

Record

July 2009

Federal Election Commission

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Message from the Chairman

I am very pleased to announce that the FEC has launched a new initiative seeking public input on ways in which the Commission might improve its website and, more generally, make improvements in the Commission's use of the Internet to communicate with the public. As part of this initiative, we recently published in the *Federal Register* a Notice of Public Hearing and Request for Comment that outlines many of the various avenues for improvement that we are considering and seeks your advice on our efforts. The hearing notice is available on the FEC website at <http://www.fec.gov/pages/hearings/internethearing.shtml>.

Since the FEC website was launched in 1996, the Commission has continuously engaged in efforts to improve all aspects of how it discloses information through its website. However, this initiative represents the first time that the Commission has taken formal and comprehensive steps to look outside of the agency for suggestions, opinions and ideas on improving our chief disclosure vehicle. I encourage you to participate in this important initiative by sending us your sugges-

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Reports

July Reporting Reminder

The following reports are due in July:

- All principal campaign committees of House and Senate candidates must file a quarterly report by July 15, 2009. The report covers financial activity from April 1 (or the day after the closing date of the last report) through June 30;
- Principal campaign committees of Presidential candidates must file a report by July 15, if they are quarterly filers (the report covers financial activity from April 1 through June 30), or by July 20, if they are monthly filers (the report covers activity for the month of June); and
- National party committees, political action committees (PACs) following a monthly filing schedule and state, district and local party committees that engage in reportable "federal election activity" (see "State, District and Local Party Committees, on page 3) must file a monthly report by July 20. This report covers activity for the month of June.
- All other filers must file a Mid-Year Report, due July 31. This report covers activity from January 1 (or the day after the closing date

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Reports

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of the last report) through June 30, 11 CFR 104.5.

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, electron-

ic filers must submit Form 1 filed 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 electronically.¹ 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 web site. New FECFile Version 6.4.1.0 is available for download from the FEC web site at <http://www.fec.gov/elecfil/updateslist.html>. All reports filed after May 14, 2009, must be filed in Format Version 6.4.1.0 (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.

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).

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¹ 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).

Overnight Mail. Reports filed via overnight mail² 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 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.

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. See 11 CFR 300.36(b) and (c)(1). Committees that do not engage in reportable "federal election activity" may file on a semi-annual basis in 2009. See 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 in 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, after giving notice of change in filing frequency to the Commission. The committee will receive a letter indicating the Commission's acknowledgment of the request. All future reports must follow the new filing frequency. 11 CFR 104.5(c).

Additional Information

For more information on 2009 reporting dates:

- See the reporting tables in the January 2009 *Record*;
- Call and request the reporting tables from the FEC at 800/424-9530 or 202/694-1100;
- Fax the reporting tables to yourself using the FEC's Faxline (202/501-3413, document 586); or
- Visit the FEC's web page at http://www.fec.gov/info/report_dates.shtml to view the reporting tables online.

—Elizabeth Kurland

FEC Form 3L Due in July

Certain Leadership PACs, candidate committees and political party committees may be required to file FEC Form 3L in July, some for the first time. Under the new lobbyist bundling disclosure rules, "reporting committees" (authorized committees, Leadership PACs and political party committees) must disclose certain information about lobbyists/registrants and lobbyist/registrant PACs that forward, or are credited with raising, two or more bundled contributions aggregating in excess of \$16,000 during a specific cov-

ered period. See 11 CFR 104.22(a)(6). Recordkeeping requirements went into effect on March 19, 2009, and compliance with the reporting requirements took effect on May 18, 2009. See the March 2009 *Record* for more information.

Form 3L July deadlines by Filing Frequency

Committees file their FEC Form 3L, as necessary, on the same schedule as they file FEC Form 3, 3X or 3P. Committees that file Form 3X and 3P on a monthly basis may elect to file Form 3L quarterly, instead of monthly. 11 CFR 104.22(a)(5).

Candidate committees that file Form 3L quarterly are required to file by the July 15, 2009, quarterly filing deadline. Leadership PACs and party committees that would file Form 3L quarterly during an election year are required to file only semi-annually during a non-election year and thus must file Form 3L by July 31, 2009, for the semi-annual covered period. A committee must file Form 3L if a lobbyist/registrant or lobbyist/registrant PAC forwards to that committee or is credited by that committee with raising two or more bundled contributions that total more than \$16,000 during April 1 through June 30, 2009 (for lobbyist/registrant bundlers), or April 18 through June 30, 2009 (for lobbyist/registrant PAC bundlers).

Leadership PACs, parties and Presidential committees that file Form 3L monthly are required to disclose lobbyist bundling activity on Form 3L by July 20, 2009, if they receive two or more bundled contributions that aggregate more than \$16,000 for the month of June.

In addition to the above requirements, all reporting committees must also file Form 3L in July if they received two or more bundled contributions that aggregate more than \$16,000 during the six month semi-annual covered period. Note that, due to the March and April

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²"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.

Reports

(continued from page 3)

2009 effective dates for these rules, the semi-annual covered period for the July 2009 report does not begin on January 1. Instead, it begins on March 19 (for individual bundlers) and April 18 (for PAC bundlers), and runs through June 30, 2009. In future years, the semi-annual covered period will span the full six-month period from January 1 through June 30.

Reporting committees that are monthly filers of FEC Form 3, 3X or 3P that wish to change their FEC Form 3L filing frequency from monthly to quarterly or from quarterly to monthly must first notify the Commission in writing and will receive a letter indicating the Commission's acknowledgment of the request. Electronic filers must file this request electronically. A reporting committee may change its Form 3L filing frequency only once in a calendar year. 11 CFR 104.22(a)(5)(iv). The committee will receive an acknowledgment letter from the Commission. All subsequent Form 3L reports should be filed on the new schedule.

Disclosure Requirements for Reporting Committees

Reporting committees that trigger the lobbyist bundling disclosure requirement must use FEC Form 3L (Report of Contributions Bundled by Lobbyists/Registrants and Lobbyist/Registrant PACs). The information to be disclosed includes:

- Name of each lobbyist/registrant or lobbyist/registrant PAC;
- Address of each lobbyist/registrant or lobbyist/registrant PAC;
- Employer of each lobbyist/registrant (if lobbyist/registrant is an individual);
- The aggregate amount of bundled contributions forwarded by each lobbyist/registrant or lobbyist/registrant PAC or received from the contributor and credited to each lobbyist/registrant or lobbyist/reg-

istrant PAC by the reporting committee during the covered period. 11 CFR 104.22(b)(1); and

- The aggregate amount of refunds of bundled contributions returned to each lobbyist/registrant or lobbyist/registrant PAC by the reporting committee during the covered period. (See Explanation and Justification, 74 FR 7298 (February 17, 2009)).

For more information about these filing requirements, see the March 2009 issue of the *Record*, page 1. Electronic filers are required to file FEC Form 3L electronically. The Commission's electronic filing software, FECFile, is free and can be downloaded from the FEC's web site. New FECFile Version 6.4.1.0 is available for download from the FEC web site at <http://www.fec.gov/electfil/updatelist.html>. All reports filed after May 14, 2009, must be filed in Format Version 6.4.1.0 (the new version). Consult the electronic filing page at <http://www.fec.gov/electfil/electron.shtml> for up-to-date information. A paper version of FEC Form 3L is available for download and printing on the FEC web site at <http://www.fec.gov/info/forms.shtml>.

—Elizabeth Kurland

Commission

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tions and recommendations about what improvements we can make.

Many of you may have turned to the Commission's website in the past for information and have either found that the information is not organized intuitively, or that you were unable to access the information easily, or that the information you sought was not available on the FEC website at all. This is the type of feedback that only you, the public users of our website, can provide.

We request that comments be sent to us by July 21, 2009. You can e-mail them to [\[fec.gov\]\(http://www.fec.gov\). After we receive all the public comments, the Commission will hold a public hearing on these issues on Wednesday and Thursday, July 29-30, 2009.](mailto:improvefecinternet@</p>
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Thank you and, on behalf of all the Commissioners, we are looking forward to receiving your suggestions.

—Steven T. Walther
Chairman

Public Hearing

FEC to Hold Public Hearing on Website and Internet Communications Improvements

The FEC seeks comment from all segments of the public, including representatives of political committees, federal candidates and officeholders, members of the media, authors, students of all ages, members of the academic community and advocacy groups, on ways the Commission can improve how it communicates to the public using the Internet and, specifically, how it can improve its website to ensure that the FEC website is a state-of-the-art resource for disclosure of information to the public including 1) disclosure of campaign finance data, 2) information about federal campaign finance laws and 3) actions of the Commission.

In addition to comments from the public, the Commission specifically seeks comment from those with relevant technical expertise, including technical advisors, consultants, researchers, other governmental and non-governmental agencies, nonprofit entities and commercial vendors to assist with the Commission's efforts to improve how it uses the Internet to disclose information to the public and particularly efforts to improve the FEC website. Such advice and information may include

recommendations to the Commission for 1) expanding the website's disclosure features, 2) improving the information available on the website and ways in which that information is organized and 3) maximizing the benefit of current and anticipated technology related to website services.

Comments must be received on or before July 21, 2009. All comments must be made in writing, addressed to Mr. Robert Hickey, Staff Director, and must be submitted in e-mail, facsimile or paper copy form.

Commenters are strongly encouraged to submit comments by e-mail to ensure timely receipt and consideration. E-mail comments must be sent to improvefecinternet@fec.gov. If e-mail comments include an attachment, the attachment must be in the Adobe Acrobat (.pdf) or Microsoft Word (.doc) format. Faxed comments must be sent to (202) 208-3333. Paper comments must be sent to Mr. Robert Hickey, Staff Director, Federal Election Commission, 999 E Street, NW., Washington, DC 20463. All comments must include the full name and postal service address of the commenter or they will not be considered. The Commission will post all comments on its website at www.fec.gov/pages/hearings/internethearing.shtml shortly after they are received.

A public hearing will be held on Wednesday and Thursday, July 29-30, 2009, from 10 a.m. to 5 p.m. at the Federal Election Commission, 999 E Street NW., 9th floor Hearing Room, Washington, DC 20463. Anyone seeking to testify at the hearing must file written comments by the due date and must include in the written comments a request to testify.

The full text of the Notice of Public Hearing and Request for Comment is available at http://www.fec.gov/law/policy/internet09/notice_2009-10.pdf.

—Myles Martin

800 Line

Preparing for the Next Election

This article examines issues that candidates and their ongoing committees need to pay special attention to as they begin to plan for their next election.

Registration by Candidates and Their Committees

Individuals running for federal office must designate a principal campaign committee within 15 days of becoming a "candidate." 11 CFR 101.1(a) and 102.12(a). This requirement applies to all candidates, including incumbents who qualify as candidates for a future election (see below).

An individual becomes a "candidate" when the individual or persons authorized to conduct campaign activity on his or her behalf receive over \$5,000 in contributions or make over \$5,000 in expenditures. 11 CFR 100.3(a)(1) and (2). Unauthorized campaign activity on behalf of a candidate may also trigger candidate status unless the individual disavows the activity by writing a letter to the FEC within 30 days after being notified by the agency that unauthorized activity has exceeded \$5,000. 11 CFR 100.3(a)(3) and 102.13(a)(2).

Designation of Committee. Candidates must designate a principal campaign committee by filing a Statement of Candidacy on FEC Form 2 (or by filing a letter containing the same information) within 15 days after becoming a "candidate." 11 CFR 101.1(a).

Registration by Principal Campaign Committee. Within 10 days after it has been designated by the candidate, the principal campaign committee or other authorized committee must register by filing a Statement of Organization on FEC Form 1. 11 CFR 102.1(a).

Ballot Access. Registration with the FEC does not mean that the individual has qualified to have his or her name placed on the ballot. State law governs ballot access requirements for federal offices; for information, consult the appropriate state authority. For a list of state election offices consult the FEC's Combined Federal/State Disclosure and Election Directory at <http://www.fec.gov/pubrec/cfsdd/cfsdd.shtml>.

Candidates Who Ran in Previous Elections

A candidate who ran in a previous election must file a new FEC Form 2 (Statement of Candidacy) within 15 days after qualifying as a "candidate" (as defined above) for an upcoming election cycle or future election. The candidate may either designate a new principal campaign committee or redesignate his or her previous principal campaign committee (if it has not terminated). A newly designated committee will receive a new FEC identification number, while a redesignated committee retains its original number. If the candidate names a new committee, that committee must file its FEC Form 1 (Statement of Organization) with the Commission within 10 days of being designated. 102.2(a)(1). If the candidate redesignates an existing committee, the committee need only amend its Statement of Organization if there has been any change in the information on it (e.g., a change in the committee's name, address or treasurer). The committee must file the amendment within 10 days of the change in information, either by using FEC Form 1 or by writing a letter noting the changes. 11 CFR 102.2(a)(2).

Where to File Forms 1 and 2

U.S. House candidates and their principal campaign committees file their statements and amendments directly with the FEC; U.S. Senate candidates and their principal

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800 Line

(continued from page 5)

campaign committees file with the Secretary of the Senate. 11 CFR Part 105. Principal campaign committees of House and Senate candidates must file Forms 1 and 2 with the state or territory in which the office is sought, unless the state or territory has qualified for the Commission's state filing waiver program. For a list of qualifying states and territories, visit <http://www.fec.gov/pages/state-filing.shtml>. As of 2009, all 50 U.S. States, American Samoa and the U.S. Virgin Islands had qualified for the state filing waiver program.

Other Authorized Committees

In addition to designating a principal campaign committee, a candidate may designate other authorized committees to receive contributions and make expenditures on his or her behalf, using the following steps:

- The candidate designates the authorized committee by filing a statement (either an FEC Form 2 or a letter) with the principal campaign committee. 11 CFR 101.1(b) and 102.13(a)(1).
- Within 10 days after being designated by the candidate, the authorized committee must file a registration statement (FEC Form 1) with the candidate's principal campaign committee. 11 CFR 102.1(b). (The name of the committee must include the candidate's name. 11 CFR 102.14(a).)
- The principal campaign committee, in turn, files both forms with the appropriate federal and state offices, as explained above.

Fundraising and Contribution Limits

Contribution Limits. The contribution limits for the 2009-2010 election cycle are available at <http://www.fec.gov/info/contriblimits0910.pdf>.

Candidate's Personal Funds/Contributions from Family Members. When candidates use their personal

funds for campaign purposes, they are making contributions to their campaigns. Unlike other contributions, these contributions are not subject to any limits, but must be reported. 11 CFR 110.10. However, this exception to the general contribution limits does not apply to contributions from members of the candidate's family. Such contributions are subject to the same limits that apply to any other individual. For more information on contributions from candidates personal funds, consult the [Campaign Guide for Congressional Candidates and Committees](#), Chapter 4, Section 12.

Designating Contributions. Campaign committees should encourage contributors to designate contributions in writing for specific elections since undesignated contributions automatically count against the donor's limit for the candidate's next election. 11 CFR 110.1(b)(2)(ii). For example, an undesignated contribution to a House candidate received in 2009 would count against the 2010 primary election limit. Campaign committees must retain copies of contribution designations for three years. 11 CFR 102.9(c) and (f).

Debt Retirement for a Previous Election. A campaign may accept contributions after an election to retire election debts provided that it satisfies the following requirements:

- The contribution is designated in writing specifically for the election for which the debt was incurred (since an undesignated contribution counts against the donor's limit for the candidate's next election). For example, a donor should label a contribution to retire the 2008 general election debt as "2008 general debt."
- The contribution, when combined with the contributor's other contributions toward the designated election, does not exceed that person's limit for the designated election; and
- The campaign has net debts outstanding for the designated election

on the day it receives the contribution. (A campaign's net debts outstanding consist of unpaid debts incurred with respect to the election plus estimated costs to liquidate the debts minus cash on hand and receivables.) 11 CFR 110.1(b)(3)(ii).

Reporting Issues

Disclosing Contributions for Two Election Cycles in One Report. If a candidate chooses to redesignate his or her principal campaign committee from a prior election to a future election, then that committee must continue to report the debts from the previous election as well as contributions designated to retire them. 11 CFR 104.11, 110.1(b)(3) and (4) and 110.2(b)(3) and (4). Under these circumstances, a candidate who has received both 2008 general election debt retirement contributions and 2010 primary election contributions must disclose information on both cycles in the same FEC report. On the Summary Page of Form 3 (Reports of Receipts and Disbursements), the campaign may indicate that the report contains activity for both the primary and general elections by checking the applicable boxes. When itemizing contributions on Schedule A, campaigns must check the primary or general election box when itemizing contributions for the current election cycle. By contrast, campaigns must check the "other" box when itemizing debt retirement contributions for the previous election cycle, and note the specific election to which the contribution applies.

Disclosing Debts from a Previous Election Cycle. Redesignated campaign committees must continue to report outstanding loans and debts remaining from previous elections on Schedules C and D. 11 CFR 104.11. For information on reporting debts and other related issues, consult the [Campaign Guide for Congressional Candidates and Committees](#), Chapter 13.

Where to Obtain Forms and More Information

All FEC forms and instructions are available on the Commission’s web site at <http://www.fec.gov/info/forms.shtml>. Forms are also available by fax by calling the automated FEC Faxline at 202/501-3413. For more information on these or other campaign finance regulations, call the FEC’s Information Division (800/424-9530 or 202/694-1100).

—Zainab Smith

Statistics

Party Support for Candidates Increases in 2008 Election Cycle

The Democratic and Republican parties raised nearly \$1.6 billion and spent more than \$1.5 billion between January 1, 2007, and December 31, 2008, according to a Commission compilation of information from reports submitted by federally registered party committees at the national, state and local levels.

Republican national, state and local party committees that report to the FEC raised \$792.9 million during 2007-2008 in federally permissible funds, or “hard money.” Democratic party committees raised \$763.3 million during the same period. Democratic party receipts for the 2008 election cycle represent a 58 percent increase over the 2006 cycle and a 10.8 percent increase over the 2004 Presidential election cycle. Republican party receipts grew 32.4 percent from 2006, and 1.3 percent from 2004. The limits on contributions from individuals to national party committees are indexed for inflation. For the 2008 cycle, individuals could contribute as much as \$28,500 to a national party committee, while political action committees (PACs) could contribute up to \$15,000. No direct contributions from corporations or labor organizations are permitted.

The following charts show fundraising in the 2004, 2006 and 2008 election cycles for the Democratic national committees (the Democratic National Committee (DNC), the Democratic Senatorial

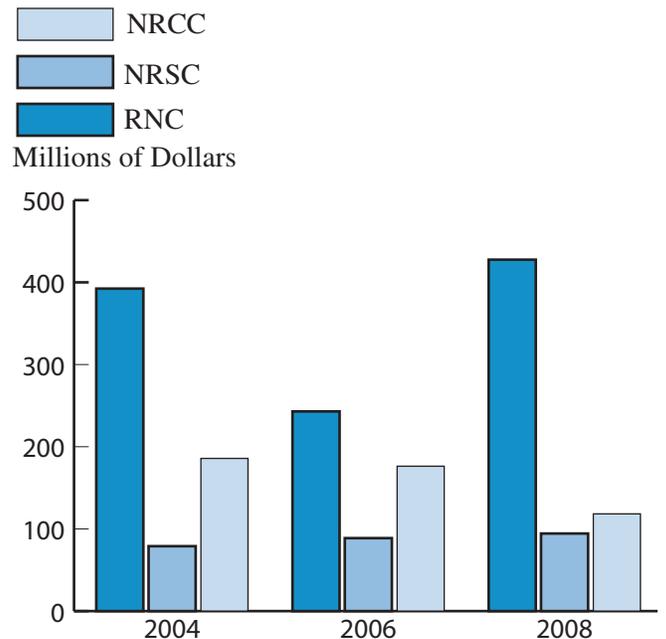
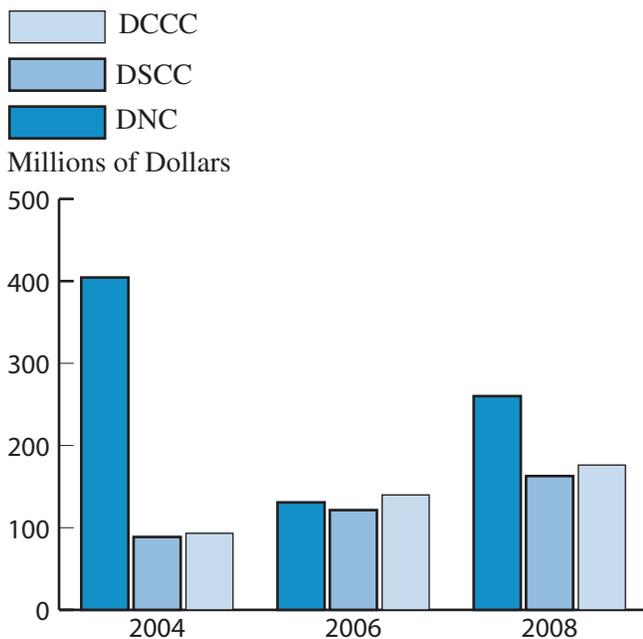
Campaign Committee (DSCC)) and the Democratic Congressional Campaign Committee (DCCC) and the Republican national committees (the Republican National Committee (RNC), the National Republican Senatorial Committee (NRSC) and the National Republican Congressional Committee (NRCC)).

The Bipartisan Campaign Reform Act of 2002 (BCRA) prohibited national party committees from raising or spending money outside the limits and prohibitions of federal election law, making the 2002 election cycle the last cycle during which national party committees could raise and spend nonfederal funds or “soft money.” Despite these restrictions, the parties’ national committee fundraising totals for 2008 overshadowed their 2002 and 2000 campaign cycle totals by \$249 million and \$149.8 million, respectively.

For more information, see the Commission’s press release at <http://www.fec.gov/press/press2009/05282009Party/20090528Party.shtml>.

—Myles Martin

Fundraising by Democratic and Republican National Party Committees, 2004-2008



Statistics

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2008 Presidential Receipts Nearly Double 2004 Totals

Financial activity of 2008 Presidential candidates and national party convention committees increased 80 percent in receipts over the 2004 Presidential election, totaling more than \$1.8 billion. The Republican Presidential nominee, Sen. John McCain (AZ), received \$84.1 million in public funds to conduct his general election campaign and raised an additional \$46.4 million for legal and accounting expenses. The Democratic Presidential nominee, then-Senator Barack Obama (IL), raised a total of \$745.7 million in private funds for his primary nomination and general election campaign. It was the first time in the history of Presidential public financing that a major party nominee declined to accept public funds for the general election.

The two parties received \$16.8 million each from the treasury for their nominating conventions, while host committees raised a total of \$124.3 million in support of their activities.

Individuals, parties and other groups spent \$168.8 million independently advocating the election or defeat of Presidential candidates during the 2008 campaign. In the three previous cycles, similar spending totaled \$192.4 million, \$14.7 million and \$1.4 million, respectively. There is no limit on the amount that may be spent on these activities given that the spending is independent of the candidates. The chart below, at left, shows independent expenditures for and against Presidential candidates over the past four election cycles.

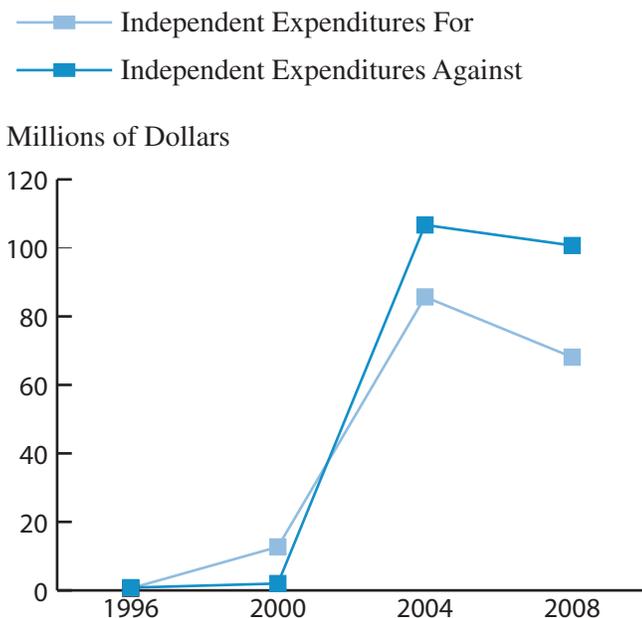
In 2008, the Democratic National Committee (DNC) spent \$1.1 million on independent expenditures, while the Republican National Committee (RNC) spent \$53.5 million.

The national parties also spent a combined \$25.3 million in coordination with the 2008 Presidential campaigns during the general election period. Each party was permitted to spend up to \$19.15 million on this activity. In the three previous elections, parties spent \$32.1 million, \$27.2 million and \$18.7 million, respectively, on coordinated expenditures.

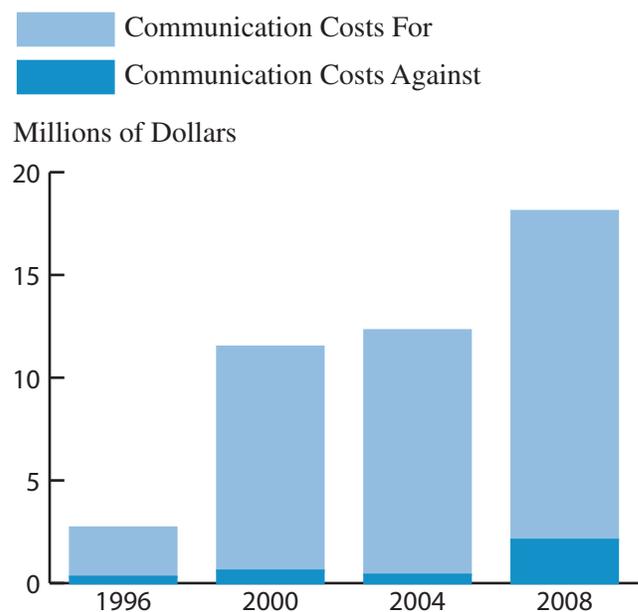
Membership organizations reported spending \$18.1 million in communications to their members advocating the election or defeat of a Presidential candidate—an almost \$6 million increase over what they reported during the 2004 Presidential election. The chart below, at right, shows membership organization communication costs supporting or opposing Presidential candidates over the past four election cycles.

In 2008, groups reported spending \$27.8 million on electioneering communications that referenced a political candidate—a decrease of

Independent Expenditures For and Against Presidential Candidates, 1996-2008



Membership Organization Communications For and Against Presidential Candidates, 1996-2008



\$13 million from the 2004 election. An electioneering communication is a broadcast, cable or satellite communication that refers to a clearly identified federal candidate and is distributed prior to an election.

This was only the second cycle in which both major party nominees declined public matching funds during the primaries. The \$21.7 million paid in those funds to other primary candidates was the lowest since the first Presidential election conducted under the public funding program in 1976. The Obama campaign's total receipts of \$745.7 million for the 2008 election are equivalent to more than half of the \$1.49 billion provided in public funds to all Presidential candidates, parties and conventions since the inception of the public funding program.

President Obama's campaign transferred more than \$41 million to Democratic Party committees at both the national and state levels, with \$8.5 million going to the Democratic Senatorial Campaign Committee and the Democratic Congressional Campaign Committee. The committee ended 2008 with \$18.3 million in cash on hand and \$1.9 in outstanding debt. Sen. McCain's Presidential primary campaign transferred more than \$18.6 million to state and local party committees.

For more information, the Commission press release is available at <http://www.fec.gov/press/press2009/20090608PresStat.shtml>.

—Myles Martin

Advisory Opinions

Advisory Opinion Requests

AOR 2009-14

Administration and naming of SSF by a domestic LLC that is affiliated with the SSF's connected corporation and has a foreign parent

(Mercedes-Benz USA/Sterling, May 27, 2009)

AOR 2009-15

Authorized committee's acceptance of a contribution for a special election that may not occur (Bill White for Texas, June 11, 2009)

AOR 2009-16

State party committee status for the Libertarian Party of Ohio (Libertarian Party of Ohio, June 15, 2009)

AOR 2009-17

Presidential primary candidate who did not receive Matching Funds and who refunded excessive contributions seeks to donate to charity the funds remaining in his campaign account that represent refund checks not cashed and now stale (Romney for President, June 16, 2009)

AOR 2009-18

Recognition sought that PACs are disaffiliated (Penske Truck Leasing, June 17, 2009)

AOR 2009-19

Organization's use of FEC contributor information (Club for Growth, June 24, 2009)

Alternative Disposition of Advisory Opinion Request

AOR 2009-09

The requester withdrew its request for an advisory opinion on June 11, 2009 (Bill White for Texas)

AOR 2009-11

The Commission did not reach an agreement, so no AO was issued (Kerry for Senate, June 25, 2009)

Outreach

July Reporting Roundtable

On July 8, 2009, the Commission will host two roundtable sessions on reporting, including disclosure requirements under the Honest Leadership and Open Government Act of 2007 (HLOGA). The reporting workshops will address common filing problems and provide answers to questions committees may have as they prepare to file their July Quarterly, July Monthly or Mid-Year reports. The electronic filing sessions will provide hands-on instruction for committees that use the Commission's FECFile software and will address questions filers may have concerning electronic filing. Attendance is limited to 50 people per reporting session and 16 people per session for the electronic filing workshops; the fee is \$25. The registration form is available on the FEC's web site at <http://www.fec.gov/info/outreach.shtml#roundtables> and from Faxline, the FEC's automated fax system (202/501-3413,

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FEC Conference Schedule for 2009

Conference for Campaigns, Party Committees and Corporate/Labor/Trade PACs
September 15-16, 2009

Hyatt Regency
Chicago, IL

Registration will begin later this month. Subscribe to our e-mail list to be notified when this occurs.

Conference for Campaigns, Party Committees and Corporate/Labor/Trade PACs
October 28-29, 2009

Sheraton at Fisherman's Wharf
San Francisco, CA

Outreach

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request document 590). For more information, please call the Information Division at 800/424-9530, or locally at 202/694-1100.

—Kathy Carothers

FEC Holds Summer State Outreach Workshops

Throughout the summer, Communications Specialists from the FEC's Information Division will visit several cities to provide education for committees and staff. These informal state outreach trips will provide PACs, party committees and candidate committees with information on areas of the law specific to their needs. The workshops will be held in Columbus, OH; and Kansas City, MO. (See box below).

For questions about these workshops, or to register for one of the sessions, please contact staff in the Information Division at 800/424-9530 (or locally at 202/694-1100) or send an e-mail to Conferences@fec.gov with your contact information (name, organization, phone number, fax number and e-mail address). Please identify the particular city in which you wish to attend a session.

—Kathy Carothers

FEC State Outreach-Schedule for 2009

Workshops for Candidates, Party Committees and Political Action Committees (PACs)

July 28-29, 2009

John W. Bricker Federal Building
Columbus, OH

August 5-6, 2009

Fletcher Daniels State Office
Building
Kansas City, MO

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