



Federal Election Commission

Washington, D.C. 20463

Reports Due in 2009

This article on filing requirements for 2009 is supplemented by the reporting tables on the following pages.

Notification of Filing Deadlines

In addition to publishing this article, the Commission notifies committees of filing deadlines on its web site, via its automated Faxline and through reporting reminders called prior notices. Prior notices are distributed exclusively by electronic mail. For that reason, it is important that every committee update its Statement of Organization (FEC Form 1) to disclose a current e-mail address. To amend Form 1, electronic filers must submit Form 1 filled out in its entirety. Paper filers should include only the committee's name, address, FEC identification number and the updated or changed portions of the form.

Treasurer's Responsibilities

The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Federal Election Campaign Act (the Act) and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline. 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, 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 Standard/Daylight Time on the applicable filing deadline. Electronic filers who instead file on paper or submit an electronic report that does not pass the Commission's validation program by the filing deadline will be considered nonfilers and may be subject to enforcement actions, including administrative fines.

Senate committees and other committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but may file an unofficial copy of their reports with the Commission in order to speed disclosure.

The Commission's electronic filing software, FEC-File, is free and can be downloaded from the FEC's web site. New FECFile Version 6.2.1.0 is available for download from the FEC web site at <http://www.fec.gov/electfil/updatelist.html>. All reports filed after June 9, 2008, must be filed in Format Version 6.2 (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. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

Overnight Mail. Reports filed via overnight mail¹ will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. A committee sending its reports by Express or Priority Mail, or by an overnight delivery service, should keep its proof of mailing or other means of transmittal of its reports. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).

Other Means of Filing. Reports sent by other means—including first class mail and courier—must be received by the FEC (or the Secretary of the Senate) before close of business on the filing deadline. 11 CFR 100.19 and 104.5(e).

Paper forms are available for downloading at the FEC's web site (<http://www.fec.gov/info/forms.shtml>) and from FEC Faxline, the agency's automated fax system (202/501-3413). The 2009 Reporting Schedule is also available on the FEC's web site (http://www.fec.gov/info/report_dates.shtml), and from Faxline. For more information on reporting, call the FEC at 800/424-9530 or 202/694-1100.

Year-End Reports Covering 2008 Activity

All committees must file a 2008 year-end report due January 31, 2009. The coverage and reporting dates are found in the chart on page 5.

Reports Covering 2009 Activity

To find out which reports your committee must file in 2009, check the Guide to 2009 Reporting on page 3. Then check the tables on page 5 for reporting dates. Please note that committees active in special elections in 2009 may have to file additional special election reports, as explained on page 4. These reporting dates are also available on the Commission's web site at http://www.fec.gov/info/report_dates.shtml.

Authorized Committees of Candidates

House and Senate Candidates. All campaigns that have a reporting obligation must file quarterly reports in 2009. Generally, an individual becomes a candidate for federal office, thus triggering registration and reporting obligations, when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a)(1). See also 11 CFR 100.3(a)(2) and (3).

Principal campaign committees of candidates who ran in past elections (who are retiring debts) or are running in future elections must also file quarterly reports in 2009. Committees that wish to terminate must file a termination request with the Commission or the Secretary of the Senate, as appropriate, and must continue filing reports until notified in writing that their termination request has been accepted by the Commission.

Presidential Candidates. All committees authorized by Presidential candidates must file on either a monthly or a quarterly schedule in 2009. A Presidential committee wishing to change its filing schedule should notify the Commission in writing. 11 CFR 104.5(b)(2). Electronic filers must file this request electronically.

State, District and Local Party Committees

State, district and local party committees that engage in certain levels of "federal election activity" must file on a monthly schedule. 11 CFR 300.36(b) and (c)(1). Committees that do not engage in reportable "federal election activity" may file on a semiannual basis in 2009. 11 CFR 104.5(c)(1)(i).

National Party Committees

National committees of political parties must file on a monthly schedule in all years. 2 U.S.C. §434(a)(4)(B) and 11 CFR 104.5(c)(4).

Political Action Committees

PACs (separate segregated funds and nonconnected committees) that filed on a quarterly basis during 2008 will file on a semiannual basis in 2009. Monthly filers continue on the monthly schedule. PACs may change their filing schedule, but must first notify the Com-

mission in writing. Electronic filers must file this request electronically. A committee may change its filing frequency only once a year, and after giving notice of change in filing frequency to the Commission, all future reports must follow the new filing frequency. 11 CFR 104.5(c).

Where to File

Committee treasurers must file campaign finance reports with the appropriate federal office, as discussed below. State filing requirements also apply to campaign finance reports filed by the principal campaign committees of candidates seeking office in Guam, Puerto Rico and the Northern Mariana Islands and to reports filed by PACs and party committees that support these candidates. 2 U.S.C. §439(a)(2)(B).

House Candidate Committees. Principal campaign committees of House candidates file with the FEC. 11 CFR 105.1.

Senate Candidate Committees. Principal campaign committees of Senate candidates file with the Secretary of the Senate. 11 CFR 105.2.

Presidential Committees. Principal campaign committees of Presidential candidates file with the FEC. 11 CFR 105.3.

Candidate Committees with More Than One Authorized Committee. If a campaign includes more than one authorized committee, the principal campaign committee files, with its own report, a consolidated report of receipts and disbursements (FEC Form 3Z) showing its own activity as well as the activity of all other authorized committees of the candidate. 11 CFR 104.3(f).

PACs and Party Committees. Generally, PACs and party committees file with the FEC. However, committees that support only Senate candidates file with the Secretary of the Senate, as do the national Senatorial campaign committees. 11 CFR 105.2 and 11 CFR 105.4.

Late Filing

The Federal Election Campaign Act does not permit the Commission to grant extensions of filing deadlines under any circumstances. Filing late reports may result in enforcement action by the Commission. The Commission pursues compliance actions against late filers and nonfilers under the Administrative Fine program and on a case-by-case basis. For more information on the Administrative Fine program, visit the FEC web site at <http://www.fec.gov/af/af.shtml>.

Independent Expenditures

Political committees and other entities that make independent expenditures at any time during the calendar year—up to and including the 20th day before an election (including a special election)—are required to disclose this activity within 48 hours each time that the expenditures aggregate \$10,000 or more. This reporting requirement is in addition to the requirement to file 24-hour reports of independent expenditures each time

Guide to 2009 Reporting

Type of Filer	Reports			
	2008 Year-End	Semi- annual	Quarterly	Monthly
House and Senate Candidate Committees ¹	X		X	
Presidential Candidate Committees	X		X	or ² X
National Party Committees	X			X
State, Local and District Party Committees	X	X	or ³	X
Political Action Committees	X	X	or ⁴	X

¹This category includes committees of candidates retiring debts from a previous election or running for a future election.

²Presidential committees may file on either a quarterly or a monthly basis. Those wishing to change their filing frequency should notify the Commission in writing when filing a report under the committee's current schedule. Electronic filers must file this request electronically. A committee may change its filing frequency only once per calendar year and all reports filed after a change in filing frequency must follow the new filing schedule. 11 CFR 104.5(c).

³State, district and local party committees that engage in certain levels of "federal election activity" must file on a monthly basis. 11 CFR 300.36(b) and (c)(1). Other state, district and local party committees may file on a semiannual basis.

⁴Political action committees (PACs) may file on either a semiannual or a monthly basis. Committees wishing to change their filing frequency must notify the Commission in writing when filing a report under the committee's current schedule. Electronic filers must file this request electronically. A committee may change its filing frequency only once per calendar year, and all reports filed after a change in filing frequency must follow the new filing schedule. 11 CFR 104.5(c).

disbursements for independent expenditures aggregate or exceed \$1,000 during the last 20 days—up to 24 hours—before an election (including a special election). 2 U.S.C. §§434(b), (d) and (g) and 11 CFR 100.19(d), 104.4(b)-(c) and 109.10(c)-(d).

Political committees must use FEC Form 3X, Schedule E, to file 48- and 24-hour reports. Persons and other entities that are not political committees must use FEC Form 5.

Political committees must report independent expenditures that do not trigger the 48- or 24-hour reporting thresholds on their regularly scheduled campaign finance reports. These independent expenditure reports are not required when a party committee or PAC makes a contribution directly to a candidate.

Persons and other entities that are not political committees must disclose independent expenditures in a quarterly report filed on FEC Form 5 once the expenditures exceed \$250 in a calendar year in connection with an election. 11 CFR 104.4(b)(1) and 109.10(b). Form 5 filers are not required to file quarterly reports for periods in which they have not made any independent expenditures. However, they must file quarterly reports for periods in which they made expenditures aggregating over \$250 in a calendar year for a given election, regardless of whether or not they have already reported that activity in a 48- or 24-hour report.

For a chart of 48- and 24-hour reporting periods for independent expenditures in connection with 2009 special elections, consult the FEC web site at http://www.fec.gov/info/charts_ie_dates_special.shtml.

All individuals, persons and committees, including Senate committees, must file their 24- and 48-hour reports and quarterly reports of independent expenditures with the Commission. 11 CFR 104.4, 109.10, 105.1 and 105.2.

Committees Active in Special Elections

Committees authorized by candidates running in any 2009 special election must file pre- and post-election reports in addition to regularly scheduled reports. 11 CFR 104.5(h). They are also required to comply with the 48-hour notice requirement for any contribution of \$1,000 or more per source (including loans) received shortly before an election. See 11 CFR 104.5(f).

PACs and party committees supporting candidates running in special elections may also have to file pre- and post-election reports unless they file on a monthly basis. 11 CFR 104.5(c)(3) and 104.5(h). All PACs are subject to 48- and 24-hour reporting of independent expenditures made before an election. See 11 CFR 104.4(b) and (c) and 104.5(g).

When time permits, the *Record* will alert committees to special election reporting dates.

Electioneering Communications

Additionally, individuals and other persons who make disbursements for “electioneering communications” that aggregate in excess of \$10,000 must file disclosure statements with the Commission within 24 hours of distribution of the communications to the public. See 11 CFR 100.29. A chart detailing the electioneering communication periods for 2009 special elections are available on the FEC web site at http://www.fec.gov/info/charts_ec_dates_special.shtml.

—*Elizabeth Kurland*

2008 Year-End Report

Note: All committees file this report.

Report	Period Covered	Filing Date ¹
Year-End	Closing date of last report through 12/31/08	January 31, 2009*

2009 Monthly Reports

Note: All national party committees and any state, district or local party committee that engages in “federal election activity” (FEA) must file monthly reports.

Report	Period Covered	Filing Date ¹
February	January 1-31	February 20
March	February 1-28	March 20
April	March 1-31	April 20
May	April 1-30	May 20
June	May 1-31	June 20*
July	June 1-30	July 20
August	July 1-31	August 20
September	August 1-31	September 20*
October	September 1-30	October 20
November	October 1-31	November 20
December	November 1-30	December 20*
Year-End	December 1-31	January 31, 2010*

2009 Quarterly Reports

Note: All principal campaign committees must file on a quarterly schedule in non-election years as well as in election years. Presidential committees may choose to file quarterly, rather than monthly, in non-election years.

Report	Close of Books	Filing Date ¹
April Quarterly	March 31	April 15
July Quarterly	June 30	July 15
October Quarterly	September 30	October 15
Year-End	December 31	January 31, 2010*

2009 Semiannual Reports

Note: PACs that file quarterly in an election year will file on a semiannual schedule in non-election years.

Report	Close of Books	Filing Date ¹
Mid-Year	June 30	July 31
Year-End	December 31	January 31, 2010*

* Note that this filing date falls on a weekend. Filing dates are not extended for weekends or federal holidays. Accordingly, reports filed by methods other than Registered, Certified, or Overnight Mail, or electronically, must be received by the Commission’s (or the Secretary of the Senate’s) close of business on the last business day before the deadline.

¹ Reports sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system must be postmarked, or deposited with the mailing service, by the filing deadline. Reports sent by other means—including first class mail—must be received before the Commission’s (or the Secretary of the Senate’s) close of business on the filing deadline. 2 U.S.C. §434(a)(5) and 11 CFR 104.5(e).