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FEDERAL ELECTION COMMISSION
Washington, DC 20463

AGENDA DOCUMENT NO. 25-09-A
AGENDA ITEM
For meeting of April 30, 2025

April 23, 2025

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson *NFS for LJS*
Acting General Counsel

Neven F. Stipanovic *NFS*
Associate General Counsel

Robert Knop *RMK*
Assistant General Counsel

Joanna Waldstreicher *JSW*
Attorney

Subject: AO 2025-05 (Politicalmeetings.com) Draft A

Attached is a proposed draft of the subject advisory opinion.

Members of the public may submit written comments on the draft advisory opinion. We are making this draft available for comment until 12:00 pm (Eastern Time) on April 29, 2025.

Members of the public may also attend the Commission meeting at which the draft will be considered. The advisory opinion requestor may appear before the Commission at this meeting to answer questions.

For more information about how to submit comments or attend the Commission meeting, go to <https://www.fec.gov/legal-resources/advisory-opinions-process/>.

Attachment

1 ADVISORY OPINION 2025-05

2
3 Sue Rose

4 Politicalmeetings.com LLC

5 600 17th ST, 2800 S

6 Denver, CO 80202

7
8 Dear Ms. Rose:

DRAFT A

9 We are responding to your advisory opinion request on behalf of
10 Politicalmeetings.com (“PM.com”), concerning the application of the Federal Election
11 Campaign Act, 52 U.S.C. §§ 30101-45 (the “Act”), and Commission regulations to
12 PM.com’s proposal to allow its subscribers to make small monthly contributions to
13 candidates and national political party committees via PM.com’s web-based platform and
14 to provide subscribers access to non-public information about political meetings and
15 events with recipient candidates.

16 The Commission concludes that PM.com’s proposal is permissible under the Act
17 and Commission regulations and that the proposal would not constitute contributions
18 from PM.com — or you as the sole member of PM.com — to candidates or national
19 political party committees.

20 ***Background***

21 The facts presented in this advisory opinion are based on your letter received on
22 March 21, 2025 and the politicalmeetings.com website.¹

¹ See <https://politicalmeetings.com> (last visited April 1, 2025).

1 PM.com was founded in 2023 by you, its sole member. The LLC is registered
2 with the Colorado Secretary of State as a sole proprietorship and is treated as such for
3 federal income tax purposes.²

4 PM.com is a web platform designed to provide the public with information about
5 candidates and national party committees and meetings held by them.³ You state that
6 PM.com was established to fill a “pressing need for accessible information on political
7 issues and candidates.”⁴ To fill that need, PM.com has created a database compiling
8 information about political events and meetings held by candidates and national party
9 committees.⁵ Users can search for events, candidates, and organizations by party
10 affiliation, type of event, type of entity, county, and state.⁶

11 Limited basic information about candidates and events, such as event descriptions
12 and county or state of their locations, will be available to all visitors to the website at no
13 cost.⁷ PM.com will offer two paid subscription tiers providing subscribers with
14 additional benefits. Basic Subscribers will pay \$4.98 per month, and will receive
15 additional details about candidates and events, such as street addresses for events,

² See Advisory Opinion Request (“AOR”) AOR001.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ See <https://politicalmeetings.com/political-entities/> (last visited April 1, 2025);
<https://politicalmeetings.com/events-meetings/> (last visited April 1, 2025).

⁷ AOR002; AOR004.

1 candidate website and social media links and contact information.⁸ Premium Subscribers
2 will pay \$6.98 per month, and will receive the same benefits as Basic Subscribers as well
3 as exclusive non-public event information, a donor dashboard, and the ability to
4 contribute small amounts to candidates, non-profit organizations, and national political
5 party committees through PM.com.⁹ Premium Subscribers will be able to make
6 contributions of \$1.00 per month through PM.com to candidates who opt to participate,
7 and \$0.50 per month to participating national party committees or non-profit
8 organizations.¹⁰

9 PM.com will require Basic or Premium Subscribers to complete a Subscription
10 Registration Form. The subscription registration form for Premium Subscriptions will
11 include a disclaimer that contributions must comply with federal limits and prohibitions
12 and may not be from a prohibited source.¹¹ In addition, an Online Donor Registration
13 Form will be generated for Premium Subscribers who wish to contribute to a candidate
14 on PM.com, requiring these subscribers to provide contributor information as prescribed
15 by the Act and Commission regulations and attest to certain facts supporting their
16 eligibility to contribute.¹² PM.com will aggregate each contribution with all the other

⁸ AOR004.

⁹ *Id.*

¹⁰ *Id.*

¹¹ AOR005.

¹² *Id.* This form will require contributors to provide the following information and attest that it is true and accurate:

1. Legal name;

1 contributions made by the User to that candidate on PM.com, and that aggregate must be
2 less than the contribution limit per election.¹³

3 PM.com's Premium Subscription rate of \$6.98 per month will include \$5.98 in
4 administrative fees to cover PM.com's operational costs, and a \$1.00 donation to a
5 candidate. Premium Subscribers can choose to contribute an additional \$1.00 to as many
6 candidates as they wish, increasing their monthly payment accordingly; they will incur an
7 additional \$1.98 administrative fee for every three candidates they contribute to.¹⁴

8 Premium Subscribers may also choose to contribute \$0.50 per month to a national
9 political party committee or certain non-profit organizations as an additional benefit.¹⁵

10 PM.com will use Stripe, a pay gateway company, to process contributions and
11 administrative fees paid by the subscriber. The current fee for processing contribution

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2. Mailing address;
 3. Occupation and Employer;
 4. Whether subscriber is a federal contractor;
 5. Whether subscriber is a United States citizen or legal permanent resident;
 6. Subscriber is using their own personal funds and not funds given to them by another person for the purpose of making the contribution;
 7. Subscriber is using their own credit card and not a corporate or business card, or a card issued to another person;
 8. Subscriber is over age 18 years;
 9. Subscriber is not making the contribution at the request or suggestion of another individual.

See id.

¹³ *Id.*

¹⁴ AOR006.

¹⁵ AOR002.

1 transactions on PM.com is 2.9% plus \$.30 per transaction. Premium Subscribers will
2 pay the transaction fees charged by the pay gateway to process their contributions in
3 addition to their total subscription.¹⁶

4 Candidates, political party committees, and other political committees may also
5 participate in PM.com's platform, either without charge or through two tiers of paid
6 profiles that include additional services. A free profile for a "political entity" allows
7 PM.com to present limited publicly available information relating to that entity.¹⁷ A
8 "Political Entity Listing," at a charge of \$78 per month, allows the candidate or political
9 committee to provide additional details regarding their profile and events to PM.com to
10 include in its database.¹⁸ A "Premium Political Entity Listing," at a charge of \$198 per
11 month, is available only to candidates; it includes all the elements of a Political Entity
12 Listing, as well as the ability to receive monthly \$1 contributions from PM.com Premium
13 Subscribers, along with a dashboard to track contributions and the option to link to
14 external fundraising sites.¹⁹

15 Both types of paid profiles require participating candidates and political
16 committees to agree to PM.com's privacy policy and terms of service, and to submit the
17 applicable form of "Permission Slip."²⁰ Candidates with Premium Political Entity
18 Listings must also provide bank account or pay gateway details, and grant PM.com

¹⁶ AOR006.

¹⁷ AOR004.

¹⁸ AOR003; AOR004.

¹⁹ AOR003; AOR004.

²⁰ AOR003.

1 permission to make automatic deposits of contributions into the candidate's bank
2 account.²¹

3 When a Premium Subscriber makes their monthly payment that includes
4 contributions to one or more Premium Political Entity candidates or to a national party
5 committee, via Stripe, the portion that is a contribution will be deposited directly into the
6 recipient's account by Stripe, and the portion that is the administrative fee due to PM.com
7 will be deposited into PM.com's account; PM.com does not accept or control any
8 contributions on behalf of subscribers or candidates.²² Candidates that receive
9 contributions through PM.com are responsible for any pay gateway fees incurred.²³ If
10 any system compatibility error prevents the automatic transfer of funds to the recipient
11 candidate, contributions will be transmitted to the recipient by wire within two days.²⁴

12 ***Question Presented***

13 *Is PM.com's proposal to allow its subscribers to make small, monthly*
14 *contributions to candidates and national political party committees and to provide them*
15 *with non-public information about political meetings and events with the recipient*
16 *candidates and committees permissible under the Act and Commission regulations?*

²¹ *Id.*

²² AOR005; AOR006-07.

²³ AOR003.

²⁴ AOR007.

1 ***Legal Analysis***

2 Yes, PM.com’s proposal would be permissible under the Act and Commission
3 regulations, and the proposed subscription service would not constitute a contribution
4 from PM.com or you, as PM.com’s sole member, to candidates or national political party
5 committees.

6 The Act and Commission regulations provide that a “contribution” includes any
7 “gift, subscription, loan, advance, or deposit of money or anything of value made by any
8 person for the purpose of influencing any election for Federal office.”²⁵ “[A]nything of
9 value” includes in-kind contributions such as the provision of good or services without
10 charge or at a charge that is less than the usual and normal charge.²⁶ Commission
11 regulations define “usual and normal charge” for goods or services as “the price of those
12 goods in the market from which they ordinarily would have been purchased at the time of
13 the contribution” or the “commercially reasonable rate prevailing at the time the services
14 were rendered,” respectively.²⁷

15 In previous advisory opinions, the Commission has determined that a commercial
16 vendor’s provision of services to a political committee does not constitute a contribution
17 to the political committee where the commercial vendor (1) renders the services in the
18 ordinary course of business and at the usual and normal charge; (2) forwards
19 contributions through a segregated account to candidates and political committees; and

²⁵ 52 U.S.C. § 30101(8)(A)(i); 11 C.F.R. § 100.52(a).

²⁶ See 11 C.F.R. § 100.52(d)(1).

²⁷ See *id.* § 100.52(d)(2).

(3) employs adequate screening procedures to ensure that they are not forwarding illegal contributions.²⁸

Here, PM.com's proposed business model meets all three criteria as to the services it will provide to candidates. First, PM.com will be providing its services, including fundraising links and event listings to candidates opting for both Political Entity Listings and Premium Political Entity Listings, and contribution-processing services for the latter, in the ordinary course of its business. PM.com will charge candidates \$78 per month for Political Entity Listings and \$198 per month for Premium Political Entity Listings, and the Commission assumes that these amounts are commercially reasonable, provided that the costs will cover PM.com's costs for the respective levels of services and yield a reasonable profit. Second, PM.com, through its pay gateway Stripe, will ensure that recipient candidates receive contributions within two days of when they are made, and that the funds are not commingled with PM.com's funds.²⁹ And, third, PM.com will screen contributions to ensure both that they are not excessive and that they are not from prohibited sources: PM.com will not allow a contributor to exceed the applicable contribution limit for any recipient candidate through PM.com,³⁰ and all contributors wishing to make a contribution to a candidate through PM.com are required to attest to statements verifying their eligibility under federal law to

²⁸ See, e.g., Advisory Opinion 2019-04 (Prytany); Advisory Opinion 2018-05 (CaringCent.com); and Advisory Opinion 2016-08 (eBundler.com).

²⁹ AOR005-06.

³⁰ AOR005.

1 make contributions.³¹ Because PM.com satisfies the three aforementioned criteria, it
2 provides its services to candidates as a commercial vendor. As such, PM.com will not
3 make contributions to the recipient candidates.

4 PM.com will also not make contributions to the national party committees that
5 receive contributions through the platform, because such contributions will be processed
6 as a service to contributors, not to the recipient party committees.³²

7 In several previous advisory opinions, the Commission concluded that companies
8 that process contributions as a service to contributors, without receiving compensation
9 from or entering into any agreements with the recipient political committees, were not
10 making contributions because the companies were not providing services to the political
11 committees.³³

12 PM.com's proposed service allowing its subscribers to add a \$.50 monthly
13 contribution to a national party committee closely resembles the services approved by the

³¹ *Id.*

³² National party committees, like any other political committees, may register for Political Entity Listings, but these do not include the ability to receive contributions through the PM.com platform or link to external fundraising sites. National party committees can only receive contributions through PM.com in the form of the \$.50 add-on option for Premium Subscribers.

³³ *See* Advisory Opinion 2021-07 (PACMS) at 6-7 (stating that the Commission examines whether the entity processes contributions at the request or for the benefit of the contributor, as opposed to that of the recipient political committees; as well as whether the service relieves the recipient committees from any financial burden they would otherwise have to pay for themselves); Advisory Opinion 2017-06 (Stein and Gottlieb) at 5 (same); Advisory Opinion 2015-15 (WeSupportThat.com) at 4 (same); Advisory Opinion 2014-07 (Crowdpac) at 6 (same); Advisory Opinion 2012-22 (skimmerhat) at 4-6 (same); Advisory Opinion 2011-19 (GivingSphere) at 7 (stating that companies that process contributions as a service to the contributors do not need to be compensated for these services by the recipient political committees because the companies are not providing any services or anything of value to the recipient political committees); Advisory Opinion 2011-06 (Democracy Engine) at 5 (determining that the vendor was providing services only to the contributor because it would process contributions at the request and for the benefit of its subscribers, and not the recipient political committees, and that the vendor's services are akin to delivery services, bill-paying services, or check writing services for its subscribers).

1 Commission in Advisory Opinion 2015-15 (WeSupportThat.com), Advisory Opinion
2 2014-07 (Crowdpac), Advisory Opinion 2012-22 (skimmerhat), and Advisory Opinion
3 2011-19 (GivingSphere). Here, as in those advisory opinions, PM.com proposes to
4 transmit contributions to national party committees at the choice of the contributors and
5 not under any agreement between PM.com and the recipient political committees.³⁴ In
6 contrast to the services PM.com proposes to provide to candidates with Premium Political
7 Entity Listings, allowing them to receive contributions, promote their events, solicit
8 contributions through external fundraising sites, and add detailed profile information,
9 PM.com will not provide any means for national party committees to solicit funds
10 externally, and they will only be able to promote their events and add detailed profile
11 information as part of a paid Political Entity Listing. Nor will PM.com enter into any
12 contractual agreement with national party committees, or track the aggregate
13 contributions transmitted to them.

14 Because PM.com will provide this contribution processing service to its
15 subscribers — rather than to the recipient national party committees — PM.com’s
16 proposal is analogous to widely available services that contributors may use to send
17 contributions, such as United Parcel Service or electronic bill-pay services provided by
18 banks.³⁵ And because the administrative fees that PM.com will collect from the

³⁴ See Advisory Opinion 2014-07 (Crowdpac), Advisory Opinion 2012-22 (skimmerhat). Compare Advisory Opinion 2011-06 (Democracy Engine) (hosting a website through which contributors identify recipients and transmit funds) with Advisory Opinion 2007-04 (Atlatl) (processing online credit card contributions made via political committees’ own websites). PM.com will be using a pay gateway to provide all contribution processing services. As in Advisory Opinion 2014-07 (Crowdpac), the use of an outside vendor to process contributions on PM.com’s behalf does not change the nature of PM.com’s services as being provided to its users.

³⁵ See Advisory Opinion 2014-07 (Crowdpac) at 6 (“Because Crowdpac will provide these services to its customers — rather than to political committees — Crowdpac’s proposal is analogous to widely

1 subscribers who choose to contribute to national party committees are ““for the benefit of
2 the contributors, not of the recipient political committees,”” such fees “d[o] not ““relieve
3 the recipient political committees of a financial burden they would otherwise have had to
4 pay for themselves.””³⁶ Accordingly, as in the prior advisory opinions, neither PM.com’s
5 contribution processing services nor its fees are contributions to the recipient national
6 party committees.

7 Accordingly, PM.com’s proposal to allow its subscribers to make small, monthly
8 contributions to candidates and national political party committees and to provide them
9 with non-public information about political meetings and events with the recipient
10 candidates and committees is permissible under the Act and Commission regulations.

11 This response constitutes an advisory opinion concerning the application of the
12 Act and Commission regulations to the specific transaction or activity set forth in your
13 request.³⁷ The Commission emphasizes that, if there is a change in any of the facts or
14 assumptions presented, and such facts or assumptions are material to a conclusion
15 presented in this advisory opinion, then you may not rely on that conclusion as support
16 for your proposed activity. Any person involved in any specific transaction or activity
17 which is indistinguishable in all its material aspects from the transaction or activity with

available services that contributors may use to send contributions, such as United Parcel Service or electronic bill-pay services provided by banks”); *see also* Advisory Opinion 2012-22 (skimmerhat) at 5-6 (“skimmerhat’s proposal is analogous to widely available delivery services, such as United Parcel Service, which a contributor may use to deliver a contribution, or an electronic bill-pay service, such as those provided by banks”).

³⁶ Advisory Opinion 2012-22 (skimmerhat) at 6 (quoting Advisory Opinion 2011-06 (Democracy Engine)).

³⁷ *See* 52 U.S.C. § 30108.

1 respect to which this advisory opinion is rendered may rely on this advisory opinion.³⁸
2 Please note that the analysis or conclusions in this advisory opinion may be affected by
3 subsequent developments in the law including, but not limited to, statutes, regulations,
4 advisory opinions, and case law. Any advisory opinions cited herein are available on the
5 Commission's website.

6
7 On behalf of the Commission,
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11

12 James E. "Trey" Trainor, III
13 Acting Chairman
14
15

³⁸ See 52 U.S.C. § 30108(c)(1)(B).