetings, reporting deadlines, conferences and outreach events, advisory opinion and rulemaking comment periods and other useful information. Each calendar entry links directly to the relevant documents, so you can quickly access detailed information on the subjects that interest you.

While you’re visiting www.fec.gov, be sure to explore the rest of our site to review the latest campaign finance reports and data, research enforcement actions and litigation, read press releases and get help complying with the law. Visit today and add our site to your favorites.

Advisory Opinions

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- Acting as a press entity when conducting the activity at issue. See *Reader's Digest Association v. FEC*, 509 F. Supp. 1210, 1215 (S.D.N.Y. 1981).

In order to determine whether an entity is a press or media entity, the Commission focuses on whether the entity is in the business of producing on a regular basis a program that disseminates news stories, commentaries and/or editorials, including doing so through a web site. Because the corporation's proposed web site will provide daily news reports, interviews and commentary related to particular political campaigns, the Commission concluded that the proposed Internet content, for the

Back Issues of the Record Available on the Internet

This issue of the *Record* and all other issues of the *Record* starting with January 1996 are available on the FEC web site as PDF files. Visit the FEC web site at <http://www.fec.gov/pages/record.shtml> to find monthly *Record* issues.

The web site also provides copies of the *Annual Record Index* for each completed year of the *Record*, dating back to 1996. The *Annual Record Index* list *Record* articles for each year by topic, type of Commission action and, in the case of advisory opinions, the names of individuals requesting Commission action.

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most part, falls within the normal business of news coverage. Although its content is calculated to appeal to supporters of a particular party, the Commission does not investigate an entity's viewpoints in determining its status as a press entity. See AOs 2007-20, 2005-19 and 2005-16.

The Commission accepted the corporation's representations that it was neither owned nor controlled by any party, candidate or political committee, and that it would exercise control over all content displayed on its web site. The Commission then considered whether the proposed activities would include news stories, commentary and editorials, and whether the materials would be available to the general public and in a form that is similar to materials ordinarily issued by the entity. The corporation was able to satisfy on its face the public availability of the materials on its web site and represented that it would not deviate in any form from its ordinary planned news media activities to delve into more traditional forms of campaigning. Accordingly, the Commission determined that the corporation's Internet media content were legitimate press functions.

Volunteer Briefing. The Commission declined to render an opinion regarding the corporation's proposed daily live segment briefing campaign volunteers because it was unclear whether the program envisioned coverage of campaigns themselves briefing the volunteers or whether the corporation would prepare and provide the briefings. The Commission noted that, if the corporation were to prepare and provide the briefings, it would be tantamount to a corporation providing personnel

to a campaign, a prohibited activity outside the press exemption.¹

Solicitations. The corporation also proposed including solicitations on behalf of candidates in its programming. Although the corporation would not serve as a conduit, it would enable links to the fundraising web pages of a campaign, and its commentators would make the solicitations. Without additional information provided, the Commission declined to render a definitive opinion on this aspect of the proposal. It did note, however, that under its previous interpretations of the press exemption, nothing prohibited commentators and program guests from suggesting that viewers make contributions to specific candidates. It also noted that the intermittent provision of a hyperlink would not be prohibited. However, because providing a mechanism for raising funds is not a typical press function, adding a contribution page or providing a permanent hyperlink to a fundraising web page does not fit into the press exemption. Moreover, if unpaid solicitations for particular candidates became a regular feature on the corporation's web content, it would go beyond the scope of previous rulings and be tantamount to a prohibited expenditure.

Date Issued: November 13, 2008;
Length: 7 pages.

—Dorothy Yeager

AO 2008-15

Nonprofit Corporation May Use General Treasury Funds to Broadcast Radio Advertisement

The National Right to Life Committee, Inc. (the NRLC), may use its general treasury funds to finance

¹ A similar analysis was applied to recognition of campaign volunteers. While the corporation could cover such an event as part of its news coverage, it could not itself give out awards or recognition.

the broadcast of a radio ad entitled “Waiting for Obama’s Apology #1.” With regard to a second proposed radio ad, “Waiting for Obama’s Apology #2,” the Commission could not approve a response by the required four affirmative votes.

Background

The NRLC is a non-stock, not-for-profit corporation that is exempt from federal taxes, but is not a “qualified non-profit corporation.” The NRLC has produced two radio ads that it intends to broadcast and maintains that the broadcast of such ads will be independent of any candidate or candidate’s agents, or any political party committee or its agents. The full text of both proposed ads is printed in AO 2008-15, which is available on the FEC web site at <http://saos.nictusa.com/saos/searchao>.

Analysis

The Commission concluded that the NRLC may finance the broadcast of Waiting for Obama’s Apology #1 with general treasury funds. The Commission could not approve a response by the required four affirmative votes regarding Waiting for Obama’s Apology #2.

Date Issued: November 24, 2008;
Length: 4 pages.

—Myles Martin

AO 2008-16

Libertarian Party of Colorado Qualifies as State Party Committee

The Libertarian Party of Colorado (LPCO) qualifies as a state party committee under the Federal Election Campaign Act (the Act) and Commission regulations.

Background

The LPCO’s Constitution provides that the purposes of the LPCO include, among other things, “communicating the message and positions of the party” and “attracting,

nominating, and promoting...Libertarian candidates for political office.” The LPCO placed a candidate for President of the United States on the 2008 and 2004 Colorado general election ballots, and also placed a candidate for U.S. House of Representatives on the Colorado ballot in 2004. Since 1975, the Commission has recognized the Libertarian National Committee as the national committee of a political party.

Analysis

The LPCO qualifies as a state committee of a political party within the meaning of the Act and Commission regulations. A state committee is an organization that, by virtue of the bylaws of a political party, is part of the official party structure and is responsible for the day-to-day operation of the political party at the state level, as determined by the Commission. 11 CFR 100.14(a). A “political party” is an “association, committee, or organization that nominates a candidate for election to any federal office whose name appears on the election ballot as the candidate of such association, committee, or organization.” 11 CFR 100.15.

In order to achieve status as a state committee of a national party under Commission regulations, an organization must meet three requirements. First, the national party with which the state party organization is associated must itself be a “political party.” Second, the state party organization must be part of the official structure of the national party. Third, the state party organization must be responsible for the day-to-day operation of the national party at the state level.

The LPCO meets the first qualification because the Commission has determined that the Libertarian Party is a political party and recognizes the status of the Libertarian National Committee as the national committee of the Libertarian Party. AOs 2007-06, 2007-02, and 1975-129. The LPCO meets the second qualifi-

cation because the LPCO is part of the official party structure of the Libertarian Party, as confirmed by the Acting Executive Director of the Libertarian Party.

The LPCO also meets the third qualification because it is responsible for the day-to-day operation of the Libertarian Party at the state level. In previous advisory opinions, the Commission has evaluated this element by considering:

- Whether the organization has placed a candidate on the ballot; and
- Whether the bylaws of the state party organization indicate activity commensurate with the day-to-day functions and operations of a political party at the state level.

Since LPCO has placed several candidates on the ballot in Colorado and the LPCO’s bylaws indicate that it is responsible for the day-to-day

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Campaign Guides Available

For each type of committee, a *Campaign Guide* explains, in clear English, the complex regulations regarding the activity of political committees. It shows readers, for example, how to fill out FEC reports and illustrates how the law applies to practical situations.

The FEC publishes four *Campaign Guides*, each for a different type of committee, and we are happy to mail your committee as many copies as you need, free of charge. We encourage you to view them on our web site (www.fec.gov).

If you would like to place an order for paper copies of the *Campaign Guides*, please call the Information Division at 800/424-9530.

Advisory Opinions

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activities of the Libertarian Party in Colorado, the third qualification is met.

Thus, the LPCO satisfies all three requirements and qualifies as a state committee of a political party.

Date Issued: November 20, 2008;

Length: 5 pages.

—Myles Martin

Advisory Opinion Requests

AOR 2008-19

Candidate committee's employment of treasurer of candidate's leadership PAC (Texans for Lamar Smith, October 9, 2008)

AOR 2008-20

Permissibility of corporation reimbursing a separate segregated fund for the costs of broadcasting an advertisement (National Right to Life Committee, Inc., December 1, 2008)

AOR 2008-21

Solicitation by corporate SSF of members of corporation's wholly-owned mercantile exchanges for political contributions (CME Group, Inc., November 25, 2008)

AO 2008-22

Repayment of candidate's personal loans to principal campaign committee for prior elections (Senator Frank Lautenberg and Lautenberg for Senate, December 11, 2008)

800 Line

Retiring Campaign Debt

This article answers common questions from candidates and their committees who find that they have campaign debts remaining after the election. The Federal Election Campaign Act (the Act) and Commission

regulations contain certain provisions related to the process of retiring campaign debts and terminating a principal campaign committee (committee), including fundraising to retire debts, settling debts for less than the amount owed and debt forgiveness.

May I continue to raise contributions to retire debts after the election?

Yes. Candidates may continue to raise contributions to retire committee debts. When raising contributions to retire debts after the election is over, a campaign must remember three general rules:

- Contributions are still subject to the limits and prohibitions of the Act, even if the candidate lost the election and does not plan to run for future federal office;
- Contributions made after an election to retire debts must, in most cases, be specifically designated for that election by the contributor; and
- Contributions designated for, but made after, a particular election may not exceed the campaign's *net debts outstanding*. 11 CFR 110.1(b)(3)(i).

How do I calculate "net debts outstanding?"

A campaign's "net debts outstanding" consist of unpaid debts incurred with respect to the particular election less the sum of: 1) cash on hand, 2) amounts owed to the candidate or the committee and 3) personal loans in excess of \$250,000. "Unpaid debts" include the following:

- All outstanding debts and obligations;
- The estimated cost of raising funds to liquidate the debts; and
- If the campaign is terminating, estimated winding down costs (for example, office rental, staff salaries and office supplies). 11 CFR 110.1(b)(3)(ii).

"Cash on hand" consists of the resources available to pay the campaign's total debts, including currency, deposited funds, traveler's checks, certificates of deposit, treasury bills and any other investments valued at fair market value. For the purpose of calculating net debts outstanding for the primary, cash on hand need not include contributions designated for the general. 11 CFR 110.1(b)(3)(ii)(A) and (B). "Amounts owed" includes amounts owed to the campaign in the form of credits, refunds of deposits, returns and receivables or a commercially reasonable estimate of the collectible amount.

A campaign first calculates its net debts outstanding as of the day of the election. Thereafter, the campaign continually recalculates its total net debts outstanding as additional funds are received for, or spent on, the election for which the debt remains. 11 CFR 110.1(b)(3)(ii) and (iii).

FEC Accepts Credit Cards

The Federal Election Commission now accepts American Express, Diners Club and Discover Cards in addition to Visa and MasterCard. While most FEC materials are available free of charge, some campaign finance reports and statements, statistical compilations, indexes and directories require payment.

Walk-in visitors and those placing requests by telephone may use any of the above-listed credit cards, cash or checks. Individuals and organizations may also place funds on deposit with the office to purchase these items. Since pre-payment is required, using a credit card or funds placed on deposit can speed the process and delivery of orders. For further information, contact the Public Records Office at 800/424-9530 or 202/694-1120.

How should the committee treat salary owed to campaign staff?

Unpaid salary or wages owed to campaign employees are not considered contributions from those employees. Uncompensated services rendered by an employee may be converted to volunteer work, or the amount owed may be treated as a debt, as explained below. 11 CFR 116.6(a). Note, however, that FEC rules do not require an employee to accept less than full payment for his or her services. 11 CFR 116.6(b).

Treatment as Volunteer Service. Uncompensated employee service may be considered volunteer service if the employee signs a statement agreeing to the arrangement. 11 CFR 116.6(a). However, if a committee initially treats unpaid service as volunteer work, and never reports the unpaid amounts as debt, the committee cannot use campaign funds to pay salary to campaign employees who had agreed to work without salaries. AO 2004-27.

Treatment as Debt. Alternatively, the committee may treat the unpaid amount of salary as a debt to the employee. The committee and the employee may settle the debt for less than the amount owed. 11 CFR 116.6(b).

My committee is terminating. Can the committee settle debts for less than the amount owed?

Yes, under certain circumstances. A commercial vendor (incorporated or unincorporated) may forgive or settle a debt owed by a terminating committee. A “terminating committee” is one that does not intend to raise contributions or make expenditures—except for the purposes of paying winding-down costs and retiring its debts. 11 CFR 116.1(a) and 116.2(a). The difference between the debt and the settlement amount is *not* a contribution from the commercial vendor provided:

- Credit was initially extended in the vendor’s ordinary course of business, and the terms of the credit

were similar to those observed by the vendor when extending a similar amount of credit to a nonpolitical client of similar risk. 11 CFR 116.3 and 116.4(d)(1).

- The committee undertook all reasonable efforts to satisfy the outstanding debt, such as fundraising, reducing overhead costs and liquidating assets. 11 CFR 116.4(d)(2).
- The vendor made the same efforts to collect the debt as those made to collect debts from a nonpolitical debtor in similar circumstances. Remedies might include, for example, late fee charges, referral to a debt collection agency or litigation. 11 CFR 116.4(d)(3).

If the committee or the creditor fails to take these steps, the difference between the amount owed and the amount actually paid may be considered a contribution subject to limits and source prohibitions (*i.e.*, the contribution is prohibited if the vendor is incorporated). 11 CFR 114.2(b).

Debt Settlement Plans. After a terminating committee has reached agreements with its creditors, the treasurer must file a debt settlement plan on FEC Form 8. Once the plan has been submitted to the Commission for review, the committee must postpone payment on the debt until the Commission has completed the review. 11 CFR 116.7(a). Payments to creditors must be disclosed in the committee’s termination report. Step-by-step instructions for completing Form 8 are included with the form.

Reporting Debts Undergoing Settlement. Debts undergoing settlement must be continuously reported until the Commission has completed its review of the committee’s debt settlement plan. The committee may file a termination report once all debts have been paid, settled, forgiven or otherwise extinguished. 11 CFR 116.4(f), 116.5(e) and 116.6(c).

Enforcement Query System Available on FEC Web Site

The FEC continues to update and expand its Enforcement Query System (EQS), a web-based search tool that allows users to find and examine public documents regarding closed Commission enforcement matters. Using current scanning, optical character recognition and text search technologies, the system permits intuitive and flexible searches of case documents and other materials.

Users of the system can search for specific words or phrases from the text of all public case documents. They can also identify single matters under review (MURs) or groups of cases by searching additional identifying information about cases prepared as part of the Case Management System. Included among these criteria are case names and numbers, complainants and respondents, timeframes, dispositions, legal issues and penalty amounts. The Enforcement Query System may be accessed on the Commission’s web site at <http://www.fec.gov>.

Currently, the EQS contains complete public case files for all MURs closed since January 1, 1999. In addition to adding all cases closed subsequently, staff is working to add cases closed prior to 1999. Within the past year, Alternative Dispute Resolution (ADR) cases were added to the system. All cases closed since the ADR program’s October 2000 inception can be accessed through the system.

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800 Line

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Disputed Debts. A disputed debt is a *bona fide* disagreement between the creditor and the committee as to the existence of a debt or the amount owed by the committee. When filing a debt settlement plan, a terminating committee must describe any disputed debts and the committee's efforts to resolve them on Part III of Form 8. 11 CFR 116.10(b).

Creditor's Rights. No commercial vendor or other creditor is required to forgive or settle debts owed by committees. 11 CFR 116.4(e).

Assigning Debts to Another Committee. To expedite termination, an authorized committee that qualifies as a terminating committee and has no remaining cash on hand may as-

sign its debts to another authorized committee of the same candidate, provided that:

- The committee transferring the debts was organized for an election that has already been held;
- Within 30 days before the assignment takes effect, the transferor committee notifies each creditor in writing of the name and address of the committee assuming the debts; and
- The committee assuming the debts notifies the FEC in writing that it has assumed the obligation to pay the debts. That committee must continue to report the debts until they are retired. 11 CFR 116.2(c) (3).

Is an ongoing committee eligible for debt-forgiveness?

Yes, under certain circumstances. A creditor may forgive a debt owed by an *ongoing committee* (that is, one that does not qualify as a terminating committee) if the debt has been outstanding at least 24 months and the ongoing committee (1) has insufficient cash on hand to pay the debt, (2) has had *receipts* of less than \$1,000 and *disbursements* of less than \$1,000 during the previous 24 months and (3) either:

- The committee owes debts to other creditors of such magnitude that the creditor could reasonably conclude that the ongoing committee will not pay its particular debt; or
- The creditor is unable, after reasonable diligence, to locate the ongoing committee. 11 CFR 116.8(a).

Notification to Commission. A creditor who intends to forgive a debt owed by an ongoing committee must notify the Commission of its intent in writing. In addition to demonstrating that the ongoing committee is eligible for debt-forgiveness, the letter must provide the following information:

- The terms of the initial extension of credit and a description of the terms under which the creditor has

extended credit to similar nonpolitical debtors;

- A description of the campaign's efforts to satisfy the debt;
- A description of the steps taken by the creditor to obtain payment, along with a comparison of those remedies with others pursued by the creditor under similar circumstances; and
- An indication that the creditor has forgiven other debts involving non-political debtors in similar circumstances. 11 CFR 116.8(b).

Commission Review. The Commission will review each proposal to forgive a debt to ensure that the creditor, the ongoing committee and the candidate have complied with the Act's contribution limits and prohibitions. 11 CFR 116.8(c).

May the committee sell campaign assets?

Generally, when a campaign sells its property, the purchase is considered a *contribution* to the campaign by the purchaser. The payment, therefore, must not come from prohibited sources and must not exceed the contribution limits.

Under limited circumstances, however, the sale of a campaign asset *does not* result in a contribution.

Mailing Lists. Mailing lists developed by a campaign for its own use may be sold at the "usual and normal" charge without the purchaser making a contribution. See, for example, AOs 2002-14, 1982-41 and 1981-53.

Liquidation of Equipment and Supplies. The Commission has said that the sale of campaign equipment and supplies does not result in a contribution under certain conditions. AOs 2003-19 and 1986-14.

How does a committee terminate?

A committee may file a termination report at any time, provided that:

- The committee no longer intends to receive contributions, make expenditures or make any disbursements

FEC Web Site Offers Podcasts

In an effort to provide more information to the regulated community and the public, the Commission is making its open meetings and public hearings available as audio recordings through the FEC web site, as well as by podcasts. The audio files, and directions on how to subscribe to the podcasts are available under *Audio Recordings* through the *Commission Meetings* tab at <http://www.fec.gov>.

The audio files are divided into tracks corresponding to each portion of the agenda for ease of use. To listen to the open meeting without subscribing to the podcasts, click the icon next to each agenda item. Although the service is free, anyone interested in listening to podcasts must download the appropriate software listed on the web site. Podcast subscribers will automatically receive the files as soon as they become available—typically a day or two after the meeting.

- that would otherwise qualify it as a political committee; and
- Neither the committee seeking to terminate nor any other authorized committee of the same candidate has any outstanding debts or obligations. 11 CFR 102.3 and 116.1.

A committee involved in an FEC enforcement action, an FEC audit or litigation with the FEC, however, must continue to file regularly scheduled reports until the matter is resolved.

When filing the committee's termination report, the treasurer should check the "Termination Report" box on Line 4 of the Summary Page of FEC Form 3. The termination report must disclose:

- All receipts and disbursements not previously reported, including an accounting of debt retirement; and
- The purposes for which any remaining committee funds or assets will be used. 11 CFR 102.3(a).

The committee's reporting obligation ends *only* when the Commission notifies the committee in writing that the termination report has been accepted. Until the committee receives this notification, it must continue to file reports.

—Isaac J. Baker

Commission

(continued from page 1)

Second, I want to express deep appreciation to each of my fellow Commissioners for the way that we have begun to work on these matters. We come from different backgrounds. Most of us did not know each other before our arrival. We were faced with an awesome load of responsibilities to discharge as soon as possible. Former Chairman McGahn was asked to serve as Chairman within only a few days after his arrival—probably another unprecedented situation—after a period of dormancy—with five new Commissioners, four of whom were entirely new to the Commission.

Much has been done to develop a working relationship to provide positive results, despite the fact the Agency was designed to bring different points of view to the table on important matters. In the process, we were all subject to some sharp elbows from each other on matters of procedure as well as policy, but we all recognize and appreciate our critical need to work together collegially and civilly, and much has been done to develop a productive relationship.

Third, looking forward, we have a very challenging year ahead, but one I am confident we will be able to successfully complete.

There remains some backlog of enforcement matters which raise novel, complex and important legal questions. Aside from pending matters, the Commissioners will hold a public hearing and obtain comment, from inside and outside the Agency, on ways to improve its enforcement mechanisms, policies and procedures. It is the broadest inquiry that the Agency has initiated, and one which I am confident will result in many positive and helpful suggestions. The goal is to learn ways to improve Commission transparency, fairness and efficiency in the enforcement, as well as the interpretation, of applicable laws and regulations. I invite each of you to provide your own constructive thinking of these issues, and to channel them to us by mail or Internet as provided on the Commission webpage on this matter at <http://www.fec.gov/law/policy/enforcement/publichearing011409.shtml>.

The Agency is presently operating under a Continuing Resolution of Congress, which means the Commission is confined by its budget limit of last fiscal year of \$59.2 million, until further funding occurs. This would be acceptable in normal times, but in addition, from that budget, the Commission must meet an additional approximate \$1.9 million of salary increases for our approxi-

mately 360 employees, as well as approximately \$900,000 in increased rent, in addition to other overhead increases that must be absorbed. As a result, the Commission is operating under a very tight fiscal situation and presently is unable to expand, and indeed must contract, certain of its usual services.

This year there are several initiatives which I would like for the Commission to undertake. One is to take a new look at ways the Commission can improve its web site, and the information it makes available on the Internet. The Commission database stores a massive amount of information, but there are undoubtedly better ways to make it more accessible, user-friendly, intuitive and therefore more edu-

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AO Search System Available

The FEC has an Advisory Opinion Search System available on its web site at www.fec.gov. This search function allows users to search for advisory opinions (AOs) by the AO number or name of requestor, or to enter search terms or perform an advanced search for documents.

The system quickly provides relevant AOs, along with all related documents including advisory opinion requests, comments and any concurring or dissenting opinions issued by Commissioners. The search function also provides summary material and links to other AOs cited in the opinion.

When the search system was first launched, it included AOs issued from 1997 to the present. The system has now been updated to include AOs dating back to 1977. The AO search system is available at <http://saos.nictusa.com/saos/searchao>.

Commission

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cational. It will be helpful to the candidates, the public officeholders and certainly the electorate to have the best possible access to this information. The second initiative is to explore how the Commission can expand the availability, accessibility and searchability of its disclosure databases and of past Commission actions (such as Advisory Opinions and closed Matters Under Review) to make these important materials publicly available to all users, from counsel to political committees, press and the public generally. Traditionally, thorough research of matters of a historical nature frequently requires research of our archives, most of which is on microfilm, by physically visiting our offices. This often means hiring a local Washington, DC, lawyer to accomplish this research. Much of this could be made available to all with an expansion of current Commission databases and an improved sorting mechanism. Third, part of the web site evaluation would include an examination of how to make the Agency's reporting forms more user-friendly and intuitive and how to simplify the electronic filing process. Fourth, it is time for the Commission to have an agency-wide assessment of its procedures, structure and internal oversight responsibilities, which was recently strongly recommended to the Commission by its independent auditors, one which has not been done of this Agency for approximately 10 years.

With all of these issues and initiatives, as well as our current schedule and usual workload, we have our work cut out for us. We welcome your advice on these and any other matters that you believe will provide a better service as we move forward this year.

—*Steven T. Walther
Chairman*

New Chairman and Vice Chairman Elected

The Commission unanimously elected Steven T. Walther as Chairman and Matthew S. Petersen as Vice Chairman for 2009 in an open session on Thursday, December 18, 2008. Mr. Walther and Mr. Petersen were both nominated to serve as Commissioners by President George W. Bush and both were unanimously confirmed by the United States Senate.

Prior to joining the FEC as a Commissioner, Mr. Walther practiced law in the Reno, Nevada, law firm of Walther, Key, Maupin, Oats, Cox & LeGoy, now known as Maupin, Cox & LeGoy. He co-founded the firm in 1972.

Mr. Walther currently serves as co-chair of the American Bar Association (ABA) Center for Human Rights and as a Delegate to the ABA House of Delegates. He is a former member of the ABA Board of Governors. He was appointed by the ABA President to serve as the ABA Representative to the United Nations. He served on the Executive Board of the ABA Central European and Eurasian Law Initiative (CEELI), which oversees the ABA's democracy building programs in over 21 countries—programs which promote development of fair and open election laws.

Mr. Walther is a former president of the State Bar of Nevada, the Western States Bar Conference and the National Caucus of State Bar Associations. He is a past chair of the 6,000-member Fellows of the American Bar Foundation, the legal research arm of the ABA. From 1971 until his FEC appointment, Mr. Walther served as a member of the Nevada State Advisory Committee to the U.S. Commission on Civil Rights.

Mr. Walther is a former member of the Board of Trustees of the National Judicial College. He is a member of the American Law Institute and the International

Bar Association. Mr. Walther has lectured extensively, both domestically and internationally (principally in Russia), on rule of law, human rights, litigation and international law issues.

Mr. Walther received his J.D. degree from Boalt Hall School of Law, University of California, Berkeley in 1968, and recently served as president of the Boalt Hall Alumni Association. He received his undergraduate degree, with a major in Russian, from the University of Notre Dame, Notre Dame, Indiana, in 1965.

Mr. Petersen served as Republican chief counsel to the U.S. Senate Committee on Rules and Administration from 2005 until his appointment to the Commission. In this capacity, he provided counsel on issues relating to federal campaign finance and election administration laws as well as the Standing Rules of the Senate.

Mr. Petersen previously served as counsel to the U.S. House of Representatives Committee on House Administration. During his tenure, Mr. Petersen was extensively involved in the crafting of the Help America Vote Act of 2002 (HAVA) and the House-Senate negotiations that culminated in HAVA's passage. From 1999 to 2002, he specialized in election and campaign finance law at the law firm of Wiley Rein LLP in Washington, D.C.

Mr. Petersen received his J.D. in 1999 from the University of Virginia School of Law, where he was a member of the Virginia Law Review. He graduated *magna cum laude* with a B.A. in philosophy from Brigham Young University in 1996. He also received an A.S. with high honors from Utah Valley State College.

—*Myles Martin*

Outreach

Washington, DC, Conference for Campaigns and Political Party Committees

The Commission will hold its annual conference in Washington, DC, on March 3-4, 2009, for House and Senate campaigns and political party committees. Commissioners and staff will conduct a variety of technical workshops on federal campaign finance law. Workshops are designed for those seeking an in-

FEC Conference Schedule for 2009

Conference for House and Senate Campaigns and State/Local Party Committees

March 3-4, 2009

Omni Shoreham
Washington, DC

Conference for Corporations and their PACs

April 2-3, 2009

Westin City Center
Washington, DC

Conference for Trade Associations, Membership Organizations, Labor Organizations and their PACs

May 21-22, 2009

Omni Shoreham
Washington, DC

Conference for Campaigns, Party Committees and Corporate/Labor/Trade PACs

September 15-16, 2009

Hyatt Regency
Chicago, IL

Conference for Campaigns, Party Committees and Corporate/Labor/Trade PACs

October 28-29, 2009

Sheraton at Fisherman's Wharf
San Francisco, CA

roduction to the basic provisions of the law as well as for those more experienced in campaign finance law. For additional information, to view the conference agenda or to register for the conference, please visit the conference web site at <http://www.fec.gov/info/conferences/2009/candparty09.shtml>.

Hotel Information

The conference will be held at the Omni Shoreham hotel in northwest Washington, DC, near the National Zoo and the Woodley-Park-National Zoo Metro subway station (Red Line). A room rate of \$249 (single or double) is available to conference attendees who make reservations on or before January 30, 2009. To make hotel reservations and reserve this group rate, call 1-800-545-8700 and identify yourself as attending the Federal Election Commission conference. 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 for this conference is \$499, which covers the cost of the conference, materials and meals. A \$51 late fee will be added to registrations received after 5 p.m. EST, January 30, 2009. Complete registration information is available online at <http://fec.gov/info/conferences/2009/candparty09.shtml>.

FEC Conference Questions

Please direct all questions about conference registration and fees to Sylvester Management Corporation (Phone: 1-800/246-7277; e-mail: toni@sylvestermanagement.com). For questions about the conferences and workshops in 2009, call the FEC's Information Division at 1-800/424-1100), or send an e-mail to Conferences@fec.gov.

—Kathy Carothers

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