

# RECORD

October 1985

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## COMMISSIONERS

### PRESIDENT APPOINTS JOSEFIAK

On August 9, 1985, President Reagan appointed Thomas J. Josefiak to serve as FEC Commissioner during the term ending April 30, 1991. Mr. Josefiak replaces Commissioner Frank P. Reiche, whose term ended on April 30, 1985. The President appointed Commissioner Josefiak under the "recess appointment" clause of the U.S. Constitution. Thus, in accordance with the Constitution, this "recess appointment" will expire at the end of the second session of the 99th Congress (1986). If Mr. Josefiak is to serve a full term on the Commission (through April 1991), his nomination must be confirmed by the Senate before the 99th Congress adjourns.

A native of Massachusetts, Mr. Josefiak has extensive experience in election law. From 1981 until his appointment as Commissioner, Mr. Josefiak served as Special Deputy to the Secretary of the Senate, who, by law, is an ex officio member of the Commission. Prior to his appointment as Special Deputy, Commissioner Josefiak served as legal counsel to the National Republican Congressional Committee. He also served as minority special counsel for federal election law on the Committee on House Administration, U.S. House of Representatives. Prior to that, he was legislative assistant to Congressman Silvio O. Conte (R-Mass.).

Mr. Josefiak holds a Bachelor of Arts degree from Fairfield University, Fairfield, Connecticut, and a Juris Doctor degree from Georgetown University Law Center.

### MORGAN NAMED SPECIAL DEPUTY TO SECRETARY OF SENATE

On September 11, 1985, Secretary of the Senate Jo-Anne Coe designated Scott E. Morgan to replace Thomas J. Josefiak as her Special Deputy for the FEC. (Under the election law, the Secretary of the Senate serves as an ex-officio Commissioner.) Mr. Morgan had been serving as Acting Special Deputy since Mr. Josefiak's appointment to the Commission. (See story above.)

Prior to his appointment as Special Deputy, Mr. Morgan served as staff counsel on the Senate Judiciary Committee's Subcommittee on Courts, chaired by Senator Bob Dole (R-KS). A native of

Kansas, Mr. Morgan worked as an attorney with the U.S. Customs Service and served on the staff of Senator Nancy L. Kassebaum (R-KS) from 1979 to 1980. Mr. Morgan holds degrees in journalism and law from the University of Kansas.

## INFORMATION

### MICHIGAN PROVIDES DIRECT ACCESS TO FEC COMPUTER INFORMATION

On September 23, 1985, the Commission and Michigan Secretary of State Richard H. Austin inaugurated a special program which provides the Michigan Elections Division with direct computer access to FEC campaign finance information. This office now provides free computer printouts on FEC information to the public.

Other participants in the FEC computer access program include the campaign records offices for Alabama, California, Colorado, Georgia, Illinois, Massachusetts, Rhode Island and Washington.

For more information on the program's capabilities, see page 6 of the April 1985 Record or contact the FEC.

*continued*

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**1986 PRIMARY DATES**

The chart on the following pages provides the dates for 1986 Congressional primaries and run-offs, based on a nationwide survey of Secretaries of State and other election officials. Note, however, that the dates are subject to change by state legislatures.

In early 1986, the Record will publish an updated listing, along with filing deadlines for campaign finance reports. Those with questions should contact Richard C. Thomas, Coordinator of State Disclosure, by calling: 202/523-4055 or toll free 800/424-9530.

| State or Territory     | Date of Election |
|------------------------|------------------|
| *Alabama               | June 3           |
| Runoff                 | June 24          |
| *Alaska                | August 26        |
| **American Samoa       | November 4       |
| Runoff                 | November 18      |
| *Arizona               | September 9      |
| *Arkansas              | May 27           |
| Runoff                 | June 10          |
| *California            | June 3           |
| *Colorado              | August 12        |
| *Connecticut           | September 9      |
| Delaware               | September 6      |
| **District of Columbia | September 9      |
| *Florida               | September 2      |
| Runoff                 | September 30     |
| *Georgia               | August 12        |
| Runoff                 | September 2      |
| **Guam                 | September 2      |
| *Hawaii                | September 20     |
| *Idaho                 | May 27           |
| *Illinois              | March 18         |
| *Indiana               | May 6            |
| *Iowa                  | June 3           |
| *Kansas                | August 5         |
| *Kentucky              | May 27           |
| *Louisiana             | September 27     |
| Maine                  | June 10          |
| *Maryland              | September 9      |
| Massachusetts          | September 16     |
| Michigan               | August 5         |
| Minnesota              | September 9      |
| Mississippi            | June 3           |
| Runoff                 | June 24          |
| *Missouri              | August 5         |
| Montana                | June 3           |
| Nebraska               | May 13           |
| *Nevada                | September 2      |
| *New Hampshire         | September 9      |

| State or Territory | Date of Election |
|--------------------|------------------|
| New Jersey         | June 3           |
| New Mexico         | June 3           |
| *New York          | September 9      |
| *North Carolina    | May 6            |
| Runoff             | June 3           |
| *North Dakota      | June 10          |
| *Ohio              | May 6            |
| *Oklahoma          | August 26        |
| Runoff             | September 16     |
| *Oregon            | May 20           |
| *Pennsylvania      | May 20           |
| **Puerto Rico      | No Election      |
| Rhode Island       | September 9      |
| *South Carolina    | June 10          |
| Runoff             | June 24          |
| *South Dakota      | June 3           |
| Tennessee          | August 7         |
| Texas              | May 3            |
| Runoff             | June 7           |
| *Utah              | August 19        |
| *Vermont           | September 9      |
| **Virgin Islands   | September 9      |
| Virginia           | June 10          |
| *Washington        | September 16     |
| West Virginia      | May 13           |
| *Wisconsin         | September 9      |
| Wyoming            | August 19        |

\*States holding Senate races in 1986.

\*\*The District of Columbia and the U.S. Territories of American Samoa, Guam and the Virgin Islands will each hold an election for Delegate to the U.S. House of Representatives. In 1988, Puerto Rico will hold its next election for Resident Commissioner to the U.S. House of Representatives.

The Record is published by the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463. Commissioners are: John Warren McGarry, Chairman; Joan D. Aikens, Vice Chairman; Lee Ann Elliott; Danny Lee McDonald; Thomas E. Harris; Thomas J. Josefiak; Jo-Anne L. Coe, Secretary of the Senate, Ex Officio; Benjamin J. Guthrie, Clerk of the House of Representatives, Ex Officio. For more information, call 202/523-4068 or toll-free 800/424-9530.



### ADVISORY OPINION REQUESTS

The following chart lists recent requests for advisory opinions (AORs). The full text of each AOR is available to the public in the Commission's Office of Public Records.

#### AOR Subject

- 1985-25 Redesignation of excessive contribution to spouse. (Date made public: August 14, 1985; Length: 1 page, plus 2-page supplement)
- 1985-26 Employee's payments to corporation for distributing his candidate information to other employees. (Date made public: August 29, 1985; Length: 2 pages)
- 1985-27 Limits for contributions made by two PACs before and after merger of their respective parent corporations. (Date made public: August 30, 1985; Length: 2 pages)
- 1985-28 Rebate to candidate by corporation which administers fundraiser. (Date made public: September 6, 1985; Length: 1 page, plus 4-page supplement)
- 1985-29 Loans and interest-bearing notes issued to candidate by individuals. (Date made public: September 13, 1985; Length: 2 pages, plus 16-page supplement)

### ALTERNATE DISPOSITION OF ADVISORY OPINION REQUESTS

#### AOR 1985-20: Joint Ownership and Use of Mailing List by Candidate and Corporation

Withdrawn by requester on August 20, 1985.

#### AOR 1985-21: Eligibility of Corporation's Account Managers for PAC Solicitations

Withdrawn by requester on August 21, 1985.

### ADVISORY OPINIONS: SUMMARIES

An Advisory Opinion (AO) issued by the Commission provides guidance with regard to the specific situation described in the AOR. Any qualified person who has requested an AO and acts in accordance with the opinion will not be subject to any sanctions under the Act. Other persons may rely on the opinion if they are involved in a specific activity which is indistinguishable in all material aspects from the activity discussed in the AO. Those seeking guidance for their own activity, however, should consult the full text of an AO and not rely only on the summary given here.

#### AO 1985-19: Joint Purchase of Computer System by Candidate Committee and Corporation

If Congressman Valley's principal campaign committee (the Committee) jointly purchased a computer system with a consulting firm (the Corporation), the Corporation's share of the joint purchase would result in a prohibited contribution from the Corporation to the Committee. See 2 U.S.C. §441b(a). Under the joint purchase arrangement, the Committee would pay only one half of the cost of the computer system (\$22,000), but it would have free access to the system at any time, just as it would as a sole purchaser. Consequently, the Committee would be deriving a benefit from the joint purchase (i.e., a reduced purchase price for unrestricted use of the system) that it could not have derived as a sole purchaser. This benefit would be equivalent to a prohibited contribution from the Corporation to the Committee.

In a series of past advisory opinions, the Commission has determined that joint investments by a political committee and another group are permissible, provided: 1) the political committee has sufficient funds to make the investment on its own and 2) the political committee does not receive any special benefit from the joint investment that it could not have received as sole investor. See AOs 1978-67, 1980-38, 1981-19 and 1981-20. Although the Committee's proposed joint investment with the corporation would meet the first requirement, the investment would not meet the second requirement. (Date issued: August 9, 1985; Length: 4 pages)

#### AO 1985-22: Excess Campaign Funds Used for Evening Attire

Congressman William Clay may use excess campaign funds to purchase evening attire (i.e., tuxedos and evening gowns) which he and his wife will wear to "politically related functions which are both social and official business." Since Congressman Clay did not indicate that he and his wife

*continued*

would wear the evening attire to events related to his 1986 reelection effort, the Commission assumed that payments for the attire were not campaign expenditures. Although the 1979 amendments to the election law prohibit candidates from converting excess funds to personal use, these amendments do not apply to individuals, such as Congressman Clay, who were members of Congress on January 8, 1980. 2 U.S.C. §439a.

Accordingly, Congressman Clay's principal campaign committee must report payments for the evening attire as "other disbursements" rather than as "campaign expenditures." See 11 CFR 104.3(b)(4)(vi). (Date issued: August 9, 1985; Length: 2 pages)

**AO 1985-23 PAC Established by Corporation Wholly Owned by Limited Partnership with Government Contract**

GSMI Holdings Inc. (Holdings), a Delaware corporation wholly owned by Goldman, Sachs and Co. (GSC), which is a limited partnership with a federal contract, may establish a separate segregated fund (i.e., a political action committee or PAC). 11 CFR 115.3(a) and AO 1975-31. Once established, Holdings' PAC may solicit contributions from GSC's individual partners and recruit individuals who are employed by both Holdings and GSC for PAC activities, provided the conditions described below are met.

**Solicitation of GSC's Individual Partners**

Although partnerships with federal contracts may not make contributions for federal elections, the individual partners of a partnership with a government contract may make contributions from personal assets. 11 CFR 115.4(a) and (b). Since GSC's individual partners, through their partnership, are considered Holdings' stockholders, they may be solicited by Holdings' PAC, provided the PAC: 1) solicits only those contributions made in the name of the individual partners, from funds drawn on their respective individual accounts; and 2) complies with other relevant FEC Regulations governing solicitations by corporate PACs. See 11 CFR 102.5, Part 110 and 114.5; AO 1979-77.

**Participation by Employees in PAC Activities**

Individuals who are both employees of Holdings and employees or partners of GSC may help establish, administer and solicit contributions to the PAC, provided the employees' PAC activities are financed exclusively by Holdings. Accordingly, the amount of working time spent on PAC activities must be proportional to the amount of salary received from Holdings. For example, if a clerk received 10 percent of his/her salary from Holdings and 90 percent from GSC, the employee could devote no more than 10 percent of his/her

working time to the PAC and no less than 90 percent of his/her working time to GSC. If the employee had to devote more than 10 percent of his/her working time to the PAC, Holdings would have to purchase the amount in excess of 10 percent from GSC before the employee provided the PAC services. See AO 1984-37. (Date issued: September 6, 1985; Length: 4 pages)

**PUBLIC APPEARANCES**

- |          |  |
|----------|--|
|          | Business Industry PAC  |
|          | Commissioner Joan D. Aikens  |
| 10/21/85 | Atlanta, Georgia   |
| 10/23/85 | Dallas, Texas  |
| 10/25/85 | Minneapolis, Minnesota   |
| 10/25/85 | Georgetown University<br>Law Center<br>Washington, D.C.                                |
|          | Commissioner Lee Ann Elliott   |
|          | Commissioner Thomas J.<br>Josefiak   |
|          | Charles N. Steele, General<br>Counsel  |
| 11/13/85 | Congressional Quarterly<br>Conference: Electing Congress<br>in '86<br>Washington, D.C. |
|          | Kenneth A. Gross, Associate<br>General Counsel   |
| 11/20/85 | St. Paul District Farm Credit<br>Council<br>St. Paul, Minnesota                        |
|          | Commissioner Lee Ann Elliott   |
| 12/12/85 | Coopers & Lybrand<br>Washington, D.C.  |
|          | Patricia Klein, Public Affairs<br>Specialist   |

# STATISTICS

## INDEPENDENT SPENDING IN 1983-84 PRESIDENTIAL CYCLE

During the 1983-84 Presidential election cycle, a total of \$23.4 million was spent independently to influence the outcome of federal elections. Most of that amount (\$17.5 million) was spent on Presidential races. Similarly, during the 1979-80 Presidential cycle, independent expenditures made to influence Presidential races accounted for \$13.7 million of the \$16.1 million spent independently. (Under the federal election law, an independent expenditure is an expenditure for a communication expressly advocating the election or defeat of a clearly identified candidate. The expenditure must be made without cooperation or consultation with the candidate or his/her campaign.)

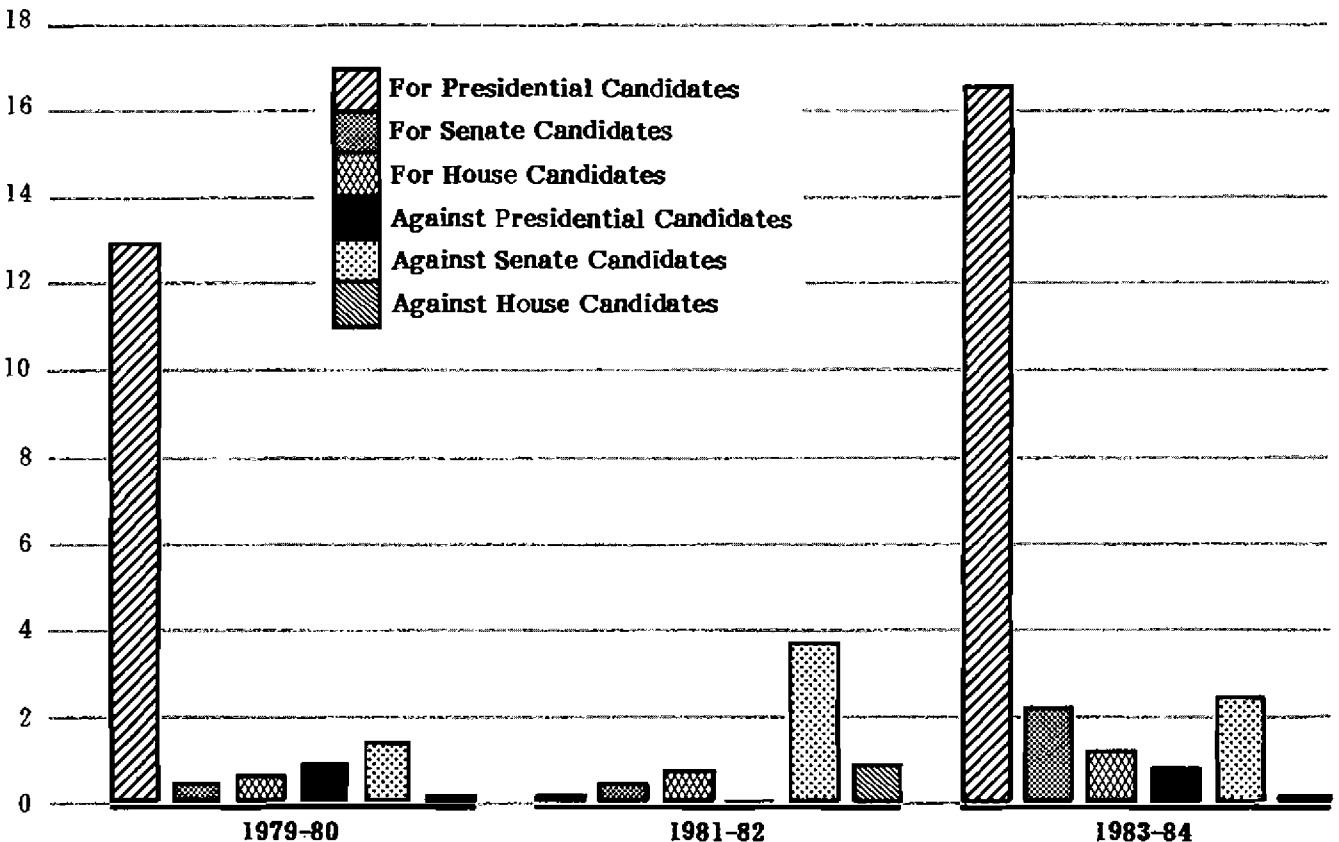
According to a study released by the FEC during September 1985, while most of the independent spending made to influence Presidential races supported candidates, a large portion of the independent spending in Congressional races advocated the candidates' defeat. Chart I below depicts independent spending over the last three election cycles by type of candidate and by type of expenditure (i.e., spending for or against a candidate). Chart II depicts on page 6\* independent spending on Congressional races by party affiliation and by type of candidate and race.

While total independent spending on Presidential races has increased over the last two Presidential cycles, independent spending on Congressional races has fluctuated over the last three election cycles. Specifically, during 1983-84, independent spending on House and Senate candidates totaled \$6.0 million; in 1981-82, \$5.75 million; and, in 1979-80, \$2.3 million.

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**CHART I  
INDEPENDENT EXPENDITURES IN ALL RACES**

Millions of Dollars

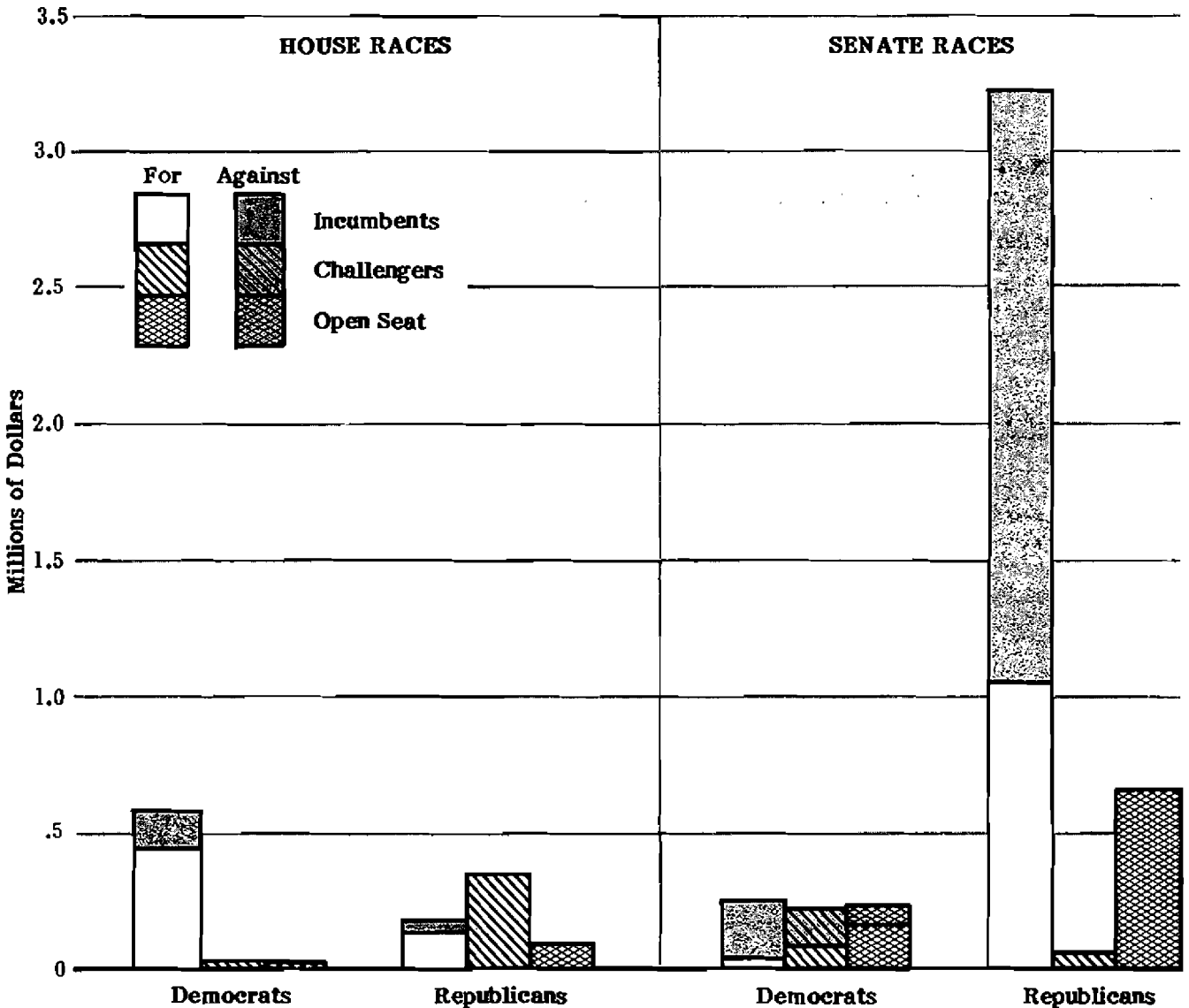


The total number of political action committees (PACs), individuals and other groups making independent expenditures has also fluctuated over the last three election cycles. During the 1983-84 cycle, 155 PACs, 24 individuals and 24 other groups reported independent expenditures. In 1981-82, independent expenditures were reported by 70 PACs, 7 individuals and 17 other groups and, in 1979-80, by 105 PACs, 33 individuals and 80

other groups. Chart III on page 7 lists the PACs reporting the largest independent expenditures during 1983-84. Chart IV lists the candidates for or against whom the most money was spent.

The full FEC Index of Independent Expenditures, 1983-84, is available for \$15 from the Commission's Office of Public Records, 1325 K Street, N.W., Washington, D.C. 20463. Checks should be made payable in advance to the FEC.

**CHART II  
INDEPENDENT EXPENDITURES IN CONGRESSIONAL RACES, 1983-85**



**CHART III  
COMMITTEES REPORTING LARGEST  
INDEPENDENT EXPENDITURES, 1983-84**

| Political Committee                   | Amount Spent  |
|---------------------------------------|---------------|
| National Conservative PAC             | \$ 10,243,753 |
| Fund for a Conservative Majority      | 2,177,628     |
| Ruff PAC                              | 2,020,225     |
| National Congressional Club           | 948,032       |
| NRA Political Victory Fund            | 785,516       |
| North Carolina Campaign Fund          | 765,936       |
| Council for National Defense          | 739,552       |
| American Medical Association PAC      | 450,020       |
| Realtors PAC                          | 355,346       |
| Christian Voice Moral Government Fund | 345,191       |

**CHART IV  
CANDIDATES FOR OR AGAINST WHOM MOST  
INDEPENDENT EXPENDITURES WERE MADE**

| Candidate                   | Spending For | Spending Against |
|-----------------------------|--------------|------------------|
| <b>Presidential</b>         |              |                  |
| Ronald Reagan (R)           | \$15,806,225 | \$343,835        |
| Walter Mondale (D)          | 803,923      | 445,240          |
| Gary Hart (D)               | ---          | 40,859           |
| <b>Senate</b>               |              |                  |
| Jesse Helms (R-NC)          | 583,310      | 812,590          |
| Charles Percy (R-IL)        | 40,687       | 1,187,716        |
| Phil Gramm (R-TX)           | 533,526      | ---              |
| Roger Jepsen (R-IA)         | 194,014      | 6,807            |
| Daniel Evans (R-WA)         | 186,597      | ---              |
| Kent Hance (D-TX)           | 99,270       | ---              |
| Thomas Harkin (D-IA)        | 14,129       | 83,753           |
| Ray Shamie (R-MA)           | 91,416       | ---              |
| Edward Kennedy (D-MA)       | ---          | 69,518           |
| Lloyd Doggett (D-TX)        | 61,849       | ---              |
| <b>House</b>                |              |                  |
| Thomas P. O'Neill (D-MA)    | 213          | 61,014           |
| Robert Dornan (R-CA)        | 54,424       | ---              |
| James Kolbe (R-AZ)          | 54,091       | ---              |
| Helen Delich Bentley (R-MD) | 50,230       | ---              |
| Lewis Crampton (R-MA)       | 49,799       | ---              |
| Tom Vandergrif (D-TX)       | 48,475       | ---              |
| Jerry Sikorski (D-MN)       | 43,797       | ---              |
| James Jones (D-OK)          | 41,339       | 1,913            |
| Dean Gallo (R-NJ)           | 42,180       | ---              |
| Peter Kostmayer (D-PA)      | 21,637       | 10,425           |



**FEC v. MASSACHUSETTS CITIZENS FOR LIFE, INC.**

On July 31, 1985, the U.S. Court of Appeals for the First Circuit ruled that expenditures incurred by Massachusetts Citizens for Life, Inc. (MCFL) for two publications that detailed the position of 1978 federal candidates on three pro-life issues, and exhorted the reader to vote pro-life, were subject to the election law's prohibition on expenditures by corporations in connection with federal elections. (MCFL is a nonprofit corporation, without members, which opposes abortion measures.) This statutory ruling reversed that of the district court. At the same time, the appeals court affirmed the holding by the district court that, if applied to MCFL's expenditures, the Federal Election Campaign Act's (the Act's) prohibition on corporate expenditures (2 U.S.C. §441b) would violate MCFL's First Amendment rights. See *FEC v. Massachusetts Citizens for Life, Inc.*, Civil Action No. 84-1719.

On August 28, 1985, the Commission filed an appeal of the first circuit's decision with the Supreme Court.

**Background**

In September 1978, MCFL printed 100,000 copies of a special election edition flyer captioned "Everything You Need to Vote Pro-Life." The publication contained the position of state and federal candidates on abortion-related issues. It included at least two exhortations to "vote pro-life" and the statement that "No pro-life candidate can win in November without your vote in September." Photographs of pro-life candidates were also included in the publication. To correct minor errors in the special election edition, MCFL subsequently issued a supplement to the edition.

MCFL distributed copies of the two special election editions to 5,985 MCFL contributors and 50,674 noncontributors. MCFL also sent copies to its local chapters for distribution, mailed out copies on request, and left copies in public areas for general distribution.

In response to a complaint filed with the Commission, the FEC found probable cause to believe that MCFL's expenditures for the publications (amounting to \$9,812.76) had violated the Act's ban on corporate spending in connection with federal elections. After unsuccessfully attempting to conciliate the matter with MCFL, on February 22, 1982, the FEC filed suit against MCFL in the U.S. District Court for the District of Massachusetts. (Civil Action No. 82-609-G)

*continued*

### District Court's Ruling

On June 29, 1984, the district court granted MCFL's motion for summary judgment in the suit. The court held that MCFL's spending for the 1978 special election edition (and its supplement) did not constitute prohibited corporate "expenditures," as narrowly defined by 2 U.S.C. §441b(b)(2). The court said that MCFL's spending for the flyers was more properly characterized as exempt spending for a news story.\*

Alternatively, if MCFL's expenditures for the flyers were prohibited by section 441b, the court held that this provision abridged MCFL's rights of free speech, press and association, in violation of the First Amendment.

### Appeals Court Ruling

**MCFL's Expenditures Fall within the Purview of Section 441b.** In overturning the district court's ruling that section 441b(b)(2)'s ban on corporate expenditures did not apply to MCFL's expenditures, the appeals court concluded that section 441b prohibits expenditures in connection with federal elections, in general, as well as contributions specifically made to candidates for federal office.

The appeals court also rejected the district court's holding that, even if section 441b prohibited corporate expenditures in connection with federal elections, MCFL's publication expenditures were exempt from the prohibition because the publication did not expressly advocate the election or defeat of any particular candidate. To the contrary, the appeals court found that the publications did constitute express advocacy: "The MCFL Special Election Edition...explicitly advocated the election of particular candidates in the primary elections and presented photographs of those candidates only...." The appeals court added that it did not have to decide whether such spending was covered by section 441b because MCFL's flyers "would fit within the definition of expenditure, even if an express advocacy requirement were incorporated into the definition."

Finally, contrary to the district court, the appeals court found that the publications did not qualify for the news story exemption: "...the Special Editions may not be considered new stories, commentaries, or editorials because the editions were not distributed through the newsletter's facilities, were not published by the newsletter's

\*Under the Act and FEC Regulations, a news story, commentary, or editorial by any broadcasting station, newspaper, magazine, or other periodical publication is not considered an expenditure, provided the station or publication is not owned or controlled by a political party, political committee or a candidate. 2 U.S.C. Section 431(9)(B)(i); 11 CFR 100.8 (b)(2).

### FEC WILL CO-HOST CONFERENCE IN DENVER

On November 6, 1985, a one-day conference on election laws will be held in Denver. Co-sponsored by the FEC and the Colorado Secretary of State's Office, the conference will provide an overview of federal and Colorado election laws and include sessions on: supporting federal candidates; complying with federal and Colorado reporting requirements; FEC enforcement procedures; and an FEC program that provides Colorado (and 8 other states) with direct computer access to FEC data.

For more information on the conference, contact the FEC, toll free, at 800/424-9530 or the Colorado election office at 303/866-2021.

staff, did not contain the newsletter masthead and were not limited to the usual MCFL newsletter circulation." Nor did the expenditures qualify under the exemption as "normal functions of a press entity."

**Prohibiting MCFL's Expenditures Is Unconstitutional.** Nevertheless, the appeals court affirmed the district court's holding that section 441b, as applied to MCFL's expenditures, was unconstitutional. The appeals court said that it did not believe that "the availability of alternative methods of funding speech [e.g., MCFL's establishment of a separate segregated fund] justifies eliminating the simplest method."

Furthermore, the court found that there was no substantial government interest (i.e., to prevent corruption or the appearance of corruption in federal elections) in prohibiting MCFL's expenditures for the publications. "Because MCFL did not contribute directly to a political campaign, MCFL's expenditures did not incur any political debts from legislators." The appeals court concluded that a ruling by the Supreme Court which upheld section 441b's ban on solicitations by another nonprofit corporation, the National Right to Work Committee,\* did not apply to MCFL's expenditures. "Unlike National Right to Work Committee, [MCFL's spending] involves a corporation's indirect and uncoordinated expenditures in connection with a federal election, not a solicitation for direct contributions to candidates."

The appeals court therefore affirmed the district court's ruling that section 441b was un-  
continued

\*For a summary of the Supreme Court's ruling in *FEC v. National Right to Work Committee*, see page 3 of the February 1983 *Record*.



constitutional, as applied to MCFL's expenditures: "We therefore uphold that the application of section 441b to indirect, uncoordinated expenditures by a non-profit ideological corporation expressing its views of political candidates violates the organization's First Amendment rights."

## NEW LITIGATION

### NCPAC v. FEC (Fourth Suit)

Pursuant to 2 U.S.C. §437g(a)(8)(A), the National Conservative Political Action Committee (NCPAC), a nonconnected PAC, asks the district court to:

- o Declare that the FEC acted contrary to law in failing to act on an administrative complaint within 120 days after NCPAC had filed it; and
- o Issue an order directing the FEC to act on the complaint in conformity with the court's decision within 30 days of the decision.

NCPAC claims that it had filed an administrative complaint with the FEC on July 20, 1984, alleging that Walter F. Mondale and others had failed to fully disclose the purpose of expenditures (amounting to approximately \$2.5 million) which the Committee for the Future of America, a nonconnected political committee, had made in support of Mr. Mondale's 1984 Presidential bid. In the complaint, NCPAC further alleged that Mr. Mondale and others associated with his Presidential campaign had accepted unlawful contributions and made unlawful expenditures in connection with the campaign. NCPAC claimed that, as a

result of the alleged violations, the Mondale campaign should have been denied the public grant that Mr. Mondale was otherwise entitled to for his general election campaign.

U.S. District Court for the District of Columbia, Civil Action No. 85-2500, August 6, 1985.

### Maine Right to Life Committee v. FEC

The Maine Right to Life Committee, Inc. (the Committee), a nonprofit membership corporation with a separate segregated fund, challenges the constitutionality of FEC Regulations governing the publication of voter guides to be disseminated by the Committee to its membership and the general public.

Plaintiffs ask the court to declare that:

- o FEC Regulations governing the preparation and distribution of voter guides are not authorized by the Act and violate plaintiffs' First and Fifth Amendment rights; and
- o Corporate expenditures for the preparation and distribution of plaintiffs' proposed voter guides are not subject to the Act and FEC Regulations.

Plaintiffs further ask the court to enjoin the FEC from enforcing these regulations or from instituting any enforcement action against plaintiffs or their associates for sponsoring the proposed voter guides.

U.S. District Court for the District of Maine, Civil Action No. 85-0244-B, July 30, 1985.

## CHANGE OF ADDRESS

### Political Committees

Registered political committees are automatically sent the Record. Any change of address by a registered committee must, by law, be made in writing as an amendment to FEC Form 1 (Statement of Organization) and filed with the Clerk of the House, the Secretary of the Senate, or the FEC, as appropriate.

### Other Subscribers

Record subscribers (who are not political committees), when calling or mailing in a change of address, are asked to provide the following information:

1. Name of person to whom the Record is sent.
2. Old address.
3. New address.
4. Subscription number. The subscription number is located in the upper left hand corner of the mailing label. It consists of three letters and five numbers. Without this number, there is no guarantee that your subscription can be located on the computer.



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**FEC Regulations (11 CFR)**

FEC regulations; subject indexes prepared by FEC.

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**Campaign Guides**

Clear explanation and illustration of election law requirements. Separate Guide for:  
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 Party Committees  
 Corporations and Labor Organizations  
 Nonconnected Political Committees

**House and Senate Bookkeeping Manual**

Recommended method of bookkeeping and reporting for Federal candidates and their committees.

**FEC and Federal Election Law**

Brief overview of major provisions of the Federal Election Campaign Act and the Commission's role in administering it.

**Using FEC Campaign Finance Information**

Brochure explaining how to gather information on financial activity of political committees and candidates by using reports and FEC's computer indexes.

**Brochures**

- Advisory Opinions
- Candidate Registration
- Contributions
- Corporate/Labor Communications
- Corporate/Labor Facilities
- Independent Expenditures
- Local Party Activity
- Political Ads and Solicitations
- Public Funding of President Elections
- State Computer Access to FEC Data
- State Elections & Federal Campaign Law
- Trade Associations
- Using FEC Campaign Finance Information
- Volunteer Activity

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Report to President and Congress, summarizing agency's activities, advisory opinions and litigation; and presenting Commission's legislative recommendations.

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**General**

|                                |                                   |
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| FEC Regulations                | Annual Report                     |
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