

# Record

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Federal Election Commission

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## Commission

### FEC Elects Chairman and Vice Chair for 2010

On December 17, 2009, the Commission unanimously elected Matthew S. Petersen as Chairman and Cynthia L. Bauerly as Vice Chair for 2010. Commissioners Petersen and Bauerly were nominated to the Commission by President George W. Bush and unanimously confirmed by the United States Senate on June 24, 2008.

Chairman 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.

Chairman Petersen previously served as counsel to the U.S. House of Representatives Committee on House Administration. During his tenure, Chairman Petersen was extensively involved in crafting 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.

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## Regulations

### Final Rules on Campaign Travel

On November 19, 2009, the Commission approved final rules implementing provisions of the Honest Leadership and Open Government Act of 2007 (HLOGA) relating to travel on non-commercial aircraft in connection with federal elections.

#### General Rule

HLOGA amended the Federal Election Campaign Act (the Act) to prohibit candidates for the U.S. House of Representatives, their authorized committees and their leadership PACs<sup>1</sup> from making any expenditure for non-commercial air travel, with an exception for travel on government aircraft and on aircraft owned or leased by a candidate or an immediate family member of the candidate. 2 U.S.C. §439a(c)(2) and (3). HLOGA also specified new reimbursement rates that Senate,

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<sup>1</sup> HLOGA and Commission regulations define "leadership PAC" as a political committee that is directly or indirectly established, financed, maintained or controlled by a federal candidate or federal officeholder; but which is not a candidate's authorized committee or a political party committee. 2 U.S.C. §434(i)(8)(B) and 11 CFR 100.5(e)(6).

## Commission

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Chairman Petersen—a native of Mapleton, Utah—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 Bachelor of Arts in philosophy from Brigham Young University in 1996. He also received an associate degree with high honors from Utah Valley State College.

Prior to her appointment to the Commission, Vice Chair Bauerly served in the United States Senate in the office of Senator Charles E. Schumer of New York as his Legislative Director, and as his counsel

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on the Senate Judiciary and Rules Committees. Her policy work while on the Hill included a variety of matters, including election reform, campaign finance, technology, telecommunications, intellectual property, antitrust, legal process reform, immigration and ethics.

Vice Chair Bauerly has also worked in private practice in Minnesota and Washington specializing in complex litigation and appellate law, with a focus on intellectual property. She previously served as a judicial clerk for the Honorable Florence-Marie Cooper of the United States District Court for the Central District of California and the Honorable Theodore R. Boehm of the Indiana Supreme Court.

Originally from Saint Cloud, Minnesota, Vice Chair Bauerly graduated from Concordia College in Moorhead, Minnesota, and received both her law degree and a Master of Public Affairs from Indiana University.

—Myles Martin

## Regulations

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Presidential and Vice-Presidential candidates and their authorized committees must pay when making expenditures for flights aboard non-commercial aircraft. HLOGA did not alter rules for travel on commercial flights. All candidates must still pay the “usual and normal charge” for all campaign travelers aboard such flights to avoid receiving an in-kind contribution. 11 CFR 100.52(a) and (d).

For purposes of HLOGA, the term “campaign traveler” refers to individuals traveling in connection with an election for federal office on behalf of a candidate or political committee, and candidates who travel on behalf of their own campaigns. The term campaign traveler also includes any member of the news media traveling with a candidate. Candidates are only

considered campaign travelers when they are traveling in connection with an election for federal office. This term does not include Members of Congress when they engage in official travel or candidates when they engage in personal travel or any other travel that is not in connection with an election for federal office. 11 CFR 100.93(a)(3)(i).

## Presidential, Vice-Presidential and Senate Candidate Travel

New 11 CFR 100.93(c)(1) requires candidates for President, Vice-President and the U.S. Senate to pay the pro rata share of the fair market value of non-commercial flights. The pro rata share is determined by dividing the fair market value of the normal and usual charter fare or rental charge for a comparable aircraft of comparable size by the number of campaign travelers flying on behalf of each candidate on the flight.<sup>2</sup>

The pro rata share is calculated based on the number of candidates represented on a flight, regardless of whether the individual candidate is actually present on the flight. A candidate is represented on a flight if a person is traveling on behalf of that candidate or the candidate’s authorized committee. Accordingly, when an individual is traveling on behalf of another political committee (such as a political party committee or a Senate leadership PAC), rather than on behalf of the candidate’s own authorized committee, the reimbursement for that travel is the responsibility of the political committee on whose behalf the travel occurs. The reimbursement must be

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<sup>2</sup>The term “comparable aircraft” means an aircraft of similar make and model as the aircraft that actually makes the trip, with similar amenities as that aircraft. The Commission’s new regulations interpret HLOGA to include helicopters when determining “comparable aircraft.” 11 CFR 100.93(a)(3)(vi).

## Regulations

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made to the service provider within seven calendar days after the date the flight began to avoid the receipt of an in-kind contribution.

### Travel on behalf of Leadership PACs of Senate, Presidential and Vice-Presidential Candidates

For non-commercial travel on behalf of leadership PACs of Senate, Presidential and Vice-Presidential candidates, the new regulations apply the same reimbursement rates as in the prior regulations:

- The lowest unrestricted and non-discounted first-class airfare in the case of travel between cities served by regularly scheduled first-class commercial airline service;
- The lowest unrestricted and non-discounted coach airfare in the case of travel between a city served by regularly scheduled coach commercial airline service, but not regularly scheduled first-class commercial airline service, and a city served by regularly scheduled coach commercial airline service (with or without first-class commercial airline service); or
- The normal and usual charter fare or rental charge for a comparable commercial aircraft of sufficient size to accommodate all campaign travelers and security personnel, if applicable, in the case of travel to or from a city not regularly served by regularly scheduled commercial airline service.

To avoid the receipt of an in-kind contribution, the committee must reimburse the service provider no later than seven calendar days after the date the flight began. 11 CFR 100.93(c)(3).

### Travel by or on Behalf of House Candidates and House Leadership PACs

New 11 CFR 100.93(c)(2) generally prohibits House candidates and individuals traveling on behalf of

House candidates, their authorized committees or the leadership PACs of House candidates from engaging in non-commercial campaign travel on aircraft. This prohibition cannot be avoided by payments to the service provider, even by payments from the personal funds of a House candidate.

This prohibition does not apply when the travel would be considered an expenditure by someone other than the House candidate, the House candidate's authorized committee or House candidate's leadership PAC (for example, if the House candidate were traveling on behalf of a Senate candidate instead of on behalf of his or her own campaign).

### Non-Commercial Air Travel on Behalf of Other Committees

The Commission is retaining its current reimbursement rate structure for campaign travelers who are traveling on behalf of political party committees, separate segregated funds (SSFs), nonconnected committees and certain leadership PACs. Thus, the reimbursement rates (first class, coach or charter, as described above) will apply to campaign travelers who are traveling on behalf of these types of committees on non-commercial flights.

### Other Means of Transportation

For non-commercial travel via other means, such as limousines and all other automobiles, trains and buses, a political committee must pay the service provider the normal and usual fare or rental charge for a comparable commercial conveyance of sufficient size to accommodate all campaign travelers, including members of the news media traveling with a candidate and security personnel, if applicable. See 100.93(d). This regulation remains the same as the prior regulation regarding other means of transportation.

### Government Conveyances

Candidates and representatives of political committees may make cam-

aign travel via government conveyances, such as government aircraft, subject to specific reimbursement requirements. HLOGA provides an exception to the prohibition on non-commercial air travel by House candidates and their authorized committees and leadership PACs, but does not specify any particular reimbursement rate for travel aboard government aircraft.

The Commission is amending its regulations to require that candidates, their authorized committees or House candidate leadership PACs reimburse the federal, state or local government entity providing the aircraft at either of the two following rates:

- "Per candidate campaign traveler" reimbursement rate, which is the normal and usual charter fare or rental charge for a comparable aircraft of sufficient size to accommodate all of the campaign travelers. The pro rata share is calculated by dividing the normal and usual charter fare or rental charge by the number of campaign travelers on the flight that are traveling on behalf of candidates, authorized committees or House candidate leadership PACs, including members of the news media, and security personnel. No portion of the normal and usual charter fare or rental charge may be attributed to any other passengers, except for members of the news media and government-provided security personnel, as provided in 100.93(b)(3). 11 CFR 100.93(e)(1)(i); or
- "Private traveler reimbursement rate," as specified by the governmental entity providing the aircraft, per campaign traveler. 11 CFR 100.93(e)(1)(ii).

For campaign travelers who are traveling on government aircraft but are not traveling with or on behalf of a candidate or candidate's committee (for example, a person traveling on behalf of a political party commit-

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## Regulations

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tee or an SSF), the Commission is retaining its previous reimbursement rate, which provides that the reimbursement be equal either to the lowest unrestricted and non-discounted first class airfare to or from the city with regularly scheduled first-class commercial airline service that is geographically closest to the military airbase or other location actually used, or, for all other travel, the applicable rate from among the rates specified in 100.93(c)(3). 11 CFR 100.93(e)(2).

Members of the news media who are traveling with a candidate on government aircraft and security personnel not provided by a government entity must be included in the number of campaign travelers for the purposes of identifying a comparable aircraft of sufficient size to accommodate all campaign travelers. A comparable aircraft, however, need not be able to accommodate all government-required personnel or government-required equipment (such as security communication devices, etc.). All security personnel, including government-provided security personnel, are included in determining the number of campaign travelers for purposes of calculating each candidate's pro rata share.

A political committee must reimburse the governmental entity providing the conveyance within the time frame specified by the governmental entity. 11 CFR 100.93(e)(1).

### Aircraft Owned or Leased by Candidate or Immediate Family

The Commission is also amending its regulations to conform with HLOGA's exception from the payment and reimbursement requirements for travel aboard aircraft that are "owned or leased" by a candidate or a candidate's immediate family, including an aircraft owned or leased by any entity in which the candidate or a member of the candidate's immediate family "has an ownership

interest," provided that 1) the entity is not a public corporation, and 2) the use of the aircraft is not "more than the candidate's or immediate family member's proportionate share of ownership allows."

HLOGA allows expenditures on candidate-owned aircraft, but it still requires a candidate to reimburse the service providers (candidates, members of their immediate family or entities in which either owns an interest) if the candidate seeks to avoid receiving an in-kind contribution from the service provider for the candidate's use of the aircraft. Although federal candidates may make unlimited contributions to their campaigns, such contributions must be reported by their authorized committees. 11 CFR 110.10. Contributions from all other persons, including family members, are subject to the applicable amount limits and source prohibitions. 11 CFR 110.1.

New Commission regulations at 11 CFR 100.93(g) provide for instances where a candidate or immediate family member wholly owns the aircraft and where a candidate or his or her immediate family have a shared-ownership arrangement. In instances where the candidate uses the aircraft within the limits of a shared-ownership arrangement, the candidate's committee must reimburse the candidate, the candidate's immediate family member or the administrator of the aircraft for the applicable rate charged to the candidate, immediate family member or corporation or other entity through which the aircraft is ultimately available to the candidate. This amount is treated as a personal contribution from the candidate if the candidate is the owner or lessee.

House candidates are prohibited from exceeding the candidate's proportional share of ownership interest in the aircraft. 11 CFR 100.93(g). For Senate, Presidential and Vice Presidential candidates, the reimbursement rate would be based upon the pro rata share of the charter rate

where the proportional share of the ownership interest is exceeded. See 11 CFR 100.93(c)(1).

In instances where a candidate or a candidate's immediate family member wholly owns the aircraft, the candidate's authorized committee need reimburse only the pro rata share per campaign traveler of the costs associated with the trip. Such costs include, but are not limited to, the cost of fuel and crew and a proportionate share of annual and recurring maintenance costs. 100.93(g)(1)(iii).

The new regulations do not require a specific time frame for repayment, except that such repayment must be made by the candidate's committee in accordance with the normal business practices of the entity administering the shared-ownership or lease agreements.

### Recordkeeping Requirements

Political committees are required to maintain appropriate records for non-commercial travel. Commission regulations also require candidate committees to obtain and keep copies of any shared-ownership or lease agreements, as well as the pre-flight certifications of compliance with those agreements.

### Additional Information

The final rules and Explanation and Justification were published in the December 7, 2009, issue of the *Federal Register* (74 FR 63951). They are available on the Commission's website at [http://www.fec.gov/law/cfr/ej\\_compilation/2009/notice\\_2009-27.pdf](http://www.fec.gov/law/cfr/ej_compilation/2009/notice_2009-27.pdf). The rules took effect on January 6, 2010.

—Myles Martin

## NPRM on Federal Candidates' and Officeholders' Participation in Party Fundraising

On November 19, 2009, the Commission approved a Notice of Proposed Rulemaking (NPRM) concerning federal officeholders' and candidates' participation at nonfederal fundraising events. The proposed rules respond to the part of the decision in *Shays v. FEC*, 528 F.3d 914 (D.C. Cir. 2008) (*Shays III*) that invalidated Commission regulations permitting federal candidates and officeholders to attend, speak and appear as featured guests at state, district and local party committee fundraising events "without restriction or regulation." 11 CFR 300.64(b).

### Background

The Bipartisan Campaign Reform Act of 2002 (BCRA) amended the Federal Election Campaign Act (the Act) to restrict fundraising by federal candidates, officeholders, their agents and entities directly or indirectly established, financed, maintained or controlled by, or acting on behalf of, them. 2 U.S.C. §441i(e). According to BCRA, those persons may not "solicit, receive, direct, transfer or spend" funds in connection with an election for federal office unless the funds are subject to the limitations, prohibitions and reporting requirements of the Act or in connection with any election other than an election for federal office unless the funds are not in excess of the amount limitations and not from sources prohibited by the Act. 2 U.S.C. §§441i(e)(1)(A) and (e)(1)(b); 11 CFR 300.61 and 300.62. Additionally, state, district and local party committees are prohibited from accepting or using as Levin funds any funds solicited, received or transferred by or in the name of federal candidates and officeholders. 2 U.S.C. §441i(b)(2)(C)(i); 11 CFR 300.31(e).

BCRA does, however, permit federal candidates and officeholders to "attend, speak, or be a featured guest at a fundraising event for a state, district, or local committee of a political party." 2 U.S.C. §441i(e)(3). The Commission had interpreted this provision to allow federal candidates and officeholders to speak at state, district and local party committee events "without restriction or regulation." See 11 CFR 300.64(b). In addition, the Commission, through the advisory opinion process, laid out guidelines for federal candidate and officeholder activity at non-party, nonfederal fundraising events as well as their involvement in pre-event publicity for both types of events. For example, the Commission has clarified that federal candidates and officeholders may attend, speak or be a featured guest at non-party, non-federal fundraising events. And, if a federal candidate or officeholder solicits funds at such an event, the solicitation must be expressly limited—orally or in writing—to funds subject to the limitations and prohibitions of the Act. See, e.g., AOs 2003-03 and 2003-36; see also 2007-11 (regarding federal candidate and officeholder participation in pre-event publicity for non-federal fundraising events).

In *Shays III*, the U.S. Court of Appeals for the District of Columbia Circuit concluded that the Commission's interpretation of 2 U.S.C. §441i(e)(3) as a total exemption from the general solicitation ban was not consistent with BCRA.

### Proposed Revisions to 11 CFR 300.64

To comply with the *Shays III* decision, the Commission proposes revising 11 CFR 300.64. The Commission offers three alternative proposals for public comment. Alternative 1 addresses only nonfederal fundraising events for state, district and local party committees, while Alternatives 2 and 3 address partici-

## PACronyms, Other PAC Publications Available

The Commission annually publishes an alphabetical listing of acronyms, abbreviations and common names of political action committees (PACs).

For each PAC listed, the index provides the full name of the PAC, its city, state, FEC identification number and, if not identifiable from the full name, its connected, sponsoring or affiliated organization.

This index is helpful in identifying PACs that are not readily identified in their reports and statements on file with the FEC.

To order a free copy of PACronyms, call the FEC's Disclosure Division at 800/424-9530 or 202/694-1120.

PACronyms is also available on diskette for \$1 and can be accessed free on the FEC web site at [www.fec.gov](http://www.fec.gov).

Other PAC indexes, described below, may be ordered from the Disclosure Division. Prepayment is required.

- An alphabetical list of all registered PACs showing each PAC's identification number, address, treasurer and connected organization (\$13.25).
- A list of registered PACs arranged by state providing the same information as above (\$13.25).
- An alphabetical list of organizations sponsoring PACs showing the name of the PAC and its identification number (\$7.50).

The Disclosure Division can also conduct database research to locate federal political committees when only part of the committee name is known. Call the telephone numbers above for assistance or visit the Public Records Office in Washington at 999 E St. NW.

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## Regulations

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pation at all nonfederal fundraising events, including those for state and local candidates.

### Alternative 1

Alternative 1 would delete paragraph (b) of 11 CFR 300.64, which permits federal candidates and officeholders to speak at state, district and local party committee fundraising events “without restriction or regulation.” This alternative provides that federal candidates may attend state, district and local party committee fundraisers at which funds outside the limits and prohibitions of the Act or Levin funds are raised and that those who solicit funds at such events must do so within Commission regulations. Furthermore, Alternative 1 provides that state, district and local party committees may publicize federal

candidates’ and officeholders’ participation in such events.

### Scope of Alternatives 2 and 3

Proposed Alternatives 2 and 3 would involve a more extensive revision of 11 CFR 300.64 and provide additional guidance on federal candidates’ and officeholders’ participation at any fundraiser where funds are raised outside the Act’s limits and prohibitions. Both Alternatives 2 and 3 would revise 11 CFR 300.64(a) to establish a more comprehensive scope than the present 11 CFR 300.64, by addressing federal candidate and officeholder participation at nonfederal fundraising events, as well as their participation in the pre-event publicity for such events.

Both Alternatives 2 and 3 would be limited in three ways. First, both proposals cover only participation by federal candidates and officeholders in nonfederal fundraising events. They would not cover fundraising events at which only federal funds are raised or fundraising events in connection with any nonfederal election at which only federally permissible funds are raised. Second, the proposals would cover only nonfederal fundraising events that are “in connection with any election for federal office or any non-federal election.” Third, nothing in either proposal is intended to alter the fundraising exception for federal candidates and officeholders who are also state candidates (see 11 CFR 300.63), or the exceptions for certain tax-exempt organizations (see 11 CFR 300.65).

### Alternative 2

Alternative 2 would permit federal candidates and officeholders to:

- Attend, speak at and be featured guests at nonfederal fundraising events;
- Solicit funds in compliance with the Act at such events; and

- Be featured—within certain limits—in pre-event publicity for such events.

This alternative does not distinguish between state, district and local party events and other nonfederal fundraising events. Alternative 2 is premised upon the idea that attending, speaking at or being a featured guest at nonfederal fundraising events does not constitute a solicitation and is therefore not subject to the Act’s restrictions on federal candidates and officeholders. If a solicitation is made by a federal candidate or officeholder at such an event, it must be accompanied by a clear and conspicuous notice, either written or oral, that the solicitation is limited to funds permitted under the Act.

Paragraph (c) of Alternative 2 addresses the extent to which federal candidates and officeholders may participate in pre-event publicity associated with nonfederal fundraising events, including advertisements, announcements and pre-event invitations, regardless of form. The proposal differentiates between publicity that solicits funds outside the limits and prohibitions of the Act and publicity that does not. Under this proposal, so long as the publicity does not contain a solicitation, federal candidates and officeholders may approve, authorize, agree to or consent to the use of their names or likenesses in publicity for nonfederal fundraising events without limitation. Depending upon whether the solicitation is made by a federal candidate or officeholder or by another person or entity associated with the event, proposed paragraph (c)(2) establishes two standards for participation by federal candidates or officeholders in pre-event publicity that contains a solicitation for either Levin funds or funds outside the limitations and prohibitions of the Act.

Under proposed paragraph (c) (2)(i), federal candidates and of-

## FEC Accepts Credit Cards

The Federal Election Commission now accepts American Express, Diners Club and Discover Cards in addition to Via 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 prepayment 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.

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## Regulations

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officeholders would be prohibited from authorizing the use of their names or likenesses in publicity that constitutes a solicitation by them of impermissible funds under the Act. This includes a solicitation letter that is signed by a federal candidate as well as publicity identifying the candidate as serving in a fundraising capacity, such as being a member of the event's "host committee." Alternatively, identifying a federal candidate or officeholder as a "featured speaker" or "honorary chairperson" would not constitute an impermissible solicitation under the terms of Alternative 2.

By contrast, proposed paragraph (c)(2)(ii) would permit federal candidates and officeholders to authorize the use of their names or likenesses in pre-event publicity that contains a solicitation of funds outside the limits and prohibitions of the Act so long as the solicitation is made by and clearly attributable to someone other than the federal candidate or

officeholder. Such solicitations must also include a "clear and conspicuous" notice that the solicitation of funds outside the limitations and prohibitions of the Act is not being made by the named or pictured federal candidate or officeholder.

### Alternative 3

Alternative 3 treats participation by federal candidates at nonfederal fundraising events for state, district and local party committees differently from participation by those individuals at all other nonfederal fundraising events. Under proposed paragraph (c) of this alternative, a federal candidate or officeholder may attend and speak (without solicitation) at a non-party, nonfederal fundraiser; however, the candidate or officeholder may not consent to the use of his or her name or likeness in publicity for those events.

Proposed paragraph (b)(1)(i) provides that federal candidates or officeholders may attend, speak at or be featured guests at nonfederal fundraising events for state, district or local party committees; however, they may only solicit funds at such events if the solicitation is not for Levin funds and is limited to funds that do not exceed the Act's contribution limits or come from prohibited sources under the Act. Under proposed paragraph (b)(2) of this alternative, candidates and officeholders may consent to the use of their names or likenesses for event publicity announcing their attendance or speech *only* if the publicity does not solicit funds outside the limits and prohibitions of the Act or Levin funds.

### Comments

The Commission seeks comments on the proposed rules described in the NPRM, which was published in the *Federal Register* on December 7, 2009, (74 FR 64016) and is available on the FEC website at [http://www.fec.gov/pdf/nprm/solicitationshays3/notice\\_2009-26.pdf](http://www.fec.gov/pdf/nprm/solicitationshays3/notice_2009-26.pdf). Comments must be received by February 8,

2010. Reply comments must be limited to the issues raised in the initial comments and must be received by February 22. The Commission will hold a hearing on March 10, 2010. Anyone wishing to testify at the hearing must file written comments by the due date and must include a request to testify.

All comments must be submitted in writing and addressed to Ms. Amy L. Rothstein, Assistant General Counsel. Commenters are strongly urged to submit their comments electronically to [Solicitation-Shays3@fec.gov](mailto:Solicitation-Shays3@fec.gov). Faxed comments may be sent to (202) 219-3923, with a hard copy follow-up. Hard copy comments and follow-up of faxed comments should be sent to the FEC at 999 E St., NW., Washington, DC 20463. All comments must include the full name and postal address of the commenter or they will not be considered. Comments will be posted to the FEC website at the close of the comment period.

—Christopher Berg

## 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](http://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.

## Need FEC Material in a Hurry?

Use FEC Faxline to obtain FEC material fast. It operates 24 hours a day, 7 days a week. Hundreds of FEC documents—reporting forms, brochures, FEC regulations—can be faxed almost immediately.

Use a touch tone phone to dial **202/501-3413** and follow the instructions. To order a complete menu of Faxline documents, enter document number 411 at the prompt.

## Reports

### Reports Due in 2010

This article on filing requirements for 2010 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 website, via its automated Faxline and through reporting reminders called prior notices. Prior notices are distributed exclusively by e-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. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail (see below), 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 elec-

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### Guide to 2010 Reporting

Note: All committees must also file a 2009 Year-End Report, due January 31, 2010.

Type of Filer	Required Reports				
	Quarterly	Monthly	Pre-Primary <sup>1</sup>	Pre-General	Post- General
House and Senate Campaigns	X		X	X	X
			Required Only if Candidate Runs in Election		
Presidential Campaigns <sup>2</sup>	X	X	Not Applicable		
PACs and Party Committees Filing Monthly		X		X	X
			Filed in Lieu of November and December Monthly Reports		
PACs and Party Committees Filing Quarterly <sup>3</sup>	X		X	X	X
			Required Only if Committee Makes Contributions or Expenditures in Connection with Election during Reporting Period <sup>4</sup>		Required Regardless of Activity

<sup>1</sup> This category includes pre-convention and pre-runoff reports. The dates for primary elections in each state are available at [http://www.fec.gov/info/charts\\_primary\\_dates\\_2010.shtml](http://www.fec.gov/info/charts_primary_dates_2010.shtml).

<sup>2</sup> 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).

<sup>3</sup> 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.

<sup>4</sup> Political action committees (PACs) may file on either a quarterly 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).



## 2009 Year-End Report

Note: All committees file this report.

Report	Period Covered	Filing Deadline <sup>1</sup>
Year-End	Closing date of last report through Dec. 31, 2009	January 31, 2010*

## 2010 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 <sup>1</sup>
February	Jan. 1-31	February 20*
March	Feb. 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	Aug. 1-31	September 20
October	Sept. 1-30	October 20
Pre-General	Oct. 1-13	October 21
Post-General	Oct. 14-Nov. 22	December 2
Year-End	Nov. 23-Dec. 31	January 31, 2011

## 2010 Quarterly Reports

Report	Close of Books	Filing Deadline <sup>1</sup>
April Quarterly	March 31	April 15
July Quarterly	June 30	July 15
October Quarterly	Sept. 30	October 15
Year-End	December 31	January 31, 2011

## Election Reports for the November 2<sup>nd</sup> General Election

Report	Close of Books	Filing Deadline <sup>1</sup>
Pre-General <sup>1</sup>	October 13	October 21
Post-General	November 22	December 2

\* 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.

<sup>1</sup> 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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tronically.<sup>1</sup> 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. 104.18(e).

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 website. FECFile Version 6.4.1.2 is available for download from the FEC website at <http://www.fec.gov/electfil/updatelist.html>. All reports filed after July 8, 2009, must be filed in Format Version 6.4.1.2. 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 website. Committees using commercial software should contact their vendors for more information about the Commission’s latest software release.

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<sup>1</sup>The regulation covers individuals and organizations required to file reports of contributions and/or expenditures with the Commission, including any person making an independent expenditure. Disbursements for “electioneering communications” do not count toward the \$50,000 threshold for mandatory electronic filing. 11 CFR 104.18(a).

## 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. See 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

*Overnight Mail.* Reports filed via overnight mail<sup>2</sup> 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. See 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. See 11 CFR 100.19 and 104.5(e). Paper forms are available for downloading at the FEC's website (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline, the agency's automated fax system (202/501-3413). The 2010 Reporting Schedule is also available on the FEC's website ([http://www.fec.gov/info/report\\_dates\\_2010.shtml](http://www.fec.gov/info/report_dates_2010.shtml)), and from Faxline. For more information on reporting, call the FEC at 800/424-9530 or 202/694-1100.

<sup>2</sup> "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 2009 Activity

All committees must file a 2009 year-end report due January 31, 2010. The coverage and reporting dates are found on page 9.

### Reports Covering 2010 Activity

To find out which reports your committee must file in 2010, check the "Guide to 2010 Reporting" chart on page 8. Then check the table on page 9 for reporting dates. Please note that committees active in special elections in 2010 may have to file additional special election reports, as explained on page 11. These reporting dates are also available on the Commission's website at [http://www.fec.gov/info/report\\_dates.shtml](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 2010. 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). The authorized committees of House and Senate candidates must also file pre-primary election and pre-general election reports before any election in which the candidate runs in 2010. These committees also must file a post-general election report if the candidate runs in the general election. 11 CFR 104.5(a)(2).

Principal campaign committees of candidates who ran in past elections or are running in future elections must also file quarterly reports in 2010. 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 Presidential committees must file on either a monthly or a quarterly schedule in 2010. Presidential committees able to change their reporting schedule and that wish to do so are required to notify the Commission in writing. 11 CFR 104.5(b)(2). Electronic filers must file this request electronically. After filing this notice of change in filing frequency with the Commission and receiving an approval notice from the Commission, all future reports must follow the new filing schedule.

### State, District and Local Party Committees

State, district and local party committees that engage in reportable "federal election activity" must file on a monthly schedule. 11 CFR 300.36(c)(1). Committees that do not engage in reportable "federal election activity" may file on a quarterly basis in 2010. 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 semi-annual basis during 2009 must file on a quarterly basis in 2010. 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 and receiving an approval notice, all future reports must

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## Reports

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follow the new filing frequency. 11 CFR 104.5(c).

### Pre- and Post-Election Reports

Please note that in 2010, party committees and PACs that file monthly reports file a pre-general election report and a post-general election report in lieu of the reports otherwise due in November and December. Party committees and PACs that file quarterly reports also file:

- A pre-primary election report and a pre-general election report before any election in which the committee makes a contribution to or an expenditure on behalf of a candidate in that election, if not previously disclosed; and
- A post-general election report.

### 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 website 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 (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 2010 48- and 24-hour reporting periods for independent expenditures, consult the FEC website at [http://www.fec.gov/info/charts\\_ie\\_dates\\_2010.shtml](http://www.fec.gov/info/charts_ie_dates_2010.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 2010 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).

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## Reports

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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 2010 Congressional primary and runoff elections is available on the FEC website at [http://www.fec.gov/info/charts\\_ec\\_dates\\_2010.shtml](http://www.fec.gov/info/charts_ec_dates_2010.shtml).

### Disclosure of Lobbyist Bundling Activity

Campaign committees, party committees and leadership PACs that are otherwise required to file reports in connection with an election (including special elections) must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the election reporting period (see reporting schedule chart on page 8). 11 CFR 104.22(a)(5)(v). The lobbyist bundling disclosure threshold for calendar year 2009 was \$16,000. This threshold amount may increase in 2010 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the

## Florida 19<sup>th</sup> District Special Election Reporting

### If Only the Special Primary (02/02/10) is Held, Committees Must File:

	Close of Books <sup>1</sup>	Reg./Cert./Overnight Mailing Deadline	Filing Deadline
<b>Year-End</b>		—WAIVED—	
<b>Pre-Primary</b>	January 13	January 18 <sup>2</sup>	January 21
<b>April Quarterly</b>	March 31	April 15	April 15

### Committees Involved in Both the Special Primary (02/02/10) and the Special General (04/13/10) Must File:

	Close of Books <sup>1</sup>	Reg./Cert./Overnight Mailing Deadline	Filing Deadline
<b>Year-End</b>		—WAIVED—	
<b>Pre-Primary</b>	January 13	January 18 <sup>2</sup>	January 21
<b>Pre-General</b>	March 24	March 29	April 1
<b>April Quarterly</b>	March 31	April 15	April 15
<b>Post-General</b>	May 3	May 13	May 13
<b>July Quarterly</b>	June 30	July 15	July 15

<sup>1</sup> This date indicates the end of a reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup> Notice that the registered/certified/overnight mailing deadline falls on a federal holiday. The report should be postmarked on or before that date.

Commission will publish it in the *Federal Register* and post it on its website. 11 CFR 104.22(g) and 110.17(e)(2). For more information on these requirements, see the March 2009 *Record*.

—Elizabeth Kurland

### Florida Special Election Reporting: 19<sup>th</sup> District

Florida will hold a Special Election to fill the U.S. House seat being vacated by Representative Robert Wexler. The Special Primary will be held on February 2, 2010, and the Special General will be held on April 13, 2010.

Candidate committees involved in this election must follow the reporting schedule above. Please note that the reporting period for the Post-

General election report spans two election cycles. For this report only, authorized committees must use the Post-Election Detailed Summary Page rather than the normal Detailed Summary Page.

PACs and party committees that file on a quarterly schedule and participate in this election must also follow the schedule above. PACs and party committees that file monthly must continue to file according to their regular filing schedule.

### Filing Electronically

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the applicable filing deadline. Electronic filers who instead

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## Reports

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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.

### 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 registered or certified 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 mail<sup>1</sup> 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 before the Commission's close of business on the filing deadline. 11 CFR 100.19 and 104.5(e).

Forms are available for downloading and printing at the FEC's website (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline,

the agency's automated fax system (202/501-3413).

### 48-Hour Contribution Notices

Note that 48-hour notices are required of the participating candidate's principal campaign committee if it receives any contribution of \$1,000 or more per source between January 14 and January 30, 2010, for the Special Primary Election, and between March 25 and April 10, 2010, for the Special General Election.

### 24- and 48-Hour Reports of Independent Expenditures

Political committees and other persons must file 24-hour reports of independent expenditures that aggregate at or above \$1,000 between January 14 and January 31, 2010, for the Special Primary Election, and between March 25 and April 11, 2010, for the Special General Election. This requirement is in addition to that of filing 48-hour reports of independent expenditures that aggregate \$10,000 or more during a calendar year.

### Electioneering Communications

The 30-day electioneering communications period in connection with the Special Primary Election runs from January 3 through February 2, 2010. The 60-day electioneering communications period in connection with the Special General Election runs from February 12 through April 13, 2010.

### Disclosure of Lobbyist Bundling Activity

Campaign committees, party committees and leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the special election reporting period (see reporting

schedule chart on page 11). 11 CFR 104.22(a)(5)(v).

The lobbyist bundling disclosure threshold for calendar year 2009 was \$16,000. This threshold amount may increase in 2010 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the Commission will publish it in the *Federal Register* and post it on its website. 11 CFR 104.22(g) and 110.17(e)(2). For more information on these requirements, see the March 2009 *Record*.

—Elizabeth Kurland

## 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.

<sup>1</sup>“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.

## Outreach

### New Orleans Regional Conference for Campaigns, Party Committees and Corporate/Labor/Trade PACs

The Commission will hold a regional conference in New Orleans, Louisiana, on February 9-10, 2010. Commissioners and staff will conduct a variety of technical workshops on the federal campaign finance law. Workshops are designed for those seeking an introduction to the basic provisions of the law as well as for those more experienced in campaign finance law. To view the conference agenda or to register for the conference, please visit the conference website at <http://www.fec.gov/info/conferences/2010/neworleans.shtml>.

*Hotel Information.* The conference will be held at the InterContinental New Orleans, 444 St. Charles Avenue, New Orleans, LA 70130. The hotel is located in the center of New Orleans, two blocks from the French Quarter and six

### FEC Conference Schedule for 2010

#### Regional Conference for Campaigns, Political Parties and Corporate/Labor/Trade PACs

February 9-10, 2010  
Intercontinental New Orleans  
New Orleans, LA

#### Conference for Corporations and their PACs

March 9-10, 2010  
Westin City Center  
Washington, DC

#### Conference Candidate and Party Committees

May 3-4, 2010  
Omni Shoreham  
Washington, DC

blocks from the riverfront. A room rate of \$169 single/double is available for hotel reservations made by January 8, 2010. To make your hotel reservations and reserve this group rate, please call 800/445-6563 or visit the hotel website at [https://resweb.passkey.com/Resweb.do?mode=welcome\\_ei\\_new&eventID=1468821](https://resweb.passkey.com/Resweb.do?mode=welcome_ei_new&eventID=1468821) and identify yourself as attending the Federal Election Commission conference. The hotel will charge the prevailing sales tax, currently 13 percent, and a \$2.00 per room, per night, occupancy fee. 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 \$550. A late charge of \$50 will be added for registrations received after 5 p.m. EST, January 8, 2010. Complete registration information is available online at <http://www.fec.gov/info/conferences/2010/neworleans.shtml>.

### Washington, DC, Conference for Corporations and their PACs

The Commission will hold a conference in Washington, DC, on March 9-10, 2010, for corporations and their PACs. FEC staff will conduct a variety of technical workshops on federal campaign finance law. Workshops are designed for those seeking an introduction to the basic provisions of the law as well as for those more experienced in campaign finance law. To view the conference agenda or register for the conference, please visit the conference website at <http://www.fec.gov/info/conferences/2010/corporate10.shtml>.

*Hotel Information.* The conference will be held at the Westin Washington, DC City Center Hotel, in downtown Washington, DC, near several Metro subway stations and the K Street corridor. A room rate of \$249 (single or double) is available

to conference attendees who make reservations on or before February 5, 2010. See the conference website listed above for a link to make reservations. 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; a \$51 late fee will be added to registration received after 5 p.m. EST, February 5, 2010. Complete registration information is available online at <http://www.fec.gov/info/conferences/2010/corporate10.shtml>.

### FEC Conference Questions

Please direct all questions about conference registration and fees to Sylvester Management Corporation (Phone: 800/246-7277; e-mail: [toni@sylvestermanagement.com](mailto:toni@sylvestermanagement.com)). For questions about the conference program, or to receive e-mail notification of upcoming conferences and workshops in 2010, please call the FEC's Information Division at 800/424-1100 (press 6) (locally at 202/694-1100), or send an e-mail to [Conferences@fec.gov](mailto:Conferences@fec.gov).

—Dorothy Yeager

### Year-End Reporting Roundtable

On January 20, 2010, the Commission will host two roundtable sessions on reporting, including the recently enacted lobbyist bundling disclosure rules. The reporting workshops will address common filing problems and provide answers to questions committees may have as they prepare to file their Year-End reports. Attendance is limited to 50 people per session and the registration fee is \$25. The registration form is available on the FEC's website at

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## Outreach

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<http://www.fec.gov/info/outreach.shtml#roundtables> and from Faxline, the FEC's automated fax system (202/501-3413, request document 590). For more information, please call the Information Division at 800/424-9530, or locally at 202/694-1100.

—Kathy Carothers

## Roundtable on New Travel Rules

On February 24, 2010, the Commission will host a roundtable workshop on the new travel rules governing campaign travel on non-commercial aircraft. See the related article on page 1. The workshop will focus primarily on the rules for House and Senate candidates and their leadership PACs.

The roundtable will be held from 9:30 to 11:00 a.m. at the Federal Election Commission, 999 E St. NW, Washington, D.C. Attendance is limited to 50 people and the registration fee is \$25. Please call the FEC before registering to ensure that openings remain.

### Roundtable Schedule

#### Year-End Reporting Roundtable

FEC Headquarters  
Washington, DC  
January 20, 2010

Two Sessions:

*Reporting for Candidate Committees*, 9:30 a.m.-11:00 a.m.  
*Reporting for PACs and Party Committees*, 1:00 p.m.-2:30 p.m.

#### Roundtable on New Travel Rules

FEC Headquarters  
Washington, DC  
February 24, 2010  
9:30 a.m.-11:00 a.m.

Advance registration and payment is required. A full refund will be made for all cancellations received before 5 p.m. EST on February 19, 2010. No refunds will be made for cancellations received after that date and time.

Complete registration information is available on the FEC website at <http://www.fec.gov/info/outreach.shtml#roundtables> and from Faxline, the FEC's automated fax system (202/501-3413, request document 590). For more information, please call the Information Division at 800/424-9530, or locally at 202/694-1100.

—Kathy Carothers

## Advisory Opinions

### Advisory Opinion Requests

#### AOR 2009-30

Corporate payment for outside fundraising consultants for SSFs (TechNet, November 18, 2009)

#### AOR 2009-31

Employee's contribution to corporate SSF of value of "credits" received from corporate employer (MAXIMUS, Inc., November 12, 2009)

#### AOR 2009-32

Sale of fundraising items for federal candidates (Richard L. Jorgensen, December 18, 2009)

#### AOR 2010-1

Application of the exemption for the cost of campaign materials used in connection with volunteer activities on behalf of a party's presumptive nominees (Nevada State Democratic Party, January 5, 2010)

#### AOR 2010-2

Application of exemption for state party's purchase of party office building (West Virginia Republican Party, December 31, 2009)

## Alternative Dispositions of Advisory Opinion Requests

#### AOR 2009-28

The Commission considered, but could not approve by the required four votes, an advisory opinion request from Democracy Engine, Inc., PAC.

#### AOR 2009-27

On January 12, 2010, the requester withdrew its request for an advisory opinion. American Future Fund had sought guidance regarding the preemption of state laws restricting certain pre-recorded phone calls.

## Index

The first number in each citation refers to the numeric month of the 2010 *Record* issue in which the article appeared. The second number, following the colon, indicates the page number in that issue. For example, "1:4" means that the article is in the January issue on page four.

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### Regulations

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### Reports

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