

Record

February 2005

Federal Election Commission

Volume 31, Number 2

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Reports

FEC Updates Filing Software and Form 3X

Electronic Filers

The Commission has updated its electronic filing format to Version 5.2 in order to reflect changes in Commission regulations that took effect on January 1.¹ Committees using commercial software should contact their vendors for more information about the latest software release. On February 2, FECFile Version 5.2.0.0, supported by the new format, will be available for download from the FEC web site at <http://www.fec.gov/electfil/updatelist.html>.

Please note that Format Version 5.1 (the current version) may be used for any report filed through February 10, 2005. After February 10, only reports filed in Format Version 5.2 (the new version) will be accepted.

If you have any questions, please call the Electronic Filing Office at: 202/694-1307 or 1-800/424-9530 ext. 1307.

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¹ See "Final Rules on Political Committee Status" in the December 2004 Record, page 1.

Regulations

Notice of Proposed Rulemaking on Filing by Priority Mail, Express Mail and Overnight Delivery

On December 16, 2004, the Commission approved a Notice of Proposed Rulemaking (NPRM) requesting comments on proposed rules regarding the timely filing of documents using Priority Mail, Express Mail or an overnight delivery service. The proposed rules would implement recent amendments to the Federal Election Campaign Act (the Act). As part of the Consolidated Appropriations Act, 2005, Congress amended the Act to permit filers to use these additional delivery options to satisfy the Commission's "timely filing" requirements for certain designations, reports and statements that are filed on paper with either the FEC or the Secretary of the Senate.

Prior to this amendment to the Act, filers could rely on a U.S. Postal Service (USPS) postmark date as the date that certain documents were considered "filed" with the Commission, but only if the documents were sent by registered or certified mail. Under the amended statute, filers may also rely on the postmark for

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Regulations

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documents sent via USPS Priority Mail or Express Mail, so long as the mailing has a delivery confirmation. Filers may also now rely on the date of deposit with an overnight delivery service so long as the service provides an online tracking system. See 2 U.S.C. §§424(a)(2)(A)(i) and (4)(A)(ii) and (5).

In order to implement these statutory changes, the Commission proposes to amend 11 CFR 100.19, which sets forth when a document is “timely filed,” and 11 CFR 104.5, which specifies due dates for reports. In the proposed rules, the Commission interprets Congress’s reference to “priority mail” and “express mail” to mean USPS Priority Mail and Express Mail because the terms are registered USPS trademarks. The Commission invited comments on this interpretation. In addition, the proposed rules would, among

other things, permit a filer using an overnight delivery service to use any delivery option offered by the delivery service so long as the document is scheduled to be delivered to the Commission or the Secretary of the Senate, as appropriate, within three business days from the date of deposit, similar to the two-to-three day delivery time for USPS Priority Mail service. The proposed rules define an “overnight delivery service” as a private delivery service business of established reliability that offers overnight delivery. In the alternative, the Commission asked whether filers who use an overnight delivery service should be limited to using only a next day delivery option. In either case, the proposed rules would require the filer to choose a delivery option that includes tracking of the document, thereby providing the filer with a way to confirm deposit and delivery dates.

The NPRM was published in the December 22, 2004, *Federal Register* (69 FR 76626) and is available on the FEC web site at http://www.fec.gov/law/law_rulemakings.shtml. The comment period for the NPRM closed on January 21, 2005.

—Amy Kort

Notice of Proposed Rulemaking on Payroll Deductions for Contributions to Trade Association SSF

On December 16, 2004, the Commission approved a Notice of Proposed Rulemaking requesting comments on proposed amendments to its rules regarding contributions to the separate segregated fund (SSF) of a trade association by the restricted class of the trade association’s corporate members. Currently, Commission regulations prohibit a trade association’s corporate members from using a payroll deduction or check-off system for employee contributions to the trade association’s SSF. See 11 CFR 114.8(e)(3).

The rules proposed in the NPRM would permit a corporate member of a trade association to provide incidental services to collect and forward contributions from its restricted class employees to the trade association’s SSF, including a payroll deduction or check-off system, upon written request from the trade association. The proposed rules would require a corporate member that provides such services to provide the same services for contributions to the SSF of any labor organization that represents employees of the corporation, upon written request from the labor organization and at a cost not to exceed the actual expenses incurred.

The Commission received a Petition for Rulemaking on this issue from America’s Community Bankers and its SSF on September 3, 2003, and published notice of the petition’s availability for public review and comment (68 FR 60887, October 24, 2003). The Commission received a number of comments, all in support of the Petition for Rulemaking.

The NPRM was published in the December 22, 2004, *Federal Register*

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Federal Register

Federal Register notices are available from the FEC’s Public Records Office, on the web site at http://www.fec.gov/law/law_rulemakings.shtml and from the FEC faxline, 202/501-3413.

Notice 2004-18

Payroll Deductions by Member Corporations for Contributions to a Trade Association’s Separate Segregated Fund (69 FR 76628, December 22, 2004)

Notice 2004-19

Filing Documents by Priority Mail, Express Mail, and Overnight Delivery (69 FR 76626, December 22, 2004)

ter (69 FR 76628) and is available on the FEC web site at http://www.fec.gov/law/law_rulemakings.shtml, along with the Petition for Rulemaking and public comments received on that petition. The comment period for the NPRM closed on January 21, 2005.

—Amy Kort

Reports

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Paper Filers

Beginning with the February monthly report, political action committees (PACs) and party committees must use the FEC’s revised Form 3X, which contains updated H Schedules that conform to the new allocation rules for PACs. These rules took effect on January 1. (See the December 2004 *Record*, page 1.) The new version of the form is available on the FEC web site at <http://www.fec.gov/info/forms.shtml>. Filers will receive a copy of the revised Form 3X with their report notices.

—Amy Kort

California Special Election Reporting

The Special General Election to fill the U.S. House seat in the Fifth Congressional District held by the late Representative Robert Matsui will be held on March 8, 2005. Under California law, a majority winner in a special election is declared elected. Should no candidate achieve a majority vote, a Special Runoff Election will be held on May 3, 2005, among the top vote-getters of each qualified political party, including qualified independent candidates.

Candidate committees, PACs and party committees involved in one or both of these elections must follow the reporting schedule below, unless they file on a monthly schedule. PACs and party committees that file monthly should continue to

file according to their regular filing schedule.

Filing Methods

Reports filed electronically must be submitted by midnight on the filing date. A committee that is required to file electronically but instead files on paper reporting forms will be considered a nonfiler and may be subject to enforcement action, including administrative fines.

Reports filed on paper and sent by registered or certified mail must be postmarked by the mailing date. Committees should keep the mailing receipt with its postmark as proof of filing. If using overnight mail, the delivery service must receive the re-

port by the mailing date. “Overnight mail” includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with an on-line tracking system. Reports sent by other means must be received by the Commission’s close of business on the filing date.

48-Hour Notices of Contributions

Note that 48-hour notices are required of authorized committees that receive contributions of \$1,000 or more between February 17 and March 5, for the Special General Election, and between April 14 and April 30, for the Special Runoff Election, if that election is held.

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California Special Election

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

	Close of Books	Reg./Cert./Overnight Mailing Date	Filing Date
Pre-General	February 16	February 21	February 24
Post-General	March 31	April 7	April 7
April Quarterly		—waived—	

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

	Close of Books	Reg./Cert./Overnight Mailing Date	Filing Date
Pre-General	February 16	February 21	February 24
April Quarterly		—waived—	
Pre-Runoff	April 13	April 18	April 21
Post-Runoff	May 23	June 2	June 2
July Quarterly	June 30	July 15	July 15

If Two Elections are Held, a Committee Involved in Only the Special General Must File:

	Close of Books	Reg./Cert./Overnight Mailing Date	Filing Date
Pre-General	February 16	February 21	February 24
April Quarterly	March 31	April 15	April 15

Reports

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Electioneering Communications

The 60-day electioneering communications period in connection with the Special General Election runs from January 7 through March 8, 2005, and the electioneering communications period for the Special Runoff Election, if that election is held, runs from March 4 through May 3, 2005.¹

—Amy Kort

Enforcement

Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings

On December 16, 2004, the Commission approved a Statement of Policy to clarify when, in the course of an enforcement proceeding, a treasurer is subject to Commission action in his or her official or personal capacity, or both. The policy explains that in enforcement actions where a political committee is a respondent, the committee's treasurer will typically be subject to Commission action only in his or her official capacity. However, when information indicates that a treasurer has knowingly and willfully violated the Federal Election Campaign Act (the Act), recklessly failed to fulfill duties specifically imposed by the Act or intentionally deprived himself or herself of facts giving rise to the violation, the Commission will consider the treasurer to have acted in a

¹ Individuals and other groups not registered with the FEC who make electioneering communications costing more than \$10,000 in the aggregate in the calendar year must disclose this activity to the Commission within 24 hours of the distribution of the communication. See 11 CFR 100.29 and 104.20. For more information, see the [December 2003 Record](#), page 5.

personal capacity and make findings accordingly.

Background

The treasurer of a political committee has a unique statutory role, as it is the only office a political committee is required to fill under 2 U.S.C. §432(a). Without a treasurer, committees cannot undertake a host of necessary activities, including receiving and disbursing funds and filing disclosure reports with the Commission. The treasurer is therefore designated as the representative of the committee for purposes of compliance with the Act.

Official Capacity

Clearly indicating that the current treasurer is a party to an enforcement proceeding in his or her official capacity ensures that a named individual who signs the conciliation agreement on behalf of the committee is the one empowered by law to disburse committee funds and carry out necessary monetary remedies. Findings against a treasurer in his or her official capacity clarify that the enforcement proceeding concerns the treasurer as a representative of the political committee, not personally.

Personal Capacity

The Act also places certain legal obligations on committee treasurers themselves, the violation of which makes them personally liable. See, for example, 2 U.S.C. §§432(c), 432(d) and 434(a)(1). In practice, however, the Commission intends to consider a treasurer the subject of an enforcement proceeding in his or her personal capacity only when information indicates that the treasurer has knowingly and willfully violated the Act, recklessly failed to fulfill duties specifically imposed by the Act or intentionally deprived himself or herself of facts giving rise to the violation.

Both Capacities

There will likely be cases in which the treasurer is subject to

Commission action in both his or her official and personal capacities. Any resulting conciliation agreement would be signed by the treasurer on behalf of the committee and the treasurer in his or her personal capacity.

Successor Treasurers

Because an official capacity action is an action against the treasurer's position, the Commission may substitute a new treasurer in his or her official capacity at any stage prior to finding a probable cause to believe in a Matter Under Review situation that sees a treasurer change. If an outgoing treasurer is personally liable, the Commission may pursue that predecessor treasurer individually (therefore not substituting the incoming successor in a personal capacity). The successor treasurer would, however, be named in the official capacity.

Additional Information

On March 23, the FEC will address this policy statement in a roundtable workshop on treasurers' responsibilities. See the roundtable chart on page 15 for more details.

—Meredith Trimble

Advisory Opinions

AO 2004-41

Non-affiliation of SSFs

CUNA Mutual Insurance Society's (CUNA Mutual) newly created separate segregated fund (SSF), CUNA Mutual PAC, is not affiliated with the Credit Union Legislative Action Council (CULAC), which is the SSF of the Credit Union National Association (CUNA).

Background

CUNA is a trade association composed of 51 credit union leagues representing all 50 states and the District of Columbia (State Leagues), as well as approximately

PACronyms, Other PAC Publications Available

The Commission annually publishes an alphabetical listing of acronyms, abbreviations and common names of political action committees (PACs).

For each PAC listed, the index provides the full name of the PAC, its city, state, FEC identification number and, if not identifiable from the full name, its connected, sponsoring or affiliated organization.

This index is helpful in identifying PACs that are not readily identified in their reports and statements on file with the FEC.

To order a free copy of PACronyms, call the FEC's Disclosure Division at 800/424-9530 or 202/694-1120.

PACronyms is also available on diskette for \$1 and can be accessed free on the FEC web site at www.fec.gov.

Other PAC indexes, described below, may be ordered from the Disclosure Division. Prepayment is required.

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

The Disclosure Division can also conduct database research to locate federal political committees when only part of the committee name is known. Call the telephone numbers above for assistance or visit the Public Records Office in Washington at 999 E St. NW.

8,250 individual state-chartered or federally chartered credit unions, which are themselves members of the various State Leagues and CUNA. CUNA Mutual, a for-profit mutual insurance company that offers insurance products to credit unions and their members, was established by certain CUNA officers and directors in 1935. CUNA Mutual and CUNA initially worked closely together within a single general framework, but they formed separate governing boards in 1956 and entered into a "period of mutual acrimony that lasted until the late 1960s."

CUNA Mutual is governed by a board of 13 directors, each of whom is elected by CUNA Mutual's 135,000 policyholders. Each policyholder is entitled to only one vote, even if he or she holds more than one policy with CUNA Mutual. Thus, CUNA is entitled to one vote of a possible 135,000 voting CUNA Mutual policyholders. Since the late 1960s, CUNA Mutual and CUNA have periodically entered into various business agreements that are arm's length transactions with market-based pricing. CUNA Mutual and CUNA also provide each other with support, services and benefits that are customary business arrangements for contracting parties in an overlapping business marketplace.¹

Legal Analysis

Under the Federal Election Campaign Act (the Act) and Commission regulations, committees that are established, financed, maintained or controlled by the same corporation, person or group of persons, including any parent, subsidiary,

branch, division, department or local unit thereof, are affiliated. 2 U.S.C. §441a(a)(5); 11 CFR 100.5(g)(2), 110.3(a)(1)(ii). Contributions made to, or by, such committees are considered to have been made to, or by, a single committee. 2 U.S.C. §441a(a)(5); 11 CFR 110.3(a)(1). An entity that owns a majority interest of another organization, such as a parent corporation with a subsidiary, is affiliated *per se* with that other organization. *See* 11 CFR 100.5(g)(2). In cases where organizations are not *per se* affiliated, Commission regulations provide ten circumstantial factors for a case-by-case examination of the overall relationship between the organizations to determine whether one organization has established, financed, maintained or controlled the other committee or sponsoring organization. 11 CFR 100.5(g)(4)(i) and (ii)(A)-(J), 11 CFR 110.3(a)(3)(i) and (ii)(A)-(J).

Controlling interest in voting stock or securities. One affiliation factor considers whether a sponsoring organization owns a controlling interest in the voting stock or securities of the sponsoring organization of another committee. 11 CFR 100.5(g)(4)(ii)(A) and 110.3(a)(3)(ii)(A). In this case, CUNA Mutual and CUNA have no ownership interest in one another's corporate organization. Because neither CUNA Mutual nor CUNA is a stock based corporation, neither issues stock or securities. CUNA Mutual issues insurance policies and its policyholders are analogous to stockholders; however, CUNA, as a single policyholder, is entitled to only one vote out of a possible 135,000 votes.

CUNA itself is a trade association controlled by its voting members, which are the State Leagues and member credit unions. CUNA Mutual is not eligible to become a voting member of CUNA and, therefore,

¹ In addition, CUNA Mutual is one of the participants in CUNA's Partnership Committee. This committee does not have any governing responsibilities for any organization. CUNA Mutual is also a member of several other trade associations.

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Advisory Opinions

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does not possess any voting interest with respect to CUNA.

Participation in governance of another sponsoring organization. Another affiliation factor considers whether one sponsoring organization or committee has the authority or ability to direct or participate in the governance of another sponsoring organization or committee through provisions of constitutions, bylaws, contracts or other rules, or through formal or informal practices or procedures. 11 CFR 100.5(g)(4)(ii)(B) and 110.3(a)(3)(ii)(B). In this case, both CUNA Mutual and CUNA lack the authority or ability to direct or participate in the governance of the other organization. Neither CUNA Mutual nor CUNA includes any reference to the other organization in its bylaws. CUNA's ability to cast a single vote as a CUNA Mutual policyholder represents the only formal agreement that permits one organization to participate in the governance of the other. Although the two organizations have entered into arm's-length business agreements, these agreements do not convey any governance authority, or even partnership status.

Authority to control decision-making employees or officers. Neither CUNA Mutual nor CUNA has the authority to hire, appoint, demote or otherwise control the officers or other decision-making employees of the other organization, which is an additional consideration in determining affiliation. 11 CFR 100.5(g)(4)(ii)(C) and 110.3(a)(3)(ii)(C). Moreover, CUNA is only one of 135,000 policyholders of CUNA Mutual insurance policies and lacks the capacity to exert any significant authority or control over the officers or other decision-making employees of CUNA Mutual. AO 2003-21. CUNA Mutual is not eligible to become a member of CUNA and does not have any voting interest with respect to CUNA.

Common or overlapping membership. A fourth affiliation factor considers whether a sponsoring organization or committee has a common or overlapping membership with another sponsoring organization or committee which indicates a formal or ongoing relationship between the sponsoring organizations or committees. 11 CFR 100.5(g)(4)(ii)(D) and 110.3(a)(3)(ii)(D). Both CUNA Mutual and CUNA are membership organizations for the purposes of the Act. Therefore, when considering the overlapping membership of CUNA Mutual and CUNA, the Commission examines the overlap between CUNA Mutual's policyholders on the one hand and CUNA's State Leagues and member credit unions on the other. Although a substantial percentage of CUNA's members may also hold CUNA Mutual policies, this overlap is not significant. With a sum total of approximately 8,300 State Leagues and CUNA-member credit unions, and approximately 135,000 CUNA Mutual policyholders, the State Leagues and CUNA-member credit unions could represent no more than 8,300 out of 135,000 (6.1 percent) of CUNA Mutual's policyholders.

Moreover, even if there were extensive overlap between CUNA Mutual policyholders and CUNA's member credit union accountholders, this overlap would not by itself constitute sufficient evidence that one organization currently finances, maintains or controls the other. CUNA Mutual's and CUNA's ongoing formal relationship is limited to arm's length transactions and marketing and endorsement agreements, and the overlap between CUNA Mutual policyholders and CUNA-member credit union accountholders appears to be a consequence of these business arrangements, rather than evidence of the relationship.

Other characteristics of the membership of each organization also lessen the importance of the overlap in this situation. CUNA Mutual

Enforcement Query System Available on FEC Web Site

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

Currently, the EQS contains complete public case files for all MURs closed since January 1, 2000. Users of the system can search for specific words or phrases from the text of all public case documents. They can also identify single matters under review (MURs) or groups of cases by searching additional identifying information about cases prepared as part of the Case Management System. Included among these criteria are case names and numbers, complainants and respondents, timeframes, dispositions, legal issues and penalty amounts.

The system was recently updated to offer additional case information and navigation tools, including:

- A redesigned Case Summary section that includes the name of a respondent committee treasurer and any prior committee treasurer; and
- An On-Line Tutorial to help users to utilize the system's search capabilities more fully.

The Enforcement Query System may be accessed on the Commission's web site at www.fec.gov.

policyholders and the credit union accountholders are large, diffuse groups that are not organized or unified in a way that would allow them to control both entities. The overlap between policyholders and accountholders is not the result of any provision in the bylaws of either group or any other requirement forcing the accountholders to purchase CUNA Mutual insurance policies.

Common or overlapping officers or employees. Two affiliation factors consider whether a sponsoring organization or committee has any members, officers or employees who are, or were formerly, members, officers or employees of another sponsoring organization or committee which indicates a formal or ongoing relationship between the sponsoring organizations or committees, or which indicates the creation of a successor entity. 11 CFR 100.5(g)(4)(ii)(E) and (F); 110.3(a)(3)(ii)(E) and (F). CUNA Mutual and CUNA share no overlapping management personnel, officers or employees. While there is some overlap in non-governance related committees and at lower levels, these committees lack any legal control or governance of the organizations.² Moreover, the initial overlap of employees and officers ended by 1960 and does not indicate a continuing or ongoing relationship between the two organizations.

Provision of funds or goods. Additional affiliation factors ask whether a sponsoring organization or committee provides funds or goods in a significant amount, or arranges for such funds or goods to be provided, on an ongoing basis to another sponsoring organization or committee. 11 CFR 100.5(g)(4)(ii)(G) and (H) and 110.3(a)(3)(ii)(G) and (H).

² CULAC's bylaws provide for an ex-officio non-voting representative of CUNA Mutual to CULAC's board of directors. However, this position has been vacant for more than three years and there are no present plans to fill the position

Because the contractual arrangements between CUNA Mutual and CUNA have resulted from arm's length transactions, they are not the type of financing that would, absent other factors not present here, constitute evidence of affiliation. In addition, although CUNA Mutual provided a one-time \$50,000 payment to CUNA's Administrative Fund to further its political advocacy efforts, CUNA Mutual has not made any other similar payments and it intends none in the future.

Role in the formation of another organization. Another factor in determining affiliation is whether a sponsoring organization or committee, or its agent, had an active or significant role in the formation of another sponsoring organization or committee. 11 CFR 100.5(g)(4)(ii)(I) and 110.3(a)(3)(ii)(I). Although CUNA's officers and directors were directly involved in the formation of CUNA Mutual in the 1930s, CUNA has not continued to finance, maintain or control CUNA Mutual.³ The lack of overlap in officers or employees and the number of formal contracts and agreements that now govern the interactions between the two organizations supports a conclusion that CUNA Mutual and CUNA operate independently. Thus, given the overall context of their current relationship, CUNA's role in establishing CUNA Mutual does not indicate that

³ The Commission has recognized that one organization's previous relationship with another does not make them permanent affiliates, even where one company established or controlled the other, so long as the one organization does not continue to finance, maintain or control the other. AOs 2002-12, 2000-36, 2000-28 and 1995-36.

the two organizations, or their SSFs, are now affiliated.⁴

Conclusion

Given these facts and circumstances, including the period of estrangement between CUNA Mutual and CUNA and the entirely separate functions and governance of the organizations, the two organizations are not affiliated for purposes of the Act. Accordingly, CUNA Mutual PAC is not affiliated with CULAC.

Date Issued: December 16, 2004;
Length: 9 pages.

—Amy Kort

AO 2004-42 LLC as Connected Organization for SSF

Although Pharmavite LLC (Pharmavite) is treated as a partnership under Commission regulations, it is affiliated with the corporation that is its sole member, and it may thus pay the administrative and solicitation costs of that corporation's separate segregated fund (SSF). Additionally, the SSF may be named after Pharmavite instead of the SSF's connected organization, Otsuka America, Inc. (OAI), because Pharmavite is in the position of the connected organization's subsidiary. In fact, naming the SSF after Pharmavite will give the public a more accurate understanding of the SSF's funding and purpose.

Pharmavite's Payment of the SSF's Administrative and Solicitation Costs

Under the Federal Election Campaign Act (the Act), a corporation

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⁴ An additional affiliation factor considers whether the sponsoring organizations or committees have similar patterns of contributions or contributors. 11 CFR 100.5(g)(4)(ii)(J) and 110.3(a)(3)(ii)(J). Because CUNA Mutual PAC is newly formed, this factor was not relevant to the Commission's affiliation analysis.

Advisory Opinions

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may use its general treasury funds to pay for the costs of establishing, administering or soliciting contributions to its SSF without making a contribution or expenditure. 2 U.S.C. §441b(b)(2)(C). A corporation that directly or indirectly establishes, administers or financially supports a political committee is that committee's connected organization. 2 U.S.C. §431(7) and 11 CFR 100.6(a). A partnership, or an LLC that is treated as a partnership, generally may not act as a connected organization. See AOs 2001-7 and 1992-17. Under Commission regulations, a non-publicly traded LLC that does not affirmatively elect to be treated as a corporation by the IRS, like Pharmavite, is treated as a partnership. 11 CFR 110.1(g)(2) and (3).

However, a partnership, or an LLC that is treated as a partner-

ship under Commission regulations, may pay the administrative and solicitation costs of its political action committee if the partnership or LLC is owned entirely by corporations and is affiliated with at least one of those corporations. See AOs 2003-28, 2001-18, 2001-7 and 1997-13. Pharmavite is *per se* affiliated with OAI under Commission regulations because OAI is its sole member. 11 CFR 100.5(g)(3)(i) and 110.3(a)(2)(i). See also AO 1990-10. Thus, because Pharmavite is owned entirely by, and affiliated with, OAI, it may perform the functions of a connected organization for the SSF even though Pharmavite is treated as a partnership under Commission regulations. See AOs 1997-13 and 1994-11. The support provided to the SSF by Pharmavite is deemed to be from OAI, and the SSF must list OAI as its connected organization on its statement of organization. 2 U.S.C. §433(b)(2) and 11 CFR 102.2(a)(1)(ii). See AOs 1997-13 and 1996-49.

Name of SSF

An SSF's name generally must include the full name of its connected organization. 2 U.S.C. §432(e)(5) and 11 CFR 102.14(c). However, the Commission has permitted an SSF's name to include only the name of a joint venture LLC that was treated as a partnership under Commission regulations where the LLC was performing the functions of the SSF's connected organization, because the LLC was in virtually the same position as a corporate subsidiary of the owner corporation. AOs 2003-28, 2001-18 and 1997-13.

In this case, Pharmavite, like the joint venture LLCs, is a wholly corporate-owned LLC treated as a partnership under Commission regulations. Although it cannot serve as the SSF's connected organization, it may perform the functions of a connected organization. Therefore, the SSF's name may include Pharmavite's name alone. See AOs 2003-38, 2001-18 and 1997-13.

Further, because OAI must be listed on the SSF's statement of organization as its connected organization, OAI's relationship to the SSF will be disclosed to the public. Additionally, because the SSF's primary focus will be issues of interest to Pharmavite and its employees, and Pharmavite will use its personnel to conduct the day-to-day operations of the SSF, the use of Pharmavite's name in the SSF's name will provide the public with a more accurate understanding of the SSF's funding and purpose.

Concurring Opinion

Commissioner Scott Thomas issued a concurring opinion on December 17, 2004.

Date Issued: December 16, 2004;
Length: 5 pages.

—Amy Kort

Statistics

Congressional Campaigns Spend \$912 Million through Late November

Congressional candidates participating in the November 2, 2004, general election raised \$985.4 million and spent \$911.8 million between January 1, 2003, and November 22, 2004.¹ These figures represent an increase of 20 percent in receipts and 18 percent in spending over the comparable period in 2002.

Candidates in special elections spent an additional \$8.2 million in 2003 and 2004, and candidates who lost in primaries reported \$197 million in spending through September 30, 2004.

Senate candidates participating in the 2004 general election raised \$371.6 million and spent \$360.2 million—an increase of 32 percent in

Campaign Guides Available

For each type of committee, a *Campaign Guide* explains, in clear English, the complex regulations regarding the activity of political committees. It shows readers, for example, how to fill out FEC reports and illustrates how the law applies to practical situations.

The FEC publishes four *Campaign Guides*, each for a different type of committee, and we are happy to mail your committee as many copies as you need, free of charge. We encourage you to view them on our web site (www.fec.gov).

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

¹ At the end of January 2005, all campaigns filed year-end reports covering the remainder of 2004.

both fundraising and spending over 2002 levels. However, it is important to note the difficulty in making comparisons among Senate races across election cycles. The states with Senate races vary by election year, and a few campaigns can significantly affect financial totals. In 2004, for example, there were Senate campaigns in several large states that typically are more expensive. California, New York and Pennsylvania had incumbents seeking reelection, and Florida and Illinois had open-seat races.

General election fundraising by House candidates increased 14 percent over 2002 levels to a total of \$613.8 million. Spending by these candidates totaled \$551.7 million, up 10 percent. This growth is found mainly among Republican candidates whose fundraising increased by 24 percent since 2002, with spending up by 20 percent. Fundraising by Democratic House candidates, by contrast, increased by three percent, while their spending rose only one percent. Both the number of open seat candidates and

their financial activity declined for Democrats and Republicans in 2004. However, median receipts grew in 2004 for all types of House campaigns except Democratic candidates in open seat races.

Contributions from individuals totaled \$613 million and continue to be the largest source of receipts for Congressional candidates, representing 62 percent of all fundraising as of November 22. PAC contributions totaled \$288.6 million, or 29 percent, while candidates themselves contributed or loaned a total of \$39.4 million, which represents four percent of all receipts. Contributions from individuals grew by 36 percent when compared with the same time period in the 2002 campaign, while PAC contributions increased by 12 percent. Contributions and loans from candidates themselves were 44 percent lower than 2002 totals. Campaigns also showed a slightly larger reliance on contributions in excess of \$200 from individuals. Those changes were not large, however, in the first election cycle during which

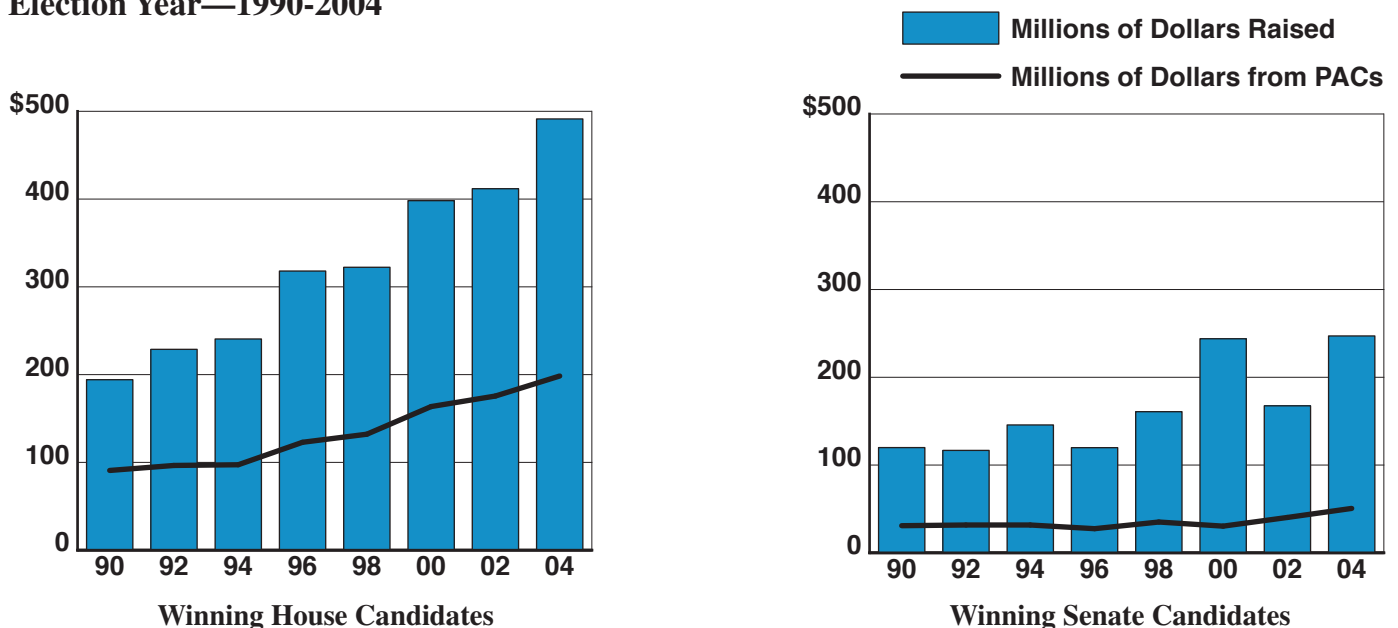
the legal limit on individual contributions to candidates was doubled under the Bipartisan Campaign Reform Act of 2002 (BCRA).

The general pattern of financial activity in 2004 can also be seen in the overall totals for general election winners, as detailed in the charts below. (Please note that, while there are generally only 33 or 34 winning Senate candidates per general election, there are 435 winning House candidates. Thus, the total amount raised by Senate candidates is lower for each election cycle shown below, even though individual Senate candidates may have raised significantly more money than individual House candidates.)

Apart from spending by campaigns themselves, individuals and groups, including parties and PACs, spent an additional \$129.7 million through November 22, 2004, on independent expenditures advocating the election or defeat of Congressional candidates. Party committees accounted for 89 percent of these

(continued on page 10)

Financial Activity of Winning Congressional Candidates through Late November of the Election Year—1990-2004



Statistics

(continued from page 9)

independent expenditures (\$116.1 million). Independent expenditures in 2002 Congressional races totaled only \$18.8 million, of which only \$3.7 million were made by parties. Before the BCRA took effect, parties were permitted to use a mix of federal and nonfederal money for generic activities, some of which included advertising that referred to federal candidates without advocating their election. Under the BCRA, national parties are prohibited from raising or spending any nonfederal funds. National and state parties are also permitted to make coordinated party expenditures on behalf of general election candidates. These expenditures totaled \$26.7 million through late November, compared with \$20.4 million in coordinated expenditures in 2002.

Additional information on Congressional financial activ-

ity is available in a press release dated January 3, 2005. That release includes summary data for Senate and House candidates by political party, as well as by candidate status (incumbent, challenger or open seat). Also included are rankings of Senate and House candidates for the following categories: receipts, individual contributions, PAC and other committee contributions, contributions and loans from the candidate, disbursements, cash-on-hand and debts owed. Six-year financial summaries of Senate candidates for 2004, as well as current-cycle financial summaries for each House campaign, are also attached. The release is available on the FEC web site at <http://www.fec.gov/press/press2005/2005news.shtml>.

—Amy Kort

if made by ATR, or an excessive contribution, if made personally by Mr. Norquist. In either case, CREW stated that the contribution was also illegal because it was not reported to the FEC. 2 U.S.C. §§441b(a), 441a(a)(1)(A), 441a(f), 434(a) and 434(b).

On October 19, 2004, the Commission determined to take no

Visit the FEC's Redesigned Web Site

FEC staff recently completed a significant upgrade of the Commission's web site, www.fec.gov. The redesigned site offers a wealth of information in a simple, clearly-organized format. Features include cascading menus that improve navigation and interactive pages that allow users to tailor content to their specific needs. Noteworthy among the new features is a search engine. This tool allows visitors to immediately access all pages on the site that contain a desired word or phrase. Another new feature, the Commission Calendar, helps users keep track of reporting deadlines, upcoming conferences and workshops, Commission meetings, comment deadlines and more.

The site also offers a robust new enforcement section that includes the Enforcement Query System, information on closed MURs, the Alternative Dispute Resolution and Administrative Fine programs and—for the first time—access to final audit reports issued by the Commission.

The Commission encourages the regulated community and the public to make use of this dynamic and interactive site by visiting www.fec.gov.

Court Cases

New Litigation

CREW v FEC

On December 13, 2004, Citizens for Responsibility and Ethics in Washington (CREW) filed a complaint with the U.S. District Court for the District of Columbia asking the court to find that the Commission acted contrary to law when it dismissed the plaintiff's administrative complaint (MUR 5409) dated February 4, 2004. The administrative complaint alleged that Grover Norquist, Americans for Tax Reform (ATR), Ken Mehlman and Bush-Cheney '04 (BC '04) violated the limits, prohibitions and reporting requirements of the Federal Election Campaign Act (the Act).

Background. According to the administrative complaint, Mr. Norquist, head of ATR, provided Mr. Mehlman, campaign manager for BC '04, with a master list of conservative activists. CREW alleged that the list represented either a prohibited in-kind corporate contribution,

FEC Accepts Credit Cards

The Federal Election Commission now accepts American Express, Diners Club and Discover Cards in addition to Via and MasterCard. While most FEC materials are available free of charge, some campaign finance reports and statements, statistical compilations, indexes and directories require payment.

Walk-in visitors and those placing requests by telephone may use any of the above-listed credit cards, cash or checks. Individuals and organizations may also place funds on deposit with the office to purchase these items. Since prepayment is required, using a credit card or funds placed on deposit can speed the process and delivery of orders. For further information, contact the Public Records Office at 800/424-9530 or 202/694-1120.

further action in this matter and to close the file. According to the Commission’s First General Counsel’s Report, the contribution appeared to be “limited in size and impact,” and the Office of General Counsel recommended that the Commission “exercise its prosecutorial discretion and take no further action” in the matter.

Court complaint. CREW asks the court to find that the Commission’s dismissal of the allegations in its administrative complaint was based on an impermissible interpretation of the Act and was arbitrary, capricious, an abuse of discretion and contrary to law. 2 U.S.C. §437g(a)(8)(A). CREW asks that the court:

- Declare contrary to law the FEC’s failure to require disclosure of the value of the master contact list and its failure to find that ATR made and BC ’04 accepted a corporate contribution; and
- Remand the matter to the FEC with an order to conform to the court’s declaration within 30 days.

U.S. District Court for the District of Columbia, 04-2145.

—Amy Kort

Public Funding

Commission Certifies Matching Funds for Presidential Candidates

On December 28, 2004, the Commission certified \$214,748 in federal matching funds to two Presidential candidates for the 2004 election. The U.S. Treasury Department made the payment on December 1, 2004. This certification raises to \$28,355,482.74 the total amount of federal funds certified thus far to eight Presidential candidates under the Matching Payment Account Act.

Presidential Matching Payment Account

Under the Presidential Primary Matching Payment Account Act, the federal government will match up to \$250 of an individual’s total contributions to an eligible Presidential primary candidate. A candidate must establish eligibility to receive matching payments by raising in excess of \$5,000 in each of at least 20 states (i.e., over \$100,000). Although an individual may contribute up to \$2,000 to a primary candidate, only a maximum of \$250 per individual applies toward the \$5,000 threshold in each state. Candidates who

receive matching payments must agree to limit their committee’s spending, limit their personal spending for the campaign to \$50,000 and submit to an audit by the Commission. 26 U.S.C. §§9033(a) and (b) and 9035; 11 CFR 9033.1, 9033.2, 9035.1(a)(2) and 9035.2(a)(1).

Candidates may submit requests for matching funds once each month. The Commission will certify an amount to be paid by the U.S. Treasury the following month. 26 CFR 702.9037-2. Only contributions from individuals in amounts of \$250 or less are matchable.

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Matching Funds for 2004 Presidential Primary Candidates: December Certification

Candidate	Certification December 2004	Cumulative Certifications
Wesley K. Clark (D) ¹	\$0	\$7,615,360.39
John R. Edwards (D) ²	\$0	\$6,647,851.44
Richard A. Gephardt (D) ³	\$0	\$4,104,319.82
Dennis J. Kucinich (D) ⁴	\$208,000.00	\$3,291,962.59
Lyndon H. LaRouche, Jr. (D) ⁵	\$0	\$1,456,019.13
Joseph Lieberman (D) ⁶	\$0	\$4,267,796.85
Ralph Nader (I) ⁷	\$6,748.00	\$872,172.52
Alfred C. Sharpton (D)	\$0	\$100,000.00 ⁸

¹ General Clark publicly withdrew from the Presidential race on February 11, 2004.

² Senator Edwards publicly withdrew from the Presidential race on March 3, 2004.

³ Congressman Gephardt publicly withdrew from the Presidential race on January 2, 2004.

⁴ Congressman Kucinich became ineligible to receive matching funds on March 4, 2004.

⁵ Mr. LaRouche became ineligible to receive matching funds on March 4, 2004.

⁶ Senator Lieberman publicly withdrew from the Presidential race on February 3, 2004.

⁷ Ralph Nader became ineligible to receive matching funds on September 2, 2004.

⁸ On May 10, 2004, the Commission determined that Reverend Sharpton must repay this amount to the U.S. Treasury for matching funds he received in excess of his entitlement. See the July 2004 Record, page 8.

Public Funding

(continued from page 11)

The chart on page 11 lists the amount most recently certified to each eligible candidate who elected to participate in the matching fund program, along with the cumulative amount that each candidate has been certified to date.

—Amy Kort

Alternative Dispute Resolution

ADR Program Update

The Commission recently resolved seven additional cases under the Alternative Dispute Resolution (ADR) program. The respondents, the alleged violations of the Federal Election Campaign Act (the Act) and the final disposition of the cases are listed below.

1. The Commission reached agreement with Lindsey Graham for Senate and Neil Byerley, its treasurer, regarding the committee's misstatement of financial activity and failure to disclose transfers accurately. The respondents acknowledged that an inadvertent violation of the Act occurred, but contended that all of the errors stemmed from their misunderstanding of how to transfer funds. In an effort to avoid similar errors in the future, the respondents agreed to require their Finance Director to supervise compliance with the Act and to develop a campaign finance compliance manual for committee staff reference. The respondents agreed to pay a \$10,000 civil penalty. (ADR 178)¹

2. The Commission closed the file concerning Chiropractors for Wellness Care PAC and Terry A. Rondberg, its treasurer, regarding

their alleged failure to register as a political committee. The ADR Office recommended that the Commission dismiss the case, and the Commission agreed to take no further action. (ADR 191/MUR 5449)

3. The Commission closed the file concerning allegations of prohibited contributions involving Harold and Marian Coleman Charitable Foundation, Inc. and its President Carol Kaufman, NARAL Pro-Choice America PAC and its treasurer John Botts, National Committee for an Effective Congress and its treasurer James Byron, Emily's List and its treasurer Joseph Solmonese, Democratic Congressional Campaign Committee and its treasurer James Bonham, Democratic Victory Fund, NOW PAC and its treasurer Terry O'Neill, America Women Vote, DNC Services Corporation/Democratic National Committee and its treasurer Andrew Tobias, Democratic Senatorial Campaign Committee and its treasurer David Rudd, Friends of Senator Carl Levin and its treasurer Robert Naftaly, Jean A. Carnahan PAC and its treasurer Thomas Carnahan, Brady Campaign to Prevent Gun Violence—Voter Education Fund and its treasurer Mark Ingram, DNCC and Friends of Max Cleland and its treasurer Harry Stephens. The ADR Office recommended that the Commission dismiss the case and the Commission agreed to take no further action. (ADR 195/MUR 5476)

4. The Commission reached agreement with David Brigham for Congress and Martin Olivarez, its treasurer, regarding the committee's failure to report disbursements and to file 48-hour notices. The respondents acknowledged that inadvertent violations of the Act occurred at the beginning of the campaign due to a misunderstanding of the Act's reporting requirements for disbursements. In an effort to avoid similar errors in the future, the respondents agreed to appoint an FEC compliance person, amend all reports to

reflect accurately the disbursements made by the candidate between December 12, 2003, and February 18, 2004, and circulate a memorandum to all committee staff and volunteers about receipts and the information the treasurer requires for disclosure purposes. The respondents agreed to pay a \$1,000 civil penalty. (ADR 177/MUR 5425)

5. The Commission reached agreement with M. Sue Wilson regarding excessive donations. The respondent acknowledged that an inadvertent violation of the Act occurred, explaining that she assumed that she could still legally contribute because the committee continued to solicit contributions. The respondent accepted an admonishment from the Commission and, in an effort to avoid similar errors in the future, agreed to educate herself about the Act and maintain a list of all contributions made to candidates or to finance federal elections. (ADR 184/MUR 5452)

6. The Commission reached agreement with Philip L. Capitano regarding his alleged failure to report independent expenditures and violation of the Act's disclaimer requirements. The ADR Office recommended that the case be closed, and the Commission agreed to close the file. (ADR 208/MUR 5531)

7. The Commission closed the case involving Wisconsin Veterans of Foreign Wars (VFW) District 11 and Calvin F. Wells, its Commander, regarding alleged prohibited contributions. The ADR Office recommended that the case be closed, and the Commission agreed to close the file. (ADR 211/MUR 5473)

—Amy Kort

¹ This case was internally generated within the FEC.

Administrative Fines

Committees Fined for Nonfiled and Late Reports

The Commission recently publicized its final action on 26 new Administrative Fine cases, bringing the total number of cases released to the public to 1,038, with \$1,394,398 in fines collected by the FEC during the four years that the program has been in place.

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

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

The committees listed in the charts below at left, along with their treasurers, were assessed civil money penalties under the administrative fines regulations.

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

—Amy Kort

Committees Fined and Penalties Assessed

1. Barrett for Congress		\$1,775
2. Colleen for Congress	April Quarterly 2003	_____ ¹
3. Colleen for Congress	July Quarterly 2003	_____ ¹
4. Colleen for Congress	October Quarterly 2003	_____ ¹
5. Colonial BancGroup Inc. Federal PAC (Colonial Fed PAC)		\$1,125
6. Congressional Black Caucus PAC (CBC-PAC)		\$1,575
7. DeMint for Senate Committee, Inc.		\$8,700
8. District No 4 – NMU/MEBA AFL-CIO Political & Legislative Organization on Watch D/B/A, NMU PLOW		\$340 ²
9. Friends of Ferris		\$106
10. Frist 2000 Inc.		\$1,275
11. Hoosiers for Hardy		\$900
12. Indiana Dental PAC		\$332
13. Joe Wilson for Congress Committee		\$900
14. Magazine Publishers of America PAC (FKA Magazine Publishers Association PAC)		\$900
15. Nadeau for Congress		\$1,700
16. NATSO PAC		\$420
17. Ohio Provider Resource Association PAC		\$205
18. Regence BluePAC		\$168
19. Rolle for Congress		\$900 ³
20. Ross for Congress	Year End 2002	\$0 ⁴
21. Ross for Congress	Year End 2003	\$13,750 ³
22. SouthEast Anesthesia Associates PAC		\$900
23. Steamfitters Local 475 PAC		\$1,500
24. Stoll 2004		\$2,000
25. United Seniors PAC		\$4,500 ^{3,4}
26. Western United Dairymen's Association Federal PAC		\$750

¹ The Commission took no further action in this case. The respondents downloaded faulty software, which contributed to their failure to file a timely report.

² The respondents misunderstood an e-mail sent by the Commission, which led to the report being filed late.

³ This civil money penalty has not been collected.

⁴ This civil money penalty was reduced due to the level of activity on the report.

Publications

FEC Issues 2004 Performance Accountability Report

The FEC has issued its 2004 Performance and Accountability Report (PAR) in compliance with the requirements of the Accountability of Tax Dollars Act of 2002. The report details the results of an audit of the FEC's financial management systems and internal management controls conducted by the independent certified public accounting firm of Clifton Gunderson LLP. The Commission received a fully unqualified (clean) opinion of its financial statements. This unqualified (clean) opinion indicates that the FEC's financial statements fairly present its financial position. The opinion reflects the agency's commitment to sound financial management and its reliance on reliable financial data for making budgetary decisions.

The Accountability of Tax Dollars Act of 2002 extends to small agencies, such as the FEC, certain requirements for the preparation of financial statements, and it requires a full financial audit of the agency's financial management systems and internal management controls. The 2004 report represents the first year that the FEC was required to produce financial statements and undergo a full financial audit. The FEC committed significant resources to improving its financial systems and preparing for the first year of full financial audits.

The 2004 report contains three sections:

- "Management's Discussion and Analysis," which provides an overview of the financial and performance information addressed in the report;
- "Performance," which reports the FEC's accomplishments and its results in meeting its goals and objectives; and

- "Financial," which contains details on the FEC's finances.

The report specifically addresses key performance measures that depict the FEC's processing of record levels of campaign finance reports during the most recent election cycles. Although new records of total campaign spending have been set each election cycle since the 1992 election, the FEC has continued to improve the timeliness of its data processing and review of reports and to expand and improve the disclosure of reports and data. The FEC has also improved its compliance programs by expanding its enforcement presence and increasing the number of cases closed with substantive actions. Moreover, in recent years the Commission has successfully implemented the Bipartisan Campaign Act of 2002 (BCRA), which contained significant amendments to the Federal Election Campaign Act. The Commission at the same time defended its implementing regulations, and the BCRA itself, from legal challenges.

The FEC's 2004 Performance Accountability Report is available on the FEC web site at <http://www.fec.gov>.

—Amy Kort

Outreach

FEC Campaign Finance Law Conferences in 2005

Each year the Federal Election Commission sponsors conferences where Commissioners and staff conduct a variety of technical workshops on the campaign finance law. Discussion topics include fundraising, reporting and communications. Workshops are designed for those seeking an introduction to the basic provisions of the law as well as for those more experienced in campaign finance law. The schedule at right lists the dates and locations for

conferences to be held in 2005. This year, conferences held in Washington, DC, will feature an opportunity for each participant to meet the FEC Campaign Finance Analyst who reviews his or her committee's FEC reports.

Conference for House and Senate Campaigns and Political Committees

The Commission will host a conference specifically tailored to the needs of House and Senate Campaigns and political party committees March 15 through 17 in

Conferences Scheduled for 2005

Conference for House and Senate Campaigns and Political Party Committees

March 15-17, 2005
Loews L'Enfant Plaza
Washington, DC

Conference for Corporations and their PACs

April 25-27, 2005
Loews L'Enfant Plaza
Washington, DC

Conference for Trade Associations, Membership Organizations, Labor Organizations and their PACs

June 1-3, 2005
Hyatt Regency Chicago
Chicago, IL

Conference for Campaigns, Parties and Corporate/Labor/ Trade PACs

September 14-15, 2005
Hyatt Regency Islandia
San Diego, CA

Conference for Campaigns, Parties and Corporate/Labor/ Trade PACs

October 25-26, 2005
Crowne Plaza Hotel
San Antonio Riverwalk
San Antonio, TX

Washington, DC. The registration fee for the this conference is \$375 for individuals who register on or before February 11, and \$385 for those who register later. A room rate of \$195 (single or double) is available for conference participants who make reservations by February 11.

Conference for Corporations and their PACs

The Commission will hold a conference for corporations and their PACs April 25 through 27, 2005, in Washington, DC. The registration fee for this conference is \$375 for participants who register on or before March 24, and \$385 for late registrations. A room rate of \$189 (single or double) is be available for conference participants who make reservations on or before March 24.

Hotel Reservations

These conferences will be held at the Loews L’Enfant Plaza Hotel, which is located at 480 L’Enfant Plaza SW., Washington, DC. Call 1-800/635-5065 to make room reservations. You must mention that you are attending the FEC conference in order to receive the special group rate. Parking is available at the hotel for a fee of \$15 per day and \$22 overnight. The hotel is located near the L’Enfant Plaza Metro and the Virginia Railway Express stations.

Registration Information

Complete registration information is available on the FEC web site at <http://www.fec.gov/info/outreach.shtml#conferences>.

Please direct all questions about conference registration and fees to Sylvester Management Corporation at 1-800/246-7277. For questions about the conference program, or to receive e-mail notification of upcoming conferences, call the FEC’s Information Division at 1-800/424-9530 (or locally at 202/694-1100) or send an e-mail to Conferences@fec.gov.

—Amy Kort

Roundtable for Committee Treasurers

On March 23, 2005, the Commission will host a roundtable session for political committee treasurers to discuss their responsibilities as they prepare for the 2006 election cycle. Topics will include reporting requirements and filing schedules, recordkeeping requirements and treasurers’ responsibilities for compliance with the limits and prohibitions of the Federal Election Campaign Act. FEC staff will also address the Commission’s recent policy statement on treasurer liability in FEC enforcement actions (see related article on page 4). The chart below provides details.

The roundtable will be held at 9:30 a.m. at the FEC, 999 E. St., NW., Washington, DC. Attendance is limited to 30 people, and registration is accepted on a first-come, first-served basis. Please call the FEC before registering or sending money to ensure that openings remain. The registration form is available on the FEC web site at <http://www.fec.gov> and from Faxline, the FEC’s automated fax system (202/501-3413, request document 590). For more information, call the Information Division at 1-800/424-9530, or locally at 202/694-1100.

—Amy Kort

Get Conference Info Via E-Mail

Be the first to know about upcoming FEC conferences by signing up to receive advance notice e-mails. Simply send your contact information (e-mail address, name, organization, mailing address, fax and phone numbers) to Conferences@fec.gov and you will periodically receive updated information regarding FEC conferences of interest to your organization. The complete conference schedule for 2005 is also available on the FEC’s web site at <http://www.fec.gov/info/outreach.shtml#conferences>.

—Meredith Trimble

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The first number in each citation refers to the “number” (month) of the 2005 *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.

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Roundtable Schedule

Date	Subject	Intended Audience
March 23 9:30-11:00	Treasurers’ Responsibilities <ul style="list-style-type: none"> • Basic Limits and Prohibitions; • Recordkeeping and Reporting; • New Policy on Treasurer Liability. 	<ul style="list-style-type: none"> • Political Committee Treasurers; and • Campaign Finance Attorneys and Accountants

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