

# Record

March 1998

Federal Election Commission

Volume 24, Number 3

## Table of Contents

- Compliance**
  - 1 MUR 4704
  - 2 MUR 4638
- Regulations**
  - 1 Public Hearing Set for Proposed Changes to Rules Defining “Member”
  - 2 Commission Denies Rulemaking Request from Reform Party
- Court Cases**
  - 3 FEC v. Charles Woods for U.S. Senate
- Election Administration**
  - 3 New Members Named to Panel
- Party Activities**
  - 4 Coordinated Party Expenditure Limits for 1998 Election Cycle
- Advisory Opinions**
- Statistics**
  - 8 PAC Count Declines
- Conferences**
- Federal Register Notices**
- Reports**
  - 9 California Special General Elections Reporting
- Information**
  - 9 FEC Faxline Menu
- 11 **Index**

## Compliance

### **MUR 4704 Insurance Company Pays Penalty for Knowing and Willful Violations of Law**

The American Family Life Assurance Company (AFLAC) has paid an \$80,000 civil penalty for having made corporate contributions and contributions in the name of another, both impermissible under the Federal Election Campaign Act (the Act).

In June 1994, unsuccessful congressional candidate Henry Espy met with three top officials at AFLAC to solicit contributions to reduce his campaign debt. A few months later, a fourth AFLAC official, company Vice-President Warren B. Steele II, requested that two of the company’s sales representatives and their wives each contribute \$1,000 to Mr. Espy’s congressional campaign to help retire the debt. Subsequently, the four contributed \$4,000 to Mr. Espy’s congressional campaign committee. Mr. Steele then authorized AFLAC to reimburse them for their contributions.

While Mr. Steele knew that the reimbursement was improper and that it violated AFLAC policies, he nonetheless orchestrated the repay-

(continued on page 2)

## Regulations

### **Public Hearing Set for Proposed Changes to Rules Defining “Member”**

The FEC will hold a public hearing on April 29 to receive testimony and comments about its proposed changes to the rules that define who qualifies as a member of a membership association. The hearing will begin at 10 a.m. in the FEC hearing room in Washington, DC (999 E Street, NW, 9th floor).

The Commission has included three alternatives in its Notice of Proposed Rulemaking (NPRM) that would provide additional guidance to organizations consistent with the decision of the U.S. Court of Appeals for the District of Columbia Circuit in *Chamber of Commerce of the United States v. FEC*. The proposed changes would affect language at 11 CFR 100.8(b)(4)(iv) and 114.1(e), and would repeal language at 11 CFR 114.7(k) and 114.8(g).

See page 4 of the [January 1998 Record](#) for more information about the rulemaking. For the complete NPRM, call the Public Records Office at 800/424-9530 (press 3) or request the document from the FEC Faxline at 202/501-3413 (document 229). The notice also is available at

(continued on page 2)

## Regulations

(continued from page 1)

the FEC's web site (<http://www.fec.gov>) and it was published in the December 22, 1997, Federal Register (62 FR 66832).

Anyone wishing to testify must first submit written comments, and must also submit a request to testify before April 6.

Written comments and requests to testify should be addressed to Susan E. Propper, Assistant General Counsel. They may be transmitted to the FEC in one of three ways:

- Mail them to Federal Election Commission, 999 E Street, NW, Washington, DC 20463.
- Fax them to the FEC at 202/219-3923, with a copy mailed to the preceding address to ensure legibility.
- E-mail them to [members@fec.gov](mailto:members@fec.gov). Electronic submissions must include the commenter's full name, e-mail address and postal mail address. ♦

**Federal Election Commission**  
999 E Street, NW  
Washington, DC 20463

800/424-9530  
202/694-1100  
202/501-3413 (FEC Faxline)  
202/219-3336 (TDD for the  
hearing impaired)  
800/877-8339 (FIRS)

**Joan D. Aikens**, Chairman  
**Scott E. Thomas**, Vice Chairman  
**Lee Ann Elliott**, Commissioner  
**Danny L. McDonald**,  
Commissioner  
**John Warren McGarry**,  
Commissioner

**John C. Surina**, Staff Director  
**Lawrence M. Noble**, General  
Counsel

Published by the Information  
Division

**Louise D. Wides**, Director  
**Angela Rucker**, Editor

<http://www.fec.gov>

## Commission Denies Rulemaking Request from Reform Party

On January 22, the Commission declined to open a rulemaking in response to a petition for rulemaking submitted by the National Reform Party Organizing Committee. The petition had asked the Commission to amend its rules either to require that two members of the six-member FEC be minor party affiliates or to expand the Commission by three seats reserved exclusively for minor party representatives.

The petitioner had argued that its rights and those of other minor parties were infringed by what it claimed was a statutory requirement (2 U.S.C. §437c(a)(1)) that the Commission be composed of three Republicans and three Democrats.

In the Commission's response, it stated that the request was outside of its jurisdiction, citing Art. II, § 2, cl. 2 of the U.S. Constitution which provides that the President shall make appointments, with the advice and consent of the Senate. The Commission further stated that Congress, by law, had established the six-member Federal Election Commission and that it alone has the authority to reconfigure the Commission.

The Commission also noted that, while the Commission has always been made up of three Democrats and three Republicans, such a composition is not stipulated by the Act. The statute merely says that no more than three Commissioners may be affiliated with the same party. Additionally, 2 U.S.C. §437c(c) requires a four-vote majority to approve any formal Commission actions, thus ensuring that no political party can dictate the Commission's actions.

In light of its decision, the Commission published a Notice of Disposition on this matter in the January 29 Federal Register (63 FR 4404). ♦

## Compliance

(continued from page 1)

ments, identifying them as administrative expenses. When AFLAC discovered the reimbursements, it requested a full refund from the sales representatives and their wives.

The Act at §441b(a) states that it is unlawful for any corporation to make a contribution or expenditure in connection with a federal election. Further, it is impermissible for a person to make a contribution in the name of another. 2 U.S.C. §441f. The Commission concluded that Mr. Steele knowingly and willfully violated both sections of the Act.

This MUR, or Matter Under Review, grew out of Independent Counsel Donald C. Smaltz's investigation of Mr. Espy's brother, former Agriculture Secretary Mike Espy. Prior to finding probable cause to believe that a violation of the Act had occurred, the Commission entered into a conciliation agreement with AFLAC. ♦

## MUR 4638 Law Firm Penalized for Assisting Foreign National with Contributions

The law firm that advised foreign national Thomas Kramer (who made or directed more than \$300,000 in prohibited contributions in connection with U.S. elections) has agreed to pay a \$77,000 civil penalty for violating the ban on foreign contributions. Section 441e of the Federal Election Campaign Act (the Act) prohibits any person from soliciting a contribution from a foreign national in connection with any election—federal, state or local. (See page 1 of the [September 1997 Record](#) for more details about Mr. Kramer's violations of the Act in MUR 4398.)

Greenberg, Traurig, Hoffman, Lipoff, Rosen & Quentel, P.A.,

represented Mr. Kramer on immigration and other legal matters, and attorneys working with Mr. Kramer knew of his foreign national status. Nonetheless, during 1993 and 1994, the law firm participated in conversations with Mr. Kramer and his agents that resulted in \$91,000 in contributions to local and state candidates in Florida—Democrats and Republicans—as well as a national party committee. The contributions came from Mr. Kramer, his wife and some of the corporations he owned in the United States. The law firm said that its violation was inadvertent.

In addition to the broad ban on foreign contributions, at 2 U.S.C. §441e, Commission regulations at 11 CFR 110.4(a)(3) prohibit U.S. corporations from making contributions in connection with any election if the corporation's contribution is controlled or directed by a foreign national.

This MUR, or Matter Under Review, was precipitated by Mr. Kramer after he viewed news accounts suggesting that his contributions were illegal. Prior to finding probable cause to believe that Greenberg, Traurig had violated the Act, the Commission entered into a conciliation agreement with the firm, which included the civil penalty. ♦

## Court Cases

### FEC v. Charles Woods for U.S. Senate

On January 16, the U.S. District Court for the District of Nevada ordered Charles Woods, two of his corporations, and Charles Woods for U.S. Senate (the Committee) to pay the FEC \$50,000 for violating the Federal Election Campaign Act's (the Act's) ban on corporate

contributions, and for failing to file 48-hour notices for \$28,000 in contributions that came in during the waning days of the 1992 primary campaign. The court also issued a permanent injunction against future violations.

The court granted the FEC's motion for summary judgment and imposed the civil penalty because of the extent of the violations and the unambiguous nature of the sections of the Act in question in this case. The defendants have until the end of this month to pay the penalty.

The Committee served as the principal campaign committee for Mr. Woods, who was seeking the 1992 Democratic nomination for the Senate in Nevada. During the election cycle, Quinn River Ranch, which was wholly owned by Mr. Woods, contributed \$290,000 to the Committee. A subsidiary of another corporation that Mr. Woods owned, WTVY-FM, also made an impermissible contribution when it used its American Express credit card to charge \$1,426.23 in expenses for the Committee. See page 6 of the [April 1997 Record](#).

The Act at §441b(a) prohibits corporations from making contributions in connection with a federal election, and prohibits political committees from accepting such contributions. Both Quinn River Ranch and WTVY were wholly owned by Mr. Woods. Nonetheless, the Act makes no distinction for closely-held corporations when applying the 441b(a) prohibition. The statute makes it unlawful for "any corporation whatever" to make contributions in connection with a federal election.

The law also provides for the timely filing of disclosure reports with the Commission for contributions received after the 20th day but more than 48 hours before an election. 2 U.S.C. §434(a)(6)(A).

U.S. District Court for the District of Nevada, CV-S-97-182-PMP. ♦

## Election Administration

### New Members Named to Panel

Three new members have joined the Office of Election Administration's 1998 Advisory Panel, filling one expired term and taking the places of two members who had resigned.

Charlotte Cleary, Registrar of Voters in Arlington County, VA, Ernest R. Hawkins, Registrar of Voters in Sacramento County, CA, and Joseph Mansky, Director of Elections for Minnesota, were appointed to the board by the Commission in February.

The Advisory Panel is comprised of twenty state and local election officials from around the country, whose counsel helps ensure that the research and informational needs of all election officials are best served. These latest appointments maintain the advisory panel's geographic representation and balance according to jurisdictional size, partisanship and state/local representation.

The three replaced Bill Boehm of Pennsylvania, Ed Lombard of Louisiana and Germaine Wong of California. ♦

### Need FEC Material in a Hurry?

Use FEC Faxline to obtain FEC material fast. It operates 24 hours a day, 7 days a week. More than 300 FEC documents—reporting forms, brochures, FEC regulations—can be faxed almost immediately.

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

## Party Activities

### Coordinated Party Expenditure Limits for 1998 Election Cycle

The 1998 coordinated party expenditure limits are now available. They are:

- \$32,550 for House nominees,<sup>1</sup> and
- A range from \$65,100 to \$1.5 million for Senate nominees, depending on each state's voting age population.

Party committees may make these special expenditures on behalf of 1998 general election candidates. The limits for coordinated party expenditures are separate from the contribution limits. Party committees must spend the funds on behalf of the candidate rather than give the money directly to the candidate or his/her committee. Although these expenditures may be made in consultation with the candidate, only the party committee making the expenditures—not the candidate committee—must report them.

Consult the three tables on these pages for more details about coordinated party expenditures, and for a state-by-state listing of the limits for this year's Senate nominees. ♦

<sup>1</sup> In states that have only one U.S. House Representative, the coordinated party expenditure limit for the House nominee is \$65,100, the same amount as the Senate limit.

### Authority to Make Coordinated Party Expenditures on Behalf of House and Senate Nominees

<b>National Party Committee</b>	May make expenditures on behalf of House and Senate nominees. May authorize <sup>1</sup> other party committees to make expenditures against its own spending limits. Shares limits with national congressional and senatorial campaign committees.
<b>State Party Committee</b>	May make expenditures on behalf of House and Senate nominees seeking election in the committee's state. May authorize <sup>1</sup> other party committees to make expenditures against its own spending limits.
<b>Local Party Committee</b>	May be authorized <sup>1</sup> by national or state party committee to make expenditures against their limits.

<sup>1</sup> The authorizing committee must provide prior, written authorization specifying the amount the committee may spend.

### Calculating 1998 Coordinated Party Expenditure Limits

	Amount	Formula
<b>Senate Nominee</b>	See table on next page.	The greater of: \$20,000 x COLA <sup>1</sup> or 2¢ x state VAP <sup>2</sup> x COLA
<b>House Nominee in States with Only One Representative</b>	\$65,100	\$20,000 x COLA
<b>House Nominee in Other States</b>	\$32,550	\$10,000 x COLA
<b>Nominee for Delegate or Resident Commissioner<sup>3</sup></b>	\$32,550	\$10,000 x COLA

<sup>1</sup> COLA means cost-of-living adjustment. The 1998 COLA is 3.255.

<sup>2</sup> VAP means voting age population. VAP figures are not yet official.

<sup>3</sup> The District of Columbia, Guam and the Virgin Islands elect Delegates; Puerto Rico elects a Resident Commissioner.

## Coordinated Party Expenditure Limits for '98 Senate Nominees

State	Voting Age Population <sup>Δ</sup> (in thousands)	Expenditure Limit
Alabama	3,247	\$211,380
*Alaska	421	\$65,100
Arizona	3,277	\$213,333
Arkansas	1,860	\$121,086
California	23,317	\$1,517,937
Colorado	2,877	\$187,293
Connecticut	2,478	\$161,318
*Delaware	554	\$65,100
DC	422	\$65,100
Florida	11,183	\$728,013
Georgia	5,498	\$357,920
Hawaii	884	\$65,100
Idaho	859	\$65,100
Illinois	8,722	\$567,802
Indiana	4,367	\$284,292
Iowa	2,127	\$138,468
Kansas	1,907	\$124,146
Kentucky	2,947	\$191,850
Louisiana	3,161	\$205,781
Maine	945	\$65,100
Maryland	3,826	\$249,073
Massachusetts	4,666	\$303,757
Michigan	7,269	\$473,212
Minnesota	3,435	\$223,619
Mississippi	1,978	\$128,768
Missouri	3,996	\$260,140
*Montana	649	\$65,100
Nebraska	1,212	\$78,901
Nevada	1,234	\$80,333
New Hampshire	877	\$65,100
New Jersey	6,066	\$394,897
New Mexico	1,230	\$80,073
New York	13,577	\$883,863
North Carolina	5,552	\$361,435
*North Dakota	476	\$65,100
Ohio	8,348	\$543,455
Oklahoma	2,439	\$158,779
Oregon	2,433	\$158,388
Pennsylvania	9,156	\$596,056
Rhode Island	754	\$65,100
South Carolina	2,805	\$182,606
*South Dakota	541	\$65,100
Tennessee	4,043	\$263,199
Texas	13,862	\$902,416
Utah	1,371	\$89,252
*Vermont	443	\$65,100
Virginia	5,090	\$331,359
Washington	4,156	\$270,556
West Virginia	1,404	\$91,400
Wisconsin	3,823	\$248,877
*Wyoming	348	\$65,100

<sup>Δ</sup> These figures are not yet official. In the unlikely event that the official figures differ, a future Record will notify readers.

\* In these states, which have only one U.S. House Representative, the spending limit for the House nominee is \$65,100, the same amount as the Senate limit. In other states, the limit for each House nominee is \$32,550.

## Advisory Opinions

### AO 1997-25 Affiliation Between Corporate SSFs After Reorganization

A corporate spin-off and merger involving General Motors Corp., Hughes Electronics Corp. (HE) and Raytheon Co. has consequences affecting the affiliation of the corporation's separate segregated funds (SSFs), transfers among the SSFs, the aggregation of contributions by and to the SSFs, and payroll deduction authorizations for contributions by eligible personnel.

#### Corporate Background

Before the merger, HE's defense electronics operations and a third HE sector concentrating on telecommunications and space were conducted by a wholly owned subsidiary known as HE Holdings, Inc. (Holdings). In a December 1997 corporate spin-off, GM stockholders received the portion of HE that operates in defense electronics. That portion was then merged immediately with Raytheon, now called Raytheon/Holdings (R/H). As a result of the merger, R/H is now owned by GM common stockholders and Raytheon's former stockholders. However, GM owns none of the new company's equity.

Also as part of the transactions, Delco Electronics Corp., the automotive electronics division of HE, became a wholly owned subsidiary of GM and now operates in combination with a division of GM known as Delphi Automotive Systems (Delco/Delphi). The telecommunications and space business is retained by HE.

Neither GM nor R/H owns any stock in the other company. While a total of three persons from the GM

(continued on page 6)

## Advisory Opinions

(continued from page 5)

and HE boards sit on the R/H board, neither GM nor HE has control over the 12 remaining Raytheon directors, who were chosen by Raytheon shareholders before the merger.

### SSF Background

HE's SSF, Hughes Electronics Corporation Active Citizenship Fund (HACF), already was affiliated with GM's SSF, the Civic Involvement Program/General Motors (CIP/GM). Prior to the reorganization, HE created another SSF, Holdings PAC, to receive transfers from HACF of the portion of funds that had been contributed by defense electronic employees. Another SSF, Delco/Delphi PAC, also was created before the reorganization.

Raytheon also had a pre-reorganization SSF, Raytheon Company PAC (Raytheon PAC). Immediately after the merger with HE's defense sector, Holdings PAC merged into Raytheon PAC.

### Regulations Governing Affiliation Status

FEC regulations state that committees that are established, financed, maintained or controlled by the same corporation, including any parent, subsidiary, branch or division, are affiliated. Contributions made to or by such committees are considered to have been made by a single committee, and affiliated committees have one contribution limit. 11 CFR 100.5(g)(2). Committees established by a single corporation and its subsidiaries, or committees established by the same group of persons, are affiliated *per se*. 11 CFR 110.3(a)(2)(i) and (v). Further, transfers between affiliated committees are not limited. 11 CFR 102.6(a)(1).

Corporations may solicit the restricted class—that is, the executive and administrative personnel, stockholders and families of those groups—of its subsidiaries or other

affiliates for SSF contributions. 11 CFR 114.3(a)(1) and 114.5(g)(1). When an entity is not an acknowledged subsidiary of another, the Commission weighs several factors to determine whether the sponsoring entities and, hence, their respective SSFs, are affiliated. 11 CFR 100.5(g)(4)(i) and (ii)(A)-(J), and 110.3(a)(3)(i) and (ii)(A)-(J).

### Application to GM, Raytheon/ Holdings

Prior to the reorganization, Holdings was a wholly owned subsidiary of HE. Thus, their SSFs already were affiliated and remain so. Also, prior to reorganization, Delphi was a division of GM and Delco was a subsidiary of HE. As stated previously, HE is owned by GM. The new Delco/Delphi also is now wholly owned by GM. As the SSFs of GM subsidiaries, Delco/Delphi PAC and HACF maintain their affiliation as was the case before the reorganization.

The case is different with R/H: Raytheon PAC and HACF remain unaffiliated. Neither GM nor R/H has an ownership interest in the other. While there is some overlap between the R/H board and those of GM and HE, the overlap is too small to bolster the argument for affiliation in this instance. See AO 1996-23. Further, neither GM nor HE has control over R/H's directors, and there are no plans to add more GM or HE personnel to the R/H board. Another factor discussed in previous advisory opinions addressing the effect of spin-offs is the common shareholder base. All of the GM common stockholders own shares in R/H, and yet there is not a complete overlap in the ownership of the two companies and there is a lower level of common control than in other spin-off situations previously addressed by the Commission. Moreover, the active trading of shares held by GM stockholders is anticipated. See AOs 1996-42 and 1993-23.

Because the various PACs connected with GM and HE were affiliated prior to the reorganization, they could make unlimited transfers between them. Additionally, the merger of Holdings PAC with Raytheon PAC is permissible since they became affiliated committees as a result of the reorganization. Holdings PAC and Delco/Delphi PAC are multicandidate committees by virtue of the fact that CIP/GM and HACF had already attained multicandidate status, and they were affiliated with them prior to the reorganization. HACF and Raytheon PAC retain their multicandidate status as well.

Raytheon PAC must take into account both the contribution history of the GM PACs (including HACF) and its own pre-reorganization contributions in making any future contributions. All of the GM PACs contributions collected before the reorganization must be attributed to Holdings PAC. As a result, the total contributions made by the GM PACs to a particular recipient must be added to the amounts given by Raytheon PAC to the same recipient in order to determine the amounts that Raytheon PAC may contribute now that the reorganization is complete. The GM PACs, however, do not have to account for Raytheon PAC's pre-reorganization contributions since, before the reorganization, Raytheon was not a part of the GM PACs. The same principles applicable to post-reorganization contributions by Raytheon PAC apply to contributions made by the new (formerly HE) employees of Raytheon to the SSF.

In order for R/H to deduct contributions from its new employees (those coming from HE's defense sector) for Raytheon PAC, it must obtain express written and separate payroll deduction authorizations from them, and, in doing so, must follow the regulations on voluntariness set out at 11 CFR 114.5(a)(1)-(5). These payroll

deductions of R/H's former HE employees had been authorized for an SSF that still exists as the SSF of a company that is not affiliated with R/H, the employees' new company.

In contrast, the new Delco/Delphi employees (those coming from HE's automotive sector) do not need to execute new payroll deduction authorizations in order to have such deductions go to the Delco/Delphi PAC. This is because Delco/Delphi never left the GM group of companies. Nonetheless, to fulfill the voluntariness regulations, Delco/Delphi or its PAC should provide written notification to each of its employees who had been making payroll deductions for the HACF that their authorizations are being transferred. The notification must include an explicit notice informing Delco/Delphi employees that they may revoke the authorization without reprisal. This action must be taken within 30 days of receipt of this opinion.

Date Issued: January 16, 1998;  
Length: 10 pages. ♦

### **AO 1997-26 Establishment of Nonconnected PAC by Individuals Affiliated with Trade Association**

A group that includes individuals affiliated with the Association of Metropolitan Sewerage Agencies (AMSA), a nonprofit trade association, may establish a nonconnected political action committee. The group will operate, govern and finance the Clean Water Political Action Committee (CWPAC) independently of AMSA.

Under the Act and Commission regulations, an incorporated entity, such as AMSA, may establish and administer its own political action committee, or separate segregated fund (SSF). 2 U.S.C. §441b(b)(2)(C); 11 CFR 114.1(a)(2)(iii). That SSF may

receive administrative support from its parent, or "connected organization," but can solicit contributions only from a restricted class of individuals affiliated with that connected organization. By contrast, a nonconnected PAC (as its name implies) has no connected organization and may solicit contributions from any lawful contributor.

FEC regulations do not prohibit individuals associated with an incorporated entity from establishing a nonconnected PAC. To do so, however, the individuals must demonstrate that their PAC will be financially and organizationally independent of the incorporated entity. In this case, AMSA will not provide direct or indirect financial support to CWPAC, and the PAC's bylaws bar AMSA employees from comprising a majority of the CWPAC board. In its solicitations, CWPAC will not imply any connection with AMSA. Nor will it use AMSA's membership list unless AMSA makes the list available to other organizations on the same terms. If CWPAC uses AMSA's facilities, it will reimburse AMSA at the usual and normal charge and within a commercially reasonable time. The Commission determined that, based on these circumstances, CWPAC may operate as a nonconnected committee.

Should these circumstances change, for example, should a majority of CWPAC's board of directors be comprised of directors, officers or other personnel of AMSA, the Commission left open the prospect that CWPAC might be viewed as AMSA's SSF.

Date Issued: January 23, 1998;  
Length 4 pages. ♦

### **Advisory Opinion Requests**

Advisory opinion requests are available for review and comment in the Public Records Office.

#### **AOR 1998-3**

Status as state committee of political party (Reform Party of Idaho, January 28, 1998; 1 page plus 2-page attachment)

#### **AOR 1998-4**

Use of contributor lists from FEC reports for marketing application of "data mining" technologies to campaign finance (White Oak Technologies, Inc., February 5, 1998; 2 pages plus 2-page attachment) ♦

### **Back Issues of the *Record* Available on the Internet**

This issue of the *Record* and all other issues of the *Record* from 1996, 1997 and 1998 are available through the Internet as PDF files. Visit the FEC's World Wide Web site at <http://www.fec.gov> and click on "Help for Candidates, Parties and PACs." 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.

## Statistics

### PAC Count Declines

For the second time in a row, the number of PACs registered with the FEC has declined. As of December 31, 1997, there were 3,844 federal political action committees registered with the FEC, a slight drop from the July 1997 total figure of 3,875.

The table to the right shows midyear and year-end PAC figures since 1990. To see a complete listing of PAC statistics dating back to 1974, visit the FEC's web site—<http://www.fec.gov>—or request a copy of the FEC's January 27 press release on this subject from the Public Records Office by calling 800/424-9530 (press 3). ♦

### Midyear and Year-End PAC Counts, December 1990—December 1997

	Corporate	Labor	Trade/ Member/ Health	Coop- erative	Corp. w/o Capital Stock	Non- connected <sup>1</sup>	Total
Dec. '90	1,795	346	774	59	136	1,062	4,172
Jul. '91	1,745	339	749	57	137	1,096	4,123
Dec. '91	1,738	338	742	57	136	1,083	4,094
Jul. '92	1,731	344	759	56	144	1,091	4,125
Dec. '92	1,735	347	770	56	142	1,145	4,195
Jul. '93	1,715	338	767	55	139	1,011	4,025
Dec. '93	1,789	337	761	56	146	1,121	4,210
Jul. '94	1,666	336	777	53	138	963	3,933
Dec. '94	1,660	333	792	53	136	980	3,954
Jul. '95	1,670	334	804	43	129	1,002	3,982
Dec. '95	1,674	334	815	44	129	1,020	4,016
Jul. '96	1,645	332	829	43	126	1,058	4,033
Dec. '96	1,642	332	838	41	123	1,103	4,079
Jul. '97 <sup>2</sup>	1,602	332	826	41	118	953	3,875
Dec. '97	1,597	322	825	42	117	931	3,844

<sup>1</sup> Nonconnected PACs must use their own funds to pay fundraising and administrative expenses, while the other categories of PACs have corporate or labor "connected organizations" that are permitted to pay those expenses for their PACs. On the other hand, nonconnected PACs may solicit contributions from the general public, while solicitations by corporate and labor PACs are restricted.

<sup>2</sup> During the first six months of 1997, 227 PACs were administratively terminated because of inactivity.

## Conferences

### FEC 1998 Conference Schedule

There are only two additional FEC conferences slated for this year. To register, call Sylvester Management at 800/246-7277 or send an e-mail message to: [TSYLVESTER@WORLDNET.ATT.NET](mailto:TSYLVESTER@WORLDNET.ATT.NET).

#### Denver

For candidates, political parties and corporate and labor organizations  
Date: March 25-27  
Location: Westin Tabor Center  
Registration: \$180  
Hotel rate: \$136

#### Washington, DC

For nonconnected committees (this includes partnership, leadership and ideological PACs)  
Date: April 27  
Location: Madison Hotel  
Registration: \$175  
Hotel rate: \$165

### Federal Register

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

#### Notice 1998-3

Definition of Member of a Membership Association; Notice of Proposed Rulemaking; Technical Correction (63 FR 3851, January 27, 1998)

#### Notice 1998-4

Composition of the Commission; Notice of Disposition of Petition for Rulemaking (63 FR 4404, January 29, 1998)

#### Notice 1998-5

Filing Dates for the California Special Election (63 FR 5380, February 2, 1998)

#### Notice 1998-6

Definition of Express Advocacy; Notice of Disposition of Petition for Rulemaking (63 FR 8363, February 19, 1998)



### California Special General Elections Reporting

Committees<sup>1</sup> involved in the April 7 special general elections and/or the June 2 special runoff elections to fill the 44th Congressional District seat held by the late Congressman Sonny Bono and/or the 9th Congressional District seat vacated by former Congressman Ronald Dellums must follow the reporting schedules below. Note that 48-hour notices are required of authorized committees that receive contributions (including loans) of \$1,000 or more between March 19 and April 4 in the special general elections and between May 14 and May 30 in the special runoff elections, if they are required.

**For Committees Involved Only in Special General When No Runoff is Held:**

	Close of Books	Certified/ Registered Mail Date	Filing Date
Pre-General	March 18	March 23	March 26
April Quarterly	March 31	April 15	April 15
Post-General	April 27	May 7	May 7

**For Committees Involved in Special General and Special Runoff:**

	Close of Books	Certified/ Registered Mail Date	Filing Date
Pre-General	March 18	March 23	March 26
April Quarterly	March 31	April 15	April 15
Pre-Runoff	May 13	May 18	May 21
Post Runoff & July Quarterly <sup>2</sup>	June 30	July 15	July 15

**For Committees Involved Only in Special General When Both Special General and Runoff Elections Are Held:**

	Close of Books	Certified/ Registered Mail Date	Filing Date
Pre-General	March 18	March 23	March 26
April Quarterly	March 31	April 15	April 15

<sup>1</sup> These committees include authorized committees of candidates running in the election and other political committees that support these candidates and do not file monthly.

<sup>2</sup> Committees should file a consolidated Post-Runoff and July Quarterly Report by the filing date of the July Quarterly Report.

## Information

### FEC Faxline Menu

FEC Faxline documents may be ordered 24 hours a day, 7 days a week, by calling **202/501-3413** on a touch tone phone. You will be asked for the numbers of the documents you want, your fax number and your telephone number. The documents will be faxed shortly thereafter.

**Federal Election Commission**

- 411. Complete Menu of All Material Available
- 501. The FEC and the Federal Campaign Finance Law
- 502. La Ley Federal relativa al Financiamiento de las Campañas
- 503. Federal and State Campaign Finance Laws
- 504. Compliance with Laws Outside the FEC's Jurisdiction
- 505. Biographies of Commissioners and Officers
- 506. Telephone Directory
- 507. Table of Organization
- 508. Index for 1996 Record Newsletter
- 509. Free Publications
- 510. Personnel Vacancy Announcements
- 511. Freedom of Information Act Requesters' Guide
- 512. Legal Opportunities at the FEC

**Disclosure**

- 521. Guide to Researching Public Records
- 522. Accessibility of Public Records Office
- 523. Federal/State Records Offices
- 524. Using FEC Campaign Finance Information
- 525. State Computer Access to FEC Data
- 526. Direct Access Program (DAP)
- 527. Sale and Use of Campaign Information
- 528. Combined Federal/State Disclosure Directory 1997 on Disk
- 529. Selected Political Party Organizations and Addresses
- 530. Internet Access to the FEC
- 531. Downloadable Databases via the Internet

(continued on page 10)

## Information

(continued from page 9)

- 532. Electronic Filing Took Kit
- 533. State Campaign Finance and Lobbying Data on the Internet

### Limitations

- 546. Contributions
- 547. Coordinated Party Expenditure Limits
- 548. Advances: Contribution Limits and Reporting
- 549. Volunteer Activity
- 550. Independent Expenditures
- 551. Local Party Activity
- 552. Corporate Communications/Facilities
- 553. Trade Associations
- 554. Foreign Nationals
- 555. The \$25,000 Annual Contribution Limit
- 556. Personal Use of Campaign Funds
- 557. Delegate Activity
- 558. Partnerships

### Public Funding

- 566. Public Funding of Presidential Elections
- 567. The \$3 Tax Checkoff
- 568. 1993 Changes to Checkoff
- 569. Recipients of Public Funding
- 570. Presidential Fund Income Tax Checkoff Status
- 571. Presidential Spending Limits

### Compliance

- 581. Candidate Registration
- 582. Committee Treasurers
- 583. Special Notices on Political Ads and Solicitations
- 584. 10 Questions from Candidates
- 585. Filing a Complaint
- 586. 1998 Reporting Dates
- 587. 1998 Congressional Primary Dates
- 588. 1998 Special Election Reporting Dates
- 589. 1998 FEC Regional Conference Schedule

### Money in Politics Statistics

- 601. 1991-2 Political Money
- 602. 1997 Mid-Year PAC Count
- 603. 1993-4 Congressional
- 604. 1993-4 National Party
- 605. 1993-4 PAC Finances
- 606. 1995-6 Congressional
- 607. 1995-6 National Party
- 608. 1995-6 PAC Finances
- 609. 1997-8 National Party
- 610. 1997-8 Congressional

### 1996 Presidential

- 651. 1996 Presidential Primary Dates
- 652. Selected 1996 Campaign Names and Addresses
- 653. Selected 1996 Campaign Finance Figures
- 654. 1996 Public Funding Certifications and Payments
- 655. 1996 Presidential General Election Ballots
- 656. 1996 Presidential General Election Results

### Office of Election Administration

- 701. List of Reports Available
- 702. Voting Accessibility for the Elderly and Handicapped Act
- 703. National Voter Registration Act Regulations
- 704. National Voter Registration Act of 1993
- 705. The Electoral College
- 706. Organizational Structure of the American Election System
- 707. Primary Functions of an Electoral System

### Forms

- 801. Form 1, Statement of Organization
- 802. Form 2, Statement of Candidacy
- 803. Form 3 and 3Z, Report for an Authorized Committee
- 804. Form 3X, Report for Other Than an Authorized Committee
- 805. Form 5, Report of Independent Expenditures
- 806. Form 6, 48-Hour Notice of Contributions/Loans Received
- 807. Form 7, Report of Communication Costs
- 808. Form 8, Debt Settlement Plan
- 809. Form 1M, Notification of Multicandidate Status

### Schedules

- 825. Schedule A, Itemized Receipts
- 826. Schedule B, Itemized Disbursements
- 827. Schedules C and C-1, Loans
- 828. Schedule D, Debts and Obligations
- 829. Schedule E, Itemized Independent Expenditures
- 830. Schedule F, Itemized Coordinated Expenditures
- 831. Schedules H1-H4, Allocation
- 832. Schedule I, Aggregate Page Nonfederal Accounts

### Regulations (11 CFR Parts 100-201)

- 100. Part 100, Scope and Definitions
- 1007. Part 100.7, Contribution
- 1008. Part 100.8, Expenditure
- 101. Part 101, Candidate Status and Designations
- 102. Part 102, Registration, Organization and Recordkeeping by Political Committees
- 1021. Part 102.17, Joint Fundraising by Committees Other Than SSFs
- 103. Part 103, Campaign Depositories
- 104. Part 104, Reports by Political Committees
- 1047. Part 104.7, Best Efforts
- 105. Part 105, Document Filing
- 106. Part 106, Allocations of Candidate and Committee Activities
- 107. Part 107, Presidential Nominating Convention, Registration and Reports
- 108. Part 108, Filing Copies of Reports and Statements with State Offices
- 109. Part 109, Independent Expenditures
- 110. Part 110, Contribution and Expenditure Limitations and Prohibitions
- 1101. Part 110.1, Contributions by Persons Other Than Multicandidate Political Committees
- 1102. Part 110.2, Contributions by Multicandidate Committees
- 1103. Part 110.3, Contribution Limitations for Affiliated Committees and Political Party Committees; Transfers
- 1104. Part 110.4, Prohibited Contributions
- 1105. Part 110.5, Annual Contribution Limitation for Individuals
- 1106. Part 110.6, Earmarked Contributions
- 1107. Part 110.7, Party Committee Expenditure Limitations
- 1108. Part 110.8, Presidential Candidate Expenditure Limitations
- 1109. Part 110.9, Miscellaneous Provisions
- 1110. Part 110.10, Expenditures by Candidates
- 1111. Part 110.11, Communications; Advertising
- 1112. Part 110.12, Candidate Appearances on Public Educational Institution Premises
- 1113. Part 110.13, Nonpartisan Candidate Debates

- 1114. Part 110.14, Contributions to and Expenditures by Delegates and Delegate Committees
- 111. Part 111, Compliance Procedure
- 112. Part 112, Advisory Opinions
- 113. Part 113, Excess Campaign Funds and Funds Donated to Support Federal Officeholder Activities
- 114. Part 114, Corporate and Labor Organization Activity
- 115. Part 115, Federal Contractors
- 116. Part 116, Debts Owed by Candidates and Political Committees
- 200. Part 200, Petitions for Rulemaking
- 201. Part 201, Ex Parte Communications

**Recent Actions on Regulations, Including Explanations and Justifications**

- 227. Electronic Filing of Reports by Political Committees
- 228. Coordinated and Independent Expenditures by Party Committees
- 229. Definition of “Member” of a Membership Association
- 230. Petitions for Rulemaking: Soft Money
- 231. Recordkeeping and Reporting
- 232. Express Advocacy
- 233. Qualified Nonprofit Corporations

**U.S. Code (Title 2)**

- 431. Section 431
- 432. Section 432
- 433. Section 433
- 434. Section 434
- 437. Section 437
- 437. Section 437g
- 438. Section 438
- 439. Section 439
- 441. Section 441
- 441.1. Section 441a
- 441.2. Section 441b
- 441.3. Section 441c
- 441.4. Section 441d
- 441.5. Section 441e
- 441.6. Section 441f
- 442. Section 442
- 451. Section 451
- 452. Section 452
- 453. Section 453
- 454. Section 454
- 455. Section 455

**Advisory Opinions**

- 9701-23. AOs 1997-1 through 1997-23
- 9601-52. AOs 1996-1 through 1996-52
- 9501-49. AOs 1995-1 through 1995-49
- 9401-40. AOs 1994-1 through 1994-40
- 9301-25. AOs 1993-1 through 1993-25
- 9201-44. AOs 1992-1 through 1992-44
- 9101-40. AOs 1991-1 through 1991-40
- 9001-40. AOs 1990-1 through 1990-40

# Index

The first number in each citation refers to the “number” (month) of the 1998 *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**

- 1997-18: Status of committee as local party committee, 1:14
- 1997-22: Communicating membership corporation’s endorsements of federal candidates to members and their restricted classes, 1:14
- 1997-25: Affiliation of corporate SSFs after reorganization, 3:5
- 1997-26: Establishment of nonconnected PAC by individuals affiliated with trade association, 3:7

**Court Cases**

- FEC v. \_\_\_\_\_
- Charles Woods for U.S. Senate, 3:3
- National Medical Political Action Committee, 1:3
- Williams, 1:3
- \_\_\_\_\_ v. FEC
- National Committee of the Reform Party, 1:2

**Reports**

- On FEC web site, 2:1
- Pre-Election Reporting Dates: 1998 Primary and Runoff Elections, 1:8
- Reports, Alabama Runoff, 2:1
- Reports Due in 1998, 1:6, 1:11
- Special Elections, California, 1:12; 3:9
- Special Election, New York, 2:4
- Special Election, Pennsylvania, 1:13
- Surveying potential for electronic filing, 2:2

## PAC Publications Available

The Commission has published its latest edition of *Pacronyms*, an alphabetical compilation 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 Office of Public Records at 800/424-9530 (press 3) or 202/694-1120. *Pacronyms* also is available on diskette for \$1 and can be accessed free on the FEC’s web site—<http://www.fec.gov>.

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

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

## New Telephone Numbers

The FEC has recently completed the installation of a new telephone system, and nearly all of the Commission's telephone numbers have changed. Three of the most often used numbers are among those that were changed:

- Information: 202/694-1100
- Press Office: 202/694-1220
- Public Records: 202/694-1120

Please note that the FEC's toll-free number for questions related to election law remains the same: 800/424-9530.

FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, DC 20463

---

Official Business  
Penalty for Private Use, \$300



Printed on recycled paper

Bulk Rate Mail  
Postage and Fees Paid  
Federal Election Commission  
Permit Number G-31

