

# Record

April 2008

Federal Election Commission

Volume 34, Number 4

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## Reporting

### April Reporting Reminder

The following reports are due in April:

- All principal campaign committees of House and Senate candidates must file a quarterly report by April 15. The report covers financial activity from January 1 (or the day after the closing date of the last report) through March 31;
- Principal campaign committees of Presidential candidates must file a report by April 15, if they are quarterly filers (the report covers financial activity from January 1 through March 31), or by April 20, if they are monthly filers (the report covers activity for the month of March); 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 must file a monthly report by April 20. This report covers activity for the month of March. Other PACs and party committees must file a quarterly report by April 15.

### Notification of Filing Deadlines

In addition to publishing this article, the Commission notifies

(continued on page 2)

## Court Cases

### FEC v. Reform Party of the USA

On February 28, 2008, the U.S. District Court for the Northern District of Florida dismissed the amended counterclaim filed by the Reform Party of the United States of America (the Reform Party) for lack of jurisdiction and failure to state a claim upon which relief could be granted. In addition to granting the FEC's motion to dismiss, the court modified an injunction against the Reform Party to permit the party to make expenditures to raise funds to repay the amount owed to the U.S. Treasury.

### Background

The Reform Party received \$2,522,690 in public funds for its 2000 Presidential nominating convention. Based on the results of a mandatory post-convention audit, the Commission determined that the Reform Party must repay \$333,558 to the U.S. Treasury as a result of impermissible expenditures and inadequate documentation. See 26 U.S.C. §9008(c) and 11 CFR 9008.7(a). The Reform Party repeatedly asked both the Commission and the courts to review its repayment obligation, but its requests were not filed within statutory and

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## Reporting

(continued from page 1)

committees of filing deadlines on its web site, via its automated Faxline and through reporting reminders called prior notices. Since January 1, 2007, prior notices have been distributed exclusively by electronic mail. They are no longer sent to committees via U.S. mail. See [December 2006 Record](#), page 1. 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 Act and Commission

regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

Please note that filing deadlines are not extended in cases where the filing deadline falls on a weekend or federal holiday. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received by the Commission's (or the Secretary of the Senate's) close of business on the last business day before the deadline.

### Filing Electronically

Under the Commission's mandatory electronic filing regulations, individuals and organizations that receive contributions or make expenditures, including independent expenditures,<sup>1</sup> in excess of \$50,000 in a calendar year—or have reason to expect to do so—must file all reports and statements with the FEC electronically. Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the applicable filing deadline. Electronic filers who instead file on paper or submit an electronic report that does not pass the Commission's validation program by the filing deadline will be considered nonfilers and may be subject to enforcement actions, including administrative fines.

Senate committees and other committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules.

The Commission's electronic filing software, FECFile, is free and can be downloaded from the FEC's web site. New FECFile Version 6.1.1.3 is available for download from the FEC web site at <http://www.fec.gov/electfil/updatelist.html>. See [December 2007 Record](#), page 13. All reports filed after January 2, 2008, must be filed in Format Version 6.1 (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.

*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.

**Federal Election Commission**  
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202/694-1100  
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<http://www.fec.gov>

<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).

<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.

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

Paper forms are available 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 2008 Reporting Schedule is also available on the FEC's web site ([http://www.fec.gov/info/report\\_dates.shtml](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.

### Filing Frequency for Party Committees

National committees of political parties must file on a monthly schedule in all years. 11 CFR 104.5(c)(4).

A state, district and local party committee that filed monthly in 2007 due to its federal election activity must notify the Commission in writing if it wishes to file quarterly in 2008. See 11 CFR 300.36(c) and 104.5(c). Electronic filers must file this request electronically. After filing a notice of change in filing frequency with the Commission, all future reports must follow the new filing schedule.

### Political Action Committees

PACs (separate segregated funds and nonconnected committees) may file on either a quarterly or monthly basis in election years. A committee may change its filing frequency only once a year. After giving notice of change in filing frequency to the Commission, all future reports must follow the new filing frequency. 11 CFR 104.5(c).

### Additional Information

For more information on 2008 reporting dates:

- See the reporting tables in the [January 2008 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](http://www.fec.gov/info/report_dates.shtml) to view the reporting tables online.

—Elizabeth Kurland

## Mississippi Special Election Reporting: 1<sup>st</sup> District

The Special General Election to fill the U.S. House seat in Mississippi's 1<sup>st</sup> Congressional District formerly held by Senator Roger Wicker will be April 22, 2008. Under Mississippi law, a majority winner in the nonpartisan Special General Election is declared elected. Should no candidate achieve a majority vote, a Special Runoff Election will be held on May 13, 2008, between the top two vote-getters in the Special General Election.

Candidate committees involved in these elections must follow the reporting schedule on page 4. Please note that the reporting period for the Post-General report (or Post-Runoff election report, if necessary) 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 this schedule. PACs and party committees that file monthly should 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 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 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.

(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 on the FEC web site as PDF files. Visit the FEC web site at <http://www.fec.gov/pages/record.shtml> to find monthly *Record* issues.

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

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.

## Reporting

(continued from page 3)

**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.

**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. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e). Forms are available for downloading and printing 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).

### 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 April 3 and April 19, 2008, for the Special General Election, and between April 24 and May 10, 2008, for the Special Runoff Election, if that election is held.

### 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 April 3 and April 20, 2008, for the Special General, and between April 24 and May 11, 2008, for the Special Runoff, if that election is

<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.

## Mississippi 1st District Special Election Reporting

### If Only the Special General Is Held, Committees Must File:

	Close of Books <sup>1</sup>	Reg./Cert./Overnight Mailing Deadline	Filing Deadline
April Quarterly		—waived—	
Pre-General	April 2	April 7	April 10
Post-General	May 12	May 22	May 22
July Quarterly	June 30	July 15	July 15

### Committees Involved in Both the Special General and the Special Runoff Must File:

	Close of Books <sup>1</sup>	Reg./Cert./Overnight Mailing Deadline	Filing Deadline
April Quarterly		—waived—	
Pre-General	April 2	April 7	April 10
Pre-Runoff	April 23	April 28	May 1
Post-Runoff	June 2	June 12	June 12
July Quarterly	June 30	July 15	July 15

### If Two Elections Are Held, Committees Involved in Only the Special General Must File:

	Close of Books <sup>1</sup>	Reg./Cert./Overnight Mailing Deadline	Filing Deadline
April Quarterly		—waived—	
Pre-General	April 2	April 7	April 10
July Quarterly	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.

held. This requirement is in addition to that of filing 48-hour reports of independent expenditures that aggregate \$10,000 or more at other times during a calendar year.

### Electioneering Communications

The 60-day electioneering communications period in connection

with the Special General Election runs from February 22 through April 22, 2008. The electioneering communications period for the Special Runoff Election, if that election is held, runs from March 14 through May 13, 2008.

—Elizabeth Kurland

## Advisory Opinions

### Advisory Opinion Requests

#### AOR 2008-1

A political committee seeks a determination as to whether it is affiliated with the state party committee (Butler County Democrats for Change (DPAC), November 26, 2007)

#### AOR 2008-2

Whether a federal candidate who is a homemaker may receive a salary from his authorized campaign committee (Todd Goldup, March 7, 2008)

### Court Cases

(continued from page 1)

regulatory deadlines, and all were denied. The Commission filed suit in the Northern District of Florida to obtain a judgment that the government is entitled to the repayment by the Reform Party.

In November 2005, the U.S. District Court for the Northern District of Florida granted the FEC's motion for summary judgment and held that the government is entitled to the repayment. The court also enjoined the Reform Party from diverting any of its assets to any other expenditures, other than payment of federal taxes, until it completes its repayment obligation.

The Reform Party appealed the district court's decision arguing, in part, that the injunction violated the party's First Amendment right to free speech. In March 2007, the U.S. Court of Appeals for the 11<sup>th</sup> Circuit affirmed the district court's decision. See [July 2007 Record](#). The appellate court declined to address the Reform Party's First Amendment claims, suggesting that the district court was the proper venue, as the Reform

Party did not raise the claims until the appeal.

#### Counterclaim by the Reform Party

The Reform Party renewed its First Amendment argument in a counterclaim filed in the district court. The Reform Party argued that the injunction was an invalid spending restraint on political speech by a political party.

#### District Court Decision

The district court granted the Commission's motion to dismiss the Reform Party's counterclaim. The court held that since the relief requested by the Reform Party—modification of the injunction—can only be provided by the court, not the FEC, the Reform Party failed to state a claim. Additionally, the court lacked subject matter jurisdiction over the Reform Party's suit, as the plaintiffs did not ask the court to interpret any portion of the Presidential Election Campaign Fund Act and the United States has not waived its sovereign immunity.

The court analyzed whether the injunction should be modified. The court found that while the injunction involved First Amendment activity by prohibiting the Reform Party from spending its funds to promote political views or candidates, the injunction is narrowly tailored to address a specific harm and thus permissible.

To alleviate the Reform Party's concern that it could not spend money to raise money to pay the debt owed to the U.S. Treasury, the court agreed with the Commission's suggestion to modify the injunction slightly to permit the Reform Party to make expenditures for the purpose of raising funds to meet the repayment obligation.

U.S. District Court for the Northern District of Florida, 14-cv-00079-MP-AK.

—Meredith Metzler

(continued on page 6)

## Enforcement Query System Available on FEC Web Site

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

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

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

## Court Cases

(continued from page 5)

### SpeechNow.org v. FEC

On February 14, 2008, SpeechNow.org (SpeechNow), a group formed to make independent expenditures, and several individual plaintiffs filed a complaint in the U.S. District Court for the District of Columbia challenging the constitutionality of the Federal Election Campaign Act (the Act) provisions governing political committee registration, contribution limits and disclosure requirements.

The plaintiffs seek a declaration that, as applied, those provisions unconstitutionally abridge their rights of free speech and association. Additionally, they request preliminary and permanent injunctions blocking the FEC from enforcing the provisions against them.

### Commission Calendar Always Up-to-Date

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

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

## Background

Under the Act, a group becomes a "political committee" when it collects contributions or makes expenditures in excess of \$1,000 during a calendar year. 2 U.S.C. §431(4). The definition of "contribution" includes any gift, loan or anything of value made by any person to influence an election for federal office. 2 U.S.C. §431(8). Similarly, an "expenditure" includes any purchase, payment or anything of value made by any person to influence a federal election. 2 U.S.C. §431(9).

Political committees must register with the FEC and are subject to limits on the contributions they receive and make. 2 U.S.C. §441a(a). They also must periodically disclose their receipts and disbursements. 2 U.S.C. §434(a) and (b).

A political committee may make unlimited "independent expenditures," which are defined as expenditures expressly advocating the election or defeat of a clearly identified candidate that are not made in concert or coordination with a candidate or a political party. 2 U.S.C. §431(17).

Individuals may make unlimited independent expenditures from their personal funds. An individual who makes such expenditures may have reporting requirements but will not trigger registration with the FEC as a political committee. 2 U.S.C. §434(c). Individual contributions are subject to limits, including an overall biennial limit on federal contributions.

## Complaint

SpeechNow is a nonprofit, unincorporated 527 organization registered with the Internal Revenue Service. The organization was formed by individuals who seek to pool their resources to make independent expenditures expressly advocating the election or defeat of federal candidates. SpeechNow plans to accept contributions only from individuals, not corporations or other sources prohibited under

## Federal Register

Federal Register notices are available from the FEC's Public Records Office, on the web site at [http://www.fec.gov/law/law\\_rulemakings.shtml](http://www.fec.gov/law/law_rulemakings.shtml) and from the FEC Faxline, 202/501-3413.

### Notice 2008-5

Filing Dates for the California Special Election in the 12th Congressional District (73 FR 10440, February 27, 2008)

### Notice 2008-6

Filing Dates for the Mississippi Special Election in the 1st Congressional District (73 FR 11918, March 5, 2008)

the Act. The individual plaintiffs wish to contribute to SpeechNow, both in federally permissible amounts and in amounts exceeding the federal limits.

SpeechNow submitted an advisory opinion request to the Commission on November 19, 2007, asking whether its activities, involving raising funds from individuals to pay for independent communications that contained express advocacy, would require it to register as a political committee under the Act. The General Counsel's Office prepared a draft opinion for Commission discussion stating that contribution limits would apply to contributions given to SpeechNow, and that SpeechNow would be required to register as a political committee once it raised or spent more than \$1,000 in a calendar year. Since the Commission only had two of the requisite four members at the time the draft was considered, it could not issue an advisory opinion. The Commission notified SpeechNow of that fact on January 28, 2008.

The plaintiffs contend that the Act unconstitutionally restricts its members' freedom of speech and

freedom of association guaranteed under the First Amendment. By requiring registration as a political committee and limiting the monetary amount that an individual may contribute to a political committee, SpeechNow and the other plaintiffs assert that the Act unconstitutionally restricts the individuals' freedom of speech by limiting the amount that an individual can contribute to SpeechNow and thus the amount the organization may spend. SpeechNow also argues that the reporting required of political committees is unconstitutionally burdensome.

**Relief Requested**

The plaintiffs ask the court to find the contribution limits, reporting requirements and political committee registration requirements unconstitutional as applied to their proposed activities. The plaintiffs also request that the court preliminarily and permanently enjoin the FEC from enforcing these provisions against SpeechNow and the individual plaintiffs.

U.S. District Court for the District of Columbia, 1:08-cv-00248.  
 —*Meredith Metzler*

**Statistics**

**Party Committee Contributions Update**

Contributions to the Democratic party committees on the national, state and local level increased significantly in 2007-2008 compared to earlier election cycles, while Republican party receipts declined over the same time period. This is the first time since the Commission began compiling party fundraising summaries in 1985 that Democratic party committees have raised more than Republican party committees.

During the first 13 months of the 2008 election cycle, from January 1, 2007, to January 31, 2008, the three Democratic national party committees—the Democratic National Committee (DNC), the Democratic Senatorial Campaign Committee (DSCC) and the Democratic Congressional Campaign Committee (DCCC)—raised a total of \$191.3 million. This is an increase of 26 percent over a similar period in 2006 and 85 percent increase over the first 13 months of the 2004 cycle.

The three Republican national committees—the Republican

**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 <http://www.fec.gov>.

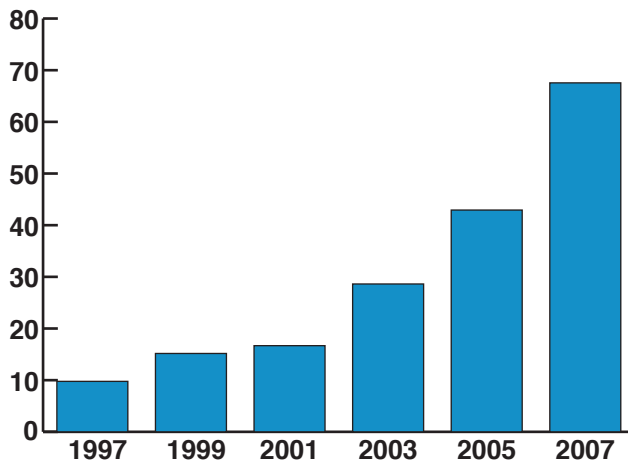
If you would like to place an order for paper copies of the *Campaign Guides*, please call the Information Division at 800/424-9530.

National Committee (RNC), the National Republican Senatorial Committee (NRSC) and the National Republican Congressional Committee (NRCC)—raised \$186.2 million during the same 13-month

*(continued on page 8)*

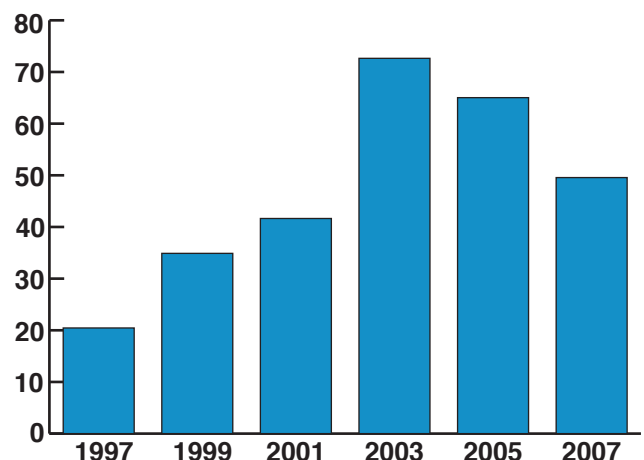
**National Congressional Committee Fundraising In Non-Election Year**

Millions of Dollars



**Democratic Congressional Campaign Committee**

Millions of Dollars



**National Republican Congressional Committee**

### 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.

### Statistics

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period, an 18 percent decrease from 2006 and 2004 totals.

The DSCC and the DCCC reported substantial increases, while the DNC reported a slight decrease in receipts. The largest percentage growth in fundraising came from the DCCC, whose \$71.5 million in receipts through January 31, 2008, represented a 57 percent increase over 2006 levels. The DCCC total was \$18 million more than the NRCC raised during the same period.

All of the Republican national committees reported a decline in contributions. The RNC raised \$97.5 million, 18 percent less than in 2006. Compared to 2006, the NRSC’s receipts declined by 11 percent to \$35.4 million and the NRCC declined by 22 percent to \$53.3 million.

The rise in Democratic receipts and the decline in Republican receipts continued from the national party to the state and local parties as well. The Democratic party committees at all levels, including federal, state and local, reported receipts of \$211.3 million in federal

funds during 2007—23 percent more than the \$172.4 raised in 2005. Republican party committees on all levels raised \$208.4 million in federal funds in 2007, a decline of 16 percent from \$248.6 million in 2005.

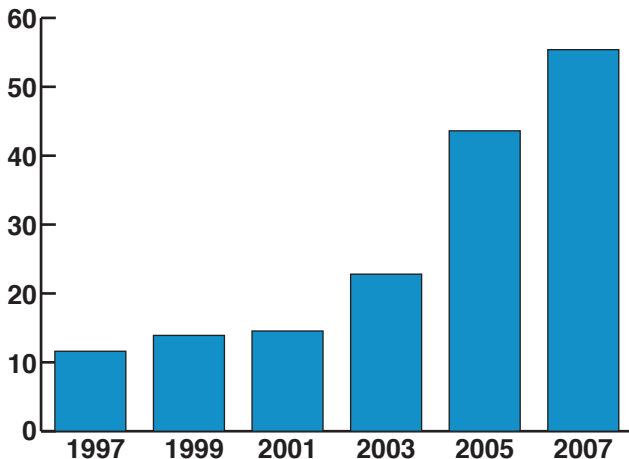
Contributions by individuals constituted the bulk of the receipts for both parties. Republican committees reported receiving 85 percent of their receipts (\$176.7 million) from individuals, while Democratic parties received \$161.2 million from individuals (76 percent of the Democratic party totals).

During the period of January 1, 2007, to January 13, 2008, Democratic party committees reported raising \$36.2 million from political action committees (PACs) and other committees, including \$18.4 million from House Democrats’ campaign committees. Over the same period, Republican parties received \$22 million from PACs and other committees, with \$10.6 million coming from House Republicans.

Additional information is available in a Press Release dated March 6, 2008. The release, which is available on the FEC web site at <http://www.fec.gov/press/press2->

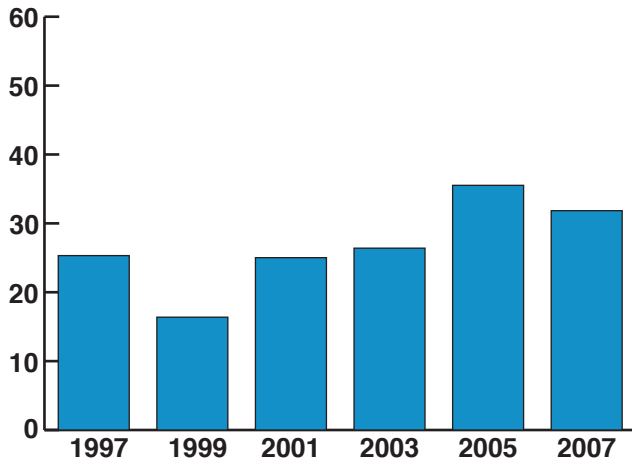
## National Senatorial Committee Fundraising In Non-Election Year

Millions of Dollars



Democratic Senatorial Campaign Committee

Millions of Dollars



National Republican Senatorial Committee



[008/20080229party/20080229-party.shtml](http://008/20080229party/20080229-party.shtml), provides summary data for the financial activities of the federal committees of the two major parties for 2007 and comparisons for the same period in the last nine election cycles. It also includes tables depicting the breakdown of contributions to national parties by contribution amount and lists of contributions to the DCCC and NRCC by current Members of Congress.

—Meredith Metzler

## Administrative Fines

### Committees Fined for Nonfiled and Late Reports

The Commission has recently fined 23 political committees a total of \$29,471 in civil penalties for filing late campaign finance reports or failing to file at all. Since the Administrative Fine Program's inception in 2000, the FEC has closed 1,619 cases and collected \$2,168,904 in civil penalties.

Civil money penalties for late reports are determined by the number of days the report was late, the amount of financial activity involved and any prior penalties for violations under the administrative fines regulations. Penalties for nonfiled reports—and for reports filed so late as to be considered nonfiled—are also determined by the financial activity for the reporting period and any prior violations. Election sensitive reports, which include reports filed prior to an election (i.e. 12-day Pre-Election, October Quarterly and October Monthly reports), receive higher penalties. Penalties for 48-Hour Notices that are filed late or not at all are determined by the amount of the contribution(s) not timely reported and any prior violations.

### Committees Fined and Penalties Assessed

1. Barrack, Rodos & Bacine Political Action Committee	_____ <sup>1</sup>
2. Chad Kluko for Congress Committee 2006 Post-General Report	\$900
3. Chad Kluko for Congress Committee 2006 Year End Report	\$900
4. Charlie Stuart for Congress	\$500
5. Continental Airlines Inc. Employee Fund for a Better America PAC	\$400
6. Derrick Shepherd Campaign Committee	\$6,500
7. FAA Managers Association Inc. PAC	\$600
8. Graf for Congress	\$2,700
9. Joe Sulzer for Congress Committee 2006 Year End Report	\$30
10. Joe Sulzer for Congress Committee 2007 April Quarterly	\$36
11. Kanno for Congress	\$900
12. Libertarian National Committee	_____ <sup>1</sup>
13. Mejias for Congress	\$300
14. Midwest Values PAC (MVP)	\$7,200
15. MZM Inc. PAC	\$0
16. O'Keefe for Congress	\$250
17. People for Carl Andrews Committee	\$300
18. PNM Responsible Citizens Group	\$105
19. Team America PAC Inc.	\$1,750
20. TJ Cox Congressional Campaign Committee	\$900
21. Vote Griffith	_____ <sup>1</sup>
22. Whitehead for Congress	\$5,200
23. Zinga for Congress	\$0

<sup>1</sup> The Commission took no further action in this case.

The committee and the treasurer are assessed civil money penalties when the Commission makes its final determination. Unpaid civil penalties are referred to the Department of the Treasury for collection.

The committees listed in the above chart, along with their treasurers, were assessed civil money penalties under the administrative fines regulations.

Closed Administrative Fine case files are available through the FEC Press Office and Public Records Office at 800/424-9530.

—Meredith Metzler

## Nonfilers

### Congressional Committees Fail to File Reports

The Ortiz for Congress Committee (TX/27) failed to file the required 12-Day Pre-Primary Report for the March 4 Texas Primary. The report was due on February 21, 2008. The Commission notified committees of their filing obligations prior to this reporting deadline. Committees that failed to file the required reports were subsequently notified that their reports had not been received and that their names would be published if they

(continued on page 10)

## Nonfilers

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did not respond within four business days.

The Federal Election Campaign Act requires the commission to publish the names of principal campaign committees if they fail to file election-sensitive reports. 2 U.S.C. §437g(b). The agency may also pursue enforcement actions against nonfilers and late filers on a case-by-case basis.

—Meredith Metzler

## Correction

### 2008 Coordinated Party Expenditure Limits

The chart of the Coordinated Party Expenditure Limits for the 2008 General Election Senate Nominees on page 7 of the [March Record](#) contains an inaccurate footnote. The footnote should read: *“In these states, which have only one U.S. House Representative, the spending limit for the House nominee is \$84,100. In other states, the limit for each House nominee is \$42,100.”*

—Meredith Metzler

## Outreach

### Seminar for Nonconnected Political Action Committees

On May 14, 2008, the Commission will hold a one-day seminar for nonconnected committees (i.e., PACs not sponsored by a corporation, union, trade association or incorporated membership organization) at its headquarters at 999 E Street, NW, in Washington, DC. This seminar is recommended for:

- Treasurers of leadership PACs, partnership PACs and other nonconnected PACs;
- Staff of the above organizations who have responsibility for compliance with federal campaign finance laws;
- Attorneys, accountants and consultants who have clients that are nonconnected PACs or unregistered “section 527” organizations; and
- Anyone who wants to gain in-depth knowledge of federal campaign finance law (including the new provisions of the Honest Leadership and Open Government Act of 2007 (HLOGA)) as it applies to leadership PACs and other types of nonconnected committees.

The seminar will address issues such as fundraising and reporting, as well as the FEC’s rules on when section 527 organizations trigger federal reporting requirements. Experienced FEC staff will specifically discuss recent changes to the campaign finance law made by HLOGA, as well as the rules specific to leadership PACs and partnership PACs.

The registration fee for this seminar is \$150 per attendee, which covers the cost of the seminar, materials, a reception and refreshments. Payment by credit card is required prior to the seminar. A full refund will be made for all cancellations received before 5 p.m. on (Eastern Time) May 9. Complete information is available on the FEC web site at <http://www.fec.gov/info/conferences/2008/nonconnected-seminar2008.shtml>, along with the seminar agenda and a list of hotels located near the FEC. Further questions about the seminar should be directed to the Information Division by phone at 800/424-9530 (press 6), or locally at 202/694-1100, or via e-mail to [Conferences@fec.gov](mailto:Conferences@fec.gov).

—Dorothy Yeager

## FEC Conference Schedule for 2008:

Date	Program Information	Location	
April 2-3, 2008	Conference for House/Senate Campaigns and Political Party Committees	Omni Shoreham Hotel Washington, DC	<b>SOLD OUT!</b>
May 14, 2008	Seminar for Nonconnected Committees	FEC Headquarters Washington, DC	
June 23-24, 2008	Conference for Trade Associations, Labor Organizations, Membership Organizations and their PACs	Embassy Suites-Convention Center Washington, DC	

To register, contact the FEC at 800/424-9530 (press 6)  
or visit <http://www.fec.gov/info/outreach.shtml#conferences>.

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## Need FEC Material in a Hurry?

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