

Record

February 2000

Federal Election Commission

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Table of Contents

- Compliance**
- 1 MURs 4322 and 4650
- 2 **Advisory Opinions**
- 4 **Federal Register**
- Reports**
- 5 Eleven More States Certified for State Waiver
- Information**
- 5 FEC Launches Redesigned Web Site
- Public Funding**
- 6 Public Funding Shortage Remains Significant
- 6 Dole Requests Withdrawal of Certification for Matching Funds
- 7 FEC Approves Matching Funds
- 7 Buchanan Eligible for Matching Funds in Seeking Reform Party Nomination
- Publications**
- 7 *Availability of FEC Information*
- 800 Line**
- 8 "Purpose" of Disbursement
- Budget**
- 8 FEC Submits Budget Request for 2001
- Outreach**
- 9 Conferences
- 9 Monthly Roundtable
- 10 **Index**

Compliance

MURs 4322 and 4650 Violations by Candidate, Campaign Committees, Treasurer and Relative

The Commission entered into conciliation agreements with Enid Greene, a candidate in Utah's Second Congressional District; Enid Greene '94 and Enid Greene '96; Joseph P. Waldholtz, Enid Greene's former husband and treasurer of both campaigns; and D. Forest Greene, Enid Greene's father. The agreements were concluded after the Commission found that these persons violated the law in several ways, including: commingling campaign funds with personal funds, making and accepting contributions in the names of another, filing inaccurate reports and making and accepting excessive contributions.

From January 21, 1994, to October 12, 1995, candidate Greene's father, Forest Greene, gave Enid Greene and her husband, Joseph Waldholtz, \$3,987,426 through wire transfers and personal checks. Joseph Waldholtz used these funds to finance Enid Greene's campaigns for Congress in 1994 and 1996. He either transferred funds from their personal accounts to campaign accounts or paid campaign expenses directly out

of their personal accounts. Both actions resulted in excessive contributions.

As treasurer for the campaigns, Joseph Waldholtz tried to cover up the excessive contributions by reporting some of them as personal funds of Enid Greene, by reporting others as contributions in the names of other people, and by not reporting some of them at all.

With regard to Joseph Waldholtz's actions, the Commission found probable cause that he had knowingly and willfully violated the law, by:

- Commingling campaign funds with personal funds, in violation of 2 U.S.C. 432(b)(3);
- Misreporting and failing to report contributions, in violation of 2 U.S.C. 434(b)(3)(A);
- Falsely identifying contributors, thereby failing to file accurate reports—also in violation of 2 U.S.C. 434(b)(3)(A);
- Accepting contributions in the name of others, in violation of 2 U.S.C. 441f;
- Accepting cash contributions in excess of \$100, in violation of 2 U.S.C. 441g;
- Accepting contributions in excess of the statutory limits, in violation of 2 U.S.C. 441a(f); and
- Accepting a corporate contribution, in violation of 2 U.S.C. 441(b)(a).

(continued on page 2)

Compliance

(continued from page 1)

Because of Joseph Waldholtz's incarceration and personal finance problems, resulting from his criminal conviction on 27 counts of bank fraud¹—and an outstanding civil judgment against him for nearly \$4 million—the conciliation agreement included no civil penalty.

Additionally, the Commission found probable cause to believe that the other respondents had also violated the Act. By allowing her campaign to report the excessive contributions from her father as her own personal funds, Enid Greene permitted her name to be used to effect contributions in the name of another, in violation of 2 U.S.C. 441f.

¹ Conviction resulted from a Justice Department investigation and indictment in 1996. Joseph Waldholtz pleaded guilty to bank, election and tax fraud and was sentenced to 37 months in prison.

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Forest Greene, her father:

- Made excessive contributions, in violation of 441a(a)(1)(A);
- Exceeded the \$25,000 yearly contribution limit, in violation of 2 U.S.C. 441a(a)(3); and
- Provided funds that were used to make contributions in the name of another, in violation of 2 U.S.C. 441f.

Enid Greene '94 and '96, the two campaign committees:

- Failed to report numerous contributions, in violation of 2 U.S.C. 434(b)(3)(A);
- Failed to accurately file reports, also in violation of 2 U.S.C. 434(b)(3)(A);
- Accepted contributions in the names of others, in violation of 2 U.S.C. 441f;
- Failed to return cash contributions exceeding \$100, in violation of 11 CFR 110.4(c)(2); and
- Accepted a prohibited corporate contribution, in violation of 2 U.S.C. 441b(a).

In the conciliation agreement, Enid Greene, her father and the two campaign committees agreed to pay a \$100,000 joint civil penalty for the violations.

Advisory Opinions

AO 1999-34 Use of Campaign Funds to Finance Charity Event

The Mike Bilirakis for Congress Committee (the Committee) may use its campaign funds to finance a charity event, based on certain assumptions made by the Commission.

The Committee wishes to donate funds and make other payments in support of an event known as the

“KIDS First Family Fair.” It is intended to raise money to improve facilities at elementary schools in Mr. Bilirakis's Congressional district through Parent-Teacher Associations and other organizations defined under 26 U.S.C. §170(c).¹

Co-hosted with his son, State Representative Gus Bilirakis, the event will be held at a skating facility provided at no charge.

The “minimum contribution level” to the event is the \$3 price for a ticket, but there is no limit on the amount an individual can donate. The Committee will match individual monetary donations, dollar for dollar, up to a maximum of \$60,000.

Payments Not Contributions or Expenditures

The Act and Commission regulations define the terms “contribution” and “expenditure” to include gifts or payments of money or anything of value made for the purpose of influencing a federal election. 2 U.S.C. §431(8)(A)(i), 431(9)(A)(i).

In the past, when determining whether expenses incurred for events involving federal candidates were made “for the purpose of influencing a federal election,” the Commission concluded that events in which federal officeholders

¹ Under section 170(a) of the Internal Revenue Code, charitable contributions are tax deductible. Section 170(c) defines “charitable contribution,” stating that it means “a contribution or gift to or for the use of” certain categories of organizations. Among these organizations are “a corporation, trust, or community chest, fund, or foundation” organized and operated exclusively for religious, charitable, or educational purposes, and which is not disqualified for other reasons such as use of net earnings to benefit a private shareholder or individual, or participation in political campaigns. 26 U.S.C. §170(a) and (c).

participated as officeholders were not “for the purpose of influencing a federal election” simply because the officeholders might also be candidates for federal office. AOs 1994-15, 1992-5 and 1991-17. Thus, payments for the expenses of such events were not contributions or expenditures, absent any campaign activity at the events or with respect to the promotion and other arrangements for the events. AO 1999-11.

In this case, the event and Mr. Bilirakis’s participation are not “for the purpose of influencing a federal election,” based upon:

- Various features of the event and its promotion,
- The role of the Committee, and
- Certain assumptions made by the Commission.

The pertinent features of the event, its promotion and the role of the Committee include the following:

- No individual may sign up to volunteer for or participate in Mr. Bilirakis’s campaign, and no campaign material will be available at the fair.
- No funds will be made payable to the campaign or accepted by the campaign, and the disbursements of the proceeds will be controlled by each benefiting PTA or other 170(c) organization.
- Ticket purchases and other donations will be collected by a law firm and, although the Committee will be able to review and tally the donations, this will be for the purpose of determining the matching payments that the Committee will make.
- The flyer advertising the fair indicates that the event is for the purpose of benefiting local elementary schools, and refers to the campaign and the Committee only to say that the Committee will match individual donations to the school organizations.

- The flyers will be distributed eight months in advance of the primary election in which Mr. Bilirakis will run.

In addition to the foregoing facts, the Commission based its conclusion on the following assumptions.

- Anyone invited to speak, or to make a presentation, at the event will not make reference to the campaign or the Committee.
- Neither Mr. Bilirakis nor any of the agents of his Committee will use the event as an opportunity to discuss the campaign or to campaign for reelection.
- In publicizing the event, the Committee and its agents will not refer to the campaign or the Committee, although they may disclose that Mr. Bilirakis is co-hosting the event and that the Committee will match the donations.
- The Committee will inform those who direct or coordinate the promotion of the event that those conditions apply.
- The Committee will not obtain any list of donors to the event and will not use such a list for campaign purposes.²

Based on the foregoing information, conditions and assumptions, the event and the related activities are not for the purpose of influencing Mr. Bilirakis’ re-election.

Excessive Campaign Funds

The event is a charitable event, and the disbursements by the Committee fit within one of the allowable uses of excess campaign funds under 2 U.S.C. §439a and 11 CFR 113.2. (Under those provisions, excess campaign funds may, among other uses, be contributed to

any charitable organization described in section 170(c) of title 26 or may be used in connection with a candidate’s duties as a federal officeholder, except that they cannot be converted by any person to any personal use.)

The Committee may, therefore, donate funds and make other payments in connection with the event subject to the conditions and assumptions discussed; and the purchases and donations by individuals, corporations or other entities will not be contributions to the Committee or to Mr. Bilirakis’s campaign.

Reporting

Because the Committee’s disbursements will not be for the purpose of influencing a federal election, they should be reported as “other disbursements.” 2 U.S.C. §434(b)(4); 11 CFR 104.3(b)(2). The recipient of the disbursements (such as PTA donees or vendors paid by the Committee for their

(continued on page 4)

Back Issues of the Record Available on the Internet

This issue of the *Record* and all other issues of the *Record* starting with January 1996 are available through the Internet as PDF files. Visit the FEC’s Web site at <http://www.fec.gov> and click on “What’s New” for this issue. Click “Help for Candidates, Parties and PACs” to see back issues. Future *Record* issues will be posted on the Web as well. You will need Adobe® Acrobat® Reader software to view the publication. The FEC’s Web site has a link that will take you to Adobe’s Web site, where you can download the latest version of the software for free.

² *The Committee could, however, purchase the list at the usual and normal charge. See 11 CFR 100.7(a)(1)(iii).*

Advisory Opinions

(continued from page 3)

services to the event), the purpose and other information must be disclosed for disbursements that aggregate in excess of \$200 to the same payee within the calendar year. 2 U.S.C. §434(b)(6)(A); 11 CFR 104.3(b)(4)(vi). The ticket purchases, money donations, and in-kind donations made by others for the event should not be reported since they are not receipts of the Committee.

AO 1999-35 Soliciting for SSF Through Electronic Deduction System

Associated Builders and Contractors, Inc. (ABC), its political action committee (ABC PAC), ABC North Texas and its chapter nonfederal PAC may collect contributions from their solicitable personnel through electronic transfers from contributors' personal checking accounts to a special escrow account.

ABC is a national, nonprofit incorporated trade association that is affiliated with its local chapters and state-level chapters, including the ABC North Texas chapter.

ABC solicits voluntary contributions from the executives of its member companies, provided that ABC has received prior written approval from its member companies, under 11 CFR 114.8(d), to solicit those personnel. In Advisory Opinion 1979-75, the Commission permitted ABC PAC and the ABC chapter PACs, such as ABC PAC North Texas, to engage in joint fundraising. Under the old plan, contributions made by check were deposited into an escrow account and then, based on a predetermined allocation formula, distributed to ABC PAC and the chapter PACs.

ABC PAC may utilize an Automatic Clearing House (ACH) program, a cash management service provided by Bank One,

Texas, to collect preauthorized contributions from the restricted class. The program will operate as follows: After obtaining the prior approval of member corporations, ABC PAC and the chapter PAC will jointly solicit the restricted class for contributions. To participate using the ACH, individuals will fill out and sign a form containing the required information for any contribution and the necessary bank account information to allow funds to be transferred from a personal bank account to the special ABC PAC escrow account set up to receive these funds. ABC PAC will file an amendment to its Statement of Organization (Form 1) regarding the opening of this escrow account only if the ACH account resides at a new bank not previously disclosed. No other funds will be deposited into the ACH escrow account. ABC will comply with all other requirements concerning prior approvals and voluntary contributions. 11 CFR 114.8(d)(4); 11 CFR 114.1(i), 114.5(a) and 114.8(e)(4).

Either ABC or ABC North Texas will pay the bank an administrative fee of \$35 per month and 14 cents per transaction.

Minimum contributions of \$10 per month will be required to use ACH.¹ If an individual's contribution does not exceed \$50 per month, the account will be cleared every two or three weeks. If a monthly individual contribution exceeds \$50, the transfers from the escrow account to ABC PAC and ABC PAC North Texas will be made within ten days after receipt to

¹ This \$10 limitation is permissible because it appears to be linked to the administrative costs of the program and does not prevent contributors from using other means to make contributions of a lesser amount. Consequently, the limit does not violate the rule against enforced guidelines under 11 CFR 114.5(a)(2).

comply with the applicable Commission regulations. A copy of each permission (or contributor authorization) form will accompany the funds going to ABC PAC.

Legal Analysis

While Commission regulations state that trade associations are not limited in the method of soliciting voluntary contributions or the method of facilitating the making of voluntary contributions, the regulations do prohibit trade associations from using a payroll deduction or checkoff system to solicit contributions to the trade association's separate segregated fund. 11 CFR 114.8(e)(3). This prohibition, however, does not bar the proposed ACH program since the funds contributed will not be deducted through a payroll deduction system administered by the employer of the contributing individual. Instead, under the ACH program, voluntary contributions will be deducted from an executive employee's personal checking account at a bank. Consequently, the use of the ACH payment system for collecting contributions for ABC PAC is permissible.

Federal Register

Federal Register notices are available from the FEC's Public Records Office.

Notice 2000-1

Use of the Internet for Campaign Activity; Extension of Comment Period (65 FR 1074, January 7, 2000)

Notice 2000-2

Schedule of Matching Fund Submission Dates and Submission Dates for Statements of Net Outstanding Campaign Obligations (NOCO) for 2000 Presidential Candidates Post Date of Ineligibility (65 FR 3237, January 20, 2000)

The described PAC checking account deduction program may only be utilized by personnel who qualify as members of the “restricted class” of ABC and its state affiliates. 11 CFR 114.1(c), (h) and (j) and 114.8(c). In addition, all contributions made through the checking account deduction process must comply with Commission regulations that require them to be voluntary. See 11 CFR 114.1(i), 114.5(a) and 114.8(e)(4).

Advisory Opinion Requests

AOR 1999-39

Disaffiliation between corporate PACs after structural reorganization of their connected organizations (WellPoint Health Networks Political Action Committee, November 5, 1999)

AOR 1999-40

Solicitation of individual members of cooperatives and utilization of cooperatives’ billing systems to collect contributions for PAC of federation of cooperatives (National Rural Electric Cooperative Association, December 30, 1999)

Reports

Eleven More States Certified for State Waiver

Eleven more states* have been certified by the Commission as being qualified for the state filing waiver: California, Delaware, Hawaii, Indiana, New Hampshire, Ohio, Tennessee, Vermont, U.S. Virgin Islands, Washington and West Virginia. This brings the total number of states certified to 23.

The Commission approved the State Filing Waiver Program on October 14, 1999. Under this program, states that meet certain criteria set out by the Commission no longer have to receive and maintain paper copies of most FEC reports in their state’s campaign

* Commission regulations define “state” to include each state of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession of the United States. 11 CFR 100.11.

finance records office. Additionally, most committees no longer have to file copies of their reports in the certified states.

The Commission previously certified Arkansas, Florida, Idaho, Illinois, Kansas, Michigan, Nebraska, New York, North Dakota, South Dakota, Utah and Wisconsin. For more information on the waiver, please see page 2 of the [January 2000 Record](#) and page 17 of the [December 1999 Record](#).

Information

FEC Launches Redesigned Web Site

The FEC has launched a newly redesigned Web site, which can still be accessed at www.fec.gov.

The following topics are now available on the Web site.

- An alphabetical site index to all information available on the FEC’s Web site.

(continued on page 6)

PACronyms, Other PAC Publications Available

The Commission annually publishes *PACronyms*, 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.

The 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 Public Records Office at 800/424-9530 (press 3) or 202/694-1120. *PACronyms* also is available on diskette for \$1 and can be accessed free under the “Using FEC Services” icon at the FEC’s Web site—<http://www.fec.gov>.

Other PAC indexes, described below, may be ordered from the Public Records Office. Prepayment is required.

- An alphabetical list of all registered PACs showing each PAC’s identification number, address, treasurer and

connected organization (\$7.50).

The Public Records Office 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., N.W.

- A list of registered PACs arranged by state providing the same information as previous. (\$13.25).

- An alphabetical list of organizations sponsoring PACs showing the PAC’s name and .0000identification number

Information

(continued from page 5)

- Advisory opinions going back to 1977.
- Notices of proposed rulemakings.
- Summaries of court cases.
- Reporting forms.
- FEC publications, including *Campaign Guides* and the *Record* (current and past editions and annual indexes).
- Images of campaign finance reports from candidates for the U.S. House of Representatives and the Presidency and from most other political committees.¹
- Summaries and searchable databases of campaign contributions.
- News releases and media advisories.
- Statistics and data on voting and elections.
- Freedom of Information Act (FOIA) guidelines.
- A “What’s New” scrolling menu.

The Web site was reorganized to offer more efficient presentation of relevant and appropriate information to various audiences, including the general public, candidates and their campaign workers, and the media.

Additionally, the FEC implemented Media-Independent Presentation Language (MIPL), an Internet-based technology that allows persons with special needs to

access information by using a wide variety of hardware and software solutions. For example, the visually handicapped can dial a phone number (818-995-2463) and hear a menu of phone-touch choices that parallel the FEC’s Web site choices. The hearing-impaired may dial 818-995-2464 (TTY) for a similar menu. (More information about MIPL can be found at www.altaccess.org.)

Public Funding

Public Funding Shortage Remains Significant

Based on revised estimates of the public funds available for the 2000 primary election cycle, the calculated shortfall remains significant. FEC staff has concluded that the January 3, 2000, pay-out would be about 50 cents on the dollar. Previous estimates had projected that the Commission would pay 32 percent of the candidates’ entitlement in early January. (See [May 1999 Record](#), p.1.) The percentage change can be explained, in part, by the fact that Elizabeth Dole has

rejected public funds. The shortfall should be shorter in duration than previously projected. Staff projected that, by June 20, all estimated payments would be made in full.

The estimated figures are based on an analysis of empirical data. A lag in deposits of the \$3 that taxpayers check off on their income tax forms or an acceleration in requested payments could change the June 20 estimate.

For previous articles about the shortfall, see the [August 1999 Record](#), p.1, and the [May 1999 Record](#), p.1.

Dole Requests Withdrawal of Certification for Matching Funds

On December 22, 1999, the Commission withdrew its certification that Republican candidate Elizabeth Dole and the Elizabeth Dole for President Exploratory Committee (the Committee) were eligible to receive public matching payments. The action came after the Committee withdrew its request for the funds. Accordingly, the Treasury Department will not provide any public funds to the Dole campaign, and the FEC will not conduct a mandatory audit of the

The FEC Takes Visa and Mastercard

FEC customers can pay for FEC materials with Visa or Mastercard. Most FEC materials are available free of charge, but some are sold, including financial statistical reports (\$10 each), candidate indexes (\$10) and PAC directories (\$13.25). The FEC also has a 5¢ per page copying charge for paper documents and a 15¢ per page copying charge for microfilmed documents.

Paying by credit card has its advantages. For instance, since the FEC will not fill an order until payment is received, using a credit card speeds delivery by four to five days.

Visitors to the FEC’s Public Records Office may make payments by credit card. Regular visitors, such as researchers and reporters, who in the past have paid for FEC materials out of their own pockets, may make payments with a company credit card.

The credit card payment system also reduces costs and paperwork associated with check processing, enabling FEC staff to better serve the walk-in visitor.

¹ U.S. Senate candidates do not file their campaign finance reports directly with the FEC, but with the Secretary of the Senate, who currently microfilms them and sends the microfilm to the FEC. Imaging is not available for these reports at this time. While the Democratic Senatorial Campaign Committee and the National Republican Senatorial Committee also file their reports with the Secretary of the Senate, copies of their reports are available on the [FEC Web site](#) because the Senate provides the Commission with paper copies that meet requirements for scanning.

Committee pursuant to 26 U.S.C. §9038(a). (Section 9038(a) of Title 26 requires the agency to audit any Presidential committee that accepts public matching funds.)

On July 30, 1999, the FEC had determined that the Committee had satisfied the eligibility requirements of 26 U.S.C. §9033 to receive Presidential primary matching funds. Mrs. Dole withdrew from the Presidential race on October 20, 1999.

FEC Approves Matching Funds

The FEC certified \$34,019,496.24 in Federal Matching Funds to eight Presidential candidates for the 2000 election. The U.S. Treasury Department made the payments on January 3.

Listed below is the amount certified to each candidate at this time and the amount actually paid. Because there are insufficient funds to pay these amounts, the Department of Treasury calculated a reduced amount for each campaign. Actual payments amounted to 50 cents on the dollar. Reduced

payments will continue until the Fund has been replenished by future checkoff designations on 1999 tax returns, at which time each campaign will receive the amount it is due. Elizabeth Dole initially qualified to receive matching funds, but her campaign withdrew its request for funds.

To be eligible to receive Federal Matching Funds, a candidate must first raise \$100,000 in contributions from individuals: \$5,000-plus in 20 different states, in amounts of no more than \$250 from any individual contributor. Candidates must also agree to abide by spending limits, to keep certain records and to submit those records for audit.

Only contributions from individuals in amounts of \$250 or less are matchable. Following the primary season, candidates may be entitled to receive additional matching funds to assist in winding down their campaigns or to retire debts.

The Commission previously certified \$13,224,000 to each of the two major political parties, and \$2,468,921 to the Reform Party (totaling \$28,916,921) for their 2000 Presidential Nominating Conventions.

Buchanan Eligible for Matching Funds in Seeking Reform Party Nomination

On December 16, 1999, the FEC determined that Patrick J. Buchanan, who qualified for matching funds as a Republican candidate in September 1999, remained eligible for matching payments even though he had changed parties and now sought the Reform Party nomination. Mr. Buchanan had submitted a revised letter of candidate agreements and certifications indicating that he was seeking the Reform Party nomination. Mr. Buchanan announced his party switch in October and made his first matching payment submission as a Reform Party candidate in December 1999.

Publications

Availability of FEC Information, a New Brochure

The FEC recently published *Availability of FEC Information*, a new brochure that identifies the specific information available from the Commission and describes the methods for obtaining the information. An easy-to-read chart, located at the back of the brochure, combines this information, allowing readers to determine, at a glance, how to obtain the information they need. The brochure serves as the agency's official guide on electronic freedom of information, required under 5 U.S.C. §552(g).

The FEC makes available materials that fall within five general categories:

- Campaign finance data;
- Official legal documents;
- Summaries of federal election laws

Candidate	Certification Amount	Actual Payment on 1/3/2000
Gary L. Bauer (R)	\$3,964,359.04	\$1,969,126.75
Bill Bradley (D)	\$8,343,853.83	\$4,144,454.52
Patrick J. Buchanan (Reform)	\$2,372,196.26	\$1,178,287.60
Al Gore (D)	\$11,070,709.82	\$5,498,904.26
Alan L. Keyes (R)	\$1,241,434.35	\$616,629.71
Lyndon H. LaRouche, Jr. (D)	\$733,767.72	\$364,467.91
John S. McCain (R)	\$4,190,650.22	\$2,081,527.27
Dan Quayle(R)	\$2,102,525.00	\$1,044,399.87

(continued on page 8)

Publications

(continued from page 7)

- and cases;
- Information pertaining to Commissioners and FEC operations; and
- Election administration documents.

Most of these materials are available free to the public without a Freedom of Information Act (FOIA) request or other paperwork.

For a free copy of the brochure, call the FEC's Faxline at 202/501-3414 and request document 534. Alternatively, you may access the brochure on the FEC's Web site at <http://www.fec.gov/pages/availfec.htm>. Bulk supplies of the brochure are available by calling 800/424-9530 (press 1) or 202/694-1100.

800 Line

“Purpose” of Disbursement

When reporting disbursements, a political committee is required to disclose the “purpose” of the expenditure, that is, a brief statement or description of why the disbursement was made. 11 CFR 104.3(b)(4).

Operating Expenditures

Commission regulations (11 CFR 104.3(b)(4)(i)(A)) provide that the following examples meet the requirement for reporting the purpose of an expenditure.

- Dinner expenses
- Media
- Salary
- Polling
- Travel
- Party fees
- Phone banks
- Travel expenses

- Travel expense reimbursement
- Catering costs

The regulations further state that the following examples do not meet this requirement.

- Advance
- Election day expenses*
- Other expenses
- Expenses
- Expense reimbursement
- Miscellaneous
- Outside services
- Get-out-the-vote*
- Voter registration

Refunds and Loan Repayments

If the disbursement is a “loan repayment,” “contribution refund” or other similar category of disbursement (other than an operating expenditure), the name of the category of disbursement (i.e., “loan repayment,” etc.) is sufficient to meet the requirement for reporting the purpose of the expenditure. See back of Schedule B of Form 3.

Contributions to Candidates

For disbursements that are contributions to federal candidates or authorized committees, the “purpose of disbursement” box must include the name of the candidate and office sought (including state and Congressional district, where applicable) and the aggregate year-to-date total of contributions made to that candidate or committee. See back of Schedule B of Form 3.

When itemizing a contribution or loan to a candidate committee, the contributor must specify the election for which the payment was made by checking the appropriate category in the election designation box. 11

* Acceptable alternatives to “election day expenses” and “get-out-the-vote” include “exit polling,” “door-to-door get-out-the-vote,” “get-out-the-vote phone calls” and “driving voters to the polls.”

CFR 104.3(b)(3)(v).

Independent Expenditures

Committees making independent expenditures must state the purpose of the expenditure, for example, radio, television or newspaper.

An independent expenditure is an expenditure for a communication, such as a newspaper, TV or direct mail advertisement, that:

- Expressly advocates the election or defeat of a clearly identified federal candidate; and
- Is not made in coordination, consultation, or cooperation with, or at the request or suggestion of a candidate, agent of a candidate, or candidate's committee. 100.16.

Budget

FEC Submits Budget Request for 2001

The FEC submitted its budget request for the 2001 fiscal year to the Office of Management and Budget (OMB) and to Congress, seeking \$41,323,000 and a total of 356 personnel—an increase over the current FY 2000 budget of just under 8 percent in funding and four additional staff members. Subsequently, on December 16, 1999, the FEC reached an agreement with the OMB for an FY 2001 budget request of \$40,500,000 and 352 full-time employees (FTE), \$823,000 less than, and 4 FTE fewer than, the FEC's original request. This agreement was reached with the understanding that the Commission, as a concurrent submission agency, could pursue with Congress the four additional FTE and the funding for them. Thus, when the Commission submits its revised request to

(continued on page 10)

Outreach

FEC February Roundtable

The FEC's February roundtable has sold out. Those registered for the roundtable should note that the date of the session has been changed to February 23. If you would like to be placed on the waiting list for this roundtable, please call the FEC at the numbers listed below.

There will be no roundtable sessions in March or April due to FEC conferences held in the beginning of those months. Dates and topics for future roundtables will be announced in upcoming issues of the *Record*.

FEC roundtable sessions are limited to 12 participants per session. Registration is \$25 and will be accepted on a first-come, first-served basis. Please call the FEC before registering or sending money to be sure that openings remain in the session of your choice. Prepayment is required. The registration form is available at the FEC's Web site—<http://www.fec.gov>—and from Faxline, the FEC's automated fax system (202/501-3413, request document 590). For more information, call 800/424-9530 or 202/694-1100.

FEC Conference Schedule

The FEC will continue its series of conferences through May. See below for details. To register for any conference, call Sylvester Management at 800/246-7277 or send an e-mail to tylvester@worldnet.att.net. For program information, call the FEC's Information Division at 800/424-9530 or 202/694-1100. A regularly updated schedule for the conferences and a downloadable invitation/registration form appear at the FEC's Web site. Go to <http://www.fec.gov/pages/infosvc.htm> for the latest information.

Candidate Conference

Date: February 10-11, 2000
 Location: Washington, DC
 (Hyatt Regency on Capitol Hill)
 Registration: \$265

Regional Conference (includes candidate, corporate/labor and party workshops)

Date: March 8-10, 2000
 Location: Miami, FL
 (Sheraton Biscayne Bay)
 Registration: \$240

Corporate and Labor Conference

Date: April 6-7, 2000
 Location: Washington, DC
 (Hyatt Regency on Capitol Hill)
 Registration: To be determined

Membership and Trade Association Conference

Date: May 16-17, 2000
 Location: Washington, DC
 (Hilton Crystal City)
 Registration: To be determined

Roundtable Schedule

Date	Subject	Intended Audience
February 23 9:30 - 11 a.m. NEW DATE	Soliciting Funds For Corporate/Labor/Trade PACs Using Newsletters and Web Sites (Code #200)	<ul style="list-style-type: none"> • Corporate/Labor/Trade Association PAC staff • Lawyers and Consultants to Above



Change of Address

Political Committees

Treasurers of registered political committees automatically receive the Record. A change of address by a political committee (or any change of information disclosed on the Statement of Organization) must, by law, be made in writing on FEC Form 1 or by letter. The treasurer must sign the amendment and file it with the Secretary of the Senate or the FEC (as appropriate) and with the appropriate state office.

Other Subscribers

Record subscribers who are not registered political committees should include the following information when requesting a change of address:

- Subscription number (located on the upper left corner of the mailing label);
- Subscriber's name;
- Old address; and
- New address.

Subscribers (other than political committees) may correct their addresses by phone as well as by mail.

Budget

(continued from page 8)

Congress, it will seek a funding level of \$40,960,000 and 356 FTE. Current fiscal year funding for the FEC is \$38,278,000.

In its agreement, the Commission said that a funding level of \$40.5 million for FY2001 would enable it to:

- Maintain a timely and enhanced campaign finance disclosure program.
- Ensure that significant efforts are made to enforce the disclosure and limitation provisions of the Federal Election Campaign Act.
- Complete the 2000 Presidential audits within two years of the election.
- Conduct 40 to 45 “for cause” audits as opposed to 20 to 25 in previous election cycles.
- Complete the revision of the Voting System Standards and conduct a national conference of election officials to introduce the new standards.
- Develop and maintain enhanced computer capabilities, including implementation of a mandatory electronic filing program; expansion of the FEC’s Web site; reengineering of the disclosure imaging system; implementation of the state filing waiver initiative; and implementation of a case management system.
- Continue its progress on implementation of the PricewaterhouseCoopers audit recommendations.

Index

The first number in each citation refers to the “number” (month) of the 2000 *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 4.

Advisory Opinions

- 1999-24: Web site sponsored by LLC featuring information on candidates, 1:17
- 1999-29: Fundraising exemption from state limits for direct mailing by Presidential committee, 1:19
- 1999-30: Application of allocation ratio in state with single house legislature, 1:20
- 1999-31: Application of one-third rule to prizes and premiums used in connection with payroll deduction, 1:21
- 1999-34: Use of campaign funds to finance charity event, 2:2
- 1999-35: Soliciting for SSF through electronic deduction system, 2:4

Compliance

- MUR 4322 and 4650: Violations by candidate, campaign committees, treasurer and relative, 2:1

Court Cases

- _____ v. FEC
- DSCC, 1:2
- Other
- Fireman v. USA, 1:13
- Mariani v. USA, 1:3

Regulations

- Coordination, 1:14

Reports

- Reports due in 2000, 1:5
- State Filing Waiver, 1:2; 2:5

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